

GOVERNMENT OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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REGULAR PUBLIC MEETING

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THURSDAY

FEBRUARY 16, 2023

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The Regular Public Meeting of the District of Columbia Zoning Commission convened via teleconference, pursuant to notice at 4:00 p.m. EDT, Anthony Hood, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson
ROBERT MILLER, Vice Chairperson
PETER MAY, Commissioner
JOSEPH IMAMURA, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN, Secretary
PAUL YOUNG, Zoning Data Specialist

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

DENNIS LIU, ESQUIRE

The transcript constitutes the minutes from the Regular Public Hearing held on February 16, 2023

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

Case No. 22-21

2229 M Street, LLC 7

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

(4:00 p.m.)

CHAIRPERSON HOOD: Good afternoon, ladies and gentlemen. Today's date is February 16th, 2023. We are convening and broadcasting this public hearing by video conferencing. My name is Anthony Hood, and I'm joined by Vice Chair Miller, Commissioner May, and Commissioner Imamura. We're also joined by the Office of Zoning staff, Ms. Sharon Schellin, and Mr. Paul Young, who will be handling all of our virtual operations. Also Mr. Dennis Liu from the Office -- our Office of Zoning legal division. I will ask all others 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 a court reporter and is -- by a court reporter. The platforms used are Webex and YouTube Live. The video will be available on the 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 sign-up, all participants will complete the oath or affirmation required by Subtitle Z, 408.7. 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 are finished speaking, please

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

4 If you wish to file written testimony or additional
5 supporting documents during the hearing, then please be prepared
6 to describe and discuss it at the time of your testimony. The
7 subject of this evening's hearing is Zoning Commission Case No.
8 22-21, 2229 M Street, LLC, consolidated plan unit development and
9 zoning map amendment at Square 4465, Lot 36 and 39, 2225-2229 M
10 Street, N.E. Again, today's date is February 16th, 2023. And
11 the ANC this evening is ANC 5D, Chairman Guzman.

12 The hearing will be conducted in accordance with
13 provisions of 11 D.C.M.R Chapter 4 as follows: preliminary
14 matters; the applicant case -- the applicant's case, the
15 applicant has up to 60 minutes, but we can probably do it in
16 about 20 minutes this evening, I believe; reports of other
17 government agencies; report of the Department of Transportation
18 and the Office of Planning; report of the ANC, as I stated
19 previously, ANC 5D; testimony of organizations, five minutes, and
20 individuals three minutes; and we will hear in the following
21 order from those who are in support, opposition, and undeclared;
22 and then we will have -- then we will have rebuttal and closing
23 by the applicant.

24 Again, the OZ hotline number is 202-727-0789 for any
25 concerns during these proceedings.

1 At this time, the Commission will consider any
2 preliminary matters. Does the staff have any preliminary
3 matters?

4 MS. SCHELLIN: Yes, sir. The first thing is that the
5 Applicant at Exhibit 36 filed their second supplemental
6 statement, and they filed it less than 20 days before the hearing.
7 And would just ask the Commission to grant the waiver request
8 that they made for filing this supplementing their application
9 less than 30 days before the hearing. And you could do that by
10 consensus if you don't want to take a vote.

11 CHAIRPERSON HOOD: Okay. Any objections?

12 No objections. We will proceed in that fashion. Thank
13 you, Ms. Schellin, anything else?

14 MS. SCHELLIN: Yes. So there's a couple. The other
15 thing that's important, I think, is that if you'll recall, the
16 Commission granted party status in advance to the Lee Rollins
17 party, and they were in opposition. They have changed their
18 position to support now, and they have advised -- and that's at
19 Exhibit 39. And they have also indicated that they will not be
20 presenting this evening. So that's for the Commission to note
21 for going forward. And then the only other thing is expert
22 witnesses. So we have -- let's see, there are two, one previously
23 approved, if you want to take that one first. William Zeid, and
24 he's with Gorove Slade in transportation.

25 CHAIRPERSON HOOD: Okay. I believe we've seen Mr. Zeid

1 before. Any objections?

2 And hopefully I'm -- we're pronouncing his name right.
3 If not, he'll correct us.

4 All right. No objections.

5 MS. SCHELLIN: And the other one is Robert McClennan,
6 and he's -- I'm sorry -- with ZDS and he's the project architect.
7 So he's being proffered in architecture. His resume's at Exhibit
8 15C as in cat.

9 CHAIRPERSON HOOD: Okay. Just a second. Okay. Any
10 objections? He's being proffered as the architect.

11 Any questions?

12 COMMISSIONER MAY: No.

13 CHAIRPERSON HOOD: Okay. Not hearing any or seeing
14 any, we will give him that status as well, Ms. Schellin.

15 MS. SCHELLIN: And the only -- I'm sorry, I know I said
16 that was the only other thing. The ANC has submitted a letter
17 and they are now in support of the application. And other than
18 that, that's all I have.

19 CHAIRPERSON HOOD: Okay. So if we can bring --

20 MS. SCHELLIN: So the ANC -- I'm sorry. I'm sorry, the
21 Applicant is planning to take 20 minutes, actually, as you stated.
22 Crystal Myers is here for OP and Aaron Zimmerman is here for
23 DDOT.

24 CHAIRPERSON HOOD: Okay. Let's bring everybody up, Mr.
25 Young and Ms. Schellin, and we can get started. Ms. Hottel-Cox,

1 I believe, is taking the lead. And once everybody comes up, Ms.
2 Hottel-Cox, you may begin.

3 MS. HOTTEL-COX: Thank you, Chairman Hood. I believe
4 we have everyone from our team, so I will go ahead and get
5 started. Good afternoon, Chairman Hood and members of the
6 Commission. Again, for the record, my name is Meghan Hottel-Cox
7 with Goulston & Storrs, and I, along with my colleagues, Christine
8 Roddy and Jennifer Bisgaier, are the land use counsel in this
9 case. We are pleased to present this PUD and related map
10 amendment application for the property at 2225 to 2229 M Street,
11 N.E. in Ward 5. The property, which is currently comprised of
12 two vacant buildings, is in the RA-2 zone, and we are proposing
13 through this application to rezone the property to the RA-4 zone,
14 which is consistent with the property's designation for medium
15 density residential use on the future land use map. The project
16 we are presenting today will result in a 92-unit all affordable
17 senior housing building, allowing low income Ward 5 residents to
18 age in a quality facility within their community. Since set-
19 down, the project has gone through several refinements to be
20 responsive to the Office of Planning, DDOT, the ANC, and the
21 project's immediate neighbors. We are very grateful, especially
22 to the community, for the extensive time they took with us to
23 discuss and refine the project. This collaborative work allows
24 us to be here today with support from OP and DDOT, as well as a
25 letter in support from the ANC and a switch from parties in

1 opposition to parties in support from our immediate neighbors.
2 With these changes, we believe this application meets the
3 requirements under Subtitle X of the zoning regulations for
4 approval of a PUD and related map amendment.

5 First, the project is not inconsistent with the
6 comprehensive plan. Our filings, as well as the reports from the
7 Office of Planning in the record, provide significant detail on
8 the project's consistency with the comprehensive plan, including
9 the map, citywide elements, and area elements. The filings also
10 detail the project's consistency with the comprehensive plan when
11 viewed through a racial equity lens. While the Commission's new
12 racial equity tool was released after the final pre-hearing
13 filing was due in this case, we believe the consistent community
14 outreach over the past year, the unique all affordable senior
15 housing benefit this project will provide in Ward 5, and the lack
16 of any displacement through the project illustrates the project's
17 consistency with the comprehensive plan's racial equity lens.

18 Additionally, as our architect and transportation
19 engineers' testimony will show, due to the revisions made to
20 respond to community concerns, the project will not result in
21 unacceptable impacts on the community that are not mitigated.
22 The community's major concerns around height and parking were
23 addressed through the reduction of the project's height by almost
24 15 feet, the lower unit count, and the increased parking provided.
25 The Applicant also made other changes to address impact concerns,

1 including increased sustainability commitments through the
2 Enterprise Green Communities plus certification we're proposing.

3 Finally, the project provides benefits and amenities
4 consistent with the flexibility we are requesting. The project's
5 primary benefit is to bring 92 all affordable senior residential
6 units to Ward 5 in a high quality building. The project's other
7 benefits are detailed throughout our filing and will be touched
8 on in our presentation. Beyond the map amendment, the project's
9 only request of additional flexibility is from the surface
10 screening requirements for the parking and loading spaces that
11 are adjacent to the alley. Based on the revisions to the project,
12 the parking and rear yard relief originally requested are no
13 longer required. Thus, we believe the project, as presented this
14 afternoon, meets the zoning requirements. With that, I will turn
15 it over to Peter Stewart with the Applicant to discuss the
16 project.

17 MR. STEWART: Good afternoon. Thank you for allowing
18 us to present today. We're grateful for your patience. As Meghan
19 mentioned, we delayed our presentation so that we could work more
20 closely with our neighbors and ANC, and we're grateful for their
21 efforts to help us create the project that we're going to be
22 presenting to you this afternoon. My name's Peter Stewart. I'm
23 here on behalf of the Applicant. I'm also joined online by my
24 partner, Marcus Goodwin, he's somewhere there. Marcus and I have
25 been lifelong area residents, and we're both current D.C.

1 residents. We've also been developing and improving real estate
2 in the D.C. area for about 15 years.

3 Just a little background on the project. We purchased
4 2229 M Street in March of 2022. It's a former vacant daycare
5 building and the previous owner had been attempting to sell it
6 for several years when we purchased it. We then approached the
7 neighboring property, which is a small vacant apartment building,
8 and purchased that in the summer of 2022. We've completed a
9 subdivision to combine the properties into a single 15,000 square
10 foot lot. As Meghan mentioned, we're proposing a 100 percent
11 affordable 92-unit 55-plus senior affordable housing community.
12 We feel like this is an ideal location, given its proximity to
13 the amenities of the H Street corridor and also its proximity and
14 a direct view of the National Arboretum.

15 We're going to be providing a shuttle service for our
16 residents down to the intersection of Bladensburg and Benning
17 Road to ensure they have access to all of the retail there. The
18 community also will include a 700 square foot community room,
19 approximately 400 square feet of fitness and flex space, as well
20 as a rooftop community room and a large outdoor terrace, again
21 overlooking the beautiful National Arboretum. We'll be working
22 with a high quality senior affordable housing property manager
23 to ensure that residents are well supported and that the community
24 continues to be an asset to the neighborhood. The project will
25 be 100 percent affordable for at least the initial affordability

1 period, which is 40 years. We're not yet able to finalize the
2 capital stack, but the project will have at least 80 percent of
3 the units affordable at 60 percent MFI and the remaining 20
4 percent at 80 percent MFI. We expect, based on the final
5 financing, that the affordability levels may even be lower than
6 that, but that's our current threshold.

7 As Meghan mentioned, we had extensive outreach to the
8 community. We had 14 meetings. And the plan is the accumulation
9 of all of their feedback, which includes a reduction in size and
10 scale of the project all the way to ways that we can provide
11 additional security to that part of the neighborhood. In addition
12 to working with the ANC, we've also been engaging with the
13 National Park Service, which owns a parcel immediately to our
14 east to explore adding a walking path and landscaping so that it
15 is more of an amenity to the community. We've also been in close
16 communication with our immediate neighbors to our west, and we
17 appreciate their support. We're committed to continuing to work
18 closely with them throughout the development and construction
19 process.

20 We hope that our outreach and the plans before you
21 illustrate our incorporation of the feedback and also our
22 openness to make meaningful refinements, which our architect and
23 transportation engineer will discuss in further detail. Our goal
24 as the developer is to balance creating significant and
25 sustainable senior affordable housing in the community, while

1 also being a good neighbor and integrating into the existing
2 built environment. Thank you very much for your time and review
3 of this project. And with that, I'll hand it over to our very
4 talented architecture team run by Rob McClennan.

5 MS. HOTTEL-COX: And Mr. Young, if the presentation we
6 submitted could be brought up at this time, that would be greatly
7 appreciated.

8 MR. MCLENNAN: Okay. Great. For the record, my name
9 is Robert McClennan, and I'm with the architecture firm of ZDS
10 Architecture and Interiors, and I'm the architect for the
11 project. If we could move to the third slide?

12 So I wanted to start here. This really gets to the
13 crux of the matter with what Peter was talking about, the changes
14 to the original design. So really we have 11 bullet points we
15 want to share with you. One is the unit mix. We've changed to
16 basically reduce the amount of studios significantly and increase
17 the one-bedroom units. The original 120 units was about 40
18 percent studios. And we've significantly reduced that. The unit
19 count obviously has dropped from 120 to 92. And then the average
20 unit size has increased from 520 square feet to 600. We've
21 removed the eighth floor, that took ten feet off the proposed
22 building height. And then we also went from a 10-foot floor to
23 floor to a 9'4" floor to floor. The structural system we're
24 using still allows for reasonable ceiling heights. We'll have
25 over an eight-foot ceiling height with that system. And that

1 lowered the building another 4'8". So the total reduction was
2 14'8", so essentially went from roughly a 90-foot building to
3 roughly a 75-foot building. We've added Juliet balconies to the
4 primary facades of the building. Those are the facades facing M
5 Street and also facing east towards the National Park Service
6 parcel, and you'll see those in the elevations. We also extended
7 the brick along the western face. This would be the facade that's
8 above the building adjacent to ours. And then we revised the
9 parking in the alley to create a few more additional spaces. And
10 with that, combined with the unit count reduction, we no longer
11 need any relief from parking. Then we've also replaced the
12 exterior insulation finish system, or EIFS, with stucco
13 throughout the building. And then the windows on the west façade,
14 we had some windows at risk. The residents in that building have
15 a roof deck. They did not want those windows. So we removed
16 those windows. And then we also went back and revised the
17 exterior facade to reflect the unit layout. We want to make sure
18 that the inside matches the outside. With that, next slide
19 please?

20 This shows the unit matrix, the significant change we
21 made. So you can see originally we had 53 studios, 55 one-
22 bedrooms, 13 two-bedrooms, to total 120. We're now at only four
23 studios and those are kind of sort of odd little units that exist
24 in the basement areas that were too small to really make a one-
25 bedroom from. Then the rest are: 71 are one-bedrooms, 17 are

1 two-bedrooms for the total of 92 units. And you'll see those
2 color coded in the plans. Next slide please?

3 This is the lower level of the building, the terrace
4 level. This sits just below the entry level. These units,
5 especially the ones facing the front, are about four feet below
6 grade that front an area way. And you can see there's a mix of
7 one-bedrooms and studios and a single two-bedroom here. We also
8 have our bike storage located in this level, one level below the
9 entrance. There's also some tenant storage located here as well.
10 And also mechanical spaces, our electric room and water room are
11 located in the upper left corner of this plan. Next slide?

12 This is our ground floor entrance. It's actually a bit
13 of a split level. You come in the lobby area at grade, or more
14 or less at grade, and then there's a residential level that's
15 about four feet above that. And that's to give us more ceiling
16 height in the lobby level. So this contains the lobby entry area
17 with a concierge desk. You'll have the package room and the mail
18 room and then a small leasing office, as well as the community
19 room and fitness center. Next slide?

20 This is the second floor, but it's also the loading
21 level floor. The alley is about 14 feet higher than M Street.
22 So that allowed us to have the loading dock off of the alley,
23 but raised up one level above the entry level. This also shows
24 the revised parking. You can see the handicap spaces are there.
25 There's a direct accessible route into the building from there.

1 And then the one-bedroom units in blue and the single two-bedroom
2 unit in a lighter blue. Next slide please?

3 Oh, I'll just say this. The trash room is directly
4 located off of the loading dock. And so the intent would be that
5 the trash is all internalized, the recycling is all internalized
6 within the building. And also the loading bay is large enough
7 for a 30-foot truck to pull completely into it and with a 14-
8 foot clearance required by zoning.

9 This is our typical floor, so this is floors three
10 through seven. You can see here all residential, a mix of two-
11 bedrooms and one-bedrooms. And next slide please?

12 This is our habitable penthouse level. So we do have
13 five units on this level, four one-bedrooms, two one-bedrooms.
14 And also in the light pink color is our community room. So we
15 do have an indoor space that would be sort of have a seating area
16 and some televisions and that connects directly out to a terrace
17 that I think is going to have some spectacular views looking
18 toward the northeast over the Arboretum. Next slide?

19 This just shows our penthouse level. We are proposing
20 a solar array up here as well as a green roof. Next slide?

21 These are some of the exterior renderings. What we're
22 doing in this presentation is showing you before and after images.
23 So here is the 3D view looking toward the east of the eight-story
24 building. And then next slide please?

25 This is the revised design with the seven stories. So

1 again, a 15-foot differential between the two. Next slide?

2 This is a image of the eight-story original design.

3 Next slide?

4 And the seventh story revision. You can see here also
5 the original design had five bays which reflected the five units.
6 With the revised unit design, we went to a four bay system. We
7 also felt that when the bays were more wider that we wanted to
8 make them taller. So we've also gone with a three-story kind of
9 matrix there for the typical exterior walls. We are proposing a
10 series of brick for the sort of framing elements, and then inside
11 the frame would be windows and aluminum panels. Next slide?

12 This just shows the entry. We do have an accessible
13 ramp that starts a little bit to the right of the entry and then
14 a few steps up and then a small terrace at the entry and that
15 leads directly to the lobby. This also shows our sort of entry
16 feature, which is the seven-story aluminum and glass entry piece
17 that sort of designates where the entry is. Next slide?

18 And a view looking to the west. We did continue the
19 facade, the M Street façade, we continued three bays of that,
20 fronting toward the NPS parcel, and then transition to the stucco
21 as we round the corner toward the rear of the building. This
22 also shows the large-scale windows on the ground level that open
23 up into our community room, our leasing office, and lobby. Next
24 slide?

25 I'm sorry, that was the eight-story, this is the seven-

1 story. My mistake. Next slide please?

2 And this is our material palette, again brick, aluminum
3 panel, stucco, and also different colors of metal panel. Next
4 slide?

5 And this shows the revised, there's no before and after
6 here, but these are the revised elevations. We can go -- we
7 can use these to answer questions, but I won't go into too much
8 detail with these. Next slide?

9 This is the rear of the building. So this is now --
10 at the base we have sort of a water table of brick masonry. And
11 then above that would be the stucco. Next slide?

12 And this is just the, again, the facade facing toward
13 the NPS parcel. Next slide?

14 And this is the facade facing to the west. You can see
15 the extension of the brick. The gray area is the existing
16 building that's there. Next slide?

17 And with that, I'll turn it over to my colleague, Will.

18 MR. ZEID: Hi, Will Zied with Gorove Slade presenting
19 on traffic and parking. If we can go ahead and go to the next
20 slide? Try and move through these quickly.

21 Okay. So with 92 all affordable senior units, no curb
22 cuts on M street. We'll be providing all access to the building
23 for vehicles and loading from the alley that runs behind -- the
24 public alley that runs behind the building. We did prepare a
25 CTR which analyzed, you know, all the various transportation

1 components, including how loading vehicles work with that loading
2 bay at the rear of the building. That was submitted to DDOT.
3 DDOT did issue a report in support of the project with the only
4 condition being to implement the TDM plan. And one important
5 feature that Peter had mentioned was we'll be providing a shuttle
6 service, which will be a great amenity to assist people getting
7 out of the development and over to where they want to go. Next
8 slide?

9 Just to provide a brief history. As we went through
10 this process and worked with the community, we dropped the units,
11 as was mentioned, from 120 down to 92, while increasing the number
12 of parking spaces. So the initial parking relief that we were
13 seeking at the beginning of the project, we no longer need.
14 There'll be 13 physical parking spaces at the rear. Two of those
15 will be provided as car share spaces, which will count as three
16 each towards the zoning requirement. So our zoning parking count
17 will be 17 versus a 16-space requirement. And that's based on
18 all affordable has one of the lower parking requirements for
19 zoning for residential uses. If you can go to the next slide?

20 We will be meeting -- this just goes through a breakdown
21 of the parking, which I just discussed. We will also be providing
22 three EV spaces amongst those parking spaces for a total of 20
23 percent EV. We will be providing the zoning required bike parking
24 with both long-term bike parking in a bike room, and short-term
25 bike parking outside. The bike room will meet all of DDOT's

1 guidelines so there will be the cargo tandem spaces, we'll have
2 power outlets for e-bikes and scooters, and all of the other
3 design requirements that DDOT has. If we can go to the next
4 slide?

5 Just go quickly over to the trip generation for the
6 site. Senior all affordable is one of lower generating
7 residential uses. We're looking at well below DDOT's threshold
8 of 25 peak direction trips, which would trigger a more intensive
9 traffic study with vehicle analyses and all those types of things.
10 So we expect minimal impact from vehicles. And any impact from
11 the site would be mitigated through the project's TDM plan. Next
12 slide?

13 This just goes over some things, the Applicant has
14 worked with and offered to the community to assist with any --
15 there were parking concerns expressed throughout the project,
16 throughout the process, and there are some things that we've
17 identified that if the ANC and community would like, that the
18 Applicant is happy to help with those things to help further
19 those through the process with DDOT. That includes potential
20 implementation of RPP restrictions along M Street as the
21 Arboretum is slated to open back up in the future to sort of
22 discourage people from parking there that don't live in the
23 neighborhood. Additionally, there's a chunk of curb along the
24 NPS property right next to us that is currently signed for no
25 parking. So if the ANC and community would like to get some more

1 curbside parking spaces, we would be happy to propose that when
2 we go through public space permitting to add some more parking
3 spaces along that curb. Next slide please?

4 Just reiterating DDOT report was in support of the
5 project and we will obviously go through all -- implement the TDM
6 plan as required and continue to coordinate with DDOT on the
7 additional coordination items listed in their report. Next
8 slide?

9 I believe that -- is that the last slide? Yep. I
10 believe that's it for --

11 MS. HOTTEL-COX: Yes. That concludes our direct
12 presentation. And of course we're happy to take any questions
13 from the Commission.

14 CHAIRPERSON HOOD: Yes. Thank you, Ms. Hottel-Cox and
15 team. We really appreciate all the work that has been done in
16 this thus far. Let me -- I'm going to go and from my colleagues
17 to let you know in advance that I'm going the opposite way of
18 what I normally do. I think it's always good that we do something
19 a little different. All right. And give Mr. May a chance to go
20 last.

21 Let me start off, there was a letter -- I know that the
22 party -- and let me commend everyone with the ANCs, getting the
23 ANC support and the parties, the party that we have given party
24 status in opposition, for overcoming those issues and working
25 together with the community on that. There was one person that

1 I'm not sure of, Ms. Hottel-Cox, it's Victoria Styles. Is she
2 now --

3 MS. HOTTEL-COX: Yes.

4 CHAIRPERSON HOOD: Okay.

5 MS. HOTTEL-COX: She is an immediate neighbor and we
6 met with her along with the Rollinses and Ryan Lee and had all
7 of the same conversations. She has not indicated an update on
8 her position, but she did note that she was pleased with the
9 changes that we were able to make. But since she wasn't a party,
10 she didn't file with the neighbors as part of their update. But
11 she is part of the same building with the Rollinses and Ryan Lee.

12 CHAIRPERSON HOOD: Okay. All right. Well, thank you.
13 The only -- can we put back up, Mr. Young, a rendering showing
14 the whole project? Just anything, it doesn't matter.

15 And I'm going to go to the architect, I wrote your name
16 down, let me see, or did I write -- maybe I didn't. I'm sorry.

17 MR. MCCLENNAN: Rob McClennan.

18 CHAIRPERSON HOOD: You know what, Rob McClennan, I
19 wrote your name down, but the way I write quickly when I'm in
20 hearings, I can't read it. So yes, I do have your name down. So
21 Mr. McClennan, I've been trying -- I've been looking at this. I
22 like the design of the building. I'll be interested to hear what
23 others have to say. The only thing -- I'm always concerned, and
24 I'm sure others are, about light colors. And then I started
25 thinking about knowing exactly where this building is, maybe

1 that'll liven up that area. So I have kind of mixed feelings on
2 the lightless of it because what I've noticed over the 24 years
3 or 25 years I've been around, that some of the projects that we
4 vote on that have light material colors, it starts looking dirty
5 after a while. And that's my concern about this. But then I
6 start thinking back where it is, back in there, we probably can
7 liven up. And you have a lot of the support. These materials
8 on here that you're using, especially up in the penthouse and
9 some of the lighter colors, are they easy to clean, how's that
10 going to be pretty much maintained? I don't know if you can
11 answer that or whom can answer that.

12 MR. MCCLELLAN: Right. Well, we're using -- the really
13 light colors you're referring to, the white, is the stucco
14 material that really exists mostly a little bit on this east
15 facade and in the primary back facade and then the penthouse. We
16 are proposing to use, it's a Steel (phonetic) product, that's STO
17 is the company, they make a range of products, but they do a
18 three-coat stucco product. We are going to be utilizing what
19 they have. They have a finished system that's called Lotusan
20 that they put on the stucco that mimics the way -- they've studied
21 how lotus leaves work, and it mimics that. And so if you ever
22 get a Steel rep to come into your office, they pour water on
23 their product and you see it just sheet off. It doesn't engage
24 a lot like the same with a lotus leaf. So I've talked to the
25 reps, what they've said is that this product, you know, they've

1 got installations that are 18, 20 years old now. They just do
2 not have staining on them. It also is mildew resistant as well.
3 So I think in terms of the stucco, I think that it's -- it's a
4 high quality product. I don't -- I can't tell you that it never
5 will need to be cleaned, but certainly this is a product that is
6 designed to weather well over a long period of time.

7 CHAIRPERSON HOOD: So I guess my question will go to
8 Mr. Goodwin. Good afternoon, Mr. Goodwin, good to see you again.
9 And as well as Mr. Stewart. Is there a possibility on down the
10 line that this building would have to be cleaned? And I know
11 what -- I heard what the architect said and I appreciate that,
12 but when I'm riding by there and I -- and it becomes dirty, I'm
13 going to think about the three of you. So I'm just curious, is
14 there an opportunity -- would there be a mechanism that we can
15 maybe keep it clean? Because I think it looks good, but I'm just
16 concerned about the light colors. And I'll throw that to the
17 developers.

18 MR. GOODWIN: Commissioner Hood, thank you. Good --
19 nice to see you again too.

20 CHAIRPERSON HOOD: To you too.

21 MR. GOODWIN: Yes, I am sure that we will be cleaning
22 it. Let me check with our property management team to tell you
23 the logistics of actually how that would work. I assume that
24 there would be some sort of power washing system that we would
25 use. But you know, I don't want to talk out of school, so let

1 me check it out. We're happy to submit that information back to
2 you all.

3 CHAIRPERSON HOOD: Okay. And I do want to commend you
4 on the work and the effort that was done. I'm very familiar with
5 back in that area, when I was younger I used to hang around over
6 there, doing good things, but I used to hang in the area or having
7 fun as a young person. So I'll leave it at that. But I will
8 say that I think this will jumpstart some of that back in this
9 area. This is what I call the new modern, I don't know the exact
10 name of this development, but new modern style development. And
11 I think it would really help to continue to jump start that area.
12 And I'm encouraged when I heard Mr. Stewart, that you said that
13 the -- Stewart, right, do I have your last name right?

14 MR. STEWART: Yes, that's right. You've got it right.

15 CHAIRPERSON HOOD: I know Mr. Goodwin, so I wanted to
16 make sure I get everybody's name right. But I was encouraged
17 when I heard you said 60 percent of the MFI or lower. I'm always
18 looking at lower, but I was encouraged with that and I'm hoping
19 that we can get some lower as well. I'm also -- but I do have
20 one other question. Ward 5 -- it's said -- I think it was
21 presented, Ms. Hottel-Cox and others, that you said Ward 5
22 seniors. This is not just for Ward 5 seniors, is it, or is it?

23 MR. STEWART: Yes, it is --

24 MS. HOTTEL-COX: No, it is not --

25 MR. STEWART: Sorry, go ahead.

1 MS. HOTTEL-COX: It is not restricted to Ward 5 seniors.
2 We just wanted to note that since it is in Ward 5 and there would
3 be the opportunity for seniors within Ward 5 because that area
4 has a higher percentage of seniors than the District at large to
5 be able to age within their community as opposed to having to
6 move out of the community.

7 CHAIRPERSON HOOD: Sounds good. I would also encourage
8 -- I'm not trying to undo anything that's been done, but also
9 encourage one of those runs at some time maybe go over to Costco.
10 I don't know if seniors need to go over there or not, but I'm
11 sure some do. And I know a lot of times they're handicapped
12 because they don't have the accessibility to transportation to
13 do that. So in those discussions, I'm sure Mr. Goodwin and Mr.
14 Stewart and others will consider that as well. Other than that,
15 I don't have any other questions, at least not yet. But I really
16 appreciate the work that's been put into this.

17 So let me go to Vice Chair Miller?

18 VICE CHAIR MILLER: Thank you, Mr. Chairman, and thank
19 you to the Applicant's team for bringing this PUD and zoning
20 related map amendment forward to us today. This is one of those
21 what I would consider a poster child case of changes that have
22 been made to an initial zoning filing in response to the Applicant
23 and OP and -- the Applicant's interaction and responsiveness to
24 community concerns, particularly ANC 5D, and in this case the
25 party in opposition, a neighbor who is now a party in support.

1 Always a great thing as a Zoning Commissioner to come to a hearing
2 where a party opposition has been turned into a party in support,
3 not necessarily by any work we've done, but by all the outreach,
4 responsiveness, maybe response to some of the concerns we might
5 have suggested at set-down in addition to Office of Planning's
6 comments at set-down, but mostly the ANC and community neighbors'
7 concerns, so. A lot of changes were made to garner that support
8 of 5D, ANC 5D, and the previous party in opposition now a party
9 in support, including reducing the height and massing, increasing
10 the size of the units, addressing the parking concerns by not
11 requesting any parking relief, maximizing the parking on site so
12 that neighborhood parking is not adversely impacted, removing the
13 windows on that western façade, although I think you're
14 considering some kind of mural there if you want to touch on
15 where that is, that'd be fine. And I think there's cameras or
16 other things that you've installed to secure and -- the increase
17 the security, and there's -- there are other issues as well you've
18 addressed, the water runoff, the stormwater management. So we
19 appreciate all of those, all that community interaction and
20 responsiveness and changes that have been made to the initial
21 application. I'm not sure I have -- I like the design. I
22 appreciate that you've also added the -- one of the -- another
23 other changes you made I think in response to OP comments was
24 you added Juliet balconies. And so that's -- we appreciate that.
25 And to the extent you are able to -- well, maybe I'll ask a

1 question right here instead of just rambling on and on and on.
2 On the balconies, I appreciate that you've got Juliet balconies,
3 I appreciate all the articulation in the façade of this all
4 affordable all senior residential building. But the -- you've
5 added the Juliet balconies, which I appreciate. Are there any
6 ways to make those real usable balconies or do you run into FAR
7 issues, which I've always said that I'm willing to ask the Office
8 of Planning to look into addressing any FAR issues with -- if
9 -- by adding balconies and so that you don't have to reduce the
10 space of the actual unit sizes, which was one of the issues you've
11 addressed as a response to community concern, so I wouldn't want
12 you to reduce the unit space, but sometimes the increase in
13 balcony size affects the FAR, which I never want to affect the
14 FAR. What is the -- is there a challenge -- what is the challenge
15 to making those -- any of those Juliet balconies a little bit
16 more usable so they can look out at all that beautiful National
17 Park Service parkland and other open space and vistas that are
18 available from that location?

19 MR. MCLELLAN: We've -- it's -- it would be a projection
20 into public space 'cause we are fronted on the property line,
21 and we have the entry bay is a projection into public space and
22 it is the maximum allowed. So any type of balcony would I believe
23 be above and beyond what we're allowed to do within public space.
24 So I think that's the primary reason why we've maintained them
25 just as the Juliet balconies. There is a sliding door, so we

1 think we do have that inside out connection. So that's why we
2 are -- we went forward with the Juliet balconies.

3 VICE CHAIR MILLER: And how many of those -- how many
4 of the 92 units have the Juliet, half of them?

5 MR. MCCLELLAN: That's a great question. I don't have
6 that written down. I believe it's about 52 I think of the 92,
7 so almost half. When you look at the facades, you'll see it's
8 every one of the units on the second floor and up fronting M
9 Street. And I think three of the four units on the east facade
10 fronting toward National Park Service.

11 VICE CHAIR MILLER: Thank you for that response. So
12 it's the public space. It would be -- it's the public space
13 encroachment issue. And remind me, somebody, Ms. Hottel-Cox
14 probably is the one to do this, but I don't know, remind -- but
15 remind -- I should know this, remind me what, to overcome that
16 -- what is the regulatory barrier here and what you would have
17 to do to overcome it to have a regular balcony, is it just D-
18 -- it's not just the DDOT public space committee, it's some
19 exemption that's required, what is it?

20 MS. HOTTEL-COX: It would be a code modification just
21 specifically for projections.

22 VICE CHAIR MILLER: A building code -- it's a building
23 code modification?

24 MS. HOTTEL-COX: Yes. And at least currently the
25 conversations in general, not for this project, that we've had

1 with the review team with the public space committee that looks
2 at these kinds of building code modifications, the allowance of
3 additional space for balconies has not been something that they
4 have been willing to support in the past. So that -- and in
5 general, they are very reluctant to support building code
6 modifications for any kind of occupancy of public space.

7 VICE CHAIR MILLER: And is there -- there's a public
8 safety rationale associated with that or what is -- do you know
9 what the rationale is associated with that? I know this is a
10 little beyond what we're considering, but it comes up a lot and
11 I'm interested in getting rid of the problem.

12 MS. HOTTEL-COX: I don't have full details on the
13 rationale. I will say I think it is largely esthetic and about
14 the kind of uniform street walls that the District is known for
15 with the kind of limited exceptions that are uniform allowed in
16 the building code. But I don't have anything beyond that.

17 VICE CHAIR MILLER: Okay. I think I need to educate
18 myself on -- there might -- yeah, there may be legitimate reasons,
19 esthetic uniform building property line, whatever, or public
20 safety issues, but I just want to understand that at some point.
21 But that's not for you to worry about. I'll figure out how to
22 do that with our staff. The initial filing I don't want to really
23 dwell on this too much because we've progressed to a point of
24 support, but when you were at the higher floor -- when you had
25 the one additional floor and the ANC at that point had -- was

1 requesting a reduction, the -- I think there as an August filing
2 that talked about the structural challenges and other challenges
3 of reducing that -- reducing this project from eight floors to
4 seven, and it would reduce -- it would create structural
5 challenges, reduce the number of solar panels. It did reduce the
6 number of units obviously. You cited at that time it would
7 undermine the project's economic feasibility. And because there
8 was a certain economic synergy, I guess, to -- or feasibility to
9 more than 100 units. So you're at 92 now. And you also said it
10 would be incongruous to the project's architecture at the time.
11 I don't really want to dwell on problems that have been solved,
12 but maybe to avoid problems in the future, or just to understand
13 you were able to overcome these structure -- all these challenges
14 obviously.

15 MR. MCCLELLAN: Commissioner Miller I can talk -- I
16 can't talk to the financial side, Peter could, but I can say what
17 we were really referring to was doing some sort of setback. In
18 other words, at the seventh floor instead of losing the whole
19 floor, the initial idea was we would set back maybe at the sixth
20 floor, come in 20 feet and then go up. And so what that would
21 do is, you know, then we no longer have units stacking on top of
22 each other. We don't have walls stacking on top of each other.
23 That was the structural concern we were referring to. So when
24 we just eliminated the floor, that does not cause those same
25 structural concerns.

1 VICE CHAIR MILLER: Okay. Well, that's good to know.
2 The -- did you have to reduce the solar panels on the roof or?

3 MR. MCCLELLAN: No, in this instance, because we
4 basically kept the design exactly the same and just eliminated
5 the floor, we still have -- there's a 2,000 foot threshold we're
6 trying to maintain for the solar panels, and we currently are at
7 that number.

8 VICE CHAIR MILLER: And it should be commended. I
9 think you're doing the equivalent of LEED gold. It's a different
10 nomenclature, but is that correct?

11 MR. MCCLELLAN: Enterprise Green Community is another
12 -- they're sort of parallel programs.

13 VICE CHAIR MILLER: Is -- the site currently has a
14 child development center or did and previously had a two-story
15 five-unit residential structure; is that correct?

16 MR. STEWART: That's right. 2229 was a daycare center
17 and it was -- I don't know when it was operational, but we bought
18 it when it was vacant. And then 222- --

19 MR. GOODWIN: I think it was operational until 2019.
20 It had sat vacant for about three years until we closed on it
21 basically summer of 2022.

22 MR. STEWART: Thanks, Marcus. Yeah. And then the --
23 Commissioner Miller, you're right, the other building was also
24 vacant, small apartment building when we purchased it.

25 VICE CHAIR MILLER: And that was -- the previous owner

1 did the -- or did not renew the leases for the existing --

2 MR. STEWART: Correct.

3 VICE CHAIR MILLER: -- tenants there. Do we know what
4 happened, does anybody know what happened to those tenants? I
5 don't know why you would know that.

6 MR. GOODWIN: 2225 had also been vacant for a number
7 of years. It had been running as an apartment building. And
8 really by chance Peter and I thought up to reach out to the owner
9 and see if he was interested in selling, and he was very
10 interested in selling because he couldn't re-lease the building.
11 Its useful life had effectively come to an end because of all
12 the deferred maintenance and vacancy he had had over the years.

13 VICE CHAIR MILLER: Who was that previous owner?

14 MR. GOODWIN: I can't remember his name. He lives in
15 Maryland. He owns a bunch of buildings similar in that
16 neighborhood. A Korean gentleman, very nice guy. He had like
17 an American name and then a longer name, so I can't really
18 remember which was which. But it wasn't someone I knew before.

19 VICE CHAIR MILLER: That's okay. Mr. Goodwin, it's
20 good to see you too as --

21 MR. GOODWIN: It's good to see you.

22 VICE CHAIR MILLER: -- I think I last saw you at a
23 school where you --

24 MR. GOODWIN: Some kind of community meeting?

25 VICE CHAIR MILLER: -- were taking votes or something.

1 MR. GOODWIN: Oh, yeah, yeah.

2 VICE CHAIR MILLER: Anyway, but it's good to see you.
3 I'm not sure I have any other questions, Mr. Chairman. Oh, one
4 last question. The free shuttle bus, that's a big thing,
5 especially for seniors like me who limp across the tennis court
6 and limp across the crosswalks to get to where I want to go. But
7 where's that going from and to and how often is it going to run
8 and is that a condition of the order that you're proffering for
9 this case or it's something you're just working out separately
10 or what's the status of that?

11 MR. STEWART: So our plan is to really defer to our
12 property management partner to work with the residents to figure
13 out exactly the optimal timing, frequency, but the idea was to
14 be able to bring residents down to the corner of Bladensburg and
15 Benning, so they had easy access to the retail there. And
16 obviously, as Commissioner Hood mentioned, you know, maybe the
17 residents will want to go up to Costco or somewhere around there.
18 So we'll defer to them in the future.

19 VICE CHAIR MILLER: And are you proffering that as a
20 condition of the order or what -- or not?

21 MS. HOTTEL-COX: We are proffering the use of a free
22 shuttle for residents as part of the order with the kind of
23 regular scheduling to be determined, as Peter said, with the
24 property management, if the Commission would find that helpful.

25 VICE CHAIR MILLER: I think we would. We'll see where

1 we get to with deliberations, but yes, and I think that's a very
2 valuable proofer, which probably should be quantified or
3 estimated, guesstimated since you don't know how often it's going
4 to run and exactly where, but I think it's a -- I think it's an
5 important proffer. So I appreciate all of the effort that has
6 been made in this case. And again, thank you for bringing it
7 forward. And thank you, Mr. Chairman, and I yield my time.

8 CHAIRPERSON HOOD: Okay.

9 Commissioner Imamura?

10 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. And I
11 want to say that I think going in reverse order is different time
12 to time, so that's a great idea, Mr. Chairman. And it's really
13 great 'cause I sit on both sides so I can either let, you know,
14 Commissioner May often pitches on points that I have written down
15 on my notes and your comments and Vice Chair Miller's comments
16 are always thorough. So I'm not sure that I have much to add
17 other than to thank the Applicant for working with the ANC, the
18 party in opposition to turn them around to being a party in
19 support. That's commendable work to listen -- it certainly speaks
20 to the Chairman's policy of the good neighbor policy. So thank
21 you for that effort and the time that went into bringing all the
22 parties together in moving this project forward. I also want to
23 comment on the increase in the one-bedroom units, it was in the
24 first slide. I think that's terrific. Also, the increase in
25 the average unit size by 600 square feet. I certainly agree that

1 unit size was on the small side. Also appreciate the effort --
2 I'm certainly an advocate for greater density. In this case,
3 though, I did share some concern about the height. And so I was
4 glad to see that Mr. McClellan went back to the drawing table
5 and revised the set of plans, as well as Mr. Goodwin and Mr.
6 Stewart to take a look at that again. And I think it looks much
7 better. So there's some significant improvement there. Also
8 appreciate the effort to -- in terms of the design, the design
9 expression of interior shown on the exterior. I think that's
10 also something that I certainly appreciate. Also, value and
11 appreciate the spatial relationship and work sort of the space
12 planning of all this to align the loading dock with the trash.
13 You know, I don't want to become the trash guy, but it seems to
14 be that every now and then I become the trash guy and comment
15 how small some of these rooms are. Having lived in New York in
16 apartments like these, I know how important it is to have at
17 least, you know, sizable trash rooms for refuse. You know, people
18 generate a lot of trash, you know, I think it's some four and a
19 half pounds per person per day. Right? And you have 92 units,
20 it's a lot and it builds up. I realize the size here, there's
21 only one trash chute. Inevitably, somebody will, you know, jam
22 that up. I've seen people shove printers down those and they
23 get jammed up. So I always like to see at least two, but I
24 understand sort of the configuration of this is a little
25 challenging.

1 I would like Mr. Young, if you can please, to bring up
2 Slide 6, I think it's on Slide 6, it's the first floor plan.

3 Mr. McClellan, this this is really my only question and
4 I could be reading the floor plan wrong, I don't know how to get
5 to the pet grooming room, there's no door. Can you tell me how
6 I get there?

7 MR. MCCLELLAN: I believe -- so we were making some
8 -- as we changed the unit configuration, it caused some internal
9 movements in the building and we were trying to chase them all
10 down before we submitted. So I think the answer is we still have
11 a little bit of work to do to get access to that. But we will
12 -- we won't isolate it, we'll let people use it.

13 COMMISSIONER IMAMURA: All right. I'm glad to hear you
14 say that. Appreciate the response there, Mr. McClellan. So it's
15 certainly some additional refinements are needed. Sure, the
16 Chairman's concern, you know, glad you moved away from EIFS and
17 now we're heading in the direction of stucco, but an awful lot
18 of use of stucco, white stucco, significant portion on the south
19 side, so that's at least, you know, I get that and I'm more with
20 that, light stucco is really what I'm getting at, you know,
21 mildewy buildup and things like that. So certainly a cleaning
22 regiment is going to be important with the maintenance, the
23 facility. So I'll let that be my lead in for Commissioner May
24 and yield my time, Mr. Chairman.

25 CHAIRPERSON HOOD: Thank you.

1 Commissioner May?

2 COMMISSIONER MAY: Yeah, I got a few comments,
3 questions, whatever. So is this is going to be a full concrete
4 construction all the way up or is it?

5 MR. MCCLELLAN: You know, we're -- you know, it's
6 interesting when we went to the seven-story scenario, it's given
7 us a couple options. So one option would be we bring the concrete
8 up to the second floor and then we could go with wood framing
9 above it. I'm looking -- I've got another job I'm doing this
10 exact scenario on. The other option is we go with a light gauge
11 metal framing, a pan deck, and a five-inch concrete slab on top
12 of that, you know, a light gauge bearing building. It'll be one
13 of those two, whatever's probably the most cost effective of the
14 two is the one we'll probably move forward with. I just did this
15 exercise and they're actually because of wood pricing very
16 closely aligned, it used to be wood was far cheaper. So the
17 answer I think right now is we don't really know exactly what
18 the structural frame is, and we'd like to leave that kind of up
19 in the air if we could based on lumber pricing and concrete
20 pricing that are fluctuating all over the place.

21 COMMISSIONER MAY: Right. Yeah, I was just curious
22 about it. I mean, that could also affect things like balconies
23 I imagine, the wood structure, it's a little harder to detail of
24 a real balcony.

25 MR. MCCLELLAN: Yeah, and even in the concrete -- the

1 light gauge framing, that we're potentially looking at, the
2 balconies, projecting balconies, in that system are difficult.

3 COMMISSIONER MAY: Well, also, so while on the question
4 of balconies, 'cause I won't necessarily give up on those yet,
5 the building code modification, I thought that was necessary when
6 you exceeded a certain percentage of projection across that
7 façade. And it didn't seem like you were. Certainly we've seen
8 projects where if I recall there being a lot more projection than
9 this. I mean, is it -- do I have that wrong, is it allowed a
10 certain amount of projection, but this would exceed it?

11 MR. MCCLELLAN: Yeah, so it's Chapter 32 of the
12 International Building Code, D.C. has written in a whole separate
13 chapter there. The issue here is we have a single projection
14 and that changes everything. When you have multiple projections,
15 then you can have a higher percentage of the facade be those
16 multiple projections. But when you move to the single projection,
17 suddenly it moves you into a two inches per foot of -- you get
18 to go to 24 feet, you get 13 feet for 24, but then everything
19 after that, you only get two inches per foot. So I can tell you
20 we actually were a little bit over and we had to redesign that
21 unit to pinch it by 18 inches because we were over the allowable
22 projection using that math.

23 COMMISSIONER MAY: But if you added more projections,
24 then you would not have a single projection.

25 MR. MCCLELLAN: Yeah, I don't know the ans- -- mixing

1 the balconies and the bays, I don't know if that's -- and maybe
2 Meghan can chime in here, I don't think you can do both. I think
3 it's one or the other.

4 COMMISSIONER MAY: Mix balconies and bays?

5 MR. MCCLELLAN: I think to get the full -- I think
6 we've taken what we can with the projecting bay.

7 COMMISSIONER MAY: Hmm. Okay. Well, all I can say is
8 that I recall seeing other building designs where there's a lot
9 more projection than what you're seeing here, so I'm a little
10 surprised to know -- to hear that that's a limitation. Now, I
11 mean, the structural, you know, the constructability of
12 balconies, given your framing system, is something that I would
13 understand a little bit more readily. And of course, you can
14 make -- you can make the balconies appear as bays, right, could
15 be --

16 MR. MCCLELLAN: Yeah. Just to -- I don't want to get
17 in the weeds about the structural system, but we just did this
18 on another project and essentially the system we're using, you're
19 not forming concrete, you know, you're pouring it on -- you're
20 pouring it on a pan deck. What happens with balconies is you
21 then have to back span. If you have a four-foot balcony, you
22 have to back span real concrete four to six feet back, and that
23 has to be formed up. So it actually adds --

24 COMMISSIONER MAY: Oh, no, I get that. I get that
25 argument. Right? It's the projection argument that didn't make

1 sense to me. And I will say the times when we've seen more
2 building projections, they've typically been all concrete
3 structure. And so it's easy enough to do the projecting balcony
4 when they're doing a full concrete structure. The -- all right,
5 so let's talk about the light colors and the stucco. The -- I
6 -- you know, the concern -- well, I think the concern is where
7 there would be concentrated flow of water. Right? So if you're
8 going to have a light color and you are able to prevent, you
9 know, water spilling off the sides of sills and things like that,
10 then you're much less likely to get the kind of streaking that's
11 going to happen in an urban environment where there's, you know,
12 there's still some pollution and things that get into the water
13 that hits the face of the building. So you know, large flat
14 facades with only window projections are really what concerns me
15 about this. And we've been talking to this before with, you
16 know, with thoughtful discussion of how you will detail it and
17 how you've done it before and that kind of thing. And that's
18 all well and good. And if that's the case, then, yeah, I mean,
19 it might be okay, but I just -- it's large flat facades with
20 punched windows and no other detailing kind of makes me nervous.

21 MR. MCCLELLAN: Yeah, I'm trying to -- Commissioner
22 May, I'm trying to see if on our facades we actually show it,
23 but generally speaking when we're doing stucco, there are joints
24 that are required that are part of its anti-cracking system. But
25 normally what we do is we increase those joints to be up to an

1 inch thick that actually adds some architectural character to the
2 facade. And so we would be doing something very similar to that
3 here. So those joints would also serve to collect, you know,
4 there's sort of a repository for dirt, if you will. So I do
5 think, you know, it'll be more detailed perhaps than you're
6 thinking of some other facades where there's no relief at all.
7 We create a pattern on there.

8 COMMISSIONER MAY: Okay. All right. So then those
9 joints, would they be, you know, the -- what shows at the surface,
10 would it be just some sort of sealant or is it more like a reglet,
11 what's the --

12 MR. MCCLELLAN: It's a (indiscernible) reglet, yeah,
13 it's a reglet that's installed. It adds a little bit of cost to
14 the system, but not unreasonable.

15 COMMISSIONER MAY: Right. Okay. So being able to
16 channel the water into the reglet it might work just fine.

17 MR. MCCLELLAN: Yeah.

18 COMMISSIONER MAY: It's amazing, you know, I've gone
19 like five years without having to say the word reglet, and then
20 twice in one week it's come up. Anyway, so, all right. That's
21 helpful. I still don't, you know, I don't love the really bright
22 light colors.

23 MR. MCCLELLAN: Yeah, I was trying to look it up --

24 COMMISSIONER MAY: And especially on the south side of
25 the building. But I'm not going to push heavily on that.

1 MR. MCCLELLAN: I was just going to say I think that
2 the stucco it renders out as white, but it's actually more of a
3 tan.

4 COMMISSIONER MAY: Yeah.

5 MR. MCCLELLAN: Like a taupe stucco.

6 COMMISSIONER MAY: Yeah, I mean, it's -- I would go
7 with the darker end of that spectrum no matter what. It's always
8 going to look brighter in, you know, on the building and in
9 daylight than we expect, and to have large white or even light
10 tan surfaces, they look really, really white. I mean, you know,
11 we made this mistake on a building we built recently, I'm not
12 going to name what it was, when I say we, the National Park
13 Service, and God it makes me cringe every time I go by it just
14 because it's so bright and it looks, you know, it just doesn't
15 look very good. It looks like a, you know, a cheap shopping mall
16 from the 1990s or something. The -- anyway, so look at that.
17 The area where I really do think you need to look very seriously
18 at changing color is on the penthouse level, and that's where you
19 have that white or that light tan stucco as well, or it's metal
20 panel, I forget what it is.

21 MR. MCCLELLAN: We're proposing stucco.

22 COMMISSIONER MAY: Stucco, yeah. So I -- it's been a
23 long time since I've given this lecture too and maybe Ms. Hottel-
24 Cox had not heard it before, but other lawyers could probably
25 recite it for you, which is there is this -- you know, there's

1 an assumption that when you have a light color up against the
2 sky that it will recede or disappear more into the sky, which is
3 exactly not the case. The case is that the dark -- a dark color,
4 even against a bright sky, is going to recede. And so I would
5 look carefully at that. You know, look at buildings around town
6 and consider making that a much darker color, like more than 50
7 percent dark. Look at that carefully.

8 MR. MCCLELLAN: I have no issue with that at all. I
9 think that's a great suggestion.

10 COMMISSIONER MAY: Okay. Like I said, I haven't had
11 to make that suggestion in a very long time. It's always --
12 maybe people learned this before. Anyway, can we look at the
13 plans for a second? First of all, there's a -- there is some
14 sort of a side yard on the east side. Right? 'Cause you've got
15 an area way.

16 MR. MCCLELLAN: Right. I think it's a -- I think we're
17 about -- I think we're right at five feet for that side yard.

18 COMMISSIONER MAY: Right. And that's -- and that would
19 be the minimum side yard required in this zone?

20 MR. MCCLELLAN: Right.

21 COMMISSIONER MAY: Is that -- yeah, okay.

22 MR. MCCLELLAN: It does two things, Commissioner May.
23 It gives us, first of all from a zoning standpoint, it meets the
24 side yard requirement. It also allows for the amount of windows
25 we want. If we were less than five, the building code would

1 start to limit the windows. So it's sort of the right amount.

2 COMMISSIONER MAY: Yeah. Interesting. Yeah. There's
3 no risk that anything else would be built there even on that
4 property line, so that's a regulation that doesn't make sense.
5 The -- anyway, that -- you had mentioned -- cited that before as
6 an issue with projecting balconies. So I don't think it really
7 is on that side. I mean, you can project into that side yard,
8 could you not?

9 MR. MCCLELLAN: Meghan, any help here? I don't -- I
10 think that --

11 MS. HOTTEL-COX: It's supposed to be up into the sky.

12 COMMISSIONER MAY: It's (indiscernible)? Okay, never
13 mind then. All right. So then the next thing about this, I
14 would like to pull up the drawing -- where is it? I'm looking
15 at your presentation and when we look at the plans I think there's
16 some sort of glitch. So if we could pull up Slide No. 8, Mr.
17 Young? Okay. So if you could look carefully at the southeast
18 corner of the building, so next to the Park Service property and
19 -- but at the south end there. And now, if we could switch to
20 the next slide, Slide No. 9? So there's -- there just seems to
21 be a little bit of a glitch where the line of that that occurs,
22 you know, that little indentation that occurs between the lower
23 floors and how it's shown at the roof level, it's just slightly
24 off.

25 MR. MCCLELLAN: Yeah, I mean, that's --

1 COMMISSIONER MAY: (Indiscernible)?

2 MR. MCCLELLAN: Yeah, absolutely. We, you know, kind
3 of pulled the model apart to make the changes that everyone
4 wanted. And we tried to get it back together in time. So I
5 think we will be making some changes, some cleanup I'll call it
6 to these plans for resubmission.

7 COMMISSIONER MAY: Yeah. Yeah. Yeah, it's a small
8 glitch. When I first started looking at it, I was trying to
9 figure out how that related to the elevations on that side and
10 so on. I mean, it's sort of unfortunate that you lost all the
11 windows on that little section, you know, because that rear
12 portion of the building in the earlier iteration had windows on
13 that -- let's go up -- back to 8 again, if you would. Yeah. So
14 that -- in that corner of the building, that little bedroom has
15 a south facing window and does not have the east facing window
16 that it had before. That's kind of unfortunate because of what
17 it does for the facade it's also kind of unfortunate that you
18 don't get the view in that direction, but I understand the, you
19 know, place for the windows are, you know, an exercise in how
20 you can furnish it as well, so I won't fuss about that, but I
21 kind of lament the loss of the windows. Similarly, I lost --
22 lament the loss of the windows on the west side, even on the
23 third floor -- sorry, even on the -- just the top three floors
24 there. And I know that was an issue with a privacy concern. But
25 what we wind up with, we go up that elevation, so Slide 22? Yeah.

1 So we went it with three stories of blank brick wall. And it
2 does look -- the color looks better in this rendering than it
3 -- or in this elevation it does in the 3D views. Hopefully, this
4 is a closer rendition of the color, but it's kind of unfortunate
5 that you don't have -- that there's -- it's just -- it's going
6 to be a large flat brick wall without any kind of detail into
7 it. So you know, it's -- think about that because maybe there's
8 an opportunity to do something with the patterning of the brick,
9 you have two different bricks that you're using in the project,
10 and, you know, if there were some sections of that that were,
11 you know, the stack bond detail like you have on the front, that
12 might be worth looking at and hopefully would not drive
13 significant cost and make it a little more interesting.

14 MR. MCCLELLAN: No, I think it's a great comment. I
15 mean, I think we could potentially look at taking some of that
16 sort of -- the brick patterning we have at the front could maybe
17 come into this façade and we do two brick colors, we'd be, I
18 think, more than happy to look at that as an option. I think it
19 -- we've already paid for the brick, it's just a matter of, you
20 know, changing color. So it's not --

21 COMMISSIONER MAY: Yeah, yeah.

22 MR. MCCLELLAN: -- we could definitely look at that.

23 COMMISSIONER MAY: It's worth a look. The last thing
24 I would say is can you tell me more about the coordination with
25 the National Park Service? I don't hear about any of that stuff

1 even though I work for the Park Service, so I'm -- this is my
2 opportunity to hear about it, tell me what you are -- you know,
3 who you've been talking to and what you're talking about.

4 MR. STEWART: Yeah, absolutely. So we have had several
5 discussions. We started talking with Michael Commisso, and he
6 put us in touch with a group of folks that we just met with a
7 few weeks ago that we have proposed a plan that would have both
8 a walkway and then a little walking path, some landscaping, a few
9 trees. And the next step is really for us to look at the MOU
10 example that they gave us and to propose how that would be
11 maintained. And so should we agree on that portion, then we
12 would need to go through their whole approval process, which can
13 be lengthy, but what we're offering is to do that because it was
14 voiced by the community that we would really like to see something
15 happen with that parcel, particularly if it can connect M Street
16 with Maryland and just make it a little bit more usable so that
17 people aren't walking as much in the alley.

18 COMMISSIONER MAY: Right. Okay. Yeah, I mean, I think
19 that's a really interesting idea. I think the -- I don't know
20 enough about how that parcel is used, whether it's used for like
21 pickup sports games and things like that because the neighborhood
22 are not -- certainly if it were in my neighborhood, it would get
23 used for that all the time. But I don't know what happens up
24 there, it's a little bit remote. And right now it's not highly
25 developed or highly visitor friendly as it is. Right? You can't

1 -- the idea of including some sort of path or even a sidewalk,
2 right, because there's not even a sidewalk there --

3 MR. STEWART: Right.

4 COMMISSIONER MAY: -- would be an improvement and a
5 benefit to the residents of your building.

6 MR. STEWART: Agreed.

7 COMMISSIONER MAY: Yeah. All right. Thank you very
8 much. That's everything from me.

9 MR. STEWART: Thank you.

10 CHAIRPERSON HOOD: All right. Thank you.

11 Any further questions -- any other questions,
12 Commissioners?

13 Okay. Ms. Schellin, do we have the ANC Chairperson
14 Guzman here for cross?

15 MS. SCHELLIN: Yes, sir.

16 CHAIRPERSON HOOD: Okay. All right. Let's go to --
17 let me run through my regular -- Ms. Schellin, do -- we don't
18 have any other -- other than Office of Planning and DDOT, we
19 don't have any else -- any other government agency here to
20 testify, correct? I think you said -- you're on mute.

21 MS. SCHELLIN: That's correct.

22 CHAIRPERSON HOOD: Okay. All right. I just wanted to
23 make sure.

24 All right. So we did have some other government
25 agencies to provide information to the record, and I'll just read

1 them -- and actually DDOT and OP will be speaking. We have the
2 Department of Energy and Environment and we also have Department
3 of Housing and Community Affairs -- no, Department of Housing and
4 Community Development. Did they change their name to affairs or
5 is it still development? Because I'm reading from -- okay, well,
6 anyway, they may have. So that's the only other government
7 agencies I have, and they're supportive with some particularly
8 instructions on how to do some things, particularly 15 percent
9 IZ set aside, 6 percent MFI as a reasonable IZ proffer. I think
10 all that's been met. So anyway, let's move on to the Office of
11 Plan- -- let's go to the Department of Transportation. Mr.
12 Zimmerman?

13 MR. ZIMMERMAN: Good evening, Chairman Hood and members
14 of the Commission. For the record I'm Aaron Zimmerman,
15 developmental review program manager with the District Department
16 of Transportation. DDOT submitted a report in support of the
17 project back on December 13, 2022, that's Exhibit 29. Since we
18 filed our report, there have been several changes to the project,
19 which include reducing the residential unit count from 120 to 92,
20 increasing the off-street parking by three spaces, and updating
21 the bicycle parking count in the TDM plan to reflect the revised
22 program. DDOT does not object to these changes, and has no
23 objection to the approval of this consolidated PUD and related
24 map amendment, so long as the revised TDM plan from the January
25 27, 2023 Gorove Slade memo, which is Exhibit 34B, is included in

1 the zoning order. Thank you.

2 CHAIRPERSON HOOD: Okay. Thank you. Ms. Hottel-Cox,
3 you hear Mr. Zimmerman's last statement about page, I think page,
4 Exhibit 34 in the order, any objections on your end?

5 MS. HOTTEL-COX: No, no objections.

6 CHAIRPERSON HOOD: All right.

7 Let's see if we have any questions of Mr. Zimmerman.

8 Vice Chair Miller?

9 VICE CHAIR MILLER: No. Thank you, Mr. Zimmerman, for
10 your report.

11 CHAIRPERSON HOOD: Okay.

12 Commissioner Imamura?

13 COMMISSIONER IMAMURA: No questions.

14 CHAIRPERSON HOOD: Commissioner Hood, no questions.
15 Commissioner May? No questions, okay.

16 All right. Ms. Hottel-Cox, any questions across any -
17 -

18 MS. HOTTEL-COX: No questions.

19 CHAIRPERSON HOOD: Okay.

20 Thank you, Mr. Zimmerman, as always. Have a great
21 evening.

22 All right. Let's go to the Office of Planning. Ms.
23 Myers?

24 MS. SCHELLIN: Chairman Hood, I'm sorry, if I may.

25 CHAIRPERSON HOOD: Yes.

1 MS. SCHELLIN: Even though they're not presenting, they
2 are still a party, do you want to call on the party in support
3 for cross?

4 CHAIRPERSON HOOD: Okay. Let's do that. Let's do
5 that.

6 MS. SCHELLIN: I'm sorry, I should have said that
7 earlier.

8 CHAIRPERSON HOOD: Okay. Okay. The party who was --
9 who's now changed in support, and that is --

10 MS. SCHELLIN: I'm not sure which one is going to ask
11 questions, whether it's Ms. Rollins or Ms. Lee.

12 CHAIRPERSON HOOD: So let's find out from Ms. Rollins
13 and Ms. Lee are they going to participate and do they have any
14 cross-examine questions of anybody as we move through this
15 process because there's some people if they do they need to go
16 -- we need to go back to. I see Ms. Rollins.

17 MS. ROLLINS: Hi, and thank you, Chairman Hood. And I
18 do want to just commend Peter and Marcus and Jennifer and Meghan
19 and their team. You know, we met multiple times. I just want
20 to commend them on that. As you noted, we've changed to support
21 based on the product of those recommendations. The one thing I
22 am a little bit nervous about is that at no time in those
23 discussions or any of the earlier planning was the possibility
24 of protruding balconies discussed. And so to the extent that
25 that was not contemplated between the parties and the Applicant

1 and the ANC, I just want to make the Zoning Commission aware of
2 that. And you know, my on the fly reaction would be we wouldn't
3 be in support of protruding balconies based on privacy and sound
4 concerns. But that's also something that, you know, we're
5 thinking of in real time. But they weren't discussed between,
6 as I said, the ANC and the parties and the developer.

7 CHAIRPERSON HOOD: Thank you, Ms. Rollins, for bringing
8 that up. Oftentimes, I know I particularly like to get in the
9 way of decisions when they come back and everybody's in support.
10 So I'm not sure which commissioner -- I'm not sure which one
11 mentioned the balconies, was it -- well, I don't know if they
12 want to make a comment, they can. If not, we have an application
13 in front of us and that's what we're going to be looking at.

14 MS. ROLLINS: Okay. I appreciate it. Thank you,
15 Chairman.

16 CHAIRPERSON HOOD: All right. So Ms. Rollins, are you
17 going to be cross-examining of anybody or you all are not
18 participating, you're just listening?

19 MS. ROLLINS: Just listening. And when the balcony
20 issue came up, I just wanted to at least make the Commission
21 aware that that wasn't part of prior conversation, so.

22 CHAIRPERSON HOOD: Okay. Thank you. We surely do not
23 want to undo anything, but I don't -- and my Commissioner --
24 whatever Commissioner said that didn't speak up, so I think we're
25 fine.

1 MS. ROLLINS: Okay. Thank you so much.

2 CHAIRPERSON HOOD: Thank you. So let me ask you, do I
3 need to call on you any more or you're fine?

4 MS. ROLLINS: I'm fine.

5 CHAIRPERSON HOOD: OKay.

6 MS. ROLLINS: So I think I'm actually probably going
7 to head out so I can go pick up the baby from daycare.

8 CHAIRPERSON HOOD: Okay. All right. Be safe out there.
9 All right. Okay. Thank you.

10 Ms. Myers? Thank you.

11 MS. MYERS: Good evening, Commissioners. The Office
12 of Planning recommends approval of Case 22-21 which is a
13 consolidated PUD and related map amendment at 2225 and 2229 M
14 Street, N.E. The proposal would rezone the site from RA-2 to
15 RA-4 and build affordable senior housing units. All of the units
16 would be affordable and restricted to residents 55 and older.
17 The project is also committing to provide a 15 percent IZ set
18 aside when the building becomes market rate after 40 year housing
19 production trust fund period expires. Since set down, the
20 Applicant worked with the ANC and with the community to reduce
21 the height and mass of the building and to convert many of the
22 studio units into one- and two-bedroom units. These changes
23 resulted in the building going from 120 to now 92 units. They
24 also redesigned the parking lot so that all of the required
25 parking is provided and no flexibility is needed from the parking

1 requirement. The project also now includes a shuttle service for
2 residents. We appreciate the Applicant working with us and with
3 our design division to replace all the EIFS building material
4 with stucco. This PUD is not inconsistent with the comprehensive
5 plan and not inconsistent with the comprehensive plan maps. The
6 site is designated for medium density residential development on
7 the future land use map and for neighborhood conservation on the
8 general policy map. The PUD is not inconsistent with either of
9 these designations, and in fact, the proposed RA-4 zone would be
10 more consistent with the future land use designation than the RA-
11 2 zone which is for moderate density residential development.
12 When evaluated with the new version of the Commission's racial
13 equity tool, the proposal would not be inconsistent with the
14 comprehensive plan. The Commission's racial equity tool serves
15 as a guide to considering the potential equity impacts of the new
16 development. The existing buildings on the property are vacant,
17 so no direct displacement would occur, and as an all affordable
18 building, it should not result in indirect displacement. The
19 site is within the upper northeast planning area. The area has
20 a majority black population and a median income that is lower
21 than the District-wide median. The planning area has a higher
22 percentage of seniors than the District-wide percentage of
23 seniors, but over the past five years, the senior population has
24 slightly decreased in the planning area. On the other hand, in
25 the District as a whole, the senior population has been

1 increasing. The addition of 92 affordable housing units for
2 seniors would allow more of the upper northeast senior residents,
3 many of whom are black and living on a fixed lower income, to
4 remain in the area and age in place. It may also allow more
5 seniors in the District to remain in the District as well. And
6 with that, I will conclude my testimony. Thank you.

7 CHAIRPERSON HOOD: Thank you very much, Mr. Myers. And
8 I would just ask, this has been flagged by counsel as well, you
9 know, we just released our -- as Ms. Hottel-Cox and everyone
10 knows, we just released our updated racial equity tool. And what
11 I would ask is both OP and the Applicant, if you think it's
12 necessary, I'm not sure in this case if you want to revise it to
13 our new tool before we take any ac- -- or before we do finalized,
14 before we do one of these actions, I would ask you to do that,
15 but if you think what you have in the record is sufficient, but
16 I will let you -- that's fine. So either way, but I would ask
17 that we update if it's not updated, but if you think it's updated
18 and it's sufficient, then we will deal with it accordingly. Okay?
19 So that's my ask. Let's see if we have any further questions or
20 comments.

21 Vice Chair Miller?

22 VICE CHAIR MILLER: No. Thank you, Ms. Myers, for your
23 report.

24 CHAIRPERSON HOOD: Commissioner Imamura?

25 COMMISSIONER IMAMURA: No questions.

1 CHAIRPERSON HOOD: And Commissioner May?

2 COMMISSIONER MAY: No questions.

3 CHAIRPERSON HOOD: Let's see, Ms. Hottel-Cox, you have
4 any questions of Ms. Myers?

5 MS. HOTTEL-COX: No questions.

6 CHAIRPERSON HOOD: And again, I don't think, Ms.
7 Schellin, we have anyone from the ANC, so Ms. Myers, thank you
8 again for your report. Very well done as always. Thank you.

9 All right. See where we are. Report of the ANC. I
10 guess I will give that unless the Vice Chair's ready to give that
11 one, you have it in front of -- handy?

12 VICE CHAIR MILLER: I happen to have it here, Mr.
13 Chairman.

14 CHAIRPERSON HOOD: Go right ahead.

15 VICE CHAIR MILLER: You know my love of paper. And I'm
16 sorry to all the trees that I've destroyed. At Exhibit No. 41,
17 we have a most recent -- the most recent ANC letter, dated
18 February 15th in support of the application due to the changes
19 that were made in response to the ANC concerns. And so I would
20 cite that as the ANC report. They cite specifically the removing
21 of a full floor of the building, one full floor, the lowering of
22 the massing by approximately 15 feet, increasing the parking
23 provided, to remove the relief that was originally requested,
24 committing to enhanced sustainability measures, and the camera
25 monitoring for public safety as well as assurance that the public

1 property would not become a nuisance to the neighborhood. Those
2 changes were persuasive to the ANC and the immediate neighbors
3 who had withdrawn their opposition as has been noted previously
4 in this hearing. Mr. Chairman.

5 CHAIRPERSON HOOD: Thank you, Vice Chair, very well
6 done. So thank you for doing that. I do have one question of
7 Mr. Stewart and Mr. Goodwin. The one dissenting vote, while
8 that's in the minority I'm not going to focus on it, but I'm just
9 curious, that was not the single member district commissioner,
10 correct?

11 MR. STERWART: Correct.

12 CHAIRPERSON HOOD: Okay. That's all I needed to know,
13 thank you. All right. Let's go on, Ms. Schellin, to anybody
14 who's here in support, opposition, or undeclared, organizations
15 or persons, Ms. Schellin, do you see anybody?

16 MS. SCHELLIN: There are none.

17 CHAIRPERSON HOOD: There are none. Okay. Ms. Hottel-
18 Cox, would you like to do rebuttal? I don't think you have any
19 rebuttal. So if you could do some closing, that'd be great.

20 MS. HOTTEL-COX: Yes. First, we just want to thank the
21 Commission for the time this evening to walk through the project.
22 And we were very appreciative of the agencies and the community
23 for the support tonight. We know that there are a couple of
24 things that the Commission is asking us to consider and to update
25 the record with, which we are happy to do. We also would ask

1 that we have the opportunity to include in our post-hearing
2 submission a consolidated set of plans that include some of that
3 cleanup that we were discussing as well as just the full set so
4 that it is all in one place. And otherwise we're happy to answer
5 any other questions, but that concludes everything that we needed
6 to discuss tonight.

7 CHAIRPERSON HOOD: That was one of the better closings
8 I've ever heard. So thank you, Ms. Hottel-Cox.

9 So does anybody have any final questions or comments?
10 What I would like to do, I don't think -- for me -- I think this
11 is a two-vote case. But before that, let me back up. Before I
12 do that, I know Mr. Goodwin, so Mr. Stewart, indulge me while I
13 pick on Mr. Goodwin for a moment, seize the moment.

14 Mr. Goodwin, how is your son doing?

15 MR. GOODWIN: He's great. He's 11 months and he's
16 walking all over the place and climbing stairs.

17 CHAIRPERSON HOOD: So I want you to know I keep up with
18 him and you and him and family on Facebook. So keep doing the
19 good work you're doing. It's really good to see younger people
20 doing things. I'm getting to be an older guy that I'm looking
21 at younger things that I used to do as well. So keep doing what
22 you're doing, man. Keep doing what you're doing.

23 MR. GOODWIN: Appreciate it, thank you.

24 CHAIRPERSON HOOD: All right. So Commissioners, I
25 don't know how you all are feeling, let me hear from my colleagues

1 and see if this is a show-stopping, going to wait or we'd like
2 to proceed. Let me go in the same order.

3 Vice Chair Miller?

4 VICE CHAIR MILLER: I'm ready to move forward, Mr.
5 Chairman.

6 CHAIRPERSON HOOD: Commissioner Imamura?

7 COMMISSIONER IMAMURA: I'm in agreement, Mr. Chairman,
8 ready to move forward.

9 CHAIRPERSON HOOD: And Commissioner May?

10 COMMISSIONER MAY: Yeah, I mean, the couple of things
11 that I asked them to look at, we can see the results of that
12 before we take final.

13 CHAIRPERSON HOOD: And Commissioner May, I don't want
14 you to get used to this order because it's not my typical order.

15 COMMISSIONER MAY: I like this order.

16 CHAIRPERSON HOOD: No, this is not going to be typical,
17 believe me. All right. So do we need to review everything? I
18 think we're ready to do a first vote, a proposed vote, Ms.
19 Schellin. Do we need to -- well, we can do that before final.
20 So would somebody like to make a motion?

21 VICE CHAIR MILLER: Mr. Chairman, I would move that the
22 Zoning Commission take proposed action on Case No. 22-21, 2229 M
23 Street, LLC, PUD consolidated plan unit development and zoning
24 map amendment at Square 4465, Lots 36 and 39, and ask for a
25 second.

1 COMMISSIONER IMAMURA: Second.

2 CHAIRPERSON HOOD: It's been moved and properly second.
3 Any further discussion? Not hearing any, Ms. Schellin, would you
4 do a roll call vote please?

5 MS. SCHELLIN: Commissioner Miller?

6 VICE CHAIR MILLER: Yes.

7 MS. SCHELLIN: Commissioner Imamura?

8 COMMISSIONER IMAMURA: Yes.

9 MS. SCHELLIN: Commissioner Hood?

10 CHAIRPERSON HOOD: Yes.

11 MS. SCHELLIN: Commissioner May?

12 COMMISSIONER MAY: Yes.

13 MS. SCHELLIN: The vote is four to zero to one to
14 approve Case No. 22-21 proposed action, the minus one being the
15 third mayoral appointee position. And I would remind the
16 Applicant about the proffer and condition process, the first
17 filing being due in seven days. And other than that, you've
18 heard the requests from the Commission, and I would ask how much
19 time you think you need to submit those documents along with the
20 full set of plans?

21 MS. HOTTEL-COX: I believe we'd need of about a week
22 to pull all of that together. We won't need a significant amount
23 of time.

24 MS. SCHELLIN: If you need more time, that's fine,
25 because you know it has to get referred to NCPC for a 30-day

1 comment period. So at the very earliest, this will not come back
2 until -- this will probably get referred on Tuesday, which is the
3 21st. So this probably won't come until the March 30th meeting.
4 So does that change your mind about how much time you want?

5 MS. HOTTEL-COX: I think if we could just use that
6 March 30th meeting and backdate to when you all would need it,
7 we definitely don't need more time than that.

8 MS. SCHELLIN: Okay. All right. So let me do that
9 then. How about if you guys make your submission by March 13th,
10 3 p.m., and if you want to reach out to the ANC if they choose
11 to do so, they have until 3 p.m. on March 20th to make their
12 submission as well as always DDOT and OP, if they choose to
13 respond. And draft findings, facts, conclusions of law would
14 also be due on the 20th. And that's it. We'll put this on for
15 March 30th.

16 CHAIRPERSON HOOD: Thank you, Ms. Schellin. Before I
17 close this out, I just want to say the Zoning Commission will be
18 meeting again on February 23rd, 2023, for our regular public
19 meeting on these same platforms. I do know, Ms. Schellin, we
20 have our oversight hearing that same day, but I'm hoping by 3:00
21 -- I'm hoping by 3:00 they are finished with us. So with that,
22 I want to --

23 MS. SCHELLIN: Seems like every year they schedule it
24 on a day we either have a hearing or a meeting. I mean, every
25 year this happens. And of course, we don't know it ahead of time

1 so it's not like I can block it off the schedule.

2 CHAIRPERSON HOOD: That's fine. The good part about
3 what we're doing now I can -- if I need to be over there I can
4 switch to my computer, stop this, so it'll work.

5 MS. SCHELLIN: Yeah.

6 CHAIRPERSON HOOD: So let me just say that we will meet
7 Thursday on the 23rd and we'll see how it goes. The Vice-Chair,
8 you may have to step in. We'll see how it all -- it should --
9 we should be finished by 3:00, I'm hoping. All right. So with
10 that, I want to thank everyone for their participation tonight,
11 especially Mr. Stewart and Mr. Goodwin for taking the lead and
12 working with the community. Keep setting that path forward and
13 you will continue to be successful. I think everyone for their
14 participation and good night, and this hearing is adjourned.
15 Thank you. Good night.

16 (Whereupon the above-entitled meeting was adjourned.)
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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Public Hearing

Before: DCZC

Date: 02-16-2023

Place: Teleconference

was duly recorded and accurately transcribed under my
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Donna Smith