

GOVERNMENT OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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REGULAR PUBLIC MEETING

+ + + + +

THURSDAY

SEPTEMBER 28, 2023

+ + + + +

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

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson
ROBERT E. MILLER, Vice Chair
JOSEPH IMAMURA, Commissioner
TAMMIE STIDHAM, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary
PAUL YOUNG, Zoning Data Specialist

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

JACOB RITTING, Esquire
HILLARY LOVICK, Esquire
DENNIS LIU, Esquire

The transcript constitutes the minutes from the Regular Public Meeting held on September 28, 2023.

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

OPENING STATEMENT:

 Anthony Hood. 5

PRELIMINARY MATTERS:

 Sharon S. Schellin. 6

PRESENTATION:

 Zoning Commission Case No. 16-18F.
 (Georgetown University - Modification of Consequence
 Of Campus Plan at Square 1321.). 7

COMMENTS AND QUESTIONS

 Commissioners. 7

VOTE:

 Commissioners. 10

PRESENTATION:

 Zoning Commission Case No. 23-05 (775 Holdings, LLC
 Zoning Map Amendment at Square 890, Lot 69). 10
 of Approved Design Review at (Square 662).

COMMENTS AND QUESTIONS

 Commissioners. 11

VOTE:

 Commissioners. 13

PRESENTATION:

 Zoning Commission Case No. 22-36 (TM Associates,
 and Washington Metropolitan Area Transit Authority -
 Consolidated PUD and Related Map Amendment at
 Squares 3351-3353.) 13

COMMENTS AND QUESTIONS

 Commissioners. 14

VOTE:

 Commissioners. 15

PRESENTATION:

Zoning Commission Case No. 14-18(B).
 (Mid-City Financial Corporation - Two Year Time
 Extension to 1st Stage PUD at Squares 3954, 4024
 and 4025). 16

COMMENTS AND QUESTIONS

Commissioners. 16

VOTE:

Commissioners. 17

PRESENTATION:

Zoning Commission Case No. 23-06.
 (Blue Ridge 1515 9th Street, LLC - Map Amendment
 at Square 397). 17

COMMENTS AND QUESTIONS

Commissioners. 18

VOTE:

Commissioners. 26

PRESENTATION:

Zoning Commission Case No. 23-20.
 Office of Planning - Text Amendment to Create Zoning for
 Zone A of the Armed Forces Retirement Home -
 Washington Campus - Parcel 121/28.). 26

OP REPORT:

Matthew Jessick,
 Case Manager. 26

COMMENTS AND QUESTIONS

Commissioners. 34

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Commissioners. 37

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OP REPORT:
 Karen Thomas
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COMMENTS AND QUESTIONS
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VOTE:
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CLOSING:. 47

ADJOURNMENT:. 47

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

2 (4:00 p.m.)

3 CHAIRMAN HOOD: Good afternoon, ladies and gentlemen.
4 We are convening and broadcasting this public meeting by
5 videoconferencing.

6 My name is Anthony Hood. Joining me are Vice Chair
7 Miller, Commissioner Stidham, and Commissioner Imamura.

8 We are also joined by the Office of Zoning's staff,
9 Ms. Sharon Schellin and Mr. Paul Young, who will be handling all
10 of our virtual operations, also our Office of Zoning Legal
11 Division. We have Ms. Lovitt, Mr. Ritting, and Mr. Liu.

12 I will ask all others to introduce themselves at the
13 appropriate time. Copies of today's meeting agenda are available
14 on the Office of Zoning's website.

15 Please be advised that this proceeding is being
16 recorded by a court reporter and it's also Webcast Live, Webex,
17 and YouTube Live. The video will be available on the Office of
18 Zoning's website after the meeting.

19 Accordingly, all those listening on Webex or by phone
20 will be muted during the meeting, unless the Commission suggests
21 otherwise.

22 For hearing actions items, the only documents before
23 us this evening are the application, the ANC set-down report, and
24 the Office of Planning report. All other documents in the record
25 will be reviewed at the time of the hearing.

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1 Again, we do not take any public testimony at our
2 meetings, unless the Commissioner requests otherwise.

3 If you experience difficulty accessing Webex, or with
4 your phone call-in, then please call our OZ Hotline number at
5 202-727-0789 for Webex log-in or call-in instructions.

6 Okay. Good afternoon, Ms. Schellin, does the staff
7 have any preliminary matters?

8 MS. SCHELLIN: No preliminary matters.

9 CHAIRMAN HOOD: Okay. Let's move right with the agenda
10 as recorded. Under the Consent Calendar, Modification of
11 Consequence, Deliberations, Zoning Commission Case No. 16-18F,
12 Georgetown University, Modification of Consequence of Campus
13 Plan at Square 1321. Ms. Schellin.

14 MS. SCHELLIN: Yes, sir. The Commission decided this
15 case was, in fact, a modification of consequence at their July
16 27th public meeting, and asked the Commission -- I'm sorry, the
17 Applicant to provide some additional information, and they've
18 done that at Exhibit 5 and 5A. They provided some updated plans.

19 You are muted again. So this is ready for the
20 Commission to consider final action. Thank you.

21 CHAIRMAN HOOD: Okay. Thank you, Ms. Schellin. Let
22 me go to Commissioner Stidham.

23 I think -- are you muted, or is it me? Okay.

24 COMMISSIONER STIDHAM: I'm sorry. (Inaudible.)

25 Chairman -- (inaudible) -- so I am prepared to vote.

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1 CHAIRMAN HOOD: We started to have some problems.
2 We didn't hear you. Let's try it again.

3 COMMISSIONER STIDHAM: Can you hear me? Is that better?
4 Okay.

5 CHAIRMAN HOOD: Yes, that's better. That's good.

6 COMMISSIONER STIDHAM: All right. Agreed. So, I have
7 reviewed the record on this case, so I am prepared to vote.

8 CHAIRMAN HOOD: Okay. Thank you, Commissioner Stidham.

9 Again, colleagues, this is a modification of
10 consequence request to the approved campus plan to authorize
11 construction of the interim enclosed that is needed to facilitate
12 an upgrade to the campus-wide utility systems, and we're going
13 on the utility system enclosures is supposed to be located in the
14 center of the main campus behind Copley Hall, and is a minor and
15 temporary change to the existing built environment, as we've
16 noted.

17 So, any discussion, anybody? Commissioner Imamura.
18 Thank you.

19 COMMISSIONER IMAMURA: Sure. Thank you, Mr. Chairman.

20 Like Commissioner Stidham, I wasn't here on the July
21 27 meeting, but I did read the record. This seems pretty
22 straightforward to me. You know, it's a phased utility
23 infrastructure replacement project, you know, that will allow for
24 additional sustainable technologies to be implemented, and I
25 think what's important here is that once these replacements are

1 done, you know, the equipment and the utility enclosure that was
2 provided in the record with the architectural drawings there will
3 be removed. So, you know, I'm prepared to vote in support and
4 think this is pretty straightforward.

5 CHAIRMAN HOOD: Okay, thank you. I forgot you were not
6 here. I was sitting here thinking, now how did we ever do it?
7 But that's right, we had Commissioner May. Okay, we're good.

8 Vice Chair Miller.

9 VICE CHAIR MILLER: Thank you, Mr. Chairman. Yeah, I
10 would just add that the modification is supported by the
11 Georgetown community partnership, which I think is the
12 organization that we established in a campus plan zoning order,
13 and that includes both the University representatives and all of
14 the community stakeholders. They support this modification of
15 consequence.

16 CHAIRMAN HOOD: I don't want to -- Vice Chair, I don't
17 want to get into semantics, because we don't want to get in
18 trouble. I think we had the Community Liaison Group or whatever
19 it's called. Whatever it's called is working. I just don't want
20 to get in -- us to get into any problems with that. I know you
21 and I may differ a little bit on it, but I don't want the community
22 to give us any problems on that, so we know whatever -- we know
23 that the Georgetown Community Partnership is working. That's the
24 group that the community is now using, but we had -- we had the
25 Community Liaison Group, I think it was, but anyway.

1 VICE CHAIRMAN MILLER: I think you're -- I think
2 you're right.

3 CHAIRMAN HOOD: I just want to put that out there,
4 because we both will be in trouble. So, all right.

5 VICE CHAIRMAN MILLER: But it is working.

6 CHAIRMAN HOOD: Yeah, it's working.

7 VICE CHAIRMAN MILLER: At least so far.

8 CHAIRMAN HOOD: Any other comments? I would agree with
9 both of my colleagues who have already spoken. No need to repeat
10 it.

11 I would move that we approve, as requested, Zoning
12 Commission Case No. 16-18F, as noted, and noted in the case and
13 ask for a second?

14 VICE CHAIRMAN MILLER: Second.

15 CHAIRMAN HOOD: It's been moved and properly seconded.
16 Any further discussion? Not hearing any.

17 Ms. Schellin, would you do a roll-call vote, please?

18 MS. SCHELLIN: Mr. Hood?

19 CHAIRMAN HOOD: Yes.

20 MS. SCHELLIN: Commissioner Miller?

21 VICE CHAIRMAN MILLER: Yes.

22 MS. SCHELLIN: Commissioner Imamura?

23 COMMISSIONER IMAMURA: Yes.

24 MS. SCHELLIN: Commissioner Stidham?

25 COMMISSIONER STIDHAM: Yes.

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1 MS. SCHELLIN: The vote is 4-0-1 to approve final action
2 in Zoning Commission Case No. 16-18F. The minus one being the
3 third mayoral appointee position, which is vacant.

4 CHAIRMAN HOOD: Thank you. Let's keep moving. Let's
5 go to Final Action: Zoning Commission, Case No. 23-05. This is
6 775 Holdings, LLC, Zoning Map Amendment at Square 890, Lot 69.

7 Ms. Schellin.

8 MS. SCHELLIN: Yes, sir. Since the Commission last
9 reviewed this case, some new Exhibits. We have at Exhibit 27,
10 ANC-6A report, which is in support of the map amendment. The
11 Applicant's draft order at Exhibit 28. Exhibit 30 is an NCPD
12 report, a letter that states that the proposal is not inconsistent
13 with the comp plan, nor the Capitol, nor, the national -- I'm
14 sorry -- for the National Capitol, and would not adversely impact
15 any federal interests. So this case is ready for the Commission
16 to consider final action. Thank you.

17 CHAIRMAN HOOD: Okay, thank you. And I will go to
18 Commissioner Stidham.

19 COMMISSIONER STIDHAM: Chair Hood, I have reviewed
20 the record on this case, and I'm prepared to vote.

21 CHAIRMAN HOOD: Okay, thank you. Okay, again,
22 Colleagues, as noted in this case, we had a few things that we
23 asked for as to having to reach out to the ANC.

24 The Applicant, also, further engaged with the A-Street,
25 Main Street, and then we noted the IZ-plus would apply to this

1 map amendment and I think it was not really any outstanding
2 issues. (Indiscernible) property description proposed in
3 existing zone and standard of the review and then the review
4 approval of zoning map amendment from the NC -- excuse me -- NC-
5 16 zone to the NC-17 zone.

6 Let me open it up for any questions or comments.

7 Commissioner Imamura, do you have any questions or
8 comments?

9 COMMISSIONER IMAMURA: Sir, just a comment. Thank you,
10 Mr. Chairman. I would just add that the ANC did provide
11 a report, a unanimous decision to support the project, and Chair
12 Grove also asked that the developer participate in a job training
13 program, which I think seems to make sense. So that's the only
14 addition that I would include. Thank you, Mr. Chairman.

15 CHAIRMAN HOOD: Thank you. Commissioner Stidham, any
16 comments, questions? Okay, thank you.

17 COMMISSIONER STIDHAM: No comments.

18 CHAIRMAN HOOD: Okay, thank you.

19 COMMISSIONER STIDHAM: No, sir.

20 CHAIRMAN HOOD: And, Vice Chair Miller, any
21 comments?

22 VICE CHAIRMAN MILLER: Thank you, Mr. Chairman. I
23 think we covered this proposed action with our discussion there.
24 I would just reiterate that this is essentially a comp plan zoning
25 consistency case, and the proposed map amendment to NC-17 is more

1 consistent with the medium density designation on the
2 comprehensive -- medium density, mixed-used designation on the
3 comprehensive plan land use map, and that this will provide
4 substantially more housing and affordable housing than the
5 current zoning, which it supports comprehensive plan policies
6 that are high priority.

7 CHAIRMAN HOOD: Okay. It sounds good. Would someone
8 like to make a motion?

9 VICE CHAIRMAN MILLER: Sure, Mr. Chairman. I would
10 move that the Zoning Commission take final action on Zoning
11 Commission Case No. 23-05, 775 Holdings, LLC, Zoning Map
12 Amendment at Square 890, Lot 69, and ask for a second?

13 COMMISSIONER IMAMURA: Second.

14 CHAIRMAN HOOD: Okay, great. It's been moved and
15 properly seconded. Any further discussion? Not hearing any, Ms.
16 Schellin, would you do a roll-call vote, please.

17 MS. SCHELLIN: Commissioner Miller?

18 VICE CHAIRMAN MILLER: Yes.

19 MS. SCHELLIN: Commissioner Imamura?

20 COMMISSIONER IMAMURA: Yes.

21 MS. SCHELLIN: Commissioner Hood?

22 CHAIRMAN HOOD: Yes.

23 MS. SCHELLIN: Commissioner Stidham?

24 COMMISSIONER STIDHAM: Yes.

25 MS. SCHELLIN: The vote is 4-0-1 to approve final

1 action. Zoning Commission Case No. 23-05. Minus one being the
2 third mayoral appointee seat, which is vacant.

3 CHAIRMAN HOOD: Okay, thank you. Let's keep moving.

4 Let's go to Zoning Commission Case No. 22 -- 22-36, TM
5 Associates, LLC and Washington Metropolitan Area Transit
6 Authority, consolidated PUD and related map amendment at Squares
7 3351 through 3353. Ms. Schellin.

8 MS. SCHELLIN: Yes, sir. At Exhibits 238 through
9 240-A(18), you have the Applicant's post-hearing submissions, and
10 this case is also ready for final action. Thank you.

11 CHAIRMAN HOOD: Okay, thank you. And, again, I'll go
12 to Commissioner Stidham.

13 COMMISSIONER STIDHAM: Chair, I have reviewed the
14 record and I'm prepared to vote.

15 CHAIRMAN HOOD: Okay, thank you.

16 Again, colleagues, as noted, this is again up for final
17 action. We had a very lengthy and robust discussion on this
18 contested -- on the contested issues in this case. We addressed
19 the alleged notice of defect issues. We addressed the issues
20 raised by the opponents related to relief required for height and
21 measurement. We addressed the project's consistency with the
22 comp plan.

23 We acknowledge that the project would have adverse
24 impacts, and I want to thank all of our council for making sure
25 that we start bringing that out over the years, but we concluded

1 that it would be sufficiently mitigated and/or justified, given
2 the public benefits of the project, and as Ms. Schellin has
3 already mentioned about the new exhibits, and I'll just open it
4 up to my colleagues -- and also NPC -- the NCPC review period
5 has passed, but let me just open it up, and it was referred to
6 them on August the 21st, and we have Exhibit 241, I believe is
7 their report, so let me open up any questions or comments.

8 Commissioner Imamura.

9 COMMISSIONER IMAMURA: Yeah, Mr. Chairman. I would
10 only add that, you know, this has also gone through HPRB, as
11 well, and it appears, at least, taking a look at the final
12 problems and conditions that the list is sufficient enough, so
13 -- and as you stated, we have discussed this at great length and
14 on the record, and I think addressed all the issues, so I'm
15 prepared to vote in support.

16 CHAIRMAN HOOD: Okay. Any other questions or comments?

17 Commissioner Imamura, would you like to make a motion,
18 if you're ready?

19 COMMISSIONER IMAMURA: Yes, Mr. Chairman, happy to do
20 so. I move that the Zoning Commission take final action on Case
21 No. 22-33, TM Associates, LLC and Washington Metropolitan Area
22 Transit Authority, consolidated PUD and related map amendment at
23 Squares 3351 through 3353, and ask for a second?

24 CHAIRMAN HOOD: I'll second that. I want to make sure
25 we said 22-36, so did we say 22-36, or 22-33?

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1 COMMISSIONER IMAMURA: I will --

2 CHAIRMAN HOOD: That's all right.

3 COMMISSIONER IMAMURA: -- revise my (indiscernible)
4 my motion if I didn't get it right the first time, that it's
5 Zoning Case No. 22-36.

6 CHAIRMAN HOOD: Okay. I just didn't want us to approve
7 22-33. I don't even know what that is, but anyway thank you,
8 Commissioner Imamura, for the motion.

9 Is there -- and I second it. I was about to ask was
10 there a second? And, I second it. Is there any further
11 discussion? Not hearing any, Ms. Schellin, would you do roll-
12 call vote, please.

13 MS. SCHELLIN: Commissioner Imamura?

14 COMMISSIONER IMAMURA: Yes.

15 MS. SCHELLIN: Commissioner Hood?

16 CHAIRMAN HOOD: Yes.

17 MS. SCHELLIN: Commissioner Miller?

18 VICE CHAIRMAN MILLER: Yes.

19 MS. SCHELLIN: Commissioner Stidham?

20 COMMISSIONER STIDHAM: Yes.

21 The vote is 4-0-1 to approve final action in Zoning
22 Commission Case No. 22-36. The minus one being the third mayoral
23 appointee seat, which is vacant.

24 CHAIRMAN HOOD: Okay. I believe we have next up time
25 extension. Right, Ms. Schellin? Because I --

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1 MS. SCHELLIN: (Inaudible.)

2 CHAIRMAN HOOD: Okay. All right. We have Zoning
3 Commission, Case No. 14-18B, Mid-City Financial Corporation, two-
4 year time extension to a first stage PUD at Squares 3954, 4024,
5 and 4025. Ms. Schellin.

6 MS. SCHELLIN: Yes. So the Applicant is requesting a
7 two-year extension of Order No. 14-18. The first stage PUD
8 approval from August 1, 2023 to August 1, 2025. They are stating
9 the need for this is due to litigation and increase in
10 construction materials, the pandemic, and they have the other
11 -- nothing has been received from the parties in this case,
12 however, the 30-day requisite time period has passed, and so this
13 also is ready for the Commission to move forward with final
14 action.

15 Thank you.

16 CHAIRMAN HOOD: Okay, thank you. And I will go first
17 to Commissioner Stidham.

18 COMMISSIONER STIDHAM: Chairman, I have reviewed
19 the record and prepared to vote.

20 CHAIRMAN HOOD: Okay. Thank you. I think -- I think
21 the record is complete in here. I think we do have some support
22 from the Advisory Neighborhood Commission, 5-C and 5-B. I think
23 this is pretty straightforward, and they have listed why -- the
24 reason why they're asking for this extension.

25 Any further questions or comments? All right.

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1 So, I would move that we approve the time extension for
2 Zoning Commission Case No. 14-18B, Mid-City Financial Corporation
3 for a two-year time extension to first stage PUD at Square 3954,
4 4024, and 4025.

5 Hopefully, I captured all of that correctly, and ask
6 for a second?

7 COMMISSIONER STIDHAM: Second.

8 CHAIRMAN HOOD: It's been moved and properly seconded.

9 Any further discussion? Not hearing any, Ms. Schellin,
10 would you do a roll-call vote, please?

11 MS. SCHELLIN: Commissioner Hood?

12 CHAIRMAN HOOD: Yes.

13 MS. SCHELLIN: Commissioner Stidham?

14 COMMISSIONER STIDHAM: Yes.

15 MS. SCHELLIN: Commissioner Miller?

16 VICE CHAIRMAN MILLER: Yes.

17 MS. SCHELLIN: Commissioner Imamura?

18 COMMISSIONER IMAMURA: Yes.

19 MS. SCHELLIN: The vote is 4-0-1 to approve final
20 action, Zoning Commission Case No. 14-18B. The minus one being
21 the third mayoral appointee position, which is vacant.

22 CHAIRMAN HOOD: Okay, thank you. Let's move to Proposed
23 Action: Zoning Commissioner Case No. 23-06. This is the Blue
24 Ridge 1515 9th Street, LLC map amendment at Square 397.

25 Ms. Schellin.

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1 MS. SCHELLIN: Yes, sir. At Exhibit 77 through 77-F,
2 as in Frank, we have the Applicant's post-hearing submission that
3 the Applicant -- I'm sorry -- that the Commission requested that
4 they submit, and Exhibit 78 is a submission from SMD Commissioner
5 Berry. Other than that, this case is ready for the Commission
6 to move forward with proposed action. Thank you.

7 CHAIRMAN HOOD: Thank you. Let me go to Commissioner
8 Stidham, again, first.

9 COMMISSIONER STIDHAM: Mr. Chair, I've reviewed the
10 record and prepared to vote.

11 CHAIRMAN HOOD: Okay. Thank you, Commissioner.

12 Okay. Colleagues, as you know there was some things
13 that we asked for in this case, in this map amendment.

14 Again, it was Blue Ridge, 1515 9th Street, LLC map
15 amendment. And, you know, sometimes I try to push the envelope,
16 and I push the envelope to include a single-member District
17 Commissioner, and the -- well, the response was that she was not
18 able to meet and some other things happened. I don't want to
19 get into all of the gist of it. Typically, that's not done.
20 That's out of our policy, but trying to narrow the gap and try
21 to see what some of the issues are to make it a better fix for
22 the community, I was trying to do something that probably the
23 Courts would probably say I should not have done, so what I'm
24 going to do now, especially since the response, I want to strike
25 Commissioner Berry's submission from the record. That was not

1 | what we asked for, so I want to strike that from the record, and
2 | I want direct staff to send her back her submission.

3 | I think that's -- we need to make sure when we do
4 | extend the envelope, we need to make sure that we get back what
5 | -- exactly what we need. We were trying to bridge the gap, but
6 | I get it, but, you know, what we asked for, we asked for, and we
7 | have to make sure we are legally on standing ground when we do
8 | these cases, so, and plus I can't over -- necessarily, because
9 | of what we got, I can't do it.

10 | The full ANC voted, and by law they get great weight,
11 | not one Commissioner, so I want to make sure that I'm right, on
12 | level ground, because I was looking for something to try to help
13 | move this along, and make sure that those who were in opposition
14 | were heard. That opportunity was not taken advantage of, and
15 | unfortunately, what was given back to us was re-arguing a case
16 | that we had already heard.

17 | So I need to strike that from the record and just send
18 | it back to the Commissioner with that explanation, or she can
19 | watch what I just said.

20 | All right. Anything else on that, Ms. -- I
21 | mean, can we do that, Ms. Schellin? Any questions, and I don't
22 | see --

23 | MS. SCHELLIN: Yes, sir. Staff will return it --

24 | CHAIRMAN HOOD: Okay.

25 | MS. SCHELLIN: -- and remove it from the record.

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1 CHAIRMAN HOOD: Okay. Thank you.

2 MS. SCHELLIN: Thank you.

3 CHAIRMAN HOOD: All right. Somebody else like to get
4 us up and started again, as noted? We heard this -- we asked
5 the Applicant continue to outreach. We asked that the Applicant
6 and ANC-2G, and I've already dealt with the one Commissioner,
7 Commissioner Berry, but we asked for them to read -- I guess, we
8 solidified their confidence in moving forward and nobody really
9 was interested, other than the one Commissioner who was in
10 opposition, interested in taking anything up.

11 We did have - the Applicant has noted that we talked
12 about outreach. He outreached to the Commissioners. I already
13 noted, also to the president of the East -- of the Civic
14 Association, Mr. Leroy Thorpe, and then on staff we
15 (indiscernible) ANC-2G. So I think from my standpoint, he has
16 fulfilled -- they have fulfilled what the request was, but again,
17 the Applicant in the summary -- let me just do a summary --
18 emphasized consistency of the proposed MU5-B zoning with the comp
19 plan. The current MU4 and RF -- RF-1 zone is inconsistent with
20 the comp plan, and the proposed zoning would be consistent, which
21 was MU-5B."

22 I know one of my colleagues, and I'll let him speak to
23 that, mentioned about another zone, and I think the response that
24 came back from the Applicant was this -- the MU-5B is the medium
25 density zone as opposed to the moderate, and I think -- I don't

1 know. I'm not sure where he is on that, but anyway, let me pause
2 there and open that up for any discussion on that issue.

3 Commissioner Imamura, do you have -- Commissioner
4 Imamura.

5 COMMISSIONER IMAMURA: Sure. Thank you, Mr. Chairman.

6 You're absolutely right. I did question whether or not
7 the MU-5A might be more appropriate, given the moderate density
8 that already exists in the current zoning.

9 I think it's always important to just, you know, sort
10 of a gut-check or self-check to make sure that we're looking at
11 this through the right lens, and I'm satisfied and have been
12 persuaded.

13 I acknowledge that, you know, it's really a matter of
14 a difference of five feet between the MU-5B and MU-5A, which can
15 in certain instances, that additional five feet in an urban design
16 context could make a big difference, but I think in this instance,
17 I'm persuaded, and I think that any potential inconsistencies
18 with policies are really outweighed by the consistency with the
19 comp plan and flume and the general policy map, and especially,
20 given that there's an increase in affordable housing near
21 transit, so I'm comfortable and prepared to vote in support of
22 this.

23 CHAIRMAN HOOD: Thank you. And I, too, think the
24 question about the other zone was very appropriate, because we
25 also want to look at lesser impacts and lesser density, but I

1 really appreciate your analysis on that, and also asking that
2 question to make sure that we have covered all basis and looking
3 through another lens, as you have already stated.

4 Any other questions or comments on that? All right.

5 Let me see if I can keep going. I will not ask, and I
6 thank ANC-2G for all the work they do. I will not ask them to
7 send us another report. The two reports did not list any issues
8 or concerns, and I want to be respectful of our ANC Commissioners.

9 Again, the other issue from one of the Commissioners
10 was about the (indiscernible) displacement. We believe, and
11 unless my colleagues disagree, that the Applicant has shown that
12 those things can be mitigated and dealt with accordingly, or
13 there may be some adjustment.

14 We always acknowledge that there may -- an adjustment
15 period and there may be some adverse impacts, but we believe
16 what's been submitted in this record will help to fine tune, or
17 at least it may be different, but it will help lower some of the
18 impact on the community, we believe.

19 In opposition, Mr. Thorpe encouraged (indiscernible).
20 As my colleagues already mentioned, Commissioner Imamura, talking
21 about the affordable housing unit. I think this expands the
22 increase of the affordable housing. Then, as far as the change
23 of character in the neighborhood, I think also this is -- the
24 neighborhood is going to change, but I don't think it's to the
25 point significant for us to, at least, deny this case. I don't

1 think we have grounds to do that with everything that's been
2 submitted and all of the evidence of how things are being
3 mitigated, and also the other policies, which are advancing this
4 project, and also helping us with displacement, as well as racial
5 equity as well, so, let me ask, any other questions or comments?
6 Anybody? All right. So, let me just ask --

7 VICE CHAIRMAN MILLER: I would just --

8 CHAIRMAN HOOD: Yes.

9 VICE CHAIRMAN MILLER: Yes, Mr. Chairman. Yeah, I
10 would just concur with your comments and analysis and those
11 of -- and the comments, previously, of Commissioner Imamura about
12 the comprehensive plan consistency. The MU-5 proposed zone is
13 consistent with the land use map designation of medium density
14 mixed-used and the neighborhood enhancement area designation on
15 the policy map, and to the extent any potential comp plan
16 inconsistencies have been identified, I think OP mentioned that
17 there's a policy in the land use element that talks about
18 protecting, maintaining the District's established low-density
19 neighborhoods and related no low-density zoning and there's --
20 and the Applicant identified the land use elements -- land use
21 policy about institutional uses, because of the -- this is a
22 former church property and had a childcare facility on there.

23 To the extent there are any potential inconsistencies,
24 I think they are far outweighed by the other comp plan
25 consistencies that I just identified -- that we've identified:

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1 the land use map and the policy map, and the -- and, of course,
2 the overall high-priority housing policy, which this -- and
3 affordable housing, that this map amendment will facilitate, and
4 I agree with your comments about when viewed through a racial-
5 equity lens that the amendment is consistent with the
6 comprehensive plan.

7 No actual displacement of residents will occur and the
8 development of housing and affordable housing will help mitigate
9 any indirect displacement, and we appreciate all of the community
10 outreach that the Applicant has done.

11 So I'm ready to move forward, Mr. Chairman.

12 CHAIRMAN HOOD: Okay, thank you. And I do have one
13 other point, unless it was mentioned. Mr. Janovich, and hopefully
14 I'm pronouncing his name correctly. Mr. Janovich mentioned to
15 us about the historic nature and the small area plan. I think
16 what's important is that the map is not intended to be fine grain
17 and that the property is located at the junction of the two sub-
18 areas and that you really can't tell for sure which area it is
19 located in, so I would agree with the Applicant's
20 characterization.

21 I understand what Mr. Janovich is saying, you know, but
22 I just don't think it rises to that -- to that level of stopping
23 again. As mentioned about one of his other comments, which I've
24 already mentioned, I think the additional affordable housing and
25 affordable housing is very important. It's already been

1 mentioned. So I'm trying to make sure we've covered everything,
2 unless my colleagues think we mentioned -- missed anything, and
3 I think the record is complete. The record is complete for us
4 to file, at least, from my approval, and I believe others from
5 what I'm hearing so far.

6 Any other questions or comments? All right. So, with
7 that, will somebody else like to make a motion?

8 VICE CHAIRMAN MILLER: I'll move, Mr. Chairman, that
9 the Zoning Commission take proposed action on Case No. 23-06 Blue
10 Ridge, 1515 9th Street, LLC, map amendment at Square 397, and ask
11 for a second?

12 COMMISSIONER IMAMURA: Second.

13 CHAIRMAN HOOD: It has been moved and properly
14 seconded.

15 Any further discussion? Not hearing any, Ms. Schellin,
16 would you do a roll-call vote?

17 MS. SCHELLIN: Commissioner Miller?

18 VICE CHAIRMAN MILLER: Yes.

19 MS. SCHELLIN: Commissioner Imamura?

20 COMMISSIONER IMAMURA: Yes.

21 MS. SCHELLIN: Commissioner Hood?

22 CHAIRMAN HOOD: Yes.

23 MS. SCHELLIN: Commissioner Stidham?

24 COMMISSIONER STIDHAM: Yes.

25 MS. SCHELLIN: The vote is 4-0-1 to approve proposed

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1 action: Zoning Commission, Case No. 23-06. The minus one, of
2 course, being the third mayoral appointee seat, which is vacant.

3 CHAIRMAN HOOD: All right. I think we're at hearing
4 actions. Sometimes, I go past cases. I think we're at hearing
5 action -- okay, thank you.

6 Zoning Commission, Case No. 23-20, Office of Planning
7 text amendment to create zoning for a Zone A of the Armed Forces
8 Retirement Home/Washington Campus, Parcel 121/28. And who is it?
9 Oh, okay, Mr. Jesick. We'll turn it over to Mr. Jesick.

10 MR. JESICK: Thank you, Mr. Chairman, and Members of
11 the Commission. The Office of Planning is proposing a text
12 amendment to create the Armed Forces Retirement Home zones, and
13 at a future meeting, we will also bring forward a map amendment
14 application to map the zones on the appropriate parcels.

15 The process involves different notifications, because
16 the map amendment is a contested case, while the text amendment
17 is a rule-making case, and while the map-amendment is being
18 reviewed by the ANC prior to set-down, it is important that the
19 text amendment be on the record and accessible.

20 Once both cases are set-down, we anticipate the
21 hearings will be held on the same date.

22 Next slide, please, Mr. Young.

23 The AFRH zones that we are proposing are a result of
24 the home's master planning process, which first established the
25 idea of private development on a part of the home's campus back

1 in 2008, a goal that has been maintained and updated through
2 recent master plan revisions, the most recent of which was
3 approved by the National Capital Planning Commission in 2022.

4 The home does not have a dedicated funding source, so
5 they concede to the idea of capitalizing on the resource of their
6 land by entering into a long-term ground lease with the developer.

7 The lease would fund new construction and modernization
8 of the home, which serves retired veterans who are often of lower
9 income. And the new private development on the site would follow
10 the guidance of the master plan.

11 The District agreed with the home and NCPC that zoning
12 for the currently unzoned federally-owned site would be created
13 following the guidance of the master plan.

14 The master plan also informed recent updates to the
15 District's comprehensive plan, including changes to the future
16 land use map, which I will address in a moment.

17 Next slide, please.

18 The master plan calls for almost five million square
19 feet of development in the 80-acre portion of the home's campus
20 known as Zone A. Zone A is at the southeastern portion of the
21 AFRH campus, adjacent to North Capitol and Irving Streets. It
22 includes a number of historic buildings and historic landscapes
23 that are contributing elements to the AFRH historic district.

24 The topography of Zone A slopes up, generally, from the
25 south at Irving Street, to the north at the Four Wood and LaGuarde

1 Buildings.

2 Next slide, please.

3 The master plan divides Zone A into over 20
4 developments and open space parcels. The maximum heights of
5 different parcels, which range from 65 to 120 feet, are intended
6 to accommodate the development program, while preserving views
7 from higher elevations of the home and providing an appropriate
8 relationship to the large open space known as the pasture and to
9 historic buildings.

10 Similarly, the street grid was established to maintain
11 views towards historic AFRH buildings, particularly the tower of
12 the Four Wood Building and to maintain views toward local
13 landmarks, such as the Basilica of the National Shrine of the
14 Immaculate Conception.

15 You can see on the screen two images taken from the
16 Plan: one showing some of the thought process that went into
17 establishing the view sheds and view corridors; and on the right,
18 the plan showing the maximum heights of different parcels. The
19 highest heights are concentrated along Irving and North Capitol
20 Streets with lower heights closer to the pasture and the historic
21 buildings.

22 The master plan does not specify FAR caps for
23 individual parcels. It does establish a maximum total floor area
24 for Zone A at approximately 4.9 million square feet.

25 The master plan also calls for preservation or creation

1 of certain open spaces, most notably preservation of most of the
2 pasture, and it also establishes design guidelines for buildings
3 and streets.

4 Next slide, please.

5 The recommendations of the master plan have been
6 reflected in the District's comprehensive plan. As you can see
7 on this screen, the generalized policy map describes the AFRH as
8 a mixed federal and land use change area.

9 Next slide.

10 And the future land use map shows that a variety of
11 uses and densities are identified as appropriate, ranging from
12 parks, recreation, and open space to high-density commercial,
13 high-density residential, mixed use.

14 Next slide.

15 We reviewed all of this information, both in guidance
16 from the master plan, as well as the comprehensive plan, and are
17 proposing new special purpose zones, the AFRH zones, to implement
18 that vision. There will be seven zones, which would generally
19 follow the height and use designations in the master plan and the
20 land use designations of the future land use map.

21 Although, the Commission this evening is only
22 considering the text amendment for hearing action, the
23 illustrative map on the screen indicates where OP proposes that
24 each zone would apply.

25 Next slide.

1 And this table provides a quick summary of the
2 parameters of each zone. The zones generally go from more
3 restrictive to less restrictive, AFRH-0 is an open space zone,
4 while AFRH-5 provides for the greatest heights and densities.
5 AFRH-6 is a zone that is applied to areas with existing historic
6 buildings that would remain.

7 Next slide, please, Mr. Young.

8 Other key features of the zoning would include applying
9 IZ-plus to the site. The proposed zoning would mandate that 20
10 percent of the units would be IZ units. The home's development
11 partner has estimated that they could construct 3,000 total
12 housing units on the site and that would result in about 600
13 IZ-units.

14 We also propose of sustainability-related regulations,
15 including a lead requirement, requirements for renewable energy
16 standards and GAR standards. The zoning also has site-wide design
17 criteria, as well as designated street frontages with design and
18 use requirements, and it should also be noted that because the
19 entire AFRH is a historic district, the HPRB and HPO will be
20 reviewing all development proposals, and HPO staff worked
21 extensively with the home during the master planning process to
22 develop the detailed architectural guidelines that are in the
23 master plan.

24 Next slide, please, Mr. Young.

25 I'd like to summarize the findings from OP's report

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1 related to the impacts to racial equity, using the Commission's
2 racial equity tool as a guide and reviewing demographic data
3 disaggregated by race.

4 We found that there are disparities by race in economic
5 and other demographic indicators. For example, in the Rock Creek,
6 east planning area, the most recent American community survey
7 shows that the homeownership rate is higher for whites than it
8 is for blacks, and the poverty rate for blacks is significantly
9 higher than for whites at 12.5 percent to 4.3 percent. Similarly,
10 unemployment is also higher for blacks than whites at 9.6 percent
11 to 2.4 percent.

12 In our report, we have also examined demographic and
13 economic trends over time. For example, in Rock Creek East,
14 between 2012 and 2021, the black population declined as a
15 percentage of the total population from 60 percent to 53 percent.

16 Income levels, on the other hand, increased for all
17 racial groups and by approximately equal percentages for whites
18 and blacks, although the total income levels remain far apart for
19 those groups. A complete data analysis can be found in our
20 report, starting on page 16.

21 OP finds that the proposed zoning action should result
22 in more equitable outcomes for residents of the area and residents
23 in the new development. First, allowing new development to occur
24 in Zone A would generate a reliable income stream for the home
25 and allow them to provide new housing and update existing

1 facilities to better serve their residents who are often, again,
2 of lower income.

3 And I mentioned earlier, the new zoning should enable
4 the creation of approximately 3,000 housing units and 20 percent
5 of those are about 600 being IZ-units. That should ease upward
6 pressure on housing prices and would allow greater access to
7 housing in this neighborhood for existing and new residents with
8 lower incomes.

9 This would also goes a long way to meeting the Mayor's
10 affordable housing goals for Rock Creek East, which is currently
11 projected to fall short of its 2025 goal, and of course, because
12 the site is currently vacant, there would be no direct
13 displacement of existing residents and, in fact, the creation of
14 the zoning, again, would help the existing residents of the home
15 to remain on the site and would allow the home to serve a greater
16 number of veterans.

17 The new development permitted by the zoning text would
18 also provide increased access to amenities for the neighborhood,
19 both residents and nearby employees. There should be additional
20 retail and service uses in the development, and the zoning would
21 help to preserve and ensure access to the pasture as a significant
22 park for people in the area.

23 Regarding equity as a process, the home and their
24 partners have had a number of meetings over the years regarding
25 the master plan. That's both during the first master plan in

1 2008, when the idea of development in Zone A was first
2 established, and during more recent updates to the plan, and a
3 list of those community meetings and the description of their
4 outreach can be found on Pages 12 and 13 of the plan, and further
5 meetings with nearby ANCs is anticipated for this fall and OP
6 will be participating in those meetings.

7 Next slide, please. Thank you.

8 In summary, OP finds that the proposed text amendment
9 would not be inconsistent with the comprehensive plans, written
10 policies, and land use maps, including as when viewed through a
11 racial-equity lens and OP, therefore, recommends that the
12 Commission set the text down for a public hearing.

13 OP will continue to refine the text, of course, with
14 feedback from the Commission, the community, the home and their
15 partners, as well as other city agencies.

16 That concludes my testimony, but I'm happy to take any
17 questions.

18 CHAIRMAN HOOD: Thank you, Mr. Jessick. I don't think
19 I have a lot of questions to start with right now. I know this
20 has been going on for a while, a long time coming, but I will
21 say, you made a statement at the very beginning. You said that
22 you want us to do both on the same day, and it depends on the
23 outreach of what we do through this whole process, because this
24 has been going on for a while. It's either going to be day for
25 both hearings or dates, and I'm just going to leave it there.

1 Okay? All right.

2 So I'm hoping it's day, but that's going to depend on
3 how great of a job that you all do in making sure that we do
4 engagement, people are informed, and try to build some consensus
5 or it's going to be days and our number -- our days will be long,
6 so let me open it up to my colleagues and ask them if they have
7 any questions or comments? Commissioner Imamura.

8 COMMISSIONER IMAMURA: Thank you. Mr. Jessick, thank
9 you for your comprehensive and thorough 74-page report. I might
10 have missed it and hoping that, perhaps, you might help me locate
11 it. I assume this is going to be part of an anthology. I could
12 not find your prologue or epilogue to your 74-page report, and
13 if it isn't there, at least maybe a dedication page for the
14 dissertation.

15 So thank you. I think that this -- for me, this is
16 pretty straightforward that, you know, the text amendment here
17 is really to create those new zones for the NCPC approved plan,
18 but what I was struck by and appreciate is that the effort to
19 preserve the open space on the dew sheds, as well as the use of
20 topography to identify intensity and height for, I think, you had
21 mentioned seven zones.

22 So otherwise, I don't really have any questions here,
23 Mr. Chairman. I just wanted to make those comments and thank
24 Mr. Jessick again for his very, very detailed report, and I will
25 be looking for the dedication page for the other two chapters in

1 his next report. Thank you.

2 CHAIRMAN HOOD: Thank you. Commissioner Stidham, any
3 questions or comments?

4 COMMISSIONER STIDHAM: No, sir. Just thank you. Again,
5 just to reiterate for the very thorough report. It was very
6 useful. Thank you.

7 CHAIRMAN HOOD: Okay. And Vice Chair Miller.

8 VICE CHAIRMAN MILLER: Thank you, Mr. Chairman.

9 I concur with the comments of you and my colleagues on
10 -- and I appreciate Mr. Jesick's comprehensive report and all of
11 the work that the Office of Planning has done, along with the
12 Armed Forces Retirement Home, and the private partner, and the
13 National Capital Planning Commission to approve the master plan
14 that is essentially setting the density and use guidelines for
15 what the different areas of this zone that are being proposed.

16 As you said, I mean, this will facilitate
17 approximately, 3,000 housing units. That's a substantial number
18 of housing units, and it'll be subject to IZ-plus, which will be
19 the 600 affordable units, so that's all very commendable and it
20 has all the different densities in the zone, and including the
21 open space area and, of course, as you've mentioned, all of this
22 will go through review by the historic preservation office of OP
23 and HPRB, as well. So this is 80 acres. It's been a long time
24 coming, as the Chairman said. Hopefully, we're getting to a
25 point where something will work for both the home and for the

1 District of Columbia.

2 Thank you.

3 CHAIRMAN HOOD: Mr. Jesick, I do have one question.

4 I'm trying to figure out, has the Commission -- did
5 we deal with something like this before? Did we do something
6 similar to this at Hill East? Was it Hill East, or did we do
7 something -- I just remember doing something similar to this. Do
8 you recall? If not, you don't need to give me an answer if you
9 don't.

10 MR. JESICK: Yeah, I think there's some comparable
11 examples that you have dealt with in the past. Hill East is one
12 example, St. Elizabeth's, the Walter Reed campus. I think there
13 are some others that the Commission has dealt with before where
14 they're in -- there are these large federal parcels that come
15 into District control.

16 CHAIRMAN HOOD: Okay. Okay. I was just trying to
17 figure some things out. Okay, good. At least I got Hill East
18 right. All right. Thank you. Any other follow-up questions,
19 comments?

20 Again, I too want to echo Mr. Jesick, you and the
21 Office of Planning, we really appreciate the report, very
22 thorough, very well-done, so thank you.

23 All right. Would somebody like to make a motion?

24 VICE CHAIRMAN MILLER: I'll make a motion,

25 Mr. Chairman, that the Zoning Commission set-down for a public

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1 hearing Case No. 23-20, Office of Planning, text amendment to
2 create zoning for Zone A of the Armed Forces Retirement Home,
3 Washington Campus. That's Parcel 121/28, and ask for a second.

4 COMMISSIONER IMAMURA: Second.

5 CHAIRMAN HOOD: Okay. It's been moved and properly
6 seconded. Any further discussion? Not hearing any, Ms. Schellin,
7 would you do a roll-call vote, please?

8 MS. SCHELLIN: Commissioner Miller?

9 VICE CHAIRMAN MILLER: Yes.

10 MS. SCHELLIN: Commissioner Imamura?

11 COMMISSIONER IMAMURA: Yes.

12 MS. SCHELLIN: Commissioner Hood?

13 CHAIRMAN HOOD: Yes.

14 MS. SCHELLIN: Commissioner Stidham?

15 COMMISSIONER STIDHIM: Yes.

16 MS. SCHELLIN: The vote is 4-0-1 to set down Zoning
17 Commission Case No. 23-20 as a rulemaking case, minus one being
18 the third mayoral appointee seat, which is vacant.

19 CHAIRMAN HOOD: Okay. So, we've been doing roll-call
20 votes now for, what, about three years? So, if we were ever to
21 go back in person, it would be whole new adjustment again to
22 figure out how to do that. So I was just sitting up here thinking
23 about.

24 MS. SCHELLIN: I haven't forgotten.

25 CHAIRMAN HOOD: Well, I have. So, okay, let's -- I

1 forget when we do this, so you know I'm going to forget that.
2 Okay.

3 So, let's go to Zoning Commission, Case No. 23-04, ALTG
4 Investment, LLC map amendment at Square 3832.

5 Is it Ms. Thomas, or Ms. Thomas, there she is.

6 MS. THOMAS: Yes.

7 CHAIRMAN HOOD: Ms. Thomas.

8 MS. THOMAS: Yes. Thank you, Mr. Chair, and good
9 afternoon, Members of the Commission.

10 Karen Thomas with the Office of Planning and the Office
11 of Planning is requesting the Commission set down the proposed
12 map amendment from TDR-1 to the MU-7A zone, as proposed by the
13 Applicant, ALT-G, LLC.

14 The 6,901 square feet triangular-shaped lot in the
15 Brookland neighborhood and is on 9th street, and it is currently
16 undeveloped, located east of the WMATA redline tracks between
17 Kearney Street and Jackson Street, Northeast.

18 (Indiscernible), when viewed through a racial equity
19 lens, the proposal is not inconsistent with the comp plan,
20 including its policies, future land use map, and generalized
21 policy map. OP recommends this application be set down for a
22 public hearing, and the proposal would be appropriate for IZ-
23 plus.

24 Next slide.

25 The future land use map indicates that the property is

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1 generally appropriate for mixed use, moderate density,
2 residential and commercial leases, and the MU-7A is consistent
3 with this category.

4 The generalized policy map designates the site that's
5 located within neighborhood conservation areas. All locations
6 intended for the conservation and enhancement are established
7 neighborhoods, but not to prevent development.

8 Next slide.

9 IZ-plus would be appropriate to apply for this map
10 amendment, primarily because the re-zoning request would permit
11 housing when none could have existed. It will also support the
12 upper northeast planning area goal, as it is currently short of
13 its housing production goal for 2025.

14 Since map amendment applications only consider
15 consistency with the comp plan and it's not a specific development
16 proposal, OP estimated that up to six IZ-units could be provided
17 to an IZ-plus requirement if the property were to be redeveloped.

18 Next slide.

19 Analysis through a racial equity lens indicates that
20 the map amendment proposal unbalanced would not be inconsistent
21 with a comp plan. An estimated 20 percent IZ-plus set-aside
22 would be required when no units and IZ-units would exist, and
23 making room for more affordable housing has the potential to
24 benefit vulnerable populations who may be housing cost burdened.
25 Our analysis in our report includes more discussion about that.

1 Redevelopment of the site would not result in direct
2 Displacement, as there are currently new residents on the
3 property. Indirect displacement is also not likely, because
4 increased residential density would create more housing options,
5 and the comp plan recognizes that without increased housing, the
6 imbalance between supply and demand drives up housing prices that
7 particularly impacts low-income residents.

8 Negative physical impacts are not anticipated because
9 the primary uses allowed by the MU-7 zone -- 7A zone, as moderate
10 density residential and commercial uses, would have less adverse
11 impacts on the immediate residential neighborhood than former
12 industrial-type uses.

13 Finally, the proposal would be located near many
14 neighborhood opportunities, including schools, retail,
15 supermarkets, and other recreational opportunities and bus
16 lines, as well as being within walking distance of the Brookland
17 Metro station.

18 Next slide.

19 The Applicant has worked for the community, reaching
20 out initially, to the community since June of 2022 to the present
21 time, and the ANC and the Civic Associations voted unanimously
22 to support the map amendment at their regularly held meetings in
23 May and June, and these notifications are included in the record.
24 And with that, OP believes that the application is ready for a
25 public hearing and this concludes my presentation.

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1 Thank you.

2 CHAIRMAN HOOD: Thank you, Ms. Thomas. I will tell you
3 that, in this particular case, I happened to be riding and I saw
4 all of these green signs. I got out the car to look to see. I
5 didn't even know we had anything coming down the pipe a couple
6 of weeks ago on this, so that shows that the Commissioners, we
7 don't go out looking for stuff. It just -- I saw all these green
8 signs, and I said -- the first thing I thought was, "Oh, that's
9 some more work for us." I got up to see what was going on, and
10 this is it.

11 But let me just ask you, one of the things that I did
12 see, though, and I'm thinking of, and I would have to ask legal
13 this. I can't remember. Does displacement apply to businesses
14 or just residents? I'm trying to remember -- in the racial-
15 equity tool, and, Ms. Lovitt, that's a question that you -- that
16 we can frame and I'll get you to do that -- answer that for me
17 at a later time, but that's one of the questions I want to ask
18 to the Office of Planning.

19 How do you all view it, the racial-equity displacement?
20 Does it apply to businesses as well or just residence who live
21 in a home?

22 MS. THOMAS: No. We look at displacement in both indoor
23 categories, because you can have displacement of locally owned
24 businesses that also impact, you know, lower income,
25 (indiscernible) businesses, and that has an impact on local

1 businesses. It has an impact. So we do look at impact to local
2 businesses as displacement as well.

3 CHAIRMAN HOOD: And one of the things when we look at
4 the intensity of use in the zoning change that this
5 (indiscernible), I really want to make sure we really examine the
6 transit, the transportation, the vehicle -- and the vehicle and
7 pedestrian move-around. I want the the model split and all. I
8 want to make sure all of that is really examined in this process,
9 so I could ask those questions if we set it down for a hearing,
10 so I just want to put that out there. That's what I'm going to
11 be really looking for, especially in this case.

12 Thank you, Ms. Thomas. Let me see if others have any
13 questions or comments. Commissioner Imamura? Anybody?

14 COMMISSIONER IMAMURA: Sure, thank you. Sure, thank
15 you, Mr. Chairman.

16 And, Ms. Thomas, thank you for your report as always.
17 Appreciate the effort and time you spent to put that together for
18 us. And you might have addressed this, and I apologize if I
19 didn't pick up on it, but just a couple of questions noted that
20 the IZ-plus would apply and just curious about if you -- if
21 there's any opposition at all to this particular map amendment
22 that you're aware of.

23 MS. THOMAS: At this time, no. I haven't seen any, you
24 know, the Civic Association, in particular where you could get a
25 lot of the community input. The Civic Association is in support

1 as they -- as it is included. I haven't seen any opposition as
2 yet. There may be, but I haven't seen it, or I haven't heard
3 from it.

4 COMMISSIONER IMAMURA: All right. Thank you.

5 And when we set these things down, I guess, maybe two
6 other questions. If, in fact -- I think -- just wanted to seek
7 your clarification that we're talking about moderate density here
8 at 7 as opposed to any other, are there any other zones that
9 might be appropriate from this -- for this particular amendment?

10 MS. THOMAS: There may be. The MU-5 could be, but it's
11 also moderate density, but we support the MU-7, because the
12 MU-7 gives a little bit more to residents -- residential
13 development and IZ, so, but we are not the applicant in this
14 case, so.

15 COMMISSIONER IMAMURA: Sure. All right. And I guess
16 this is my last question, Ms. Thomas, is if you could just -- I
17 know it's in your report, but if you could just articulate it
18 for us, how this will, if this map amendment -- if we do set down
19 this map amendment, how might this impact or address some of the
20 trends that you've noticed in the disaggregated data at 7?

21 MS. THOMAS: For one thing, it would -- with respect
22 to should the property be mixed use or all residential, it would
23 help lower housing costs for residents who may be housing-cost
24 burdened, as I said in my report. The provision of IZ units
25 where, you know, unscientifically, we could say that Brookland

1 is becoming expensive or has become expensive. Like I said, it's
2 unscientific without any -- having any data in front of you right
3 now, but being at a Metro station, close to a Metro station, it
4 is accessible, which is one of the things that we look at and
5 support heavily, having access without a car is very important,
6 so it helps those lower income groups to have an affordable
7 residence.

8 COMMISSIONER IMAMURA: Great. Thank you, Ms. Thomas.
9 You always handle our questions very well, and I appreciate your
10 explanation about just sort of general observations that many of
11 us have also seen, so I appreciate that. That's all that I have,
12 Mr. Chairman. Thank you.

13 CHAIRMAN HOOD: Thank you. Commissioner Stidham, do
14 you have any questions or comments?

15 COMMISSIONER STIDHAM: No, sir.

16 CHAIRMAN HOOD: Okay. And Vice Chair Miller.

17 VICE CHAIRMAN MILLER: Thank you, Mr. Chairman, and
18 thank you, Ms. Thomas for your set-down report, and I'm prepared
19 to support set-down, because I think re-mapping the zone from the
20 existing PDR-1 to MU-7A is more consistent with the land use map
21 designation of moderate density, mixed-used moderate density
22 residential and commercial. The existing zone PDR would not
23 allow any residential, I believe, to be developed there.

24 So but I guess maybe at the time of the hearing, we
25 can get, maybe, a little bit more information about how the

1 housing -- I mean, it is -- so I just cited the land use map
2 consistency, but the policy map does call for a neighborhood
3 conservation area and there are other written policies in the
4 comp plan that call for the retention of industrial -- existing
5 industrial uses.

6 I know this is a largely vacant and under-utilized
7 site, but there may be, I don't know if there are industrial uses
8 on the site. Maybe the Chairman does, since he went by it the
9 other day, but so if that could just be addressed at the hearing,
10 how any potential inconsistency with the conservation area
11 designation on the policy map, which doesn't preclude
12 development. It specifically says that the conservation areas
13 don't preclude infill development, and with the -- and also just
14 how any of the -- all of -- the affordable housing and housing
15 may outweigh any other policies that call for retention of
16 industrial uses in the District. So if we can get just a little
17 more information about that at the hearing, I think that might
18 be helpful.

19 You said that six -- that OP anticipates that maybe
20 six. Is that you're building -- you're proposing a map amendment
21 with IZ-plus and you thought that would generate, approximately,
22 six affordable units, so since it's a 20 percent set-aside under
23 IZ-plus, does that mean you anticipate that the total of, what,
24 30 units on this smaller site?

25 MS. THOMAS: Yes.

1 VICE CHAIRMAN MILLER: Much smaller than the previous
2 site that we just considered.

3 MS. THOMAS: Yeah, and that's all just an estimate.
4 Regardless, the IZ-plus would be 20 percent of the gross floor
5 area -- residential gross floor area, so we estimate a maximum
6 based on just doing purely residential on the site and, yes, that
7 can run to about 25 to 30 units.

8 VICE CHAIRMAN MILLER: Okay. Well, thank you. So, I'm
9 ready to set this. Thank you for that response, Ms. Thomas.
10 Thank you, Mr. Chairman.

11 CHAIRMAN HOOD: Thank you. Any other questions? Okay.

12 Would somebody like to make a motion? Okay. Would
13 somebody for me to make a motion?

14 COMMISSIONER STIDHAM: Mr. Chairman, I would like to
15 make a motion.

16 CHAIRMAN HOOD: Okay.

17 COMMISSIONER STIDMAN: For hearing action for Zoning
18 Case No. 23-04, ALT-G Investment LLC, map amendment at Square
19 3832.

20 CHAIRMAN HOOD: Thank you. I'll second the motion.

21 It's been moved and properly seconded. Any further
22 discussion? Not hearing any.

23 Ms. Schellin, could you do a roll-call vote, please,
24 for the set down.

25 MS. SCHELLIN: Yes. Commissioner Stidham?

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1 COMMISSIONER STIDHAM: Yes.

2 MS. SCHELLIN: Commissioner Hood?

3 CHAIRMAN HOOD: Yes.

4 MS. SCHELLIN: Commissioner Miller?

5 VICE CHAIRMAN MILLER: Yes.

6 MS. SCHELLIN: Commissioner Imamura?

7 COMMISSIONER IMAMURA: Yes.

8 MS. SCHELLIN: The vote is 4-0-1 to set down Zoning
9 Commission Case No. 23-04 as a contested case. The minus one
10 being the third mayoral appointee position, which is vacant.

11 CHAIRMAN HOOD: Okay. Ms. Schellin, do we have anything
12 else?

13 MS. SCHELLIN: Nothing else.

14 CHAIRMAN HOOD: All right. So, typically, I announce
15 -- I'm going to do it a little different. The Zoning Commission
16 will meet again October the 2nd. I'm giving everybody homework.
17 Watch the news. That's going to really dictate what goes on
18 October the 2nd, okay?

19 So, right now, we propose to be here October the 2nd,
20 but if you're watching the news and the Government shuts down,
21 we won't be here October the 2nd, unless you want to just come
22 join Commissioner Miller and myself, Vice Chair Miller, and
23 myself.

24 COMMISSIONER IMAMURA: Right.

25 CHAIRMAN MILLER: So, I'm not sure how that's going to

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1 work out, but just know we may be here and we may not, so everyone
2 just please watch the news.

3 So with that, we don't have anything else, I want to
4 thank everyone for their participation in this meeting tonight
5 and enjoy your weekend. Good night, everyone.

6 VICE CHAIRMAN MILLER: Good night. Thank you.

7 (Whereupon, the above-entitled matter went off the
8 record at 5:05 p.m.)

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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 Meeting

Before: DCOZ

Date: 09-28-2023

Place: Videoconference

was duly recorded and accurately transcribed under my
direction; further, that said transcript is a true and accurate
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Donna S. Smith

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