

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ZONING COMMISSION

VIRTUAL PUBLIC MEETING

VIA WEBEX

1589th MEETING SESSION

THURSDAY, MARCH 14, 2024

The Public Meeting of the District of Columbia Zoning Commission convened via videoconference 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  
JOSEPH S. IMAMURA, Commissioner  
TAMMY STIDHAM, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN, Secretary  
PAUL YOUNG, Data Specialist

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

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

This transcript serves as the minutes from the Public Meeting held on March 14, 2024.

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## PROCEDINGS

1 (4:00 p.m.)

2 CHAIRPERSON HOOD: Good afternoon, ladies and  
3 gentlemen. We are convening and broadcasting this public  
4 meeting by videoconferencing. My name is Anthony Hood.  
5 Joining me this evening, are Vice Chair Miller, Commissioner  
6 Stidham and Commissioner Imamura. We are also joined by the  
7 Office of Zoning Staff, Ms. Sharon Schellin, and Mr. Paul  
8 Young, who will be handling all of our virtual operations,  
9 as well as our Office of Zoning's legal division, Ms.  
10 Hillary Lovick, Mr. Liu and Mr. Ritting. I would ask all  
11 others to introduce themselves at the appropriate time, if  
12 needed.

13 Copies of today's meeting agenda are available on  
14 the Office of Zoning's website. Please be advised that this  
15 proceeding is being recorded by court reporters, also  
16 webcast live, WebEx and YouTube Live.

17                   The video will be available in our office and on  
18 its website after the meeting. Accordingly, all those  
19 listening on WebEx or by phone will be muted during the  
20 meeting, unless the Commission suggests otherwise.

21 For hearing action items, the only documents  
22 before us this evening are the application, the ANC Set Down  
23 Report and the Office of Planning Report. All other  
24 documents in the record will be reviewed at the time of the

1 hearing.

2 Again, we do not take any public testimony at our  
3 meetings unless the Commission requests someone to come  
4 forward and speak.

5 If you experience difficulty accessing WebEx with  
6 your phone call-in, then please call our OZ hotline number  
7 at (202) 727-0789 for WebEx log-in or call-in instructions.

8 Does the staff have any preliminary matters?

9 MS. SCHELLIN: No, sir.

10 CASE NO. 21-28A

11 CHAIRPERSON HOOD: Okay. Firstly we'll do  
12 Determination/Scheduling, we'll see how this goes. Zoning  
13 Commission Case No. 21-28A (George Washington University  
14 (Mt. Vernon Campus) - Modification of Consequence of 2022  
15 Campus Plan at Square 1374). Ms. Schellin.

16 MS. SCHELLIN: Yes, sir. This is a request from  
17 George Washington University to authorize for the  
18 authorization to add two light fixtures on the softball  
19 field, for a total of six light fixtures surrounding the  
20 field, and this request isn't just because they want to do  
21 it, it's because they have to do it in order to satisfy the  
22 regulations set by the National Collegiate Athletic  
23 Association. So they served this on the ANC and that was  
24 the only party to the case, and so you have ANC 3D's report  
25 at Exhibit 6, who voted in favor six to zero to one.

1                   You have Exhibit 5, the OP Report, recommending  
2 that they have no objection to this request being a  
3 Modification of Consequence, and they recommend approving  
4 the proposed modification.

5                   Thank you.

6                   CHAIRPERSON HOOD: Okay, thank you, Ms. Schellin.  
7 Colleagues, you've heard, I think Ms. Schellin has teed it  
8 up enough. This is a request, and we do have a letter of  
9 support from Chairperson Duncan from ANC 3D. Are there any  
10 questions or objections -- oh, first, does anyone see that  
11 this is not a Modification of Consequence? Any objections  
12 to this being posted as a Modification of Consequence?

13                   Okay. All right. We will consider this as  
14 Modification of Consequence.

15                   Now, does anyone have any objections to the  
16 request. We do have the ANC Report. We have the Office of  
17 Planning Report. All in favor? It's pretty straight  
18 request, as Ms. Schellin has already mentioned. Any  
19 objections? Okay, so not seeing any, I would move that we  
20 approve as stated, as a Modification of Consequence, Zoning  
21 Commission Case No. 21-28A, (George Washington University  
22 (Mt. Vernon Campus) - Modification of Consequence of the  
23 2022 Campus Plan at Square 1374, as requested, and ask for a  
24 second.

25                   It's been moved and properly seconded. Any

1 further discussion? Not hearing any, Ms. Schellin, can you  
2 do a rollcall vote, please?

3 MS. SCHELLIN: Yes. Commissioner Hood.

4 CHAIRPERSON HOOD: Yes.

5 MS. SCHELLIN: Commissioner Miller.

6 VICE CHAIR MILLER: Yes.

7 MS. SCHELLIN: Commissioner Imamura.

8 COMMISSIONER IMAMURA: Yes.

9 MS. SCHELLIN: Commissioner Stidham.

10 The vote is four to zero to one to approval final  
11 action on Zoning Commission Case No. 21-28A, the minus being  
12 the third Mayoral Appointee Seat, which is vacant.

13 CASE NO. 23-19

14 CHAIRPERSON HOOD: Let's go to Proposed Actions,  
15 Zoning Commission Case No. 23-19 (Elm Gardens Owner, LLC &  
16 The NHP Foundation - Consolidated PUD & Related Map  
17 Amendment at Square 3351. Ms. Schellin.

18 MS. SCHELLIN: Yes. At the conclusion of the  
19 hearing the Commission asked for some additional documents,  
20 and so you have at Exhibits 113(a)(1) through 113(a)(2), the  
21 Applicant's Rebuttal Power Point, and then the Applicant's  
22 Post-Hearing Statement at Exhibit 115, and the Applicant's  
23 cover letter and draft order at Exhibit 116. Then at  
24 Exhibit 117 you have the Party-in-Opposition Eastmont  
25 Cooperative's, Post-Hearing Statement.

1                   So this case is ready for the Commission to  
2 consider proposed action.

3                   Thank you.

4                   CHAIRPERSON HOOD: Thank you, Ms. Schellin. Let  
5 me just say that, again, this is a potential Comp Plan  
6 inconsistent between the project's height massing and the  
7 Neighborhood Conservation Area designation for the property.  
8 That was some of the things we've heard and some of the  
9 issues that continue from the opposition, allege failure to  
10 respond to the Commission's Racial Equity Tool, by not  
11 incorporating the community's suggestions to step back the  
12 building massing toward the rear of the property.

13                  So what I would do at this point is just let me  
14 hear from others, any issue, those issues or any other  
15 issues that you may want to respond to at this time.

16 Anybody? Don't won't to call on anybody but --

17                  VICE CHAIR MILLER: I'll chime in.

18                  CHAIRPERSON HOOD: All right.

19                  VICE CHAIR MILLER: Chairman, thank you. This, as  
20 you may recall and the public may recall, started out as a  
21 different Map Amendment to RA-3 with the POD, and it's now  
22 RA-2, and it's an all-affordable 80-unit building, replacing  
23 the 44 -- the 36 units that are there, and the existing  
24 tenants have a right to return with the non-profit housing  
25 developer that they've entered into an agreement where they

1 assigned their TOPA rights. They have relocation -- I  
2 appreciate the Applicant providing the details on the  
3 relocation assistance being provided to those existing  
4 tenants, and the terms of their being able to come back at  
5 comparable rents and in the temporary relocated units, and  
6 no additional rent increases. And there will be 44 new  
7 units, as well, all of which are deeper, affordable levels  
8 than our inclusionary zoning would require.

9 I think the housing aspects of this project, in  
10 addition to the changes that were made from the initial  
11 application, to reduce the height, they took two floors.  
12 Essentially, I think they took two floors off of the  
13 original proposal, in response to the concerns that have  
14 been raised by the Eastmont Cooperative nearby, or adjacent.

15 So I think their affordable housing neighbors that  
16 have been there for a while, they're going to be there for a  
17 while. I hope they'll still continue to be good neighbors  
18 to each other, and I'm ready to move forward -- I'm  
19 ready for proposed action to proceed this evening,  
20 Mr. Chairman.

21 CHAIRPERSON HOOD: Thank you. Anybody else?

22 COMMISSIONER IMAMURA: Yeah. Mr. Chairman, I  
23 agree with Vice Chair Miller and just want to underscore  
24 again -- I know the party in opposition expressed their  
25 displeasure and passion for why they weren't real thrilled

1 with where this ended up.

2                   But to underscore Vice Chair Miller's point, this  
3 has gone from RA-3 to RA-2. In collaboration, or, you know,  
4 not everybody gets what they want. And so I think that this  
5 is a reasonable solution, and I think it's fair -- it's  
6 squarely consistent with the form, and Vice Chairman Miller  
7 did mention, you know, the robust relocation assistance.  
8 This is all-affordable, 80 units that is incredibly  
9 important for the District but, you know, again, you know,  
10 not everybody gets what they want completely, so I think  
11 this was a fair concession by the Applicant, and I think  
12 those that are in opposition should remember that, as Vice  
13 Chair Miller pointed out, this is two floors that they've  
14 taken off of this.

15                  And it's not as if the architecture is offensive  
16 either. It's actually a rather nice design solution that  
17 could happen. So at least you've got some potential there,  
18 so I think I'm prepared to vote and support to move this  
19 project forward.

20                  CHAIRPERSON HOOD: Thank you. Commission Stidham,  
21 do you have anything to add?

22                  MS. SCHELLIN: No, sir, I don't have anything to  
23 add, and I'm in agreement with the comments that have been  
24 made by Commissioner Miller and Commissioner Imamura, and am  
25 prepared to support this project, as well.

1 CHAIRPERSON HOOD: All right, thank you. I --

2 VICE CHAIR MILLER: Mr. Chairman, I forgot to  
3 mention -- maybe you're about to mention, we also had the  
4 ANC 4B support, and there was extensive community engagement  
5 with that ANC.

6 CHAIRPERSON HOOD: All right. And I don't want  
7 ANC 4B to think -- I know this in other cases, that we  
8 slight their -- all the work they do, because we don't. We  
9 just have to try to put it all together. We're hearing from  
10 different interests and you have to put it all together, and  
11 I appreciate ANC 4B, and I've said that before, so I don't  
12 want them to ever think that they're slighted.

13 I will tell you that this case with me is tough.  
14 Yeah, it's easy for me to sit here and vote, but I'm not the  
15 one that's going to be affected. And trying to strike a  
16 balance, as we mentioned, with RA-3 moving to RA-2, we made  
17 some headway.

18 I believe that while it won't satisfy -- my goal  
19 is always to satisfy everybody. That's always been my goal,  
20 but this is a real -- this is real world and this is a  
21 perfect -- not a perfect world, so everybody is not always  
22 going to be satisfied. Even with my comments, everybody is  
23 not going to always be satisfied.

24 When I started looking at the Comp Plan,  
25 consistency, I started looking at more of the outcomes as

1       opposed to adverse issues, that may happen here, and I get  
2       the Eastmont Cooperative. I get where they are. If I could  
3       figure out a way and wave a wand to make it work for both  
4       sides, for Eastmont, as well as Elm, I would do it, but I  
5       can't, and I think that -- I don't want anybody to think  
6       we're slighting them, but I think that we've come up with a  
7       better resolution than what we had previously, as already  
8       been stated by my colleagues, and I will be voting in favor  
9       of this application. While I know nobody is going to be  
10       happy, but I would hope they would continue to work together  
11       and the people who are going to be most affected, again, I  
12       hope the Applicant will continue to work with them, even  
13       throughout.

14           That's the best I think that we can do or I can  
15       do, so I'll leave it at that.

16           Somebody like to make a motion? And I think the  
17       record speaks for itself, especially with the zone change  
18       that we went -- as we mentioned, RA-3 to RA-2, the Comp Plan  
19       and consistency, and also the outcomes, and I think this  
20       warrants approval in the benefits, not just to the  
21       neighborhood, but to the City.

22           All right. Somebody like to make a motion?

23           VICE CHAIR MILLER: Mr. Chairman.

24           CHAIRPERSON HOOD: Yes.

25           VICE CHAIR MILLER: I think I'll defer to

1       Commissioner Stidham. I think she was about to say  
2 something.

3                   COMMISSIONER STIDHAM: I was going to make a  
4 motion, but I can go ahead, if that's okay?

5                   CHAIRPERSON HOOD: Yeah, that's fine.

6                   COMMISSIONER STIDHAM: So I'd like to make a  
7 motion to approve the Proposed Action for Zoning Case No.  
8 23-19 (Elm Gardens Owner, LLC & The NHP Foundation -  
9 Consolidated PUD and Related Map Amendment at Square 3351).

10                  VICE CHAIR MILLER: Second.

11                  CHAIRPERSON HOOD: It has been moved and properly  
12 seconded. Any further discussion?

13                  COMMISSIONER IMAMURA: The only further discussion  
14 is that, Mr. Chairman, is that I was looking for the word  
15 "compromise." I'm a little tired today, so -- not everybody  
16 wins in compromise.

17                  CHAIRPERSON HOOD: Okay, no problem. I think that  
18 was understood. It's all about balance and compromise. All  
19 right. Any further discussion?

20                  Not hearing, Ms. Schellin, will you do a roll call  
21 vote, please?

22                  MS. SCHELLIN: Yes. Commissioner Miller.

23                  VICE CHAIR MILLER: Yes.

24                  MS. SCHELLIN: Commissioner Hood.

25                  CHAIRPERSON HOOD: Yes.

1 MS. SCHELLIN: Commissioner Imamura.

2 The vote is four to zero to one to approve

3 Proposed Action Zoning Commission Case No. 23-19, the minus  
4 one being the third Mayoral appointee seat, which is vacant.

5 CASE NO. 23-11

6 CHAIRPERSON HOOD: Okay. Let's move to Zoning  
7 Commission Case No. 23-11 (7709 Georgia Avenue NW, LLC - Map  
8 Amendment -- not case but Map Amendment at Square 2961. Ms.  
9 Schellin, and then I'll go to Commissioner Stidham.

10 MS. SCHELLIN: Okay. So there were a few  
11 documents that came in after the hearing, so first we have  
12 the Applicant's post-hearing statement at Exhibit 50, ANC  
13 4A's post-hearing statement at Exhibits 51 through 51(e),  
14 ANC 4B's response to ANC 4A's post-hearing submission, at  
15 Exhibit 53, the Applicant's cover letter and draft order at  
16 Exhibits 54 and 54(a), ANC 4A's response to the Applicant's  
17 post-hearing statement, at Exhibit 55, and then there's a  
18 letter in support at Exhibit 56 from Nail Lux, one of the  
19 tenants, and OP Supplemental Report at Exhibit 57. And at  
20 Exhibit 58, before the Commission moves forward, there's a  
21 motion from ANC 4A to strike two documents from the record,  
22 because they don't think the Commission actually requested  
23 them, one of them being the letter in support from Nail Lux  
24 at Exhibit 56, and the OP Supplemental Report at Exhibit 57.

25 However, we always leave the record open for OP

1 and DDOT to reply, if they choose to do so, based on  
2 additional submissions, in case anything changes and causes  
3 the report to change, but I think the Commission may have  
4 asked for something from OP.

5                   Then the last thing, Exhibit 59, was the  
6 Applicant's response to the motion to strike, stating that  
7 they do not oppose striking the Nail Lux letter, but they  
8 believe the OP Supplemental Report should not be stricken,  
9 so that's all I have and I'll leave it at that. Thank you.

10                  CHAIRPERSON HOOD: Thank you, Ms. Schellin.

11                  Commissioner Stidham, did you want to offer some comments  
12 before we get started?

13                  MS. SCHELLIN: Yes, sir. Due to the fact that I  
14 was not present during the hearing, nor have I had the  
15 opportunity to fully review the record, I will not be  
16 participating in the vote today.

17                  CHAIRPERSON HOOD: Oh, okay, okay. I was  
18 expecting something else, but I understand.

19                  MS. SCHELLIN: Sorry.

20                  CHAIRPERSON HOOD: All right. I get it. I get  
21 it. Okay. All right, so it will just be three of us. All  
22 right. I'm going to try to go through these motions and I'm  
23 going to ask staff, as well as our attorneys, to make sure  
24 that I follow it procedurally. I do get off every now and  
25 then, so this won't be the first time.

1                   All right. So, Ms. Schellin has already  
2 mentioned, we have two filings in this case, Case 23-11 and  
3 there was an Exhibit 58, a motion from ANC 4A to strike the  
4 following two documents from the record, because they were  
5 not requested by the Commission. And that was Nail Lux. I  
6 guess that's a nail shop, in the OP Supplemental Report.

7                   I would agree with -- and I appreciate the  
8 Applicant weighing in, as well, but I think we can handle  
9 this one with the Nail Lux. I would agree we did not ask  
10 for it, so I would move that -- I would suggest that we  
11 strike that. And the Office of Planning Supplemental  
12 Report, a lot of times they're clarifying. They ask a lot  
13 of things that we ask for, so I would strike one, and allow  
14 Office of Planning Supplemental Report. Is there any  
15 objections to moving in that fashion?

16                   Okay, I see no objections, so we'll just do that  
17 by general consensus, Ms. Schellin.

18                   MS. SCHELLIN: Got it.

19                   CHAIRPERSON HOOD: Now -- okay, Exhibit No. 59, do  
20 I need to respond to Applicant's response? Okay. Fine. I  
21 think we've taken care of that. Yeah, we've already taken  
22 care of that, and we appreciate them weighing in, but I  
23 think we got it. So we ruled on that.

24                   And then we go --

25                   MS. SCHELLIN: I think you can just say that by

1 consensus you approve the Applicant's response, because  
2 you're basically approving it by striking the Nail Lux and  
3 leaving OP's --

4 CHAIRPERSON HOOD: Well, I'm not going -- I don't  
5 necessarily -- we're going to do that without the Applicant.

6 MS. SCHELLIN: Without the Applicant, okay.

7 CHAIRPERSON HOOD: We do appreciate the Applicant  
8 weighing in.

9 MS. SCHELLIN: So their report is -- right -- it's  
10 like the response is not needed? Okay, got it.

11 CHAIRPERSON HOOD: Yeah, I appreciate them  
12 weighing in, but we want to do exactly that, whether they  
13 weighed it or not. At least that's the way I wanted to move  
14 forward.

15 All right. Let me see what my next instructions  
16 are. Okay. The other issue, which seems to be coming up  
17 more and more, and has come up a while back, the 200 Foot  
18 Hearing Notice rule, under Z42.1, is not specifically that  
19 the notices only apply to properties within the --  
20 Commission believes -- we believe that the intent of the  
21 rule is only applies to the properties -- I think this has  
22 come up before. I think we have already acknowledged that.  
23 And I know, I think ANC 4A, which is an affected ANC in this  
24 case, has made the argument that the owners within 200 feet  
25 in the property within Montgomery County, were not provided

1 notice of the hearing.

2               Okay. I think we acknowledged that previously and  
3 will acknowledge that again. And I think we also find that  
4 within the Commission's rules and regulations and our  
5 rights, that we can make -- this is a waivable, technical  
6 defect, so we can waive that in Subtitle Z42.12, and as  
7 noted, the hearing was definitely well attended.

8               So do I need to make -- I guess I'll make a motion  
9 -- do I need to make a motion again? I don't think so. I  
10 believe we'll just do that by general consensus, that we  
11 waive our technical defect, and do other Commissioners  
12 agree?

13               VICE CHAIR MILLER: Mr. Chairman, with your  
14 assessment, that that technical defect in the notice is  
15 waivable, because the hearing was well attended, both by  
16 District residents and Montgomery County residents, I think  
17 we even had a letter in the record from the Montgomery  
18 County Executive, I believe, or maybe it was the Council  
19 President. I can't remember. It was one or the other. The  
20 people knew -- the people -- a lot of people knew about this  
21 case and we spent hours and hours and hours and hours and  
22 hours with the public hearing concerns and issues. So I  
23 agree with your assessment that we can waive that technical  
24 defect in the notice by consensus.

25               CHAIRPERSON HOOD: Okay. Commissioner Imamura?

1       Anything to add?

2                   COMMISSIONER IMAMURA: No, I agree with Vice Chair  
3       Miller and with your assessment, Mr. Chairman.

4                   CHAIRPERSON HOOD: And looking back at it, most of  
5       the time those groups know about it long before we even know  
6       about it, so I'll leave it at that. All right.

7                   The next issue that I understand that we have is  
8       ANC 4A submitted a post-hearing submission, which is Exhibit  
9       55(a), which included a copy of a presentation, that I did a  
10      specific project. I don't know what it takes, but we don't  
11      have any projects in front of us. We're going by the  
12      regulations. We're doing a map of them, we don't have a  
13      project, and I will admonish any Applicant, and I've said  
14      this at the hearing, please don't go out and mix up our  
15      residents.

16                  If you're doing a Map Amendment, don't go out and  
17      start telling them about a project. Explain to them first,  
18      and I think we've sent some people back in another case in  
19      another ward, explain to them what you're doing. You're not  
20      coming in front of the Zoning Commission with a project. It  
21      makes our jobs even more difficult because residents think  
22      that we're disenfranchising them. We're dealing with a Map  
23      Amendment and not a project.

24                  So help your residents who don't do this every  
25      day, to help us to make a better-informed decision.

1                   So let me see what others have to say. Again,  
2 this is a Map Amendment, so let me see what others have to  
3 say on this.

4                   COMMISSIONER IMAMURA: Mr. Chairman, I'll jump in  
5 here. I agree with you, just underscoring that, you know,  
6 for the Applicants now and in the future, to help us by  
7 helping the residents understand Map Amendments. Not, you  
8 know, share any project in necessarily, but I agree that  
9 this should be stricken from the record, because this is  
10 solely about a Map Amendment and -- Comp Plan consistency,  
11 so there is no project here by any question.

12                  CHAIRPERSON HOOD: And again, I would only just  
13 reiterate -- thank you, Commissioner Imamura, that we strike  
14 from the record the part of 4A's presentation about a  
15 project, which is Pages 9 through 34, and we ask that that  
16 be removed. Any objections? Okay. So we will remove that.  
17 Ms. Schellin, if we can have that done? All right.

18                  I think the last issue that we have is we have  
19 acknowledged DDOT Report, Exhibit 24, incorrectly stated  
20 that the property is designed -- designated, I'm sorry,  
21 mixed use, moderate density. The property is designated  
22 mixed-us, medium density, both residential and commercial.  
23 ANC 4A's post-hearing submission, they made the argument  
24 that the conclusions in DDOT's report about transportation  
25 impacts and rezoning can't be relied upon because of the

1 mistake.

2                   What I would suggest, I would ask OZ staff to  
3 reach out to DDOT to request a corrected report be filed in  
4 the record. We'll reopen the record, Ms. Schellin, for  
5 submissions of a corrected DDOT report, pursuant to Z --  
6 Subtitle Z602.5, and we would ask that the report should  
7 correct the error and correct any conclusions. So we're  
8 looking forward to that. That's all they're asking for, is  
9 correct the error and correct any conclusions.

10                  All right. I think I have covered everything  
11 that's outstanding. All right. Give me a moment -- let me  
12 open up the file -- okay. As noticed, we had several  
13 letters to come in support and opposition. Again, this is,  
14 I believe another tough case, when you have boundaries, I  
15 believe, of ANC 4B and the affected ANC is ANC 4A, which has  
16 mentioned about engagement. Yes, I believe that the  
17 Applicant can always do additional NOP -- we can always do  
18 better with engagement.

19                  As a matter of fact, we demand better, so we have  
20 to get to that point that we need to start making sure that  
21 we are. I know one group said that it was pretty good -- I  
22 don't know who said it -- sometimes it is hard to do the  
23 catch-all, but we have to do the best we -- humanly possible  
24 to make sure that we get the information out of what's  
25 actually taken place, and -- okay. I don't know how much

1 more -- I definitely don't want to get into talking about a  
2 project. I do know that there was a comparison done on the  
3 MU-8 versus the MU-10, as requested by some of my  
4 colleagues, the lack of community outreach, what I alluded  
5 to some.

6                   And then the Office of Planning data, no over-  
7 concentration of affordable housing in the RCE planning  
8 area, and I will tell you, the Rock Creek East, I looked at  
9 some of the information, I believe ANC 4A had, and some of  
10 it is a long way away from this particular even, even though  
11 it may be in Rock Creek East. But I think the data that was  
12 relied upon could be -- could be, you know, it depends how  
13 you interpret early data.

14                   I don't believe there's an over-concentration of  
15 affordable housing in the Rock Creek East, as asserted by  
16 the opposition.

17                   Let me open it up and I will tell you that the  
18 most current data is what I believe the Office of Planning  
19 used, but let me hear from others on this. Vice Chairman,  
20 do you have anything to add or take away?

21                   VICE CHAIR MILLER: Sure. Thank you, Mr.  
22 Chairman. I appreciate all of the post-hearing -- well, all  
23 the testimony we received extensive testimony at the hearing  
24 and all the information we received in post-hearing  
25 submissions, both from the Applicant and from I think mostly

1 ANC 4A, which is across the street, I believe, and -- but is  
2 an affected ANC -- this is actually located in 4B, I  
3 believe, which supports the -- which supports the Map  
4 Amendment.

5 So it is a Map Amendment and I think that it --  
6 the primary criteria for evaluation is the Comprehensive  
7 Plan consistency and we know that the medium density mixed-  
8 use designation, which was a recent council change, to this  
9 area, that the MU-8 and the MU-10 were both consistent with  
10 the -- that Map Amendment.

11 I had asked, and I think others had -- Kim  
12 Streamamore (phonetic), I think, may have asked for  
13 information about the MU-8, and we -- I appreciate the  
14 information that was provided and showed the difference, and  
15 there would be a difference in height, primarily, and  
16 density, but both are consistent with that -- clearly  
17 consistent with that Comp Plan, Future Land Use Map  
18 designation, and moreover, the housing policies in the  
19 Comprehensive Plan, the affordable housing and market rate  
20 housing policies, I don't think we've given too much  
21 reliance on it, but that's -- there's a lot to be said about  
22 this Map Amendment being -- facilitating those affordable  
23 and market rate housing -- a market rate housing development  
24 near -- very proximate to a transit -- a Metro.

25 So -- and IZ Plus will automatically apply,

1 because it is an increase in the density from the current  
2 zoning map, which I think is MU-4. Someone can correct me  
3 if I was wrong. But so because of that increase in density,  
4 with the Map Amendment, and because there is not an  
5 over-concentration, despite assertions to the contrary in  
6 our record, because we believe there's not an over-  
7 concentration of affordable housing in the neighborhood, I  
8 think that the Comp Plan consistency argument is -- is  
9 paramount here.

10                   Oh, so the IZ Plus will automatically be  
11 designated with the Map Amendment, which will provide for a  
12 greater amount of affordable housing than just the regular  
13 IZ requirement.

14                   I think that's all that I wanted to say at this  
15 point, Mr. Chairman. I'll defer to you and Commissioner  
16 Imamura, if you wanted to make additional points related to  
17 this case.

18                   CHAIRPERSON HOOD: Okay. Thank you. Commissioner  
19 Imamura, do you have anything you want to add?

20                   COMMISSIONER IMAMURA: Thank you, Mr. Chairman.  
21 Just a couple points. Like Vice Chairman Miller, I did  
22 appreciate the comparison the Applicant provided between  
23 MU-8 and MU-10 zones. It was very helpful.

24                   To your point, Mr. Chairman, about the data that  
25 OP used, just for -- just to clarify here, the U.S. Census

1       in American communities surveyed, released their data, I  
2 think, in 2023. So what we do know is that OP is still  
3 distilling that data by planning area, so it's not quite  
4 ready for use or consumption that's helpful for us yet. So  
5 they were and are using the most current data to help us  
6 make an informed decision here.

7           What I found kind of interesting is that the ANC  
8 or I guess ANC 4A had said, you know, they're not using the  
9 right data, and that there's an over-concentration of  
10 affordable housing, yet the data does show that Rock Creek  
11 East hasn't hit their target. OP acknowledged that the 57.9  
12 percent was erroneous, but Rock Creek East is actually at  
13 70.7, but that's still not 100 percent of their affordable  
14 housing target goal.

15           And the point here too, that I think ought to be  
16 made, is that, you know, OP will now -- this was a good  
17 example or exercise to go through, because, you know, OP  
18 will now use the 2025 Dashboard versus the Mayor's 2023  
19 Comeback Plan. The Dashboard is a little more updated, but  
20 nevertheless, Rock Creek East still hasn't hit their  
21 affordable housing target, so even with the data that we're  
22 using, this is the right approach and I'm prepared to vote  
23 and support her proposed action here.

24           That's all that I have to add, Mr. Chairman. And  
25 that -- oh, one other point, I guess, that, again, Vice

1 Chairman Miller had made this comment, that this really is  
2 about a Comp Plan consistency. I know that -- one other  
3 point here, that was brought up, that the Applicant didn't  
4 do enough economic impact analysis, but again, we're here to  
5 evaluate the Comp Plan consistency.

6 Yes, they might have fell short too on outreach,  
7 but they did do a great job on their racial equity analysis,  
8 so those are all the points, Mr. Chairman, that I wanted to  
9 make, and I'm prepared to move forward.

10 CHAIRPERSON HOOD: Thank you, Commissioner  
11 Imamura. And I would agree. We know it fell short on the  
12 engagement. The engagement definitely fell short as far as  
13 4A's expectations and others may say something different.  
14 But again, as stated, the Zoning Commission attached it to  
15 approve a Map Amendment. Does all the Commissioners find  
16 that the Amendment is not in the system of Comprehensive  
17 Planning, which is misstated many times in this discussion,  
18 with the other adopted public policies and active programs  
19 related to the subject site? So, and that's subtitled  
20 X500.3.

21 Let me see if I got everything that I wanted to  
22 say on this case? I think the record is sufficient. We  
23 talked about the notice. We talked about --

24 VICE CHAIR MILLER: Mr. Chairman, when we're  
25 talking about the Comp Plan consistency, I meant to mention

1 this. I don't know if -- I think I neglected to mention the  
2 -- I mentioned -- we -- the Land Use Map, and the housing  
3 policy. I think I neglected to mention, the policy map  
4 calls for this to be -- this isn't a main street mixed-use  
5 corridor. It's right on Georgia Avenue. And so the  
6 increase in non-residential density, which this Map  
7 Amendment would provide from 1.5, I think to 3.0, will  
8 provide a better opportunity for neighborhoods serving  
9 retail opportunity that's near a metro, as we've discussed.

10 I think the MU-10 also does require a plaza at the  
11 first floor level, so there's open space that will be  
12 accessible to the public, so there are a lot of benefits  
13 that the Map Amendment will bring, that are consistent with  
14 the Comp Plan.

15 CHAIRPERSON HOOD: And I agree, Vice Chair. This  
16 is not spot zoning, illegal spot zoning, because it is  
17 consistent with the Comp Plan. And we know that it has a  
18 single property owner, so I don't know where the notion that  
19 this is illegal spot zoning -- because it's not, and I think  
20 the record will show that it is not spot zoning, so I was  
21 just trying to acknowledge, like I always have, we are often  
22 trying to acknowledge some of the issues that have been  
23 brought up again.

24 All right. Any other comments or questions? All  
25 right. Would somebody like to make a motion?

1                   COMMISSIONER IMAMURA: Sure, Mr. Chairman. I move  
2 that the Zoning Commission take Proposed Action for the  
3 Zoning Case No. 23-11 (7709) Georgia Avenue NW, LLC - Map  
4 Amendment from MU-4 to MU-10 at 7709 through 7723 Georgia  
5 Avenue NW. Ask for a second.

6                   VICE CHAIR MILLER: Second.

7                   CHAIRPERSON HOOD: It's been moved and properly  
8 seconded. Any further discussion? Not hearing any, Ms.  
9 Schellin, would you do a roll call vote, please?

10                  MS. SCHELLIN: Commissioner Imamura.

11                  COMMISSIONER IMAMURA: Yes.

12                  MS. SCHELLIN: Commissioner Miller.

13                  VICE CHAIR MILLER: Yes.

14                  MS. SCHELLIN: Commissioner Hood.

15                  CHAIRPERSON HOOD: Yes.

16                  MS. SCHELLIN: Commissioner Stidham.

17                  COMMISSIONER STIDHAM: Abstain.

18                  COMMISSIONER STIDHAM: Yes. So the vote is three  
19 to zero to two, to approve Proposed Action, Zoning  
20 Commission Case No. 23-11, the minus two being Commissioner  
21 Stidham not voting, having not participated, and the third  
22 Mayoral appointee seat, which is vacant. Thank you.

23                  CHAIRPERSON HOOD: Thank you, Ms. Schellin.

24                  Commissioner Stidham didn't participate, so we don't want  
25 her to abstain. We just -- she just did not participate, so

1       we want to make sure we record that correctly.

2            MS. SCHELLIN: Right, sorry.

3                   CASE NO. 23-17

4            CHAIRPERSON HOOD: All right, thank you. Next  
5 let's go to Zoning Commission Case No. 23-17. Because  
6 Commissioner Stidham will say why did she abstain. Zoning  
7 Commission Case No. 23-17, Office of Planning - Text  
8 Amendment to Subtitle C 701.5 to Reduce Parking Requirements  
9 for Publicly Assisted Affordable Dwelling Units. Ms.  
10 Schellin.

11           MS. SCHELLIN: Yes, sir. On this one at the close  
12 of the hearing the Commission asked OP to file a post-  
13 hearing statement in response to some suggested enhancements  
14 to the proposal. So, they filed the Supplemental Report at  
15 Exhibit 67, and so you have that. Let me check. I think  
16 that was the only thing. And yes, so they provided that  
17 Supplemental Report and Provided responses to questions the  
18 Commission asked. So that is ready for the Commission to  
19 considered Proposed Action. Thank you.

20           CHAIRPERSON HOOD: Thank you. Colleagues, I will  
21 tell you that I'm always hesitant, because some of the  
22 things that were said were testimony that was questioning if  
23 the amendments displaced poor people from the District.  
24 Amendments will force more street parking and limit the  
25 ability of people to visit one another in the city. The

1      people need their vehicles and these amendments will create  
2      more gentrification and puts older people and people with  
3      disabilities out of the District.

4              There were a lot of accusations made and I am not  
5      inclined to necessarily agree with them, but I want to make  
6      sure that -- I think I've gotten assertion from the powers  
7      that be, the experts, who are the planners, that this is not  
8      what we're actually doing.

9              So I don't -- you know, let me just hear from  
10     others, because here's my other thing. I do -- we do hear  
11     the other side of the argument, where we want to make things  
12     more affordable, and I think they want to do away with  
13     parking total, so people can afford units. So, you know,  
14     this is a two-sided argument. We've got to find and strike  
15     that right balance, but anyway, let me open it up for other  
16     comments and questions. Commissioner Stidham, are you  
17     participating on this one?

18              COMMISSIONER STIDHAM: Yes, sir.

19              CHAIRPERSON HOOD: Okay. Let me hear from others.  
20     Commissioner Imamura, are you going to start us off?

21              COMMISSIONER IMAMURA: Sure, Mr. Chairman. I just  
22     want to comment that OP's response to our request to provide  
23     a chart that compares the 40 units to 50 units, there were  
24     suggestions or recommendations by those in support that we  
25     eliminate parking altogether. Again, this is one of those

1 cases where zoning isn't perfect, and as a Zoning  
2 Commission, we try to strike a balance that's fair and  
3 equitable. And I think the chart helps describe that a bit  
4 more fulsome.

5 They also mention that since 2016 there have only  
6 been 42 IZ -- affordable projects constructed that contain  
7 up to 40 units per building, and another seven buildings  
8 between 40 and 50 units. So, therefore, this would only  
9 apply to maybe six IZ exempt buildings per year, and  
10 expanding the exemption to 50 buildings would average out to  
11 be about seven buildings per year.

12 So I was one of those that was curious about  
13 expanding this from 40 to 50. I think this is reasonable.  
14 I think it makes sense. And I don't think -- again, just to  
15 reiterate too, this only impacts publicly-assisted projects  
16 near transit, so it's limited in scope. And I don't think  
17 that could be underscored enough, so again, this is only  
18 impacting publicly-assisted projects, and it's limited in  
19 scope, so I am prepared to vote in support.

20 CHAIRPERSON HOOD: Okay, thank you. Commissioner  
21 Stidham, do you have anything to add?

22 COMMISSIONER STIDHAM: I was also concerned with  
23 the parking elimination, and was one that questioned the  
24 number of 40 versus 50, based on the testimony that we were  
25 hearing. So because of the criteria and the limited scope

1 of this, and the fact that that limited scope and the  
2 reduction of parking would allow for additional affordable  
3 housing, I would be willing to -- I am in the position to  
4 support this, as well.

5 CHAIRPERSON HOOD: Thank you. And Vice Chair  
6 Miller?

7 VICE CHAIR MILLER: I may be having some technical  
8 difficulties. Let me know if you can't hear me. I support  
9 proceeding with the proposal -- I think it's limited in  
10 scope to small publicly-assisted housing developments that  
11 are near, very close to Metro or transit corridors and these  
12 type of projects require a lot of public subsidies and  
13 financing and tax credits, which are limited in their  
14 availability, and parking spaces, we know, are very  
15 expensive. I think they're estimated to be \$50,000 per  
16 space underground.

17 So it's just limited in scope. It will facilitate  
18 a small number of small projects, with -- that had greater  
19 IZ affordability requirements than would otherwise be  
20 provided, and are near transit corridors, so I'm supportive  
21 of this going forward. Thank you.

22 CHAIRPERSON HOOD: Thank you. I had a concern --  
23 any time with some of the comments that we've heard. I  
24 didn't want to exacerbate it going from 40 to 50, but  
25 looking at it and reading the material that has been

1 submitted, I think it's very de minimis, and I'm sure that  
2 if we would cause a major problem, as I've mentioned to the  
3 Office of Planning for years, they would come back and we  
4 would correct it. So I think we all are inclined to go with  
5 the 50, I believe? Okay. And then hopefully that is de  
6 minimis, when I see it from 40 to 50 anyway, that if there  
7 is a problem, that we would come back and revisit our  
8 decision on this, and I would ask -- so I would always  
9 implore Office of Planning to as soon as they see that we  
10 have a problem over the public, please notify us and let's  
11 fix it. Let's take care of it. So all right. I appreciate  
12 the discussion.

13                   Somebody -- any additional comments? If not,  
14 somebody like to make a motion?

15                   VICE CHAIR MILLER: Mr. Chairman, I would move  
16 that the Zoning Commission take Proposed Action on Case No.  
17 23-17, the Office of Planning - Text Amendment to Subtitle  
18 C, Section 701.5, to Reduce Parking Requirements for  
19 Publicly Assisted Affordable Dwelling Units, noting the  
20 amendment that was made by the Office of Planning, to their  
21 own proposal, to increase that parking exemption from the  
22 first 40 units to the first 50 units, and with that I would  
23 ask for a second.

24                   COMMISSIONER IMAMURA: Second.

25                   CHAIRPERSON HOOD: It's been moved and properly

1       seconded. Any further discussion? Not hearing, Ms.  
2       Schellin, can we do a roll call vote, please?

3                   COMMISSIONER IMAMURA: Yes.

4                   MS. SCHELLIN: Commissioner Hood.

5                   CHAIRPERSON HOOD: Yes. I didn't second it  
6       though.

7                   MS. SCHELLIN: Oh, you didn't. I thought it was  
8       between --

9                   CHAIRPERSON HOOD: No.

10                  MS. SCHELLIN: It was Commissioner Imamura, I'm  
11       sorry. You all are starting to sound alike. Commissioner  
12       Imamura.

13                  COMMISSIONER IMAMURA: Yes.

14                  MS. SCHELLIN: Commissioner Hood.

15                  CHAIRPERSON HOOD: Yes.

16                  MS. SCHELLIN: Commissioner Stidham.

17                  COMMISSIONER STIDHAM: Yes.

18                  MS. SCHELLIN: The vote is four to zero to one, to  
19       approve Proposed Action in Zoning Commission Case No. 23-17,  
20       the minus one being the third Mayoral appointee seat, which  
21       is vacant. Thank you.

22                  CHAIRPERSON HOOD: So Ms. Schellin, I want you to  
23       know, that's just how important your work is, because I know  
24       that when somebody makes the motion and somebody seconds it,  
25       that's how you call it with the roll call vote. So I just

1 want you to know, I do pay attention to what you do. But  
2 what I was sitting here thinking while you were doing that  
3 is, it's been so long since we've been in the hearing room,  
4 and we used to didn't do a roll call vote. We did all those  
5 in favor. I don't even know how to do that no more. So  
6 anyway -- side note, side bar. That's what gets me  
7 confused.

8 CASE NO. 03-05A

9 CHAIRPERSON HOOD: Okay. Let's go to Hearing  
10 Action, Zoning Commission Case No. 03-05A, NRP Properties,  
11 Inc. - PUD Modification of Significance at Square 770. Mr.  
12 Lawson.

25 CHAIRPERSON HOOD: Thank you. Mr. Lawson, let me

1 just ask Mr. Beamon, let me just ask you a quick question.

2 This is your first time with us; right?

3 MR. BEAMON: Correct, yes.

4 CHAIRPERSON HOOD: Okay. So I'm going to ask you  
5 this before we get started. Do you like the Zoning  
6 Commission better or the BZA?

7 MR. BEAMON: Is that a trick question? You know  
8 what, this is my first Zoning Commission so I have to test  
9 you guys out first to give you a proper response, so that's  
10 my answer.

11 CHAIRPERSON HOOD: Got you.

12 MR. BEAMON: Thank you.

13 CHAIRPERSON HOOD: That's good. Welcome to the  
14 Zoning Commission. You may begin.

15 MR. BEAMON: Okay. If I can get the presentation  
16 pulled up? All right.

17 Good afternoon. Thank you, Joel, for the  
18 introduction. Good afternoon, Zoning Commissioners. My  
19 name is Shepard Beamon, as Joel mentioned, with the Office  
20 of Planning, and this is Zoning Case 03-05A. The Office of  
21 Planning recommends the Zoning Commission set down the  
22 Modification of Significance to a PUD Application by NRP  
23 Properties, LLC, to construct a mixed-use building with  
24 affordable apartment units and ground floor retail at the  
25 intersection of Tingey Street Southeast and New Jersey

1 Avenue Southeast.

2 The Zoning Commission previously approved Zoning  
3 Case 03-05, a Consolidated PUD and Map Amendment, in April  
4 of 2004, for the U.S. Department of Transportation  
5 Headquarters, which includes the subject site. Since  
6 approval there have been no modifications to the PUD or the  
7 property and the property remains an open plaza. The  
8 Applicant plans to redevelop the site with a 12-story-plus  
9 penthouse, all affordable mixed-use development, consisting  
10 of 127 residential units, residential amenities, and 2,653  
11 square feet of ground floor retail space.

12 The proposed development would consist of units  
13 ranging from studios to three-bedroom apartments, available  
14 to households making 30 percent MFI or 50 percent MFI. The  
15 Applicant requests flexibility from parking and loading  
16 requirements, required side yard and design elements.

17 Unbalanced and requested Modification of  
18 Significance would not be inconsistent with the  
19 Comprehensive Plan Maps. The Future Land Use Map indicates  
20 that the site is appropriate for a mixed high-density  
21 commercial and high-density residential. The General Policy  
22 Map shows that the site is appropriate for a regional center  
23 and it's within a resilience focus area.

24 When evaluated through a racial equity lens, the  
25 proposal would not be consistent with the Comprehensive

1 Plan. It would uphold several relevant policies. The  
2 project advances policies related to racial equity, as it  
3 would provide new residential opportunities for District  
4 residents, including a variety of new residential units,  
5 including family-sized units for households earning 50  
6 percent of MFI or less.

7 The proposed 127 units, all affordable, again,  
8 will help to meet the targeted affordable housing unit goal  
9 for the lower Anacostia waterfront and near southwest area  
10 and for the city as a whole.

11 The site currently contains no development, so  
12 there would be no potential for direct displacement of  
13 existing residents or businesses. Rather, new residential  
14 opportunities would be provided on the site that is an  
15 amenity and an employment-rich area, and close to mass  
16 transit.

17 The proposed building would also provide potential  
18 business and employment opportunities. Any policies related  
19 to racial equity that are not relevant to this project would  
20 be outweighed by the furtherance of these important District  
21 policies. I'm sorry, of these important District  
22 priorities.

23 And with that, I will conclude my testimony and  
24 I'm happy to take any questions. Thank you.

25 CHAIRPERSON HOOD: Thank you, Mr. Beamon. Very

1 well done. Let's see if we have any questions or comments  
2 of you. Commissioner Imamura, any questions or comments?

3 COMMISSIONER IMAMURA: A couple. Thank you,  
4 Mr. Chairman, Mr. Beamon. Welcome.

5 MR. BEAMON: Thank you.

6 COMMISSIONER IMAMURA: I thought you were going to  
7 respond to Chairman Hood's question then, we're your  
8 favorite on every Monday and Thursday, but to try us out,  
9 that was a new one. So welcome, and thank you for your work  
10 on this report, and the reports that you'll do in the future  
11 to help us make an informed decision, as well as the work  
12 that you do on behalf of the residents for the District of  
13 Columbia. The work you do is important and has a direct  
14 social impact.

15 I do have a couple comments for you, Mr. Beamon.  
16 Couple things. First of all, I guess what I'd like to see  
17 in this Impact's OP a little bit, there's a few things that  
18 I think are missing from the Applicant's pre-hearing  
19 submission, should we set this down. I'd like to see them  
20 provide a comparison of the public benefits, the zoning  
21 really, and the potential adverse effects, if there are any,  
22 of the modified and original PUDs here, and not just with  
23 the proposed new building.

24 I'd also like the Applicant to provide why they  
25 believe the overall public benefits justify the zoning

1 relief, and any potential adverse effects. For me  
2 personally, for sort of the technical -- expertise that I  
3 bring to the Commission here, I'd like to see some images  
4 that compare the building envelopes of the modified project  
5 versus the original, so that way we can meet that  
6 comparison, along with a comparison of the overall FAR and  
7 zoning relief of the entire PUD.

8 And then additionally, it would be great if they  
9 could provide a list of the conditions of the PUD order, to  
10 state whether they've been satisfied or not, or any proposed  
11 replacement conditions, as well.

12 And then, of course, where this impacts the OP  
13 report, I'd like to see what your analysis is of all of  
14 those items that I listed there. I'd like to know, are  
15 there any additional adverse impacts caused by the high-end  
16 density or the change in use, and that would be helpful to  
17 know, if we set this down.

18 I know the Applicant is asking for some  
19 flexibility in terms of outside parking, loading  
20 requirements, side yard relief, so that -- I guess what I'm  
21 saying here is that that might be an incomplete list, and  
22 that they may need -- or an incomplete list, I guess, of the  
23 relief that they need, when compared to the manner of right  
24 requirement for the MU-9 zone, and it seems likely that the  
25 increase in FAR may affect the overall FAR granted in the

1 PUD, and so there may be other forms of relief, when  
2 compared to the original or the approved PUDs, so if they  
3 could provide some additional information about that, that  
4 would also be helpful.

5 So I think there's some missing pieces here. It  
6 would be great for the Applicant to provide those missing  
7 pieces, should we decide to set this down, and then for OP  
8 to provide your own analysis of those missing pieces.

9 Outside of that, I don't think that I have  
10 anything else. So again, Mr. Beamon, welcome, delighted to  
11 have you this afternoon, and thank you for your service.

12 Mr. Chairman, I yield back.

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

15 COMMISSIONER STIDHAM: I don't think so. I think  
16 Commissioner Imamura covered it all, other than to welcome  
17 you and, of course, you'll find Zoning to be better than  
18 BZA.

19 MR. BEAMON: Thank you. I hope so.

20 CHAIRPERSON HOOD: Vice Chair Miller.

21 VICE CHAIR MILLER: Mr. Chairman, and thank you  
22 and welcome, Mr. Beamon, although I have seen you at BZA.  
23 I'm not sure if I saw you yesterday. I can't remember all  
24 ten hours of that hearing, which some of my colleagues were  
25 there at the beginning, but fortunately did not have to be

1 there through all of the ten hours, to the end. But anyway,  
2 thank you for your very comprehensive report today and your  
3 presentation.

4                   And thank Commissioner Imamura for covering a lot  
5 of ground in what we need from the Applicant, and then  
6 analysis by OP. That basically just gives a lot more  
7 specifics to the comparison between the originally approved  
8 PUD and this significant modification -- significantly  
9 modified PUD, so -- because we have to evaluate -- we have  
10 to do the whole PUD balancing test all over again, taking  
11 into account the changes. So we just need to understand  
12 what changes, what specific changes, have been made and what  
13 the benefits and maybe any potential downsides are.

14                   The biggest potential benefit, as you've pointed  
15 out, Mr. Beamon, is this all affordable housing development  
16 in the yards? Which I don't think there is of the many  
17 buildings, residential buildings there, I don't think that  
18 there's one building that is all affordable, as this one is  
19 proposed to be. Correct the record, if I've misstated that,  
20 but it's over 100 units of affordable levels, at the 30 and  
21 50 percent MFI level, which is deeper than what inclusionary  
22 zoning would require, and obviously a much greater  
23 set-aside, since it's 100 percent affordable.

24                   So I'm very supportive of setting this down for a  
25 public hearing. I'm looking forward to that. Thank you,

1                   Mr. Chairman.

2                   CHAIRPERSON HOOD: All right. I want to thank all  
3 my colleagues for the questions that you've asked. I don't  
4 have anything else to ask. Again, I want to welcome you,  
5 Mr. Beamon. Appreciate the report. So colleagues, what is  
6 your pleasure on this case?

7                   COMMISSIONER IMAMURA: I'm prepared to set this  
8 down, Mr. Chairman.

9                   CHAIRPERSON HOOD: Okay.

10                  COMMISSIONER STIDHAM: As am I, Mr. Chairman.

11                  CHAIRPERSON HOOD: Okay. Somebody like to make a  
12 motion? Or I see the motion and the second. Commissioner  
13 Imamura, could you make the motion and Commissioner Stidham,  
14 you second?

15                  COMMISSIONER IMAMURA: Sure can, Mr. Chairman. I  
16 move that the Zoning Commission set down Case No. 03-05A,  
17 NRP Properties, Inc. - PUD Modification of Significance at  
18 Square 770. Ask for a second.

19                  COMMISSIONER STIDHAM: Second.

20                  CHAIRPERSON HOOD: Thank you both. It's been  
21 moved and properly seconded. Any further discussion? Not  
22 hearing, Ms. Schellin, would you do a roll call vote,  
23 please?

24                  COMMISSIONER IMAMURA: Yes.

25                  MS. SCHELLIN: Commissioner Stidham.

1                   COMMISSIONER STIDHAM: Yes.

2                   MS. SCHELLIN: Commissioner Hood.

3                   CHAIRPERSON HOOD: Yes.

4                   MS. SCHELLIN: Commissioner Miller.

5                   That records the vote, four to zero to one, to set  
6 down Zoning Commission Case No. 05 dash -- I'm sorry,  
7 03-05A, as a contested case, the minus one being the third  
8 Mayoral appointee seat, which is vacant.

9                   CHAIRPERSON HOOD: Okay, thank you again,  
10 Mr. Beamon, and the Office of Planning.

11                   Ms. Schellin, do we have anything else before us?

12                   MS. SCHELLIN: Nothing else.

13                   CHAIRPERSON HOOD: Okay. So the Zoning Commission  
14 will be meeting again on March the 18th, on these same  
15 platforms. We have a continuation case. Ms. Schellin, did  
16 we get another date after the 18th? Did we already decide  
17 on that?

18                   MS. SCHELLIN: We did not. We said we would wait  
19 and see. They get eight minutes each, would come to a total  
20 of 40 minutes, and then any cross-examination. It's very  
21 possible we could finish.

22                   CHAIRPERSON HOOD: Okay. Okay. I remember you  
23 said that. Okay. So we don't have anything in the meeting  
24 tonight, so -- anything else, so I thank everyone for their  
25 participation and I will see everyone, I believe, on the

1 18th on these same platforms, and you all have a great  
2 weekend. Thank you.

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REPORTER CERTIFICATE

3                   This is to certify that the foregoing transcript  
4                   In the matter of: Public Meeting  
5                   Before: DC Zoning Commission  
6                   Date: 3-14-2024  
7                   Place: Teleconference  
8                   was duly recorded and accurately transcribed under my  
9                   direction; further, that said transcript is a true and  
10                  accurate record of the proceedings.

Gary L. Bell

Gary Euell