

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

+ + + + +

THURSDAY

JANUARY 19, 2023

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IN THE MATTER OF: :
: :
Trenton Park Apartments, L.P. : Case No.
: 22-10
: :
: :
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Video Teleconference

The Public Hearing of Case Nos. 22-10, by the
District of Columbia Zoning Commission convened at 4:05 p.m.
EDT, Anthony J. Hood, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson
ROBERT MILLER, Vice-Chair
JOSEPH IMAMURA, Board Member

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OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN, Secretary
PAUL YOUNG, Zoning Data Specialist

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

HILLARY LOVICK, Esquire

The transcript constitutes the minutes from the
Regular Public Hearing held on January 19, 2023

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T-A-B-L-E O-F C-O-N-T-E-N-T-S

Case No. 22-10 - Application of Trenton Park
Apartments, L.P. 4

P-R-O-C-E-E-D-I-N-G-S

(4:05 p.m.)

CHAIRMAN HOOD: Good afternoon, ladies and gentlemen. Today's date is January 19, 2023. We are convening and broadcasting is public hearing by video conferencing. My name is Anthony Hood and I'm joined by Vice Chair Miller and Commissioner Imamura. Commissioner May may read the record if need be. We're also joined by the Office of Zoning Staff, Ms. Sharon Schellin, our secretary, and Mr. Paul Young who will be handling all of our virtual operations. Our Office of Zoning and legal division lead counsel, Ms. Hillary Lovick. I will ask all of to introduce themselves at the appropriate time.

The virtual public hearing notice is available on the Office of Zoning's website. This proceeding is being recorded by court reporting. The platforms used are used are WebEx and YouTube Live. The video will be available on Office of Zoning's website after the hearing. All persons planning to testify should have signed up in advance and will be called by name at the appropriate time.

At the time of signup, all participants will complete the oath or affirmation required by Subtitle Z 48.7. Accordingly, all those listening on WebEx or by phone will be muted during the hearing and only those who have signed up to participate or testify will be unmuted at the appropriate time. When called, please state your name before providing your testimony. When you

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1 are finished speaking, please mute your audio.

2 If you experience difficulty accessing WebEx or with
3 your telephone call in or have not signed up, then please call
4 our OZ hotline number at 202-727-0789.

5 If you wish to file written testimony or additional
6 supporting documents during the hearing, then please be prepared
7 to describe and discuss it at the time of your testimony.

8 The subject of this evening's hearing is Zoning
9 Commission case number 22-10, Trenton Park Apartments, L.P., Map
10 Amendment at Square 5969, Lot -- let me bring this down -- Lots
11 4 through 5 and Square 59 to 73, Lots 11 through 15, 3500 to 3522
12 6th Street, S.E., 620 through 624 Mississippi Avenue, S.E. and
13 3631 through 3649, 6th Street S.E.

14 And again, today's date is January 19th. One moment.
15 The file is moving around. The hearing will be conducted in
16 accordance with provisions of 11(Z) DCMR, Chapter 4 as follows.
17 We will have preliminary matters, Applicant's case. The
18 Applicant has up to 60 minutes. I don't believe we need 60
19 minutes, maybe 15. We will also hear the report of the other
20 government agencies, report of the District Department of
21 Transportation and then the Office of Planning, report of the
22 ANC, testimonies of organizations, five minutes and individuals
23 three minutes, and we will hear the following order, from those
24 who are in support, opposition, or undeclared. And then we will
25 have a rebuttal and closing by the Applicant.

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1 Again, the Office of Zoning hotline number is 202-727-
2 0789 for any concerns during these proceedings. I am trying to
3 remember off the top of my head what ANC. I think -- is this
4 8C. Does anybody know right off without me having to try to find
5 it?

6 MS. LOVICK: Yes.

7 CHAIRMAN HOOD: 8C? Okay. I --

8 MS. LOVICK: Yes.

9 CHAIRMAN HOOD: Thank you. Thank you. All right. So
10 again, this is within the boundaries of ANC 8C. At this time,
11 the Commission will listen to any preliminary matters. Does the
12 staff have any preliminary matters?

13 MS. SCHELLIN: Just very quickly. Shane Dettman is
14 being proffered is an expert witness in planning. His resume is
15 that Exhibit 36D. The Commission has previously accepted him as
16 an expert, and so we just ask the Commission to accept him in
17 this case.

18 CHAIRMAN HOOD: Oaky. Any objections?

19 (No response.)

20 CHAIRMAN HOOD: Okay. No objections.

21 MS. SCHELLIN: Okay. The Applicant is being
22 represented by Meghan Hottel Cox of Ghoulston & Storrs. Cary
23 Kadlecek, I believe, is also available if need be. But just
24 Meghan will be the only one pulled up and the Applicant. Matt
25 Jessick is representing the Office of Planning.

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1 And 8C, they did not state who could represent them so
2 it would be the Chairman, which I don't see him here, Mr. Adolfo,
3 I believe, is how you pronounce it. Salim Adolfo. I don't see
4 him on it this time, but that is the 8C Chairman and the Applicant
5 is planning a presentation between 10 and 15 minutes.

6 At this time, we have one person signed up to testify
7 in support and two undeclared and I'll turn it over to the
8 Commission. Thank you.

9 CHAIRMAN HOOD: Thank you for teeing all that up for
10 us, Ms. Schellin. I think we're ready to hear from the Applicant
11 so we can bring everyone up who is going to testify. And I think
12 Ms. Hottel Cox is taking the lead, I believe.

13 Okay. So Ms. Hottel Cox, whenever you get your team
14 up and you get ready, you all may proceed.

15 MS. HOTTEL COX: Thank you. Can everyone hear us?

16 CHAIRMAN HOOD: Yes. You're all in one room?

17 MS. HOTTEL COX: Yes, we are.

18 CHAIRMAN HOOD: Oh. Okay. Well, I won't say anything
19 because every time I say something before it's -- but we don't
20 get any -- we're not getting any background feed, back feed, so
21 good. Let's keep it that way. Thank you.

22 MS. HOTTEL COX: Excellent.

23 MS. SCHELLIN: Chairman Hood, if I may make one
24 correction? It's one in opposition and two undeclared --

25 CHAIRMAN HOOD: Okay. Thank you.

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1 MS. SCHELLIN: That have signed up so far. Thank you.

2 CHAIRMAN HOOD: Okay. Thank you.

3 Ms. Hottel Cox, we'll turn it over to you.

4 MS. HOTTEL COX: Thank you. Good afternoon, Chairman
5 Hook and members of the Commission. Mr. Young, could we pull up
6 the presentation that we submitted?

7 And again, my name is Meghan Hottel Cox and my colleague
8 Kary Kadlecek and I are attorneys with Ghoulston & Storrs, land
9 use counsel in this case. We're excited to present this map
10 amendment application on behalf of Enterprise Community
11 Development's entity, Trenton Park Apartments, L.P., the
12 Applicant in this case.

13 The property this application proposes to rezone is on
14 the north side of Mississippi Avenue, southeast on either side
15 of 6th Street in Congress Heights. The property is known as
16 Meadowbrook Run, a garden apartment development on approximately
17 9.1 acres. The property is improved with 25 garden apartment
18 buildings and several surface parking lots. The property is
19 surrounded by other multi-family apartment buildings, single-
20 family homes, and a public school and recreation center.

21 The property is currently located in the RA-1 Zone
22 which does not permit new residential development as a matter of
23 right. Based on the moderate density residential designation on
24 the Comprehensive Plan's Future Land Use Map, we are proposing
25 to rezone the property to the RA-2 Zone which would allow an FAR

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1 of up to 2.16 with inclusionary zoning and a height of 50 feet,
2 both consistent with this FLUM designation.

3 We have two witnesses today. First, Riane McWain with
4 the Applicant will provide context and general information about
5 the existing community at the property. The significant outreach
6 to the residents for the redevelopment and this application, as
7 well as the commitments that are a part of the Relocation Plan
8 that's been included in the record at Exhibit 14A. Second, Shane
9 Dettman, the urban planner with Ghoulston & Storrs, will discuss
10 the application's consistency with the Comprehensive Plan when
11 evaluated through a racial equity lens.

12 Before I turn it over to our witnesses, we are pleased
13 to be here with support from the Office of Planning, DDOT and
14 ANC 8C. Their reports are in the record at Exhibits 37 through
15 39. And with that, I will turn it over to Riane McWain with
16 Enterprise Community Development.

17 MS. MCWAIN: Good afternoon, everyone. Thank you for
18 your time. So next slide, please.

19 The Applicant, Enterprise Community Development, it has
20 been around for over 30 years and we have experience with the
21 creation, preservation and the operation of affordable homes
22 throughout the District, Maryland and Virginia. Something that
23 Enterprise prides itself on is that we are the largest black-led
24 affordable housing developer as well has the number one
25 affordable housing provider in the Mid-Atlantic.

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1 Enterprise acquired Meadowbrook in 2012 and we seek to
2 upgrade and modernize the property built in the late 1950s. Some
3 of those existing conditions that are reflected has a result of
4 the age of the property. Next slide, please.

5 So these existing conditions directly impacts the
6 various design, inefficiencies and operational challenges. So
7 HVAC is not uniform throughout the property. It is dated.
8 Because of the age of the buildings, the electrical amp is not
9 adequate. There are storm water challenges which creates
10 flooding issues.

11 And because of the layout of the property -- so it is
12 on 9 acres and there are 25 buildings. Because of the topography
13 layout, it's not accessible for our mobile impaired residents and
14 that's -- and because of the layout, it does lean into some
15 security challenges and it makes our common spaces not adequately
16 used.

17 So to adequately address some of these existing or all
18 of these existing conditions, Enterprise reimagined the
19 development potential of Meadowbrook and how best to create a
20 mixed income community. Next slide.

21 So it would -- so this redevelopment potential, it
22 would be -- it would occur over two phases. The first phase
23 would provide new, modern, affordable homes in the addition of
24 State of the Art amenities and then Phase II would be market and
25 affordable home ownership townhomes. Currently, the property has

1 two affordable covenants and the longest one runs until 2042.
2 As part of the redevelopment, Enterprise will seek a new covenant
3 and that will most likely occur with DHCD. Next slide, please.

4 So has part of our redevelopment at Meadowbrook, there
5 would be no net loss of affordable units. So there would be one-
6 for-one-unit replacement of all affordable units and residents
7 will be able to return as part of our Relocation Plan. We intend
8 to minimize temporary displacement and we would provide both
9 temporary and permanent relocation to all the residents. Next
10 slide, please.

11 So knowing our redevelopment vision for Meadowbrook,
12 we began a community outreach back in 2020. We first started to
13 meet with residents, just sharing with them our vision for
14 Meadowbrook and why we were seeking to develop the site. As I
15 mentioned, there is a plethora of existing conditions which would
16 make a traditional renovation -- it would not properly address
17 all of those all of those conditions.

18 So we met with residents in 2020. That occurred
19 virtually and has we went into 2022, 2023, we had been meeting
20 with residents in-person as part of that community outreach with
21 residents. We did engage a community engagement consultant to
22 help us bridge that gap between us and residents so that we could
23 bring a resident voice and perspective to the process and to also
24 support our outreach to the broader Meadowbrook community.

25 For the broader community, we have had conversations

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1 with LEDC and Housing Counseling Services, and we look forward
2 to a future collaborative partnership with the Ward 8 community
3 and Economic Development Collaborative. And in addition, we have
4 also been meeting with the with the ANC throughout 2021 and 2022.
5 We will continue to do so. And we have also been able to provide
6 information to the larger community via distribution from the
7 ANC. Next slide, please.

8 MR. DETTMAN: Good afternoon, Commissioners. My
9 testimony today will focus on the proposals, consistency with the
10 Comprehensive Plan, Future Land Use Map, Generalized Policy Map,
11 and will also summarize the findings of the Racial Equity Impact
12 Assessment that was submitted into the record.

13 Pursuant to Subtitle X 500.3, to approve a proposed map
14 amendment, the Commission must determine the proposal is not
15 inconsistent with the Comprehensive Plan when read as a whole and
16 with other adopted policies and programs that are related to the
17 site. In conducting its Comp Plan evaluation, the Commission
18 must consider the supplemental guidance provided in applicable
19 Small Area Plans, and in this case we have the Congress Heights
20 Small Area Plan which was approved by the D.C. counsel in November
21 15, 2022.

22 With respect to Comp Plan consistency, we believe the
23 proposed map amendment is not inconsistent with the Comp Plan
24 when it's read as a whole. As detailed assessment demonstrating
25 the proposal's consistency with the city-wide and area elements

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1 can be found at Exhibits 3 and 36(B) of the record.

2 So turning to the slide that's before you right now,
3 the Future Land Use Map. The site is designated as Moderate
4 Density Residential on the FLUM and as described in the framework
5 element, areas designated Moderate Density Residential are
6 generally suited for row houses and low-rise garden style
7 apartments and densities typically reach up to 1.8 FAR, with
8 additional density allowable through IZ or a PUD.

9 The proposed map amendment is not inconsistent with the
10 FLUM. First, the RA-2 zone is expressly referenced as being
11 consistent with the Moderate Density Residential designation, and
12 the permitted density in RA-2 is entirely consistent with the
13 guidance that's provided in the framework element.

14 Secondly, the general height mass and bulk that's
15 achievable as a matter of right in the RA-2 zone is compatible
16 with the prevailing development pattern in the surrounding area
17 which is generally containing a mix of detached homes, row homes,
18 garden style apartments and education and recreation facilities
19 that range between two and four stories. Next slide, please, Mr.
20 Young?

21 Looking at the Generalized Policy Map, the site is
22 located within a Future Planning Analysis Area. As you know, the
23 general rule that the future planning analysis shall precede any
24 zoning changes on sites that are within Future Planning Analysis
25 Areas. And in this case, as I've mentioned, that future planning

1 analysis has occurred with the with the Congress Heights Small
2 Area Plan.

3 The site is also located in a Neighborhood Conservation
4 Area, and the guiding philosophy for Neighborhood Conservation
5 Areas is to conserve and enhance established neighborhoods, but
6 not preclude development, especially if it's going to advance
7 citywide housing needs. Densities in neighborhood conservation
8 areas are guided by the FLUM and new developments should maintain
9 diversity of land uses, building types and be compatible with the
10 surrounding scale and character of the neighborhood.

11 The proposed MAP amendment is not inconsistent with the
12 generalized policy map. As just stated, the density permitted
13 in the RA-2 is not inconsistent with the FLUM. In addition to
14 development under our RA-2, parameters will be compatible with
15 the scale and character of the low and moderate density
16 residential surroundings.

17 Finally, the framework element emphasizes preservation
18 of affordable housing in areas that are facing housing
19 insecurity. Congress Heights can be characterized as one such
20 area. The Small Area Plan states that 55 percent of Congress
21 Heights residents, which are overwhelmingly long time black
22 residents, are housing-cost burdened, spending more than 35
23 percent of their income on housing. The plan also talks about
24 Congress Heights being on the verge of change and notes increased
25 development interest, especially in the area of St Elizabeth's

1 and around the metro.

2 To help address the issues of housing burden and avoid
3 displacement, the plan recommends, the Small Area Plan recommend
4 support for increased residential density and infill of underused
5 sites to expand housing opportunity. The additional residential
6 density afforded through the proposal, together with the
7 relocation, replacement and right to return aspects of the
8 Applicant's Relocation Plan are consistent with the Small Area
9 Plan and further the proposal's consistency with the Generalized
10 Policy Map. Next slide.

11 The Comp Plan, which talks about equity in terms of
12 both a process and an outcome, requires the Commission to evaluate
13 all actions through a racial equity lens as part of its
14 consistency analysis. The Applicant's Racial Equity Impact
15 Assessment is found at Exhibits 3 and 36(C) of the record. Next
16 slide.

17 The applicant's Racial Equity Impact Assessment was
18 informed by the Comp Plan, particularly the implementation
19 element, as well as the Commission's two-part racial equity tool.
20 Part one of the tool requires an evaluation of the proposal
21 against the elements of the Comp Plan and in particular those
22 elements that explicitly focus on advancing racial equity. This
23 evaluation can be found at Exhibit 3 of the record. Part two of
24 the Commission's tool entails specific questions that look at the
25 potential positive and negative outcomes of the proposal, which

1 are addressed in our supplemental submission at Exhibit 36C.
2 Next slide.

3 From a process perspective, the Applicant has closely
4 coordinated with the community, including the existing residents
5 on the site that will be most impacted by the proposed map
6 amendment. Meetings with existing residents have been ongoing
7 since 2020. That outreach has involved a consultant with
8 expertise in community engagement, as well as a core team of
9 existing residents that have led on the ground tenant outreach.

10 The Applicant has also had several meetings with the
11 ANC and has had discussions with broader community organizations
12 regarding near and long-term opportunities for collaboration.
13 Next slide.

14 The table shown here, which is also in the record,
15 addresses the specific questions set forth in part two of the
16 Commission's racial equity tool and summarizes the possible
17 outcomes of the proposed -- of the proposal according to Common
18 Equitable Development indicators. Overall, we believe the
19 proposed map amendment will have a positive impact to racial
20 equity, particularly with respect to housing availability,
21 preservation of affordable housing and the issue of housing cost
22 burden in the area.

23 To touch upon displacement just for a second, the
24 Applicant's Relocation Plan addresses both temporary and
25 permanent physical displacement with the only permanent physical

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1 displacement occurring if existing residents voluntarily choose
2 to relocate offsite.

3 The Comp Plan speaks to economic displacement. And
4 economic displacement in this instance will be avoided through
5 the one-to-one replacement of existing affordable units and the
6 additional affordable units achieved through the increase in
7 residential density on the site. Finally, the Comp Plan also
8 speaks to cultural displacement, which would be avoided in this
9 case through the Applicant's plan for onsite relocation during
10 construction and the tenant's right to return after construction.

11 All of these efforts are consistent with the anti-
12 displacement strategies that are set forth in the housing
13 element. Commissioners, thank you for your time this afternoon
14 and that concludes my testimony.

15 MS. HOTTEL COX: Thank you, Commissioners. That
16 concludes our direct presentation, but we are happy to answer any
17 questions that you may have.

18 CHAIRMAN HOOD: Okay. Thank the team for the
19 presentation and also you may want to call one of your
20 counterparts and explain to them how you did it because I didn't
21 hear any squealing. And I probably shouldn't say that because
22 I'll probably have squealing after this, but I appreciate that
23 and appreciate you all having that together.

24 I don't like always putting the cart before the horse.
25 I've done -- did that last night and everything was down here

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1 after that, but I'm sure we won't have any squealing. So thank
2 you all for the way you all were prepared. We appreciate it.

3 I do have a few questions, and it's probably just making
4 sure. I'm going to try to stay within the confines of how we
5 deal with map amendments as opposed to talking about a project.
6 So I'm doing my best and it's almost like walking a tightrope.
7 I might slip over.

8 So let's talk about the -- on one of the slides and I
9 think I saw this earlier, let's talk about affordability and
10 redevelopment. Existing covenants, and I heard Ms. McWain, I
11 believe. Ms. McWain, when she mentioned about entering into a
12 new covenant, and I know this is an affordable possibility of a
13 project that may happen here, so I'm trying to be careful with
14 how I phrase this. I know it's 60 percent with the -- what is
15 the percentage of the MFIA, if I may ask?

16 And I see different numbers, and sometimes I get mixed
17 up with different numbers. I see 80 and 60 in your -- and I know
18 we're going to do a new covenant, is that going to be lower or
19 is it going to be where it stands now?

20 MS. MCWAIN: So we anticipate or we intend as part of
21 the redevelopment that it would be mixed income, meaning that it
22 goes up to 80 percent AMI. So currently the two covenants on
23 the property, I believe the one with DHCD goes up to 80 percent
24 and then the one with D.C. Housing Finance Agency goes up to 60
25 percent AMI.

1 CHAIRMAN HOOD: So will that be renegotiated when you
2 do the new covenant or will those (indiscernible) be the same?

3 MS. MCWAIN: So it would essentially be the same. I
4 am -- are you referring to the AMI level?

5 CHAIRMAN HOOD: Right. AMI level, MFI. I guess they
6 call them the same. Yeah, AMI levels.

7 MS. MCWAIN: Yeah. So it would it would essentially
8 say -- stay the same.

9 CHAIRMAN HOOD: And with that, and as you all have went
10 through this process, no one, and your report says it, no one
11 will be displaced unless they voluntarily want to be offsite for
12 a few days or how much time it is and then come back. Okay.
13 Interesting.

14 So the -- I'm looking at the outreach. Was this a
15 collaborative effort with the existing community and the
16 developer? Was that a collaborative effort? And what -- and
17 also what is the name of your -- you mentioned earlier, the only
18 black -- the largest black affordable housing and what was the
19 name again? I'm sorry.

20 MS. MCWAIN: So Enterprise Community Development. Our
21 president is Brian MC McLaughlin and he is our leader of
22 Enterprise Community Development.

23 CHAIRMAN HOOD: Okay. Okay. Thank you. So again, my
24 other question, part of that question was, was this a
25 collaborative effort of the community and the developer to get

1 to where we are now because it seems like you have a lot of
2 support from what -- at least on this record.

3 MS. MCWAIN: Yes. So early on when, you know, we first
4 looked at doing a redevelopment at Meadowbrook, we had resident
5 meetings. They did occur virtually, but at that point in time
6 we, you know, wanted to gather insight, feedback, to truly
7 understand what the needs are of residents if we are looking to
8 do a redevelopment.

9 But then also with that, you know, if we are looking
10 at a new building, what are some of the on-site amenities that
11 that residents want? You know, what's what do they want units
12 to look like? So we've had meetings since 2020 and then we had
13 the community engagement consultant come on board, and part of
14 that effort was the creation of a Resident Action Team, which is
15 a core group of residents, where we would meet monthly. We would
16 discuss a topic or a theme.

17 It could be interior spaces. It could be what does a
18 secure space look like? And we also took these -- this core
19 group of residents to various properties so that, you know, we
20 could get feedback live.

21 And in addition to that core group of residents, we
22 also did distribute a survey property-wide to give residents the
23 opportunity to also share feedback that way on, you know, what
24 is most important to you. And there were questions on there
25 about, you know, is affordability -- like what does that look

1 like for you? So we, you know, have our core group of residents.
2 We had the survey and then we also had monthly meetings with the
3 larger Meadowbrook community.

4 CHAIRMAN HOOD: So if I wanted to put all this in a
5 nutshell and I just said this developer, or you all have developed
6 with the residents in mind, does that include everything that you
7 just said?

8 MS. MCWAIN: Correct. Yes.

9 CHAIRMAN HOOD: Okay. Good. I don't have any
10 additional questions, at least not right now. I think is pretty
11 straightforward and I'm going to, as I promised I'm going to
12 cut -- since I took some time earlier, I'm going to cut my
13 comments. So let me go. Thank you all for your responses. Let
14 me go to Commissioner Imamura.

15 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. And
16 thank you to the Applicant. I think there's a lot of potential
17 here in this map amendment. A couple of things. I always try
18 to at least highlight a few things for the Commissioner, or in
19 this case the Chairman, who go before me. So looking at my notes,
20 regarding the existing covenant, I think the what the Chairman
21 is getting at is, as you all know, we're always looking for deeper
22 affordability. So hopefully that's something that either can be
23 renegotiated or considered as a potential project, potential
24 redevelopment project moves forward.

25 Sixty and 80 percent AMI is great, but I always think

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1 we can do better. That's generally a theme. I think the other
2 question about the community engagement, from what I've written
3 in my notes here, that too is also important to this Commission,
4 but what struck me was it's not just community engagement, but
5 consistency that you all had started this back in 2020. So for
6 two years, I think that's phenomenal in terms of the outreach.

7 And the Meadowbrook Run Redevelopment Action Team,
8 while it's a mouthful there and the acronym, sometimes acronyms
9 don't come out as we always seem to be, but MRRAT. I hope --
10 wish we would have had a different acronym for that, but I'm glad
11 to see that there's a high level of participation. So that's
12 critical and important to your success and this map amendment and
13 potential redevelopment.

14 And that redevelopment, too, I think is in terms of the
15 one-to-one replacement of affordable units, I think it's
16 absolutely terrific. At least the planed one-to-one replacement
17 and that you all had expected to -- that this might be ripe for
18 IZ+ and went into it thinking that. But then you think you're
19 going to exceed regular IZ and IZ+ (indiscernible) the phased
20 development, which I think the potential is almost twice the
21 number of units from the RA-1 to the RA-2 zone.

22 So again, I think there's a lot of great potential
23 there, especially around transit within a mile of the Congress
24 Heights Metro and a quarter-mile of Metrobus certainly are
25 important to.

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1 I have two questions. One, if you could talk a little
2 bit about the rent increase protection that you have in place or
3 the planned rent increase protection that you have in place, and
4 then also, and I'll ask my second question and you can address
5 both at the same time, I'm glad to see you have support from OP,
6 and DDOT, the ANC. The ANC seemed awfully close in terms of
7 their vote of 4-to-3. So if you could kind of talk a little bit
8 about that and what that discussion was or the outcome of that.
9 And those are my two questions, so I'll turn it over to you, Ms.
10 McWain or Ms. Hottel Cox.

11 MS. MCWAIN: All right. I guess that's me. So the
12 first question is, so the rents will be capped by the low income
13 housing tax credit program caps. So we would not go over that.
14 Residents, they do receive a nominal increase now. That can be
15 anywhere between 2 to 3 percent, but we do not -- anticipating,
16 you know, increasing rents beyond the tax credit program, what
17 that currently allows.

18 And then the second question was regarding the ANC,
19 correct? So yes, we did meet with the ANC again and earlier this
20 month, and it was a vote of 4-to-3. Part of, and this is my
21 perception, was that there were some questions that unfortunately
22 we didn't have a detailed response to yet just based off of where
23 we are in the development process. So there were questions
24 regarding, for example, erosion. So we're not that far in the
25 design process to be able to, you know, answer what that, you

1 know, storm water design will look like. However, we did make
2 know that whatever the design looks like that it's going to adhere
3 to the D.C. Green Building Act and that's even before we are able
4 to build, we have to pull permits and we cannot pull permits
5 without first being approved by various D.C. agencies. So those
6 were -- that's just an example of a question that we weren't
7 really able to offer detail for just, you know, based off of
8 where we are in the process.

9 COMMISSIONER IMAMURA: I can certainly appreciate
10 that's almost a little premature compared to where you are now,
11 but there was one other thing that you all had mentioned and I'm
12 certain that you will emphasize this as your redevelopment
13 project may move forward depending on the outcome of tonight's
14 hearing for proposed action, final action, but that is also the
15 potential for improved accessibility and security on site and I
16 think that's really important for the residents in the
17 neighborhood.

18 So please keep that in mind and front and center of
19 your conversations with the residents in the neighborhood and the
20 benefits of what this redevelopment might bring.

21 So with that, Mr. Chairman, I yield back to Vice Chair
22 Miller.

23 CHAIRMAN HOOD: Okay. Thank you all.

24 Vice Chair Miller?

25 VICE CHAIR MILLER: Thank you, Mr. Chairman, and thank

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1 you to the Applicant's team for your presentation of this map
2 amendment. I appreciate all the community engagement and
3 outreach with both the Meadowbrook community and ANC 8C and the
4 tenant-based relocation, Comprehensive Relocation Plan, that you
5 develop for the existing tenants on the site.

6 This is a map amendment that -- which is largely
7 viewed, we view, in these kind of cases for the consistency with
8 a Comprehensive Plan and as you pointed out. As Mr. Dettman has
9 pointed out, the Comp Plan designates moderate density
10 residential and the RA-2 rezoning, proposed rezoning is
11 specifically called out for in the Comp Plan as appropriate for
12 the Moderate Density Residential designation.

13 And even though it's a conservation area, as you
14 pointed out, there is the language within the conservation area
15 description that says it does not preclude development, it allows
16 for modernization of existing development and infill development,
17 and especially when affordable housing -- well, especially when
18 housing is being developed, and even more especially particularly
19 when affordable housing is being developed.

20 So this map amendment is, although not tied to a
21 specific project, we all know that it facilitates a specific
22 project based on what's in the record, based on who the applicant
23 is here, Enterprise. So let me ask a question about the -- and
24 I appreciate the questions of my colleagues and the comments my
25 colleagues, which I agree with.

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1 The existing 259 units which you have a plan, the
2 relocation plan, that a very -- a minority of those would be --
3 have to relocate and most actually would not have to, would only
4 have to locate once into, I think, into the new building whereas
5 I think it's 60 some that might have to relocate to an adjacent
6 building that you own in the area. And there's a -- so the
7 relocation assistance and the Comprehensive Plan, relocation
8 plan, you had the right to return commitments that you've made;
9 the build first, all of these laudatory goals of the original new
10 community's vision that originally Anthony, Mayor Anthony
11 Williams, laid out over, God, what, 12, 15, 16 years ago? It's
12 nice to see it coming into reality for this project.

13 The IZ+, I'll ask Office of Planning about this as
14 well. Office of Planning is making the point that IZ+ which
15 provides for a greater set aside of affordable housing in
16 perpetuity when there's a map amendment, when there's straight a
17 straight map amendment, they're saying that it's not as
18 appropriate for this property as they've said in other sites,
19 which we've agreed with, when there is already a disproportionate
20 share of affordable housing in that particular planning area.

21 And there are statistics provided by the Office
22 of Planning, and I think by the Applicant, as to how this area
23 is more than meeting its fair share, more -- it's actually meeting
24 a disproportionately high share of committed affordable housing.
25 There's a covenant that's going to be on the project of 20 --

1 well, first of all, the 259 units, even though they're going to
2 be at sixty percent IZ after the covenant period of 20 years,
3 the covenant, the affordability covenant, period for DHCD is --
4 is it DHCD or D.C. Housing Authority, is --

5 MS. MCWAIN: For DHCD, it would be 40 years. That's
6 what we are anticipating.

7 VICE CHAIR MILLER: Forty years.

8 MS. MCWAIN: Yes.

9 VICE CHAIR MILLER: And are the income levels in that
10 affordability covenant lower than the up to 60 percent or is
11 it -- does it say up to 60 percent?

12 MS. MCWAIN: It would be -- for DHCD; I believe it is
13 up to 80 percent AMI. However, we are looking to do income
14 averaging, so that means that that there would be some units that
15 are that are set aside at 30 percent, 50 percent and then 60
16 percent, so that way we are serving all income bands and creating
17 a mixed income community.

18 VICE CHAIR MILLER: Right. Right. And so that's what
19 I was trying to get at. Of the 259 existing households, do you
20 know the income levels? They must be that blend of 30, 50 and
21 60, but do you have an average of it or is it -- there must be
22 a -- there must be a good percentage that are at the 30, I would
23 think.

24 MS. MCWAIN: So I don't have the average in front of
25 me, but what I will say is that has part of our development

1 process. This is something that we have actually looked at, so
2 we have taken the income information of current residents to
3 understand what their affordability needs are. So there are
4 residents currently who are at 30 percent, 50 percent and also
5 60, and there are some who are over 60. So it is a mix.

6 VICE CHAIR MILLER: And of those 259, do you know the --
7 you're going to do one-for-one replacement. Are you doing one-
8 for-one replacement of the size of the units and what is the size
9 of those? Do you have the size of those units off the -- in
10 front of you or available?

11 MS. MCWAIN: So the unit sizes, there are one bedrooms,
12 twos and also three. In our engagement with the residents at
13 Meadowbrook, we have come to understand that some families who
14 are in the two and three bedrooms are -- they're ready for the
15 next step in their housing journey, which would be home ownership.
16 So we do anticipate replacing a fair number of those twos and
17 threes, but we also want to be mindful that there are families
18 who are now ready for that home ownership journey.

19 VICE CHAIR MILLER: And you have the additional, on top
20 of the 259 replacement, you have the 80 row house, homes, that
21 will be for sale. Is that the homeownership --

22 MS. MCWAIN: Yes.

23 VICE CHAIR MILLER: -- opportunity that you're talking
24 about?

25 MS. MCWAIN: Yes. Correct.

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1 VICE CHAIR MILLER: Yeah. So that -- those 80 row
2 homes will have a range of sizes as well, or they'll be in the
3 two and three (indiscernible)?

4 MS. MCWAIN: I would anticipate two and three, but we
5 are pretty early in the design phase to, you know, know the exact
6 number.

7 VICE CHAIR MILLER: Okay. I'm not sure I have any
8 other questions, Mr. Chairman. I'll have further questions on
9 the IZ to Office of Planning, but I'll come back and talk to the
10 Applicant if I have follow-ups. So I do appreciate all the work
11 to get to this point, and it seems like a good modernization
12 project to provide quality, new quality, affordable housing
13 for -- this facilitates a project that will help provide new
14 quality affordable housing for existing tenants as well as
15 homeownership opportunities, as you've said, for those who are
16 there and for others who wish to move there. So I think that
17 this is a useful -- a good application going forward. Thank you,
18 Mr. Chairman.

19 CHAIRMAN HOOD: Okay. Thank you. Let's see if -- Ms.
20 Schellin, do we have Commissioner or Chairperson Salim Adofo --

21 MS. SCHELLIN: No, sir.

22 CHAIRMAN HOOD: -- or someone from --

23 MS. SCHELLIN: He is not on.

24 CHAIRMAN HOOD: -- ANC -- he's not on? Okay. All
25 right. Let's go to the -- let's go to other government agencies.

1 Do we have any other --

2 MS. SCHELLIN: There are no other government agencies
3 that are on this evening, just the Office of Planning.

4 CHAIRMAN HOOD: Okay. So I'm going to still call them.
5 District Department of Transportation, we have their report, but
6 let me go to the Office of Planning and we will go to the ANC
7 again and if they're not here, I will read their letter.

8 Okay. Mr. Jessick, the floor is yours.

9 MR. JESSICK: Thank you, Mr. Chairman, and members of
10 the Commission. The Office of Planning recommends approval of
11 this application. As you're aware, the site is at the
12 intersection of Mississippi Avenue and 6th Streets southeast, and
13 the Applicant is seeking this map amendment to help facilitate
14 redevelopment of the property. Next slide, Mr. Young.

15 The subject site is designated in the Future Land Use
16 Map as appropriate for Moderate Density Residential and the RA-
17 2 zone would be consistent with that designation and the uses and
18 development types generally found in the RA-2 zone would be
19 consistent with the surrounding community as well. The Map
20 Amendment would also not be inconsistent with the written
21 policies of the plan, and we've outlined those both in our set
22 down and public hearing reports.

23 And furthermore, as viewed through a racial equity
24 lens, the MAP amendment would not be inconsistent with a
25 Comprehensive Plan. OP finds that the rezoning could help provide

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1 modernized housing units for the existing residents. It could
2 provide more energy efficient and healthy housing units. It
3 could create new mixed income housing and generally revitalize
4 the area.

5 And although the project itself is not part of this map
6 amendment, as we've heard this evening, the Applicant is planning
7 on a one-to-one replacement program as well as the new home
8 ownership row houses, which would be both affordable and market
9 rate. OP really appreciates the applicants offers to work with
10 the tenants on the Relocation Plan and that would help to minimize
11 physical displacement as well as any economic burdens on the
12 tenants.

13 So with all of that, we do find that the proposal would
14 be not inconsistent with the Comprehensive Plan as viewed through
15 a racial equity lens. And given the overall consistency with the
16 Comprehensive Plan, OP can recommend approval of the application.
17 Also because of the subject ANC and planning area already have
18 higher concentrations of existing affordable housing than most
19 areas of the city, OP does not recommend that the map amendment
20 be subject to IZ+, but rather subject to the standard IZ
21 requirements. Thank you, and I'm happy to take any questions.

22 CHAIRMAN HOOD: Thank you, Mr. Jessick. I would agree
23 with your last analysis about the IZ+. I did notice in the
24 record, although I didn't mention earlier, the OAG letter. I'm
25 not sure things have been updated since that letter was written,

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1 but I will encourage OAG to reread this, the record in this case,
2 and I'll just leave it at that because I'm not persuasive of any
3 of their arguments, at least what they have in that letter.

4 I would encourage us to make sure we're operating from
5 the same sheet of music and that we are making sure that we're
6 making our evaluations. First of all, stay in our lane and make
7 sure we're making our evaluations on the same facts presented.

8 So I appreciate your comments and I do agree, and not
9 only that, Mr. Jessick, and it's -- the point about the IZ+, I've
10 heard from residents exactly what Office of Planning has been
11 presenting to this commission about the overabundance of certain
12 things in certain neighborhoods and I think the residents of the
13 city are not necessarily in favor of that. So I appreciate the
14 planning effort, especially in this case.

15 I don't have any additional questions. Let me go to
16 my colleagues. Commissioner Imamura?

17 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I
18 don't have any questions for Mr. Jessick other than thank you for
19 your report and your service to D.C. residents and I'm curious
20 to hear what Vice Chair Miller has to say.

21 CHAIRMAN HOOD: Okay. Vice Chair Miller? Commissioner
22 Imamura was very nice. He wants to hear what you have to say,
23 Vice Chair Miller. Most of us -- no, I'm just playing.

24 VICE CHAIR MILLER: I'll just --

25 CHAIRMAN HOOD: Go right ahead, Vice Chair.

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1 VICE CHAIR MILLER: I'll just have a conversation with
2 him offline because he's probably the only one interested, yeah.
3 But -- well, I'll say publicly then, thank you, Commissioner
4 Imamura.

5 Mr. Jessick -- I mean, I agree with you, Mr. Chairman,
6 what you said about IZ+ and the disproportionately high share in
7 that neighborhood, but I wonder if Mr. Jessick could specifically
8 address a comment of Office of Attorney General which was several
9 months ago. So as the Chairman said, maybe -- I don't know if
10 they've had an opportunity to read your report since then and
11 maybe they've adjusted their opinion, but all we have is, I think,
12 their April 2022 comment letter.

13 But one of the -- their first point was that that they
14 strongly disagreed with your assessment about there being an
15 abundance of affordable housing within the area because they say
16 there is a naturally occurring loss of affordable housing which
17 is unstable, and due to market conditions, might get priced out
18 so that they're -- if you could just address that point, the
19 naturally occurring -- that the affordable housing that you're
20 counting is the naturally occurring and affordable housing that's
21 there and that will be naturally occurring loss in the future due
22 to price pressures or market pressures.

23 Can you address that briefly, Mr. Jessick?

24 MR. JESSICK: Yes. Thank you. We are -- you know,
25 again, we are not recommending that IZ+ be applied to this

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1 property. We feel that they're -- based on the data that we've
2 reviewed from both the State Data Center here at the Office of
3 Planning as well as the Comprehensive Plan and other sources,
4 that there is an overabundance of affordable housing concentrated
5 in this ANC, in this planning area, already.

6 Some of that is naturally occurring affordable housing
7 as OAG states. And their concern is that the naturally
8 affordable, naturally occurring, affordable housing could go
9 away. I think we don't know when that could happen. It could
10 go away in the near future, or it could be, you know, affordable
11 housing in the long-term. So we are doing our best to address
12 the situation as it currently is on the ground.

13 Right now, there is a much higher concentration of
14 affordable housing in this area compared to some other areas of
15 the city and the Housing Equity Report from 2019 is looking to
16 more evenly distribute affordable housing throughout the city.
17 So rather than exacerbate that situation, we feel that the normal
18 IZ requirements would be sufficient, especially in this case
19 where given the property owner, it is highly likely, if not
20 certain, that any redevelopment would far exceed anything that
21 IZ+ would provide.

22 VICE CHAIR MILLER: Right. And the -- I agree with
23 that, and then the -- because the 259 units right off the bat, I
24 mean, that's almost -- that's -- 100 percent of the existing
25 units would be affordable. But it -- under the covenant, that's

1 been worked out between the Applicant and DHCD or D.C. Housing
2 Financial -- see, I got confused or maybe it's both, it's 40
3 years.

4 A 40-year housing covenant, as I understand it. IZ is
5 in perpetuity, so I guess after the 40 years if there weren't a
6 renewal, which there could be with new financing or a new project,
7 which I see the Applicant representative nodding yes, maybe she
8 wants to chime in, but at least theoretically for the project
9 that's being facilitated after the 40 years, the IZ, if it were --
10 just the regular IZ would only guarantee 10 percent whereas the
11 IZ plus would guarantee up to closer to 20 percent satisfied, I
12 guess.

13 Do you want to comment on that, the -- in terms of the
14 permanent affordability there? I realize -- you've already
15 commented that the area already is overly saturated compared to
16 other planning areas, so I get that and certainly the neighbors,
17 the residents of that area, get that, but in terms of the
18 statement about that more IZ is -- more affordable is already
19 being required than IZ+ would, that's really I guess just for the
20 40 years currently under the current covenant, is that correct?
21 Am I reading -- understanding that, Mr. Jessick?

22 MR. JESSICK: Yeah, I think that's a correct statement.

23 VICE CHAIR MILLER: Okay. Did the Applicant want to say
24 anything about the end of the 40-year period or what typically
25 happens or are what you anticipate happening? I know we're

1 getting a little bit into the future weeds now of a project that
2 isn't even part of the map amendment directly, but I guess we
3 would be interested, and I think the public might be, in terms
4 of the permanent affordability of this project.

5 MS. MCWAIN: Sure. Thank you for the opportunity to
6 comment. So Enterprise Community Development, we are a nonprofit
7 and as part of our mission, we preserve affordable housing units.
8 So roughly every 15 to 20 years, that is when we look to do a
9 substantial renovation at our properties. You know, we looked
10 at doing that at Meadowbrook, but the existing conditions did not
11 allow us to do so.

12 So you know, once the new Meadowbrook is built, you
13 know, within or after 15 to 20 years, we will come back to the
14 District asking for their support to help us renovate
15 Meadowbrook, and at that time a new covenant would be placed on
16 the property. So it would be affordable for the -- at that point
17 in time, the next 40 years.

18 VICE CHAIR MILLER: Thank you, Ms. McWain, for that
19 statement and thank you, Mr. -- I appreciate that and helps me
20 understand. I think it maybe helps the public understand the
21 affordable nature of this project and that's very commendable.

22 And Mr. Jessick, thank you very much for your, and the
23 Applicant for your comprehensive Comprehensive Plan consistency
24 analysis, including the racial equity criteria factors that you
25 that you are considered and provided information on. I appreciate

1 that. I think it was done very well. Thank you very much, Mr.
2 Chairman.

3 CHAIRMAN HOOD: Thank you. And I, too, want to thank
4 the Office of Planning for their report.

5 Let's go -- and also, I do -- while I'm thinking about
6 it, I want to thank the Applicant. I really like the chart, the
7 color chart. Not with our tool, but the chart with the racial
8 equity tool that had the green and the red. You know, I didn't
9 see any -- I wouldn't expect to see any red, but the green and
10 red clear. I really like that and that may be a benchmark for
11 others that I may push to go to this record and look at it, so I
12 think it was very helpful.

13 Does the Applicant have any questions of Office of
14 Planning?

15 MS. HOTTEL COX: No questions.

16 CHAIRMAN HOOD: Okay. And Ms. Schellin, we don't have
17 anyone from -- Commissioner Adofo or Chairperson Adofo is not
18 here, so -- or anyone from ANC. I'm just calling for that.

19 MS. SCHELLIN: That's correct.

20 CHAIRMAN HOOD: Okay.

21 MS. SCHELLIN: No one.

22 CHAIRMAN HOOD: All right. Thank you, Mr. Jessick and
23 Office of Planning.

24 Now I will do the ANC report. This is from ANC 8C and
25 they have, in their submission which is our Exhibit Number 39,

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1 have basically supported the project.

2 MS. SCHELLIN: Wait a second.

3 CHAIRMAN HOOD: I'm sorry?

4 MS. SCHELLIN: Sorry.

5 CHAIRMAN HOOD: Oh. All right. And without reading
6 all through it, it just basically goes on to say and ANC 8C
7 intends to continue, but it is something that I want to go back
8 and find and if I can put my eyes on it. "Enterprise Community
9 Development has consistently and intensively engaged and ANC 8C."
10 I think that's very important as far as the engagement part and
11 we've already -- the record is very clear on that. "ANC 8C
12 intends to continue its engagement with the Applicants throughout
13 the process and ensure that this redevelopment moves forward."

14 So I'll just leave it that, but they did vote to support
15 this and the vote has already been so noted in another exhibit,
16 but this -- or in this exhibit and the five members who were
17 present, it says number of members that constitute a quorum are
18 five. Seven were present and the vote was 4 to 3, and I think
19 my colleague, Commissioner Imamura, has already alluded to the
20 close vote but, you know, four is more than three, so I'll just
21 leave it at that.

22 That's all I have on that. Any questions or comment --
23 well, no questions about the ANC, so -- but that's their letter
24 of support. All right. Let's go to -- Ms. Schellin, let's go --
25 do we have anyone here to testify in support, opposition or

1 undeclared? (Indiscernible) actually the --

2 MS. SCHELLIN: I believe that Caller 3 is -- I'm sorry,
3 let me get her name. Gwendolyn Green, but I have a different
4 phone number. If we could just unmute Caller 3 to see if that
5 is Ms. Green.

6 MS. GREEN: Hello?

7 MS. SCHELLIN: Is that Ms. Green?

8 MS. GREEN: Yes.

9 MS. SCHELLIN: Okay. So Ms. Green is registered as
10 undeclared, and then we also have Tony Smith. He is registered
11 as an opponent. Ms. Bowman was on, but she has gotten off and
12 she was registered as undeclared, but she is no longer on, but I
13 did want to call her name just because she was registered.

14 MS. GREEN: Hello?

15 CHAIRMAN HOOD: Yes?

16 MS. SCHELLIN: One moment, Ms. Green.

17 MS. GREEN: Hello? Okay. I just want to tell you
18 about -- Ms. Bowman is my mother and she's --

19 MS. SCHELLIN: Oh. Okay.

20 MS. GREEN: -- here for (indiscernible) because our
21 phone was about to go out, her phone. So she's here.

22 MS. SCHELLIN: Okay.

23 CHAIRMAN HOOD: Okay. Let's --

24 MS. SCHELLIN: So -- okay. So --

25 CHAIRMAN HOOD: Let's do this --

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1 MS. SCHELLIN: -- those are the three.

2 CHAIRMAN HOOD: Okay. Let's just --

3 MS. GREEN: And I'd only like to add one more thing.
4 We are, too, in opposition of going beyond the covenant by not
5 understanding what our impact is. We're East Gate II Condominium
6 and we do not understand what is going on --

7 CHAIRMAN HOOD: Excuse me. If you'll let me do my --
8 hold tight. Let me do my process.

9 MS. GREEN: Oh, excuse me. Sure.

10 CHAIRMAN HOOD: Since your phone is going out, just
11 hold tight.

12 MS. GREEN: Okay.

13 CHAIRMAN HOOD: Your phone is going out. I'm going to
14 come to you first and you may begin. You, and I think you said
15 your mom is with you, so both of you --

16 MS. GREEN: Yes.

17 CHAIRMAN HOOD: -- are going to testify and you can go
18 right ahead because we don't want your phone to go out. So go
19 right ahead, Ms. Green.

20 MS. GREEN: Okay. I live with my mother in East Gate
21 II Condominiums, which is adjacent to the 3600 building on 6th
22 Street. Our address is 5th, but we have an easement which is
23 a -- steps that -- where 6th Gate -- 6th Street can go into our
24 community and get to 5th Street.

25 First of all, we'd like to say we're in opposition of

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1 changing the covenant because we're RA-1. What is that going to
2 mean to us? And we're just -- you don't even have to -- we can
3 just roll out of our home and be in Meadowbrook, so. And then
4 what about sharing up the land? We are on a mesa adjacent to
5 the Meadowbrook property at 3611, I believe, and there was no
6 mention of that.

7 We also would like to know if there is a plan to close
8 the streets. They have not spoken to anyone, which is also on
9 your website as 200 to 400 feet impact. They have not sent anyone
10 out to discuss anything or offer any kind of information as to
11 how we will be impacted. Asking you, as the Zoning Board, how
12 long would -- would we still be in the covenant, that's RA-1,
13 still be in covenant if you grant Meadowbrook an RA-2 and we're
14 just adjacent to them because it looks like a plan.

15 The Small Area Plan, I've been on many of those and
16 there were less than ten people on the call each and every time.
17 The Office of Planning was embedded in a nonprofit, which is on
18 Martin Luther King Avenue, which basically did not get to not
19 even 1 percent of the 20,000 people in the ANC here.

20 So I'd like to know what Meadowbrook calls, or Trenton
21 Park calls, the outreach. Many of the people who live there,
22 which we're at the same bus stop on 6th Street, the A2 and the
23 W1 have no idea what is going on, how they will replace. We've
24 had people come and ask us, "Do you know how what's going to
25 happen?" No, we don't.

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1 But it was explained by -- to us by Mr. Mark Hamala
2 that the meeting you're having today is based on the map
3 amendment. Why would you want to change the map, the covenant?
4 If you change the map amendment, does that mean that the covenant
5 is also going to change, which was set aside as an area southwest/
6 southeast conservation for exactly to be affordable place for no
7 income, low income and working class people?

8 What do they say is going to happen to the rest of the
9 human architecture that is here? They have no clue. No idea.
10 If you mention "Small Area Plan," they have no clue. Comp Plan;
11 the Comp Plan had to go back to Congress twice to come back. So
12 you have a great deal of people who do not understand the position
13 they are in and the importance of these meeting.

14 So I would just like to say that we are in definite
15 opposition to it without further research and information. I've
16 been to most ANC meetings. I don't know why Mr. Adofo is not
17 here. He knows I'm in strict opposition to this and we were
18 there to try to persuade the Commission not to give them a letter
19 of support. So that is basically our statement.

20 And oh, a question is, will there be a comment period
21 after or are you going to grant the map amendment today?

22 CHAIRMAN HOOD: Okay. Thank you, Ms. Green, for your
23 comments. Did your mother want to testify as well?

24 MS. GREEN: I'm speaking for the both of us.

25 CHAIRMAN HOOD: Oh. Okay. Okay. Okay. Fine. All

1 right.

2 MS. GREEN: Thank you.

3 CHAIRMAN HOOD: I'll come back and deal with all those
4 questions and concerns. I'll deal with that once we get to our
5 questions and comments, so hold tight.

6 MS. GREEN: Thank you.

7 CHAIRMAN HOOD: Let's go to Mr. Smith. Tony Smith?
8 There you go.

9 MR. SMITH: Yeah. Yes, sir. I'm here. My position
10 is the same as Ms. Green. Me and her mom are actually owners in
11 the 5th Street 3425 area where we go down to those steps. I
12 heard a little bit about what you all want to do down in
13 Meadowbrook and for me and her, we have been here over 35 years
14 and as I watch the things that is being built in this area, I
15 keep hearing people say "affordable." I haven't seen affordable
16 yet.

17 So when I sit back and watch the things that they're
18 doing, you know, I'm totally against it because I know when they
19 build and they start to make the changes and move the families
20 and things like that, they are never able to be able to surface
21 back. So what happens to people like us that, you know, go to
22 work are about to retire and things like that, we are subject to
23 crime and none of it is being mentioned.

24 Everything is about money. Nobody's saying nothing
25 about crime, and on -- in this area, we've got crime. It's

1 everywhere. But it's real bad here and that's all that I wanted
2 to oppose. I just wanted you guys know that I don't I don't I
3 don't think no one is going to want to even move to this area
4 and crime hasn't been dealt with. And I -- and like I say, I've
5 been here since I was a kid. I was a teenager. I grew up in
6 this area, so I've seen it from a -- for a long time and I'm over
7 50 years old. I haven't seen a change yet. It's still the same.
8 So by them bringing in building new homes, who are you going to
9 bring here?

10 Who is going to want to live here because you just
11 built something down on Alabama Avenue that's like over a half a
12 million dollars. Who's going live in them? Nobody that's working
13 in the Safeway or the Giant. They are not going to have a chance
14 to move in that place. Ninety percent of those people work right
15 there, live right there in Meadowbrook, knew nothing about that
16 they'll have to move. It's just concerned residents like us
17 there's been here there's older that know about the things that
18 you guys and the ANC and so forth is planning for the area but
19 nothing has been said about crime. So I give it back to you. I
20 appreciate your time.

21 CHAIRMAN HOOD: Thank you, Mr. Smith, and Ms. Green and
22 to mom. I didn't get mom's name. I'm sorry. But thank you to
23 the three of you. It's always interesting to me how we have a
24 project or a map -- in this case a map amendment because we're
25 really not -- our regulation is not really talking about a project

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1 even though, as the Vice Chair said and I know that tightrope,
2 my concern is I think I heard Ms. Green say 400 feet. And Ms.
3 Schellin, could you check our website because of it says 400 feet
4 on there, we need to correct that because it's 200 feet. So
5 that's the first thing.

6 The second thing is, Ms. Green has opposition. It
7 sounds like there's a lot of uncertainty and unsureness
8 especially when it comes to the covenant. I don't know. Ms.
9 Green, let me do -- let me try to put it this way. I'm going to
10 do something a little out of order.

11 Ms. McWain, have you had a conversation with Ms. Green
12 and those who are in opposition? Have you all had a chance to
13 speak?

14 MS. MCWAIN: I'm not certain that I have met her. This
15 could have been someone who asked a question at the most recent
16 ANC meeting, but without like seeing their face, I wouldn't
17 recognize it.

18 CHAIRMAN HOOD: Right.

19 MS. MCWAIN: And so I'm not certain if I have had a
20 conversation or not, but we --

21 CHAIRMAN HOOD: So --

22 MS. MCWAIN: Yeah, go ahead. Sorry.

23 CHAIRMAN HOOD: So what I normally do, and I think this
24 is a two-vote case; right, Ms. Schellin?

25 MS. SCHELLIN: Yes.

1 CHAIRMAN HOOD: Okay. I get confused. We've got some
2 many two-vote, one-vote, no vote. Well, all of them vote.

3 All right. So what I would like, Ms. -- because it
4 sounds to me like there was some uncertainty in -- with Ms. Green
5 and her mother and I think the covenant, and I think there needs
6 to be some clarification and some assurances given to Ms. Green
7 and to her mom about how that covenant works, and I think
8 hopefully we can clear that up and some other issues.

9 So I would request that Ms. Green or -- and Ms. McWain,
10 if you -- Ms. McWain, if you all kind of -- somebody call the
11 office, leave a number and then you all connect and let's try to
12 coordinate, and organize and get some clarity. And if Ms. Green
13 still is in opposition, that's different, but to me it sounds
14 like -- because I heard some inconsistencies and some not
15 necessarily information in her comments to me, so I want to make
16 sure we all are on the same page and if she still is in opposition,
17 then we'll deal with it accordingly.

18 And Mr. Smith, the Zoning Commission, we actually deal
19 with land use, and I understand what you what you're saying and
20 I wholeheartedly hear you. But let me ask you this, have you --
21 did you go to the ANC meeting as well?

22 MR. SMITH: No, I was informed by Ms. Green. And trust
23 me, I would love to sit down with you guys and go over this
24 because, you know, Meadowbrook has been connected to us for quite
25 some -- you know, for over 30 years, so we have nothing but a

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1 fence that pretty much separates us. When we come down the steps,
2 like everything that you guys build or do to them, it affects
3 us.

4 Because like me and her mother, we catches the bus
5 that's right in front of Meadowbrook and as you go down the street
6 or either side, we catch -- the W1 takes me to my mom and the A2
7 takes me, or the W1, takes me whereas I can pick up my daughter
8 and bring her here with me when she visits me on weekends and
9 everything up and down that street, it affects it because when
10 they reroute those busses, you got to wonder, okay, how they're
11 going to do it. And see, Metro got to be contacted so they would
12 know on how this project would work because it affects a lot of
13 it affects us. It affects a lot of us and --

14 CHAIRMAN HOOD: Yeah. Let me just interject. I'm
15 going to include you in that conversation so you can come up to
16 speed. I will tell you that when the city does developments,
17 the players and the people they're supposed to get approvals from
18 are always involved. Sometimes they are projects that -- I sit
19 on this Commission and sometimes I don't agree with everything,
20 so I hear and understand it, but I can tell you progress --
21 there's going to be progress, but what we have to do is make it
22 conducive and try to work it to like you and Ms. Green have some
23 issues because you all have been there, but we know progress is
24 going to happen.

25 I, too, in my neighborhood have some issues, but

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1 progress is happening and I've been sitting here for a while
2 doing this work, but I've learned that, you know, it's going to
3 happen with me or without me. And I'm not saying this is a done
4 deal because it's not, but I want you all to have a conversation
5 for some -- because Ms. Green's comments, what I heard Ms. Green
6 say, I think Ms. McWain can -- will be able to clarify some of
7 that and I think that you all are going to leave with a better
8 understanding. If not, I want you to come -- hold on one second.

9 What's up, Archie? One of our -- okay. He's waiving
10 at me. Look at him.

11 But anyway, I take that very seriously. I'd like a
12 report, Ms. Hottel Cox, back on the conversations that you all
13 have with Ms. Green, her mom and Mr. Smith since they raised
14 these issues and I would like to know where you all end up at in
15 that conversation.

16 Is that okay, Ms. Green and Mr. Smith?

17 MR. SMITH: Yeah. Yeah, that's fine, because I'll tell
18 you, I would turn my camera on for you and just show you when
19 you look at Meadowbrook how close is this to us?

20 CHAIRMAN HOOD: Okay. I'll take your --

21 MR. SMITH: It's like crossing the street.

22 CHAIRMAN HOOD: I'll take your word for it. You don't
23 need to do that because actually that's --

24 MR. SMITH: Okay.

25 CHAIRMAN HOOD: -- against our regulations. You need

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1 to do that.

2 MR. SMITH: Oh. Okay.

3 CHAIRMAN HOOD: Yeah.

4 MR. SMITH: Okay.

5 CHAIRMAN HOOD: No, you -- so far, we're in compliance,
6 so let's stay in compliance. We don't want to do --

7 MR. SMITH: Okay.

8 CHAIRMAN HOOD: -- anything that's going to get you or
9 I in trouble. All right. So --

10 MR. SMITH: Okay. Okay.

11 CHAIRMAN HOOD: Okay. So Ms. Green -- has Ms. Green
12 left?

13 (No response.)

14 CHAIRMAN HOOD: Okay. Well, I hope Ms. Green heard me.

15 MR. SMITH: You might have lost her.

16 MS. SCHELLIN: She's still on. She's still on.

17 MR. SMITH: Oh, she -- okay.

18 MS. GREEN: Yes.

19 MR. SMITH: Okay.

20 CHAIRMAN HOOD: Okay. So I'll just leave it at that.
21 Let me open it up my colleagues. Any questions or comments,
22 Commissioner Imamura?

23 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I
24 think you made a really good point here for Ms. McWain to reach
25 out to Ms. Green, Mr. Smith, as well as others. So you all have

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1 done a tremendous job with those who are in support, but there's
2 those that may be either uninformed or misinformed and you want
3 to catch that before rumors fly and then you have, you know,
4 twice the level of difficulty to, you know, bring them back around
5 and get them up to speed and informed. So I know that you'll
6 handle this with a level of urgency for both of them as well as
7 anybody else, so.

8 And I guess the other thing I would add too, in terms
9 of accessibility and security, and to the point that Mr. Smith
10 made, in terms of the design, think through crime prevention
11 through environmental design. It's a theory out there that is
12 widely known amongst designers and so I think that's important
13 for you all to at least focus in on as you make more presentations
14 to the community.

15 CHAIRMAN HOOD: All right. Thank you. And Vice Chair,
16 I thought Archie might have had some questions. But anyway, Vice
17 Chair?

18 VICE CHAIR MILLER: We each thank the public witnesses
19 for their testimony and the Applicant's response to try to reach
20 out and clarify what's going on. Thank you.

21 CHAIRMAN HOOD: Okay. Thank you.

22 Ms. Green, I'm hoping -- and Mr. Smith, if Ms. Green --
23 since you all are in touch, if --

24 MS. GREEN: Yes.

25 CHAIRMAN HOOD: -- Ms. Green -- okay. There you go.

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1 I just wanted to make sure you heard the comments of the path
2 going forward, you all having a -- you all getting together and
3 having a discussion and see where you all land. I think there's
4 some misinformation out there and also, I want to correct the
5 record. I just -- staff just has informed me our website does
6 not say 400 feet. It's 200 feet. That's the regulations.

7 MS. GREEN: It's changed. There was one rendering that
8 had 400 feet and at that rendering, it posted all of the tenants
9 and homeowners within that 400 feet. There was subsequently, two
10 maybe three days later, it moved to 200 feet. So that was a
11 change. I do have the time and the day, but I don't have it in
12 front of me.

13 CHAIRMAN HOOD: Okay. I'll take your word for it, Ms.
14 Green, but our regulations are 200 feet and that's what --

15 MS. GREEN: Okay.

16 CHAIRMAN HOOD: That's the gospel. Our is going to --
17 ours is going to be gospel, but I don't know where 400 feet--
18 somebody must have made a mistake.

19 MS. GREEN: Okay.

20 CHAIRMAN HOOD: -- and that's a (indiscernible)
21 mistake.

22 MS. GREEN: Okay. Thank you.

23 CHAIRMAN HOOD: Okay. All right. Thank you, Ms. Green,
24 and looking forward to hearing comments back from you, and mom
25 and Mr. Smith.

1 All right.

2 MS. GREEN: You as well.

3 CHAIRMAN HOOD: Okay. Let me -- don't go nowhere yet.
4 Ms. Hottel Cox, does the Applicant have any questions of those
5 in opposition?

6 MS. HOTTEL COX: No questions, but we will reach out
7 to set up a conversation very quickly after the hearing.

8 CHAIRMAN HOOD: Okay. Thank you very much.

9 All right. Ms. Schellin, do we have anybody else?

10 MS. SCHELLIN: That is it.

11 CHAIRMAN HOOD: All right. So let's do our rebuttal
12 and closing. Ms. Hottel Cox?

13 MS. HOTTEL COX: We thank the Commission for the time
14 and the questions. And as noted, we're happy to reach out to
15 these neighbors that testified today to set up some time to make
16 sure that they're aware of what's going on and to continue to
17 commit to working not only with our residents and with the ANC,
18 but also with the adjoining neighbors as the project moves forward
19 and some of the details on the construction and construction
20 management come into play.

21 But with that, that concludes all that we have and
22 unless the Commission has any further questions.

23 CHAIRMAN HOOD: Colleagues, any follow-up questions or
24 comments?

25 (No response.)

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1 CHAIRMAN HOOD: Not seeing or hearing any, we'll move
2 in that fashion. I thank you.

3 Ms. Schellin, can we come up with some dates.

4 MS. SCHELLIN: Yes, sir. Whoops.

5 VICE CHAIR MILLER: Mr. Chairman, you don't want to do
6 one vote tonight, and -

7 CHAIRMAN HOOD: I was thinking that, but I want to make
8 sure -- I don't know. I believe -- that covenant issue, I
9 believe, is going to be straightened out. I think there's just
10 some misunderstanding on that.

11 VICE CHAIR MILLER: And they have further opportunity
12 to comment between the proposed text -- between the proposed
13 action and the --

14 CHAIRMAN HOOD: Okay.

15 VICE CHAIR MILLER: -- final action --

16 MS. SCHELLIN: Yeah.

17 VICE CHAIR MILLER: -- which was one of the questions
18 they asked.

19 CHAIRMAN HOOD: Yeah.

20 MS. SCHELLIN: Correct.

21 CHAIRMAN HOOD: Okay. I don't -- I won't delay it any
22 more. I think you're right. We can deal with any other issues
23 and if it gets to a point that we don't approve it at that point,
24 then fine. I think we can send a message and also it would give
25 Ms. Hottel Cox and Ms. McWain a way of pushing to make sure that

1 they have a conversation not just with the people who showed up,
2 but for those -- Mr. Smith represented there are a number of
3 people who don't know about the project.

4 Maybe some people fell through the cracks and I know
5 you can't reach everybody, everybody has to do their own part,
6 but let's see what we can do for those who may not. And maybe --
7 let's tap into Mr. Smith and Ms. Green to get folks who they may
8 not know, but -- and, if not, to come in and be able to get
9 informed about what's going on because it's got a lot of support
10 in this record from what I've seen, especially from our frontline
11 officials, the ANC.

12 So Vice Chair, I will turn it over to you if you want
13 to make a motion. I'm in favor in and I don't know if my
14 colleague, Commissioner Imamura, if you're in favor. Yeah, looks
15 like we are.

16 VICE CHAIR MILLER: Well, that's good because we would
17 need all three votes to move forward tonight. So I will move
18 that the Zoning Commission take proposed action on case number
19 22-10, Trenton Park Apartments, L.P. map amendment, 6th Street,
20 southeast and Mississippi Avenue southeast from RA-1 to RA-2 and
21 ask for a second.

22 COMMISSIONER IMAMURA: Second.

23 CHAIRMAN HOOD: It has been moved and properly
24 seconded. Any further discussion?

25 (No response.)

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1 CHAIRMAN HOOD: Again, the discussion, as I stated in
2 this motion, we're looking forward to their continued
3 collaboration with Mr. Smith, and Ms. Green and Mom, and we want
4 to make sure others are well aware of it and we're looking for a
5 report back before final action and comment during that comment
6 period, Ms. Green and others.

7 Any other discussion?

8 (No response.)

9 CHAIRMAN HOOD: Not hearing any, Ms. Schellin, would
10 you do a roll call vote, please?

11 MS. SCHELLIN: Yes. Commissioner Miller?

12 VICE CHAIR MILLER: Yes.

13 MS. SCHELLIN: Commissioner Imamura?

14 COMMISSIONER IMAMURA: Yes.

15 MS. SCHELLIN: Commissioner Hood?

16 CHAIRMAN HOOD: Yes.

17 MS. SCHELLIN: The vote is 3-0-2 to approve proposed
18 action in Zoning Commission case number 22-10, the minus two
19 being Commissioner May not present, not voting and the third
20 mayoral appointee position being vacant.

21 Now as far as dates, I think that having just referred
22 some cases NCPC, I think it's too late for us to get this so that
23 we can put it on for the second meeting in February, but our
24 first meeting in March is March 9th, which is not too much later.
25 So I would ask Ms. Hottel Cox how much time she thinks she needs

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1 to get everything settled that the Commission has asked for;
2 three, four weeks?

3 MS. HOTTEL COX: Yes, I think the having those weeks
4 will be helpful for the meetings and the March 9th date, we can
5 definitely get it done within that time and report back with time
6 for the Commission to consider that before voting.

7 MS. SCHELLIN: Okay. Great. So if we give you until
8 February 23rd and then allow the ANC, if they choose, to respond.
9 Sorry, until March 2nd, both 3 p.m. deadlines, then we can put
10 this on for March 9th for consideration for final action and that
11 will allow enough time to refer to NCPC for their 30-day comment
12 period and like I said, it'll give you time to respond.

13 Now Commissioners, were -- you are only looking for a
14 response from the Applicant, but you want them to work with the
15 others, right? We weren't looking for responses from anybody
16 else.

17 CHAIRMAN HOOD: I want to get the Applicant response.
18 I also want to get the response from Ms. Green and Mr. Smith.
19 (Indiscernible) --

20 MS. SCHELLIN: With Mr. Smith? Okay.

21 CHAIRMAN HOOD: However they choose to do it, yeah, and
22 mom.

23 MS. SCHELLIN: So if they'd like to respond after the
24 meeting --

25 CHAIRMAN HOOD: Right.

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1 MS. SCHELLIN: -- then they can do so?

2 CHAIRMAN HOOD: Exactly.

3 MS. SCHELLIN: Okay. Got it. I just want to make
4 sure, and Ms. Green. Okay. All right. That's it. And Ms.
5 Hottel Cox, you'll prepare a draft order also?

6 MS. HOTTEL COX: Yes.

7 MS. SCHELLIN: Thank you.

8 CHAIRMAN HOOD: All right. So with that, I want to
9 thank everybody, but before I do that, the Zoning Commission will
10 be meeting again this coming Monday, January the 23rd. The case
11 number is 22-20, 1301 Good Hope Road, LLC. We'll be on the same
12 platform, same time; 4:00 p.m.

13 I want to thank you everyone for their participation
14 tonight. I know -- I mean, in their participation in this hearing
15 this evening and I know there's some additional work that's going
16 to be done and I want to thank you for the work that has been
17 done.

18 So with that, this hearing is adjourned. Good night,
19 everyone.

20 (Whereupon, the above-entitled matter went off the
21 record at 5:29 p.m.)

22

23

24

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C E R T I F I C A T I O N

This is to certify that the foregoing transcript

In the matter of: Public Hearing

Before: DCBZA

Date: 01-19-23

Place: Teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

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