

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ZONING COMMISSION

VIRTUAL PUBLIC MEETING

VIA WEBEX

MEETING SESSION

MONDAY, APRIL 1, 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, Chairman, 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

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

DENNIS LIU, Esquire

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C O N T E N T S

Case No. 23-14	
14th Street Collective Property Owners	6

P R O C E E D I N G S

(4:00 p.m.)

CHAIRPERSON HOOD: Good afternoon ladies and gentleman. Today's date is April 1, 2024.

We are convening -- and no April Fool's jokes. I'm not going to do that. We are convening and broadcasting this public hearing by videoconferencing.

My name is Anthony Hood and I'm joined by Vice Chair Miller and Commissioner Stidham and Commissioner Imamura. We are also joined by the Office of Zoning Staff, Ms. Sharon Schellin, as well as Mr. Paul Young, who will be handling all of our virtual operations, as well as Mr. Dennis Liu, our Office of Zoning Legal Division Counsel.

We will ask all others to introduce themselves at the appropriate time. The virtual public hearing notice is available on the Office of Zoning's website. This proceeding is being recorded by a court reporter. The platforms used are Webex and You Tube Live.

The video will be available on the Office of Zoning's website after the hearing. All persons planning to testify should have signed up in advance and will be called by name at the appropriate time.

At the time of sign up all participants will complete the oath or affirmation required by Subtitle Z 48.7. Accordingly, all those listening on Webex or by phone

1 will be muted during the hearing and only those who have
2 signed up to participate or testify will be unmuted at the
3 appropriate time.

4 On call, please state your name before providing
5 your testimony. When you are finished speaking please mute
6 your audio. If you experience difficulty accessing Webex or
7 with your telephone call in, or have not signed up, then
8 please call our OZ hotline number 202-727-0789.

9 If you wish to file written testimony or
10 additional supporting documents during the hearing then
11 please be prepared to describe and discuss it at the time of
12 your testimony.

13 The subject of this evening's case is Zoning
14 Commission Case number 23-14. This is the 14th Street
15 Collective Property Owners Map Amendment at Square 2704,
16 Lots 1, 16,17, 824, 56 through 61, and Square 2706, lots 49
17 through 54, 18 through 26, 4600 through 4604, 4620 through
18 4632, 4700 through 4730, 14th Street, N.W.

19 Again, today is April 1, 2024.

20 The hearing will be conducted in accordance with
21 the provisions of 11Z, Chapter 4 as follows: preliminary
22 matters of this case. Our Applicant has up to 60 minutes if
23 needed. I would ask that you hit the major highlights and
24 maybe address some of the opposition that has been entered
25 into the record.

1 Report of other government agencies, report of the
2 District Department of Transportation -- the Department of
3 Transportation, Office of Planning, Report of the ANC,
4 testimony of organizations five minutes and individuals
5 three minutes, and we are hearing in the following order
6 from those who are in support, opposition, or undeclared,
7 and then we'll have rebuttal and closing by the Applicant.

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

10 Let me just remember who -- again, this ANC -- the
11 ANC in this case is 4E, respectively.

12 At this time the Commission will consider any
13 preliminary matters. Does the staff have any preliminary
14 matters?

15 MS. SCHELLIN: Just very quickly, the Applicant is
16 represent by Marty Sullivan. There are no proffered expert
17 witnesses. We do have an ANC 4E report at Exhibit 23 in
18 support. The OP Hearing Report is at Exhibit 25. Then
19 there is a DDOT Report at Exhibit 24.

20 The Applicant plans to take about 20 minutes for
21 its presentation, and so I turn it over to the Commission.
22 Thank you.

23 CHAIRPERSON HOOD: Thank you, Ms. Schellin.

24 Let's bring up Mr. Sullivan and his team. And
25 again I would ask you to hit the highlights and some of the

1 concerns that have been addressed, especially in opposition
2 and how you meet the necessary requests.

3 CASE NO. 23-14

4 MR. SULLIVAN: Thank you, Mr. Chair. Marty
5 Sullivan with Sullivan & Barros here on behalf of the
6 Applicant. I believe we do have with us as, or we should,
7 several of the members of the Applicant team, and they
8 wanted to open -- our total presentation should be about 20
9 minutes and about 5 minutes of that was going to be open
10 with the property owner.

11 If -- and I believe it's George and Audrey Nwanze,
12 and Taalib-Din Uqduh and Norm Veenstra, and they may be all
13 together on the same location.

14 CHAIRPERSON HOOD: Okay, Mr. Young, if we can
15 bring everybody up. And Mr. Sullivan, whenever you're ready
16 you may start.

17 MR. SULLIVAN: So thank you, Mr. Chair. We'd like
18 to start with the Applicant team. They'd like to make an
19 introduction and talk a little bit about the background of
20 the ownership team and how we got to this point, and then I
21 can go into my PowerPoint presentation after that.

22 Audrey or George, whoever wants to start. You
23 might be muted. We can't hear you.

24 MS. NWANZE: We're going to start a little out of
25 turn because Taalib-Din Uqduh is about to arrive in a couple

1 of minutes.

2 I am speaking to who we are as a collective. We
3 are a group of property owners who have been here most of us
4 over 20 years. Most of us are long term property owners,
5 we're family owned businesses. Several of us operate
6 businesses within our properties, and we've always wanted
7 the best for our community.

8 CHAIRPERSON HOOD: If you could just identify
9 yourself, who is speaking, that would be --

10 MS. NWANZE: Oh, sorry. Sorry about that. My
11 name is Audrey Nwanze, and I am representing I guess
12 property 4710 14th Street. Was that enough or did I have to
13 add any more?

14 CHAIRPERSON HOOD: No, that's good. I just wanted
15 you to give your name. You're good with the response.

16 MS. NWANZE: All right. So we've always wanted
17 the best for our community. We're not outsiders. Several
18 of us live here and work here. We want to stay here as well
19 and leave legacies for our family, hence the coordinated
20 effort. A lot of us have children that work along the
21 corridors, and this is not just a business for us, this is
22 also home.

23 What do we want, why are we doing this, and one of
24 my colleagues will speak to that, Norm. But I just want to
25 touch briefly. We want a better business mix. We want

1 increased foot traffic. We want better shopping, increased
2 occupancy, and improved image. We also want our tax dollars
3 to stay in our community.

4 A little bit about who I am and my husband. We
5 have been in this community since 1996. We have worked
6 along 14th Street since 1998. We have been a part of many
7 of the business events, 14th Street Economic Development
8 trying to bring 14th Street a Main Street, which was
9 successful in 2002. That was our first Main Street. We
10 were a part of the 14th Street Strategic Area Plan.

11 Our second main street was as a result of a non-
12 profit that we put together with businesses and residents to
13 help create the Uptown Main Street as well. We've been a
14 part of the 14th and Kennedy Farmer's Market, bringing an
15 Uptown Clean Team, and getting our community included in the
16 Grade Street's boundary.

17 We've also with Taalib-Din and his organization
18 put on the Summer of the Arts Festival in 2012, and we won
19 an award for that event as well.

20 We've also been instrumental in bringing the
21 community together with community SUPs. We have a Marvel
22 Comic free library, and we have artwork at Emerson, Arkansas
23 and 13th Street as well.

24 So we're not just, you know, backseat property
25 owners, we are actively involved, and we really care about

1 our community, and most of this of what we do is funded with
2 our own monies.

3 Taalib-Din is here, and I'm going to finish up. I
4 hope I haven't overstated my time. But we've got a
5 wonderful mix of businesses here that we truly care about
6 and in our leases we have put that the businesses will stay
7 in their properties if we renovate it. We want to make sure
8 that the businesses that we bring to the corridor do stay.
9 We're not just landlords, we are actively involved in their
10 operation, in helping them survive, in permitted processes.
11 Whatever they need we are there, and they know they can call
12 us at any time to help them.

13 And this is not just for our tenants. You can go
14 along the block. We have helped several businesses along
15 the corridor because if they thrive then we thrive as well.

16 Thank you.

17 CHAIRPERSON HOOD: Thank you. Hold tight, hold
18 tight for a second. I need to take two minutes. Indulge me
19 for two minutes and we'll be right back. I'm going to take
20 a two minute break because I don't want to miss any of this
21 testimony. We'll take two minutes.

22 (Pause.)

23 CHAIRPERSON HOOD: Okay, we can come on back.
24 Hopefully everybody is back. I am terribly sorry, so I
25 apologize for that.

1 Okay, you all make the statement, thank you.

2 MR. UQDUH: Am I good to speak now?

3 CHAIRPERSON HOOD: You are, Mr. Uqduh. You can go
4 right ahead.

5 MR. UQDUH: Thank you. First of all, I want to
6 say good afternoon to the distinguished members of the D.C.
7 Zoning Commission. My name is Taalib-Din Uqduh. I'm a
8 native Washingtonian and D.C. PS educated graduate, Eastern
9 High School Class of 1970. And should God allow me to live
10 another 28 days I'll be 72 years old, and for at least 55 of
11 those years, since the age of 16, I've been an entrepreneur
12 and visionary. Hopefully you will see why that's important
13 as I offer my testimony.

14 I do want to offer my apologies for not having
15 been better prepared, but until the middle of yesterday it
16 wasn't necessary because as a collaborative we were going to
17 rest on the benefits and the merits of our case and not get
18 caught up in the opposition, because up until whatever time
19 it was last night there was none. So let's deal -- if you
20 don't mind what I would like to do is deal with the here and
21 now.

22 Of our six opponents one admits he doesn't have a
23 dog in the fight, and the other five, three of whom know or
24 recognize as close in neighbors they all to a person either
25 attended or had the opportunity to attend one of the four

1 meetings we presented to the community, two of them at the
2 ANC. And it's worth noting that one of them who I know is
3 maybe a second or third generation Washingtonian was
4 informed of our plans before we even filed the Application.
5 Did that out of respect for our relationship.

6 As I move forward with my brief statement I beg
7 your indulgence as this is one of the rare times I'm the
8 feeling sense of emotion of building that I want to get and
9 keep under control, because one I am fasting this blessed
10 month of Ramadan, but two no one has any idea how much I've
11 committed and dedicated the last 22 years of my life just
12 focused on these two blocks in particular, that is 46 and
13 4700 blocks of 14th Street.

14 I own the corner property at 14th and Crittenden
15 Streets, N.W., that's Square 2706, Lot 0054, that I
16 purchased in May of 2002. The following is not supposition,
17 hyperbole, speculation or exaggeration. They are facts in a
18 timeline that can be substantiated by the public record
19 should anyone care to look.

20 2002 I purchased 4700 14th Street. 2004 I started
21 14UBA. That is the 14th Street Uptown Business Association.
22 From 2005 to the present I've always leased this property.
23 My longest tenant has been there since 2010. And in 2007
24 14UBA played a prominent role in OP Small Area Plan for
25 Kennedy Street for me to get an idea what a Small Area Plan

1 would look like for 14th Street.

2 In 2009 14UBA offered and accepted amendment over
3 the objections of OP and DMPED to then Counsel Member Muriel
4 Bowser's legislation expanding Kennedy Street to North
5 Capitol, to include 14th Street from Spring Road to
6 Longfellow.

7 In 2010 to 2011 we participated in 11 meetings and
8 subcommittees that OP sponsored. The Central 14th -- the
9 Central 14th Street Vision and Revitalization Strategy was
10 born out of those meetings, which was approved by the
11 Council in 2012.

12 In 2014 we received a \$25,000 grant to train 25
13 guys in urban landscaping along the 14th Street Corridor.
14 We redid 77 tree boxes. From 2108 -- 2014 to 18 we
15 sponsored a biweekly summer music fest. 2016 we received
16 two city grants, or a second city grant to sponsor the 16th
17 Street Heights Summer of the Arts Festival.

18 18 and 19 we began ongoing discussions with OP
19 looking for them to do what we're doing before you now.
20 From 2021 to the present we began this process of reaching
21 out to the property owners, and here we are. And last thing
22 I'm going to say to us is this, none of the opponents
23 collectively has immersed themselves more in this issue of
24 this newly introduced racial equity component than I have,
25 and I would remind -- and this -- this mission, you can

1 check this for itself, you will see testimony that I
2 submitted on ZZ Case Number 22-07 in 2022 relative to the
3 Map Amendment for Western Garage as I was looking at it to
4 do the same thing for the Northern Garage renovation.

5 I thank you for this opportunity. I'm sorry it
6 was a little scattered but, you know, so it was yesterday
7 when I received this notice that we had this opposition.
8 Thank you.

9 CHAIRPERSON HOOD: Thank you.

10 MR. SULLIVAN: Thank you, Mr. Chair. And Mr.
11 Veenstra was going to have -- Norm, if you could keep it to,
12 like, a minute or so or less.

13 MR. VEENSTRA: 30 seconds.

14 MR. SULLIVAN: Thank you.

15 MR. VEENSTRA: Thank you very much to all members
16 of the Zoning Commission for this opportunity to speak about
17 our endeavor and to listen to everything that we will be
18 presenting through Mr. Sullivan.

19 My name is Norm Veenstra. I'm a commercial
20 property owner along with my friends and neighbors on this
21 strip with four properties and a couple of partners that I
22 have ownership of. We also have other commercial properties
23 in the same Ward 4 neighborhood.

24 Here on this strip the properties I'm involved in
25 provide space for artists and musicians to rehearse and

1 create their work as well as local entrepreneurs including a
2 Zeke's Coffee franchise here in D.C. If you can call it a
3 franchise. Their location with us here is only their third.

4 I'm here at this table to support my friends and
5 colleagues very much because this zoning request would give
6 us the ability to have a wider number of commercial uses in
7 the future and a slightly increased amount of commercial
8 space that would be very valuable in the future. Right now
9 it is next to impossible to add any kind of second floor
10 space for commercial or creative entrepreneurial uses,
11 whereas MU-5 space would allow us to do so.

12 Over the last number of years as I was trying to
13 find somebody for this space that's now Zeke's, I had a
14 great tenant candidate, a long standing dog care, and dog
15 boarding, and dog grooming business, but as MU-3 would not
16 have been able to do that. As MU-5 we would be able to
17 provide pet services along with some other very important
18 uses, such as bring a type of scooters, a bowling alley.
19 Those are some other uses that the MU-5 would give us that
20 we don't have at present.

21 So a key reason why we're all at this table is to
22 have the ability to be able to do a little bit more with the
23 spaces we already have and to provide even more commercial
24 entrepreneurial space up here at this upper corridor.

25 Thank you for your time. We really appreciate the

1 chance to speak to you today.

2 MR. SULLIVAN: Thank you, and Mr. Young, if you
3 could please load the PowerPoint presentation.

4 Thank you, Commissioners and Mr. Chair.

5 Next slide, please.

6 The property is currently zoned MU-3A and the
7 Applicants are proposing to change the zone to the MU-5A
8 zone as is consistent with the FLU Map Designation as
9 Moderate Density Residential and Moderate Density
10 Commercial. The Map Amendment will allow for greater
11 density, thereby allowing the owners to maintain and improve
12 commercial uses while providing both market rate and
13 affordable residential units where they do not currently
14 exist. The rezoning may eventually result in more
15 affordable units as the properties would be designated as IZ
16 Plus.

17 I'll note that ANC 4E is in unanimous support and
18 the Office of Planning is recommending approval and has
19 determined that it is inconsistent with the Comprehensive
20 Plan, and DDOT has no objection.

21 On the right you see the chart showing the
22 difference in development standards between MU-3A, the
23 existing zoning, and the proposed MU-5A.

24 Next slide, please.

25 This is the area of the property. This is the

1 west side of 14th Street between Buchanan and Crittenden if
2 I have that correctly.

3 Next slide, please.

4 14th Street Collective is primarily made up of
5 minority business owners with a vested interest in the
6 success of their community as you heard from the Applicants.
7 There are 24 different properties and 13 owners of the
8 subject properties. 10 of the 13 owners are minority. 6 of
9 the owners live in Ward 4, and 4 of those 6 owners reside in
10 the 16th Street Heights and are within walking distance of
11 the subject properties.

12 It's comprised of nearly all of the commercial
13 building owners along the west side of 14th Street across
14 from the WMATA project at the North End Bus Garage.

15 Next slide, please.

16 The Future Land Use Map Designation is moderate
17 density, commercial and residential. It was recently
18 upgraded in the recent Comp Plan Amendment. This
19 designation is used to define shopping and service areas
20 that are somewhat greater in scale and intensity than the
21 low density commercial areas, retail, office, and those
22 uses. Areas within this designation range from small
23 business districts to larger business district uses that
24 draw from a broader market area.

25 The density typically ranges between FAR of 2.5

1 and 4.0, with greater density possible when complying with
2 inclusionary zoning or when approved through a PUD. MU-5
3 and MU-7 zone districts are representative of the zone
4 districts consistent with the moderate density category
5 according to the Comprehensive Plan.

6 This designation is used to define neighborhoods
7 or areas generally but not exclusively suited for mid-rise
8 apartment buildings and the moderate density designation,
9 that's a typo there, may also apply to taller residential
10 buildings surrounded by large areas of permanent open space.
11 Pockets of low and moderate density housing may exist within
12 these areas. Density typically ranges from 1.8 to 4.0. I'm
13 sorry, that's medium density residential. Although greater
14 density may be possible when combined with the IZ or when
15 approved through a PUD.

16 And again this is an IZ Plus project that would be
17 20 percent IZ component for any IZ projects within this area
18 indefinitely.

19 Next slide, please.

20 On the Generalized Policy Map the property is
21 located in a Main Street Mixed Use Corridor Area and the
22 proposed amendment is not inconsistent with the Generalized
23 Policy Map as Main Street Mixed Use Corridors are
24 traditional commercial business corridors with a
25 concentration of older storefronts along the street and the

1 area served can vary from one neighborhood. 14th Street
2 Heights, Barrack Road, to multiple neighborhoods, including
3 Dupont Circle, H Street, or Adams Morgan, and their common
4 feature is that they have a pedestrian oriented environment
5 with traditional storefronts.

6 IZ Plus as noted in this case going from MU-3A to
7 5A triggers a 320 percent increase in FAR if the maximum
8 permitted FAR is utilized and the change in percentage will
9 be enough to trigger a full 20 percent set aside
10 requirement.

11 Next slide, please.

12 The Small Area Plan behind this area the
13 properties are located in is Central 14th Street Vision
14 Plan, the Small Area Plan for the area. The purpose of this
15 Small Area Plan was to direct economic growth along 14th
16 Street and improve neighborhood retail choices and amenities
17 along the corridor.

18 The subject properties are categorized in Node 2
19 of the Small Area Plan, which describes the area as
20 predominantly characterized by one story commercial
21 storefronts and the WMATA Bus Barn. Node 2 has great
22 potential as a future neighborhood hub on 14th Street. Wide
23 sidewalks, attractive streetscape, an active business
24 community, and the Catalytic Bus Barn site will help this
25 Node realize its economic potential.

1 These properties are directly across from the Bus
2 Barn site and the Applicants have been part of the community
3 advocacy efforts for the redevelopment of that site.

4 Next slide, please.

5 Some of the Comp Plan policies affected here are
6 the land use element. The proposed Map Amendment will
7 encourage new housing and new affordable housing on the
8 subject properties. 14th Street is a priority corridor in
9 the District, and this would encourage growth along that
10 corridor as well as contribute to neighborhood
11 revitalization. It will create more opportunities for
12 neighborhoods serving retail and commercial uses by
13 increasing available FAR for commercial uses and
14 incentivizing investment in the existing uses and any future
15 uses.

16 Transportation element will produce transit
17 oriented development around a major transportation bus
18 corridor as 14th Street is designated as a priority
19 corridor.

20 Housing element, the proposed Map Amendment will
21 encourage new housing where none is currently practical or
22 feasible under the current zoning, and this will help meet
23 the needs for higher density and affordable housing in the
24 area, and it will also aid in advancing the goal of
25 achieving more affordable units in the area.

1 The environmental protection element, the proposed
2 Amendment would allow for new development on the properties
3 compliant with the Green Energy Codes.

4 Economic development element, the Map Amendment
5 will encourage additional shopping opportunities along the
6 corridor to better meet the demand for goods and services,
7 and will increase and promote the continuation of the
8 neighborhood's commercial vitality and diversity and the
9 continuation of retaining existing businesses, attracting
10 new businesses, and improving the mix of goods and services
11 to residents and neighbors.

12 Finally, the Rock Creek East Element, the proposed
13 Map Amendment furthers the goals stated in the Comp Plan
14 regarding the Rock Creek East Element by allowing for
15 potential mixed use housing. Further, it will support the
16 Element's neighborhood shopping area by maintaining and
17 encouraging the development.

18 Next slide, please.

19 We will go through the, briefly through the racial
20 equity analysis tool as the Office of Planning has also
21 addressed this in great detail as well.

22 Next slide, please.

23 First is the chart showing the guidance regarding
24 the Comprehensive Plan, and the Equity Crosswalk Policies
25 are highlighted on red on this sheet. These are the

1 elements affected and the areas within them.

2 Next slide, please.

3 Part two is community guidance and engagement.
4 Stakeholders to 16th Street Neighborhood Association, CBE
5 Neighborhood Association, Crestwood Citizens Association,
6 and ANC 4E. ANC 4E is unanimous support.

7 On June 12, 2023 the Applicant sent an email
8 notice to the list serves for the 16th Street Neighborhood
9 Association and the CBE Neighborhood Association, as well as
10 the council member's office for ANC 4E and WMATA advertising
11 a June 2023 in person meeting organized by the Applicant
12 team, and about 20 people attended the first meeting.

13 On June 14th the Applicant sent an email notice to
14 the list serve for the Crestwood Citizens Association, also
15 mailed fliers advertising the meeting to those located on
16 the 14 and 1500 blocks of Buchanan, Crittenden and Decatur
17 Streets, N.W., as well as the 4500 block of 14th and all
18 the remaining properties within 200 feet.

19 On June 21st the Applicant provided a summary of
20 the 20th meeting to various stakeholders including Council
21 Member George and ANC 4E Commissioners. The Applicants also
22 informed the stakeholders of the upcoming ANC meeting to
23 discuss the Map Amendment.

24 The Applicant attended the meeting on June 27th,
25 presented before Commissioners and the property owners.

1 Discussed the history and touched on potential benefits.
2 The owners addressed a few questions about the neighborhood
3 presentation on June 20th to the Commissioners' satisfaction
4 and the Mayor's -- a representative of the Mayor's office
5 was also present at that meeting.

6 The Commissioners ultimately voted to recommend a
7 Set down hearing. Commissioner Campbell elected to complete
8 the zoning form. Commissioners Campbell and Ferris held a
9 joint SMD meeting also on July 19th at the Mosaic Church,
10 which the Applicant attended and presented the Map Amendment
11 Application. That notice of the meeting was also sent to
12 the 16th Street Neighborhood Association.

13 Next slide, please.

14 Regarding past and present racial discrimination,
15 the first generation of owners in this area who were
16 predominantly white and Jewish lived in the community from
17 about 1920 to 1960, and many homes in this neighborhood had
18 racially restrictive covenants, language in the deeds that
19 forbade the sale or rental to black persons.

20 In 1948 the Supreme Court ruled that these
21 covenants were not legally enforceable, and the second
22 generation was made up largely of black Americans who moved
23 in from about 1960 to 2000 and became a majority. Now as
24 newer residents of varied races, ethnicities, sexual
25 orientation, ages and life stages move in the neighborhood's

1 makeup is more diverse than ever.

2 The 16th Street Heights area in general has
3 undergone a lot of change since the 60s, but still has a
4 neighborhood feel. There are some concerns with house
5 flippers or developers trying to possibly take advantage of
6 older senior citizens. This Map Amendment could address
7 these concerns by increasing density on existing multi-
8 family sites on a major thoroughfare through the addition of
9 new market rate and affordable units and by keeping multi-
10 family development along 14th Street it can potentially curb
11 or slow the drive to flip or convert existing single family
12 homes and avoid driving out existing residents in those
13 homes.

14 The increased potential for commercial
15 opportunities along a major corridor that are walking
16 distance from neighborhoods would also benefit the
17 community.

18 Next slide, please.

19 And the specific areas on Part 4, evaluating the
20 zoning action through a racial equity lens. Regarding
21 direct displacement, there will not be any direct
22 displacement of residents or tenants. There are no
23 residential uses there now, and as you heard the Applicant
24 state that they have promised their tenants that have leases
25 right now that they can stay. And no indirect displacement

1 as well is not expected to occur as a result of the zone
2 change.

3 Cultural displacement is unlikely as the
4 additional housing will help Rock Creek East residents
5 remain in the neighborhood and provide greater access to
6 neighborhoods serving commercial uses.

7 Availability of housing. The current zoning would
8 at most produce approximately six units of housing,
9 resulting in no affordable housing compared to the potential
10 for the up zone, which would result in 20 percent set aside
11 requirement for affordable housing. Current zoning of
12 course is very low density, MU-3A, of 1.0 FAR.

13 Preservation of affordable housing. There's
14 currently no affordable housing on any of the subject
15 properties. Existing uses are primarily commercial uses.

16 Home ownership opportunity, the action could
17 provide ownership opportunities as it would provide much
18 greater potential for multi-family condominiums not
19 currently supported by the density in the MU-3A zone.

20 And housing burden, it would alleviate housing
21 burden by allowing the opportunity for multi-family
22 development that is not currently supported by the limited
23 density of the MU-3A zone and larger unit size. There's no
24 specific project contemplated at this time.

25 Next slide, please.

1 And I think that's it. And I'll -- and I'll take
2 a minute to address some of the opposition as well.

3 The opposition last minute, this application is
4 the last step in what was a long process. You heard Mr.
5 Uqduh talk about the Small Area Plan and planning activities
6 that started ten and twenty years ago leading up to this
7 point.

8 This specific step of the process has been going
9 on for about a year. It's had extensive community outreach,
10 and we were all surprised to see letters come in at the last
11 minute, the day before the hearing.

12 It seemed like a lot of the issues discussed or
13 the issues discussed in those submissions were sort of macro
14 issues, maybe with some dissatisfaction that the property
15 was upgraded to the Comp Plan by the Council's actions,
16 which doesn't really apply to this specific action. And as
17 you heard from the Applicant several of these people did
18 participate or had the opportunity to participate in the
19 public engagement process, and everybody was sort of a bit
20 surprised that this came in at the last minute because they
21 hadn't heard anything up until -- up until that point, any
22 type of concerns or objections to this.

23 So that's what we have and we're available for
24 questions as is the Applicant. So thank you, Mr. Chair.

25 CHAIRPERSON HOOD: Okay. Thank you, Petitioners

1 and Mr. Sullivan and the team. We appreciate Mr. Uqduh, Ms.
2 Nwanze and all. Thank you very much for your presentation.

3 Let me start first with -- I'll go last -- let me
4 start first with Vice Chair Miller. Any questions or
5 comments?

6 VICE CHAIRPERSON MILLER: Thank you, Mr. Chairman,
7 and thank you Marty Sullivan, Audrey Nwanze, Mr. Uqduh, Mr.
8 Veenstra, others who are part of the 14th Street Collective
9 Property Owners Group who is the Applicant in this case.
10 Thank you for your -- thank you to the Applicant for your
11 community outreach and engagement, particularly with ANC 4E
12 who has -- which is given unanimous support to the project
13 as you've said, as well as the Office of Planning given
14 support.

15 So this is largely a Zoning Map consistency case
16 with the Comprehensive Plan, which as you noted was recently
17 in the most recent cycle of amendments, the Future Land Use
18 Map I believe was changed to include -- well, correct me if
19 I'm wrong, Mr. Sullivan or whoever might know to the answer
20 to the question, I think it may have been previously just
21 moderate residential and moderate commercial stripe was
22 added to these properties and other properties along this
23 14th Street side of the corridor?

24 MR. SULLIVAN: Yes, that's correct.

25 VICE CHAIRPERSON MILLER: So the -- so adding the

1 moderate commercial designation allows for an increase in
2 density particularly to the MU-5A zone as being proposed
3 here from the MU-3A lower density zone. The MU-5A zone is
4 called out in the framework element as appropriate. MU5 is
5 one of the zones called out as appropriate for moderate
6 density commercial, and this is a mixed use, moderate
7 density residential, moderate commercial designation on the
8 Comp Plan now.

9 So I see it as more consistent with the Comp Plan
10 than the existing MU, lower density MU-3A zoning, and it
11 will allow for the upgrades and improvements that the
12 Applicant is seeking for this corridor that are consistent
13 with the goals both of the land use element of the Comp Plan
14 and in the 14th Street Small Area Plan.

15 So let me just ask you to elaborate on your
16 response to the recent opposition from a few people who may
17 be here or not to testify, and I'll look forward to hearing
18 from them if there are here. I've looked at their
19 submissions.

20 There was concern I guess, and the Office of
21 Planning noted this concern, and you -- and the Applicant I
22 think even noted the potential inconsistency of potential
23 displacement of existing small businesses that are along
24 this -- that are on the site, on this collective site.
25 You've pointed out in your statement that I think -- and

1 they were concerned particularly about displacement of small
2 minority business owners, and I think you all pointed out
3 that most of the -- most of the owners -- most of the
4 members of the group that is part of the Application in this
5 case are in fact small minority business owners. Is that
6 correct?

7 MR. SULLIVAN: Yes, that's correct. And I don't
8 know if you'd like the Applicant team to respond --

9 VICE CHAIRPERSON MILLER: Yes.

10 MR. SULLIVAN: -- in more detail about that
11 question as well.

12 VICE CHAIRPERSON MILLER: Yeah, just a little bit,
13 yeah. I think it just -- I had saw the written submission,
14 but I think in a public hearing record it would be helpful.

15 MR. SULLIVAN: Okay. Yes, the Applicant team,
16 okay, Audrey, if you would like to address that.

17 MS. NWANZE: I'll start it.

18 MR. SULLIVAN: Thanks.

19 MS. NWANZE: You know, it's hard finding a tenant,
20 but when we find good tenants we don't want to lose them. A
21 part of our team is also an agent who could find if we do
22 renovate any of these buildings, who could find temporary
23 space for our tenants, a real estate agent, let me say that,
24 not the FBI or anything, but a real estate agent, who could
25 find temporary space if we need it.

1 It is definitely all of our intentions to keep the
2 tenants that we have. We in this room have some pretty good
3 tenants that bring a lot of foot traffic along the corridor.
4 It's not just -- and that word tenant, they're more than
5 tenants I think to most of us. We care about their business
6 and their families as well.

7 So we will for sure make an effort to keep the
8 ones that want to stay by temporarily relocating them and
9 then bringing them back, those that want to return to the
10 corridor, because it is our goal to keep diverse business
11 uses as well as diverse business owners. At one time, you
12 know, 14th Street was full of African American businesses
13 and now whether you're going from Colorado down to Spring
14 it's very difficult to find a business owner that's been
15 here, an African American business owner that has been in
16 the community for any length of time.

17 I think what comes to mind in just one, and that's
18 Hedzole, is the only one, which is at 14th and Colorado, is
19 the only person of African descent to run a business along
20 the corridor besides us and Treehouse. So we want to do
21 everything we can to maintain the diversity that we have
22 now.

23 I don't know if anyone else wants to --

24 MR. VEENSTRA: I would like add to that if I may.
25 Again, Norm Veenstra here. As usual Audrey is underselling

1 herself. Audrey and George in addition to being owners here
2 they're owners of four properties on this strip and they
3 were owner operators. So they have a completely different
4 perspective of the challenges, and therefore respect for
5 their own tenants and will continue to be respectful.

6 In addition, George and Audrey and myself own a
7 total of eight of the sites here and also have involvement
8 with sites in other parts of town that if it were to come to
9 a point where we were doing work in any of our buildings we
10 could coordinate with each other, as we have coordinated to
11 create this moment that we're in right now. We would
12 coordinate to help people that are here. If it's, oh, we
13 need to do x, y and z at a location we'll find them a place
14 and then bring them back.

15 None of this is about any displacement effort in
16 the slightest way at all, zero. We want to bring more here.
17 We are collectively in a place making endeavor. We're in
18 love with this strip up here and we want even more to happen
19 up here.

20 MR. UQDUH: Lastly, I will just -- lastly, I will
21 just add -- and this is Taalib-Din Uqduh. Lastly, I would
22 just add we have met informally, privately, you know, to
23 discuss that we want to leave this -- these two blocks to
24 look like it is now with commercial on the lower levels and
25 housing above. You know, we've discussed that. We don't

1 want our -- this -- these two blocks to look like Kennedy
2 Street where a lot of commercial properties have been lost
3 to housing.

4 MS. NWANZE: Yes. Yeah, absolutely.

5 VICE CHAIRMAN MILLER: Thank you. Oh, sorry.

6 MR. VEENSTRA: I just wanted to address that
7 inquiry.

8 VICE CHAIRMAN MILLER: Well, thank you for that
9 information. I think that was very helpful.

10 So you said that you've communicated it to the
11 other business owners who aren't part of the group or to
12 everybody who is part of the group and not part of the group
13 who are in this location, that they can stay and that you
14 would want them to return if there was any redevelopment.

15 Is that commitment -- how was that commitment made
16 or how -- or memorialized if it was at all? Is that
17 commitment just -- it's just a goal that you have that you
18 want every -- you want everyone who is there to be able to
19 stay and if there's any future redevelopment that you want
20 them to be able to have the opportunity to return, but you
21 don't necessarily have any memorialization of that
22 commitment at this time?

23 MR. UQDUH: The only memorialization that I would
24 submit to you, sir, is that my current tenant has been in
25 place since 2010. I don't know -- I mean, you know,

1 longevity is the key. I mean, every landlord will tell you
2 the first thing they want is a good tenant. Mine has been
3 there since 2010. I can't tell you how happy I am with
4 them. No, I do not want to see them leave and will bend
5 over backwards, you know, to make it so -- to assist them in
6 whatever way I can so that should any development take place
7 that they would -- they would be coming back. And yes, I
8 will put that in writing.

9 MR. NWANZE: If I may.

10 VICE CHAIRPERSON MILLER: Yes.

11 MR. NWANZE: Commissioner Miller, if I may, George
12 Nwanze, to add to that testimony.

13 One of the things we've been doing with our
14 commercial properties, and we've been doing this going back
15 to 2012, in the leases there are provisions in there that
16 say that there is a possibility that we as the landlords are
17 going to be trying to improve the density on these two
18 blocks, and our properties in particular.

19 So there is a provision that basically says they
20 have the right of first refusal to choose to stay, and also
21 if we do increase the density, if we're able to do that in
22 the future with commercial space, they also have first dibs
23 at that commercial space before we lease it out to anybody
24 else. And those are in the leases that we currently have
25 with the tenants we have in our properties. So those

1 provisions are written, memorialized in the leases they
2 have.

3 VICE CHAIRPERSON MILLER: Thank you. Do you
4 happen to know what the current vacancy rate is for the
5 commercial properties, for these properties in this area
6 along -- on the first floor or the vacancy rate just --
7 commercial vacancy rate, retail?

8 MR. NWANZE: There's none on --

9 MR. VEENSTRA: Is Ernie on the call?

10 MS. NWANZE: No, Ernie is not on the call.

11 MR. NWANZE: So it's just Ernie's property.
12 That's got to be -- on the 2700 block, there's nothing --
13 there's nothing empty there. Most of the tenants have been
14 there at least five years or longer. We have a tenant
15 that's been in our property for 15 years.

16 On the 4600 block --

17 MR. VEENSTRA: That's Ernie's.

18 MR. NWANZE: -- there's two vacancies.

19 MR. VEENSTRA: Yeah, there's two vacancies. Two
20 restaurants, bars were affected by Covid and went out of
21 business, and both the management company and their agent
22 and myself as a vested neighbor or agent are trying to put
23 new users in the empty spaces in that particular section.
24 It's 4620, 4630. So that's 4622.

25 MR. NWANZE: So that's two out of 24.

1 MR. VEENSTRA: Yeah.

2 VICE CHAIRPERSON MILLER: Well, congratulations on
3 your efforts in challenging times to keep those spaces
4 filled, and obviously this -- one of the goals of this
5 proposal is to keep those spaces filled with thriving, with
6 thriving businesses that serve the neighborhood and serve
7 the city ultimately.

8 There are no -- there are no residents you said
9 above -- living in the -- in these now?

10 MR. VEENSTRA: No, we don't.

11 MS. NWANZE: None.

12 VICE CHAIRPERSON MILLER: And so this proposal
13 would facilitate with the -- especially with the IZ Plus,
14 Inclusionary Zoning Plus designation that the Office of
15 Planning has recommended go along with a Map Amendment like
16 this that increases density. It will facilitate, maybe
17 encourage housing.

18 I think DDOT's report cites 163 total maximum
19 units. I don't know if that's accurate, but certainly
20 people living and working in this -- along the corridor will
21 help contribute to the vitality and diversity of that
22 corridor. So I think that that's a good outcome that could
23 happen here.

24 Do you have any comment on that?

25 MR. NWANZE: I guess I'm speaking on behalf of my,

1 my better half, my wife, but this is something that we have
2 been working on for years basically to try and attract more
3 activity to the corridor because it does -- I mean, we live
4 right around the corner. It does benefit us to have a
5 neighborhood that we can all walk to and participate in the
6 businesses in the corridor.

7 And starting with, you know, forming the
8 businesses and the organizations that my wife has been
9 involved in has been all directed to us trying to attract
10 more people to the neighborhood, residential and commercial.
11 Of course we don't have the residential ability, but we hope
12 to have that with the approval of the Commission of course.

13 VICE CHAIRPERSON MILLER: Thank you. Well, thank
14 you. I don't think I have any further questions.

15 Mr. Chairman, I thank the Applicant again for
16 bringing this -- for your community outreach and engagement
17 and for bringing this Zoning Map Consistency Case forward to
18 the Zoning Commission.

19 I turn it back to you, Mr. Chairman.

20 CHAIRPERSON HOOD: Well, thank you very much.
21 Let's go to Commissioner Imamura for questions and comments.

22 COMMISSIONER IMAMURA: Sure. Thank you, Mr.
23 Chairman, and thank you to the Applicants.

24 I align myself with Vice Chair Miller and his
25 comments, which were very thorough, so thank you Vice Chair

1 Miller.

2 The only questions that I had were focused on the
3 relocation assistance, and it sounds as if you're willing to
4 develop, put together an agreement for that, to memorialize
5 that as Vice Chair Miller had described, and that it's more
6 than just helping with the real estate agent to find another
7 suitable suit, but in addition to the logistics there's
8 financial assistance too that it sounds like you're also
9 willing to support for the current tenants that you have.

10 I think as Vice Chair Miller pointed out to me,
11 Mr. Chairman, this is much of a Comp Consistency Case here.
12 Certainly I think that the increase in density will help
13 with the vitality of the neighborhood there. I don't think
14 that I have any questions for the Applicant. Here again
15 appreciate them bringing this forward.

16 I do share -- I do want to make one additional
17 comment, Mr. Chairman. I do share sort of the -- or
18 understand their frustration. Looking at the slide that Mr.
19 Sullivan put up about their community engagement and
20 outreach efforts back in June 2023, and here we are ten
21 months later, that they hadn't heard any opposition until
22 the eleventh hour, literally the eleventh you're here, when
23 in fact there was probably some opportunity to convey some
24 of those dissatisfactions at the ANC meetings.

25 So this seems to be happening a little bit more on

1 the Zoning Commission, where individuals are coming to the
2 Zoning Commission to express their discontent when they've
3 had ample opportunity through the ANC. So I just wanted to
4 make note of that.

5 So thank you, Mr. Chairman. I yield back.

6 CHAIRPERSON HOOD: I will respond, Mr. Imamura. I
7 think people know are trying to misvalue some of the
8 regulations we've put in place and use that to their
9 benefit, but I want them to know, and I think you hit right
10 on it, we're smarter than that. So, anyway.

11 All right. Commissioner Stidham.

12 COMMISSIONER STIDHAM: I think my fellow
13 Commissioners laid -- laid things out pretty well, and I
14 really don't have anything to add to what they've already so
15 well covered.

16 CHAIRPERSON HOOD: Okay. I too want to thank my
17 colleagues. For full disclosure I actually hadn't planned
18 on being here today. I was going to the home opener of the
19 game, Vice Chair, and I didn't even tell you that. But
20 because of the rain and stuff I said, well, let me just do
21 my hearing.

22 So that's full disclosure. So -- but when I saw
23 the opposition I too was taken aback. And we take
24 everything seriously. I'm waiting to hear from them. I
25 think the record in this case, and especially with Ms.

1 Nwanze's opening statement, not only do we have -- and we
2 don't see this a lot. Not only do we have business owners
3 working together, but we have business owners who are from
4 the community.

5 And I know Mr. Uqduh. I've seen Mr. Uqduh many
6 times here on the BZA, the Zoning Commission as well and I'm
7 sure others as well. So -- and the full support of the ANC,
8 until I guess -- because when I looked at this Friday I
9 didn't see this opposition, but when I looked at it again
10 this morning I noticed this, and I did put out a call to Ms.
11 Schellin.

12 But we're going to hear from those who have
13 concerns. But I hear what they're trying to do. I think
14 it's a well thought out plan and as the Vice Chair and my
15 colleagues have already mentioned the consistency. But for
16 me to have a community like this to work together that's a
17 big deal. We don't get a lot of this. I've been around a
18 while; we don't get a lot of this. So I'll be interested to
19 have a discussion with the -- those who have some concerns
20 right now.

21 Now I understand some of the concerns. There may
22 be unpredictability, but when I hear from the owners, the
23 people who have the money, who are putting -- who are
24 putting the money up, that gives me a lot of assurances, and
25 especially knowing some of the track record and wanting the

1 best for Ward 4 and for their own businesses and being
2 community neighbors.

3 And I get the tenants, tenants, having good
4 tenants makes you very nervous. I know all about that. So
5 I get that, trust me. I'm nervous now. Hopefully mine is
6 not watching. But -- so I get that.

7 So let's see -- let's move forward and see how we
8 can -- how we can have some resolve with those who may have
9 some issues. But I want to applaud you for the work that
10 you all have done. You have plenty of support. You do have
11 a few letters, but we can work through that.

12 Let me see if my colleagues have any follow up
13 questions or comments. Okay, none.

14 Ms. Schellin, do we have anyone here from 4E who
15 may want to cross examine?

16 MS. SCHELLIN: Let me see if we have anyone from
17 the ANC.

18 CHAIRPERSON HOOD: That's not for their report,
19 it's just to cross examine right now.

20 MS. SCHELLIN: Just to cross examine. I don't
21 think we have anyone here, but --

22 CHAIRPERSON HOOD: Okay.

23 MS. SCHELLIN: -- that would be -- yeah, I looked
24 earlier, and I didn't see any of them, but we're going to
25 check again.

1 MR. YOUNG: Mr. Campbell is on.

2 MS. SCHELLIN: Mr. Campbell.

3 CHAIRPERSON HOOD: Mr. Campbell, okay.

4 MS. SCHELLIN: I only see the Chairperson and the
5 Vice Chair being authorized to represent 4E, but we can ask
6 Mr. Campbell if he was authorized to represent.

7 CHAIRPERSON HOOD: We know Mr. Campbell. We will
8 work through that.

9 MS. SCHELLIN: Okay.

10 CHAIRPERSON HOOD: Mr. Campbell.

11 MR. CAMPBELL: Yes.

12 CHAIRPERSON HOOD: Okay.

13 MR. CAMPBELL: I am here. Thank you. Yeah, and
14 the ANC letter, in fact it's myself or any member of the
15 Executive Committee is authorized to represent the ANC in
16 this matter. So -- because -- and it just happens that the
17 single member district where this project happens to be
18 located is mine. So --

19 CHAIRPERSON HOOD: Oh, really? Due to that
20 testimony we will see first duly what you just mentioned,
21 which you just verified, Mr. Campbell. Do you have any
22 questions of the panel now? We'll hear your testimony, but
23 do you have any questions?

24 MR. CAMPBELL: Oh, well I don't want to delay
25 anything, and I have tried to keep in regular contact with

1 the Applicants so, you know, in -- and you all have been
2 very thorough, so I don't have any questions. As long as I
3 will have the opportunity to offer testimony on behalf of
4 the ANC I will be quiet and let the hearing go on.

5 CHAIRPERSON HOOD: Yes. And it says or any other
6 member, yes, in our Exhibit 23. You're correct,
7 Commissioner Campbell. We will come back to you shortly.

8 Ms. Schellin, do we have anyone here from any
9 other government agencies?

10 MS. SCHELLIN: No, sir.

11 CHAIRPERSON HOOD: Okay. Do we have anyone here
12 from DDOT?

13 MS. SCHELLIN: DDOT, I don't think so.

14 CHAIRPERSON HOOD: We usually don't, but I believe
15 -- Mr. Sullivan, you could help me, I believe they are in
16 support. I have about six files open, and I'm scared to
17 close any and then it will shut down.

18 MR. SULLIVAN: Yes. Yes, Mr. Chairman, they are.

19 CHAIRPERSON HOOD: Okay. Let's go to the Office
20 of Planning, Ms. Thomas.

21 MS. THOMAS: Yes. Hi. Good evening, Mr. Chair
22 and members of the Commission, Karen Thomas with the Office
23 of Planning, and we are recommending approval of this Map
24 Amendment from the MU-3 to the MU-5 proposed by 14th Street
25 Collective, LLC for those lots within the 4600 and 4700

1 block of 14th Street.

2 I would just like to recognize again that this
3 rezoning request is -- is actually a combination of the
4 efforts of five property owners who inquired about
5 redevelopment of their properties prior to the 2021 Comp
6 Plan Updates, which at the time would have been inconsistent
7 with the zoning in the Comp Plan. As a reminder, a Map
8 Amendment is reviewed against the maps and policies of the
9 Comp Plan, and it cannot be inconsistent with the Comp Plan.

10 In particular the FLUM provides guidance to
11 determine what zoning is appropriate for a property, which
12 brings us to this Application, which on balance when viewed
13 through a racial equity lens is now not inconsistent with
14 the Comp Plan including its policies, the Future Land Use
15 Map, and the Generalized Policy Map.

16 As we've already discussed in our report and by
17 the Applicants' representative, the MU-5A zone directly
18 aligns with the density and vision for the properties' FLUM
19 designation by the framework element, and here we have a
20 traditional commercial business corridor with a
21 concentration of older storefronts along 14th Street, and we
22 have some properties which are underutilized.

23 This Map Amendment can facilitate other funding
24 and business development mechanisms, which could add a
25 significant amount of new housing and affordable housing.

1 It could create new commercial space in support of the
2 development goals for the Small Area Plan as well as create
3 new public space to public -- public space improvement
4 requirements.

5 And the IZ Plus requirement would almost likely be
6 at 20 percent if the properties were to be developed, new
7 development under IZ Plus with income restricted to
8 households with an average income at 50 percent and 60
9 percent medium family income -- median FFI rather, sorry.

10 So I won't go through much more of our report
11 except to say that this project, this proposal as we've put
12 here today balanced conflicting policies. While there may
13 be concerns about displacement of small minority businesses
14 we see it is outweighed by potential new development, which
15 is needed, and which would partner with other District
16 programs to support jobs and commercial activity in
17 affordable spaces outside of the central employment areas
18 and the commercial corridors of D.C., and this could in fact
19 reduce the displacement risk for existing small businesses
20 currently at the location.

21 Again, a rezoning does not dictate the type of
22 development that will actually be built, rather it sets the
23 parameters for the type of building that could be built.

24 And with that I'll rest the report, thank you.

25 CHAIRPERSON HOOD: Thank you, Ms. Thomas, and I

1 really like your last statement. I will probably go back
2 and keep that in mind when I -- in other cases because I
3 think that's the gist of it.

4 We appreciate y'all's testimony, but that last
5 part I think is the gist, especially with the public -- to
6 help educate the public and understand we stay focused on
7 exactly the last two sentences you said, which I think are
8 the focus to these, some of these cases.

9 So with that let me see if there are any other
10 questions or comments. I'm thinking out loud, so maybe I
11 shouldn't have done that.

12 Vice Chair Miller.

13 VICE CHAIRPERSON MILLER: Thank you, Mr. Chairman,
14 and thank you, Karen Thomas, for your presentation today and
15 for your thorough Office of Planning Report recommending
16 approval of this Application with Map -- of this Map
17 Amendment with the IZ Plus designation. And thank you also
18 for, particularly for the Comprehensive Plan Consistency
19 Analysis through the racial equity lens.

20 The -- do you, Ms. Thomas, have a -- I think your
21 report mentioned the potential, and it's just potential
22 since we don't have a project before us. It's a Map
23 Amendment as you've pointed out and emphasized. But the
24 potential for the number of affordable housing, I think in
25 your report it says 17 with the IZ Plus designation. The

1 maximum required potential affordable housing could be 17,
2 which I guess if that's 20 percent that's a maximum
3 potential total housing of 85 residential units? Math is
4 not my forte. But could you just confirm that those are the
5 maximum potential numbers with this Map Amendment that are
6 obviously quite significantly larger numbers than what the
7 existing zoning would allow.

8 MS. THOMAS: Yeah, that's -- that's based on our
9 calculations that we -- we use. We map the full potential
10 of the block. We use -- use the total square footage and we
11 do our calculations based on that. So that's -- that's an
12 approximate of what we believe that could be potentially
13 created on the site if in fact some of the lots do -- or all
14 of the lots do include residential in the future to the
15 maximum, but to the max of the FAR.

16 VICE CHAIRPERSON MILLER: Right. And it's --

17 MS. THOMAS: If it doesn't happen, it doesn't have
18 to do that. But it is significantly more than none that we
19 have right now. So whatever, whatever comes up.

20 And when we look at -- when we look at it, as in
21 past cases we have discussed that there's not a lot of
22 opportunity west of 16th Street for adding affordable
23 housing units because of the develop -- they're developed in
24 D.C. at the moment, and particularly up that, up that way.
25 It does not allow for a lot of multi-family units and as --

1 as the Applicant brought out it could prevent some -- some
2 of these homes from flipping into a multi-family units where
3 it is not as desirable for the neighborhood, and it
4 maintains multi-family units along the corridor where it's
5 more beneficial for transportation and having access to
6 Metro, et cetera, and shopping.

7 VICE CHAIRPERSON MILLER: Thank you for that
8 response. I appreciate that.

9 You don't know where DDOT got their 163 maximum
10 potential housing count from? It looks to be almost double
11 what your --

12 MS. THOMAS: No.

13 VICE CHAIRPERSON MILLER: -- your estimate is. So
14 I assume it didn't come from you all.

15 MS. THOMAS: No, I can't -- I can't speak to
16 DDOT's calculations, yeah.

17 VICE CHAIRPERSON MILLER: Okay.

18 MS. THOMAS: I'm sorry.

19 VICE CHAIRPERSON MILLER: No, that's fine. So I
20 don't have any further questions. As you pointed out it is
21 primarily a Zoning Map consistency case with the recent
22 upgrade of the Comp Plan to include moderate commercial
23 striping along this corridor on this side of 14th Street,
24 and it's also -- it supports goals in the 14th Street Small
25 Area Plan.

1 And in the Policy Map your report points this out,
2 you may have just said this as well, but I forgot to say it
3 when I was talking about Comp Plan consistency. This site
4 is a big part of the Main -- 14th Street Main Street Mixed
5 Use Designation on the Comp Plan. So Main Street Mixed Use
6 that's what this Map Amendment also will facilitate to MU-
7 5A.

8 So thank you very much for your report again and
9 that's it, Mr. Chairman.

10 CHAIRPERSON HOOD: Thank you. Commissioner
11 Imamura.

12 COMMISSIONER IMAMURA: Thank you, Mr. Chairman.
13 Again thank you Vice Chair Miller for your probing and
14 insightful questions.

15 I don't have any questions for you, Ms. Thomas,
16 other than just a comment, and I guess I just share this and
17 put this out there. Any time we're talking about MU-5 and
18 moderate density I am optimistic and hopeful that, you know
19 -- let me back up.

20 As I've said before, zoning is an imperfect --
21 isn't perfect and it's also -- and I'll add to that, it's
22 also nuanced. And what I mean by that is the Regulations ZR
23 16 describes MU-5 as medium density, whereas the FLUM shows
24 it as moderate density. Any time we get a Map Amendment
25 that puts MU-5 out there it's helpful to have some

1 clarification around that, especially for those who don't
2 work in zoning day in and day out.

3 So I do look forward to when OP puts forward a
4 Text Amendment to change that description in ZR 16 from
5 medium to moderate so that way we can have better alignment
6 there and there is consistency. But outside of that, Ms.
7 Thomas, thank you as always for your report and for the work
8 that you do for the residents of D.C. I know these reports
9 take time and yours are always thorough and very helpful to
10 contribute to helping us make an informed decision.

11 So Mr. Chairman, I yield back.

12 CHAIRPERSON HOOD: Thank you. And I would say
13 more -- not that I have to respond or anything, but I think
14 it's important to note it took us nine years to do ZR 16,
15 nine -- I was here for the whole time.

16 And one of the things that Prince George's County
17 when they reached out to ask D.C. how we did it I told the
18 Council of Prince George's County whatever you do don't take
19 nine years. And as you can see we still have some
20 corrections that we need to tighten up. So thank you for
21 bringing that up and looking forward to it as well and
22 making it easier as well, so thank you.

23 Commissioner Stidham, any questions or comments?

24 COMMISSIONER STIDHAM: No, sir. Just thank you,
25 Ms. Thomas, for your report.

1 CHAIRPERSON HOOD: Okay. I too want to thank you
2 Ms. Thomas. I actually want to ask that Applicant or Mr.
3 Sullivan when you presented to -- and maybe Mr. Uqduh you
4 can help me. When you all presented to the community did
5 you talk project specific or did you talk upzoning or
6 zoning, change of zoning? What was the conversation like?
7 I know we're doing OP right now, but I'm just curious.

8 MS. NWANZE: It was just the change of zoning. We
9 don't have a project. There is no project.

10 CHAIRPERSON HOOD: Okay.

11 MR. VEENSTRA: And we spoke to the benefits.
12 Again I'll beat my horse to the ground here of increased
13 commercial potential.

14 CHAIRPERSON HOOD: Okay, okay. Thank you for that
15 answer because that's the answer I was looking for, but I
16 didn't think I was going to get that answer. But maybe --
17 I'm -- I asked that because it's helped me in other cases.
18 I'm trying to wrap my arms around something that's been
19 going on, but this is -- this may not have been the best
20 case to ask it, but I've always believed seize the moment,
21 so thank you.

22 Let's go to the ANC. Do you have any cross or any
23 cross of Office of Planning, Commissioner Campbell?

24 MR. CAMPBELL: I do not, but I do want to note
25 that I had the opportunity to speak with the Office of

1 Planning. Ms. Thomas was very generous with her time, and
2 we spent over an hour on the phone prior to the ANC having
3 drafted the letter. So I'm very grateful for the thorough
4 report that was produced and for the amount of time that she
5 took with me to educate me particularly about the ins and
6 outs of IZ Plus, so thank you.

7 CHAIRPERSON HOOD: Thank you, Mr. Campbell, for
8 bringing that up, and I'm sure the Office of Planning
9 appreciates it. They don't get a lot of compliments, but
10 when they do get them it's so noted. We know the work that
11 they do, and all the time it's not as easy, but we
12 appreciate you bringing that up.

13 And Ms. Thomas, I'm sure that Ms. Steingasser and
14 upper management has probably heard that, but if not play
15 this back and let them hear it. Okay.

16 All right, Ms. Schellin, I think is the ANC,
17 correct?

18 MS. SCHELLIN: Yes, the ANC Report is next.

19 CHAIRPERSON HOOD: Okay. Mr. Campbell, you may
20 begin.

21 MR. CAMPBELL: All right. Shoot, I had just
22 killed my video but -- all right.

23 I need to begin my testimony with an explanation
24 regarding the ANC letter. The Applicant had brought to my
25 attention several weeks ago that some of the documents in

1 the case file were incomplete in their reference to the
2 street addresses of the subject property, and the ANC letter
3 used the description from the OP report, which was 4600
4 through 4630 14th Street, N.W., except for 4606 through
5 4618. The Application as filed lists the address as 4600 to
6 4604, 4620 to 4632, and 4700 through 4730 14th Street, N.W.

7 So the intention of the ANC was for the letter to
8 cover the entirety of the Application, and I also do want to
9 note that the ANC letter includes lots and squares which are
10 all accurate, so just to clear up any confusion because I
11 was told I could make this explanation in lieu of actually
12 amending the existing letter.

13 So ANC 4E was created through the redistricting
14 process and convened in 2023. However, I've represented
15 this area previously as a member of ANC 4C. I've been
16 somewhat dismayed by the response of some people in the
17 community, which I noted last year when the Applicant
18 initiated is outreach and engagement efforts.

19 And prior to an exceptionally poorly attended
20 Joint SMD meeting about the Application that was held with
21 me and my colleague at the time, Commissioner Carla Ferris,
22 it was conveyed that there were those who remained
23 dissatisfied and generally apathetic regarding the
24 previously rendered decision of this body relating to the
25 planned unit development at 4618 14th Street, and this

1 apathy was generally expressed with the sentiment what
2 difference does it make how the neighbors feel.

3 So now, of course, this fails to take into account
4 that 14th Street is a commercial corridor in a major
5 metropolitan area. Development in this area has always been
6 a when rather than an if. Nor do I believe that the
7 prospect of development in an urban area is a portent of the
8 apocalypse.

9 I do note that the fears initially voiced by some
10 of the neighbors have been realized to a degree. The 4618
11 PUD served as sort of a beach head the Application before
12 you today is the second Map Amendment request to be
13 considered in this immediate area since the 4618 PUD
14 decision.

15 However, there is no imminent development project
16 associated with this Application, and the collective
17 property owners have been compelled to take this action.
18 Increased density was a component of the 2012 Central 14th
19 Street Vision Pla, the Revitalization Strategy Small Area
20 Plan. But this element was never implemented. The future
21 Land Use Map and the 2021 Comprehensive Plan indicate the
22 lots in this Application are appropriate for mixed use
23 development, a combination of moderate density residential
24 and moderate density commercial.

25 A large percentage of the property owners are

1 residents in the area and have existing businesses in this
2 corridor. Also the business owners collective is comprised
3 primarily of people of color. In addressing a racial equity
4 element the ANC finds this highly relevant.

5 Further, the owners are good neighbors and they
6 have expressed a desire to continue to be such. They have
7 no designs to initiate immediate development, and the ANC
8 notes that in order to maximize development would require
9 the entire parcel -- or the entire parcel of the properties,
10 which would necessitate a consensus among those owners, and
11 that doesn't seem likely to me. And ownership has indicated
12 that they would be inclined to buy out any of their group
13 whose primary interest became to capitalize on the increased
14 density were the Application to be granted.

15 The ANC believes this Application to be about the
16 future of the Upper 14th Street Corridor. Included in the
17 summary of the planning analysis of the Application the OP
18 set down report reads that, and I quote, "It is not
19 anticipated that there would be negative impacts or outcomes
20 associated with the zoning action given the potential that
21 the MU-5A zone provides for development of more housing and
22 affordable housing with varied unit sizes and affordability,
23 which in turn can help provide additional housing options
24 for low income households who are majority residents of
25 color," unquote.

1 This and the various other factors listed in the
2 ANC letter lead the ANC to offer its full support for this
3 Application.

4 CHAIRPERSON HOOD: Thank you, Commissioner
5 Campbell for all the work that you have done. I think the
6 first ANC -- was it 4C before restricting?

7 MR. CAMPBELL: That is correct.

8 CHAIRPERSON HOOD: And now you're in 4E?

9 MR. CAMPBELL: That is correct.

10 CHAIRPERSON HOOD: Okay. So thank you for all the
11 work and the thoughtfulness you have done in many projects,
12 you and your colleagues both past and present.

13 Let me see if my colleagues have any questions of
14 you. Vice Chair Miller.

15 VICE CHAIRPERSON MILLER: Thank you, Mr. Chairman,
16 and thank you Ulysses Campbell for your testimony and report
17 from the ANC 4E and for all of your work in the community.
18 I have no questions, thank you.

19 CHAIRPERSON HOOD: Commissioner Imamura.

20 COMMISSIONER IMAMURA: Thank you, Mr. Chairman.
21 Thank you, Commissioner Campbell for your report and your
22 analysis. I always enjoy when you come before the
23 Commission. You always, yeah, deliver a really great
24 assessment of what's happening in your neighborhood, so I
25 appreciate that and the lens that you look through.

1 So thank you for the work and time that you've put
2 into your neighborhood and for the work that you do as a
3 Commissioner and for the city, so thank you.

4 Mr. Chairman, I yield back.

5 CHAIRPERSON HOOD: Okay, thank you. Commissioner
6 Stidham, any questions or comments?

7 COMMISSIONER STIDHAM: No questions or comments,
8 just thank you for your time here today and to emphasize
9 Commissioner Imamura's appreciation of your efforts in the
10 community. It's greatly appreciated. Thank you.

11 CHAIRPERSON HOOD: Okay. And let me see if -- Mr.
12 Sullivan, any questions or cross?

13 MR. SULLIVAN: No. Thank you, Mr. Chair.

14 CHAIRPERSON HOOD: Okay, thank you. Thank you
15 again Commissioner and keep up the good work. We appreciate
16 you.

17 MR. CAMPBELL: Thank you, Mr. Chair, and to all
18 the members of the Zoning Commission.

19 CHAIRPERSON HOOD: All right, Ms. Schellin, I
20 think now we are ready for support, opposition or
21 undeclared, and I know we don't have a lot of -- well, we
22 have support. I don't know if they've signed up, but I know
23 we have a few opposition.

24 MS. SCHELLIN: We only have two people signed up
25 and they're both in opposition.

1 CHAIRPERSON HOOD: Okay. Let's bring both of them
2 on.

3 MS. SCHELLIN: Gabrielle Butler and Christina
4 Boland.

5 CHAIRPERSON HOOD: Okay. We do have a letter from
6 Butler. Okay, let's bring both of them up. I think we have
7 one from Ms. Boland too, I'm not sure, yeah.

8 Ms. Butler, you may begin and then we'll go to
9 Christina Boland.

10 MS. BUTLER: Hello. Can you hear me?

11 CHAIRPERSON HOOD: Yes, we can.

12 MS. BUTLER: Hi. My name is Gabrielle Butler. I
13 reside in the 1400 block of Crittenden Street, N.W. This is
14 my second time in front of the Commission in the last two
15 years regarding the zoning issue. I was one of the neighbors
16 involved in the opposition to the large parcel of the Map
17 Amendment in the Upzone in the 4600 block of 14th Street,
18 N.W.

19 With regard to the Application in front of you,
20 23-14, I attended two in-person meetings at least. One was
21 held outdoors behind the parcel in the 4600 block of 14th
22 Street, N.W., and I was I believe the only member of the
23 public at the meeting at the Mosaic Church where the two ANC
24 members were there along with the Applicants.

25 I expressed at the outdoor meeting that I had

1 intended to oppose this Application. I also expressed when
2 I was the only member of the public at the meeting at Mosaic
3 that I intend to oppose this meeting -- I mean this
4 Application.

5 I sent in my opposition yesterday because, I mean,
6 like someone had just mentioned previously I was beat down
7 from my experiences in 2021 and 2022 in dealing with the
8 project in the 4600 block. And I know the city's intentions
9 in terms of having more density available in the city, but
10 I've expressed that openly at the two meetings, at least two
11 meetings that I have attended.

12 And if this were a situation where the Upzone
13 would just be for additional commercial -- like, wider
14 commercial use outside of something with another liquor
15 license or outdoor entertainment I would not be before you
16 with any opposition. I would have no problem with them
17 having more commercial uses available for their properties.

18 But in terms of just having -- I'm opposing
19 something that I don't even know the unknown end result of,
20 and the end result as it could land in terms of the quality
21 and the type of housing that goes up on any of the parcels
22 in the 4700 block or the 46, it's totally unknown in terms
23 of construction, the type of parcel -- the way the parcel
24 would change. And parking it's -- 14 -- the 1400 block of
25 Crittenden Street right now is going to catch the brunt of

1 many changes that are -- one, at least one big change in
2 likely this project that are going to negatively affect the
3 neighbors because we're right on the zone of the big project
4 there, big parcel on the other side.

5 And, you know, I've -- I'm making my opinion
6 known. But I've expressed from the start of how I feel
7 about this project. And again I have no problem if it were
8 just for commercial uses, but I understand that the
9 commercial and the residential piece go hand-in-hand.

10 I submitted a written a written statement
11 yesterday as to how I feel about this issue, but again I was
12 beat down from my experiences of dealing with the parcel at
13 46 -- on the 4600 block of 14th Street, N.W. and, you know,
14 I have openly expressed how I feel about this project, I
15 mean about this Application. I know many of the owners,
16 have known them. I have lived in this neighborhood since I
17 first took my initial breath in December of 1963. I mean,
18 I'm very friendly with them. I like that they care so much
19 about the neighborhood, and I'm always happy to have a more
20 vibrant, busier area.

21 But I also know that in terms of the likely
22 negative aspects that will come out of certain types of
23 redevelopment in the 4700 block is something that I cannot
24 support.

25 So I thank you Commissioners, ANC, Mr. Campbell,

1 and Applicants, and Applicants' counsel. I thank you for
2 your time. Thank you.

3 CHAIRPERSON HOOD: Okay, thank you, Ms. Butler.
4 Hold tight. We may have some questions for you.

5 MS. BUTLER: Sure.

6 CHAIRPERSON HOOD: Let's go to Christina Boland.

7 MS. BOLAND: Thank you for letting me say a few
8 words. While I feel like Gabrielle, I think Gabrielle is
9 her name, it's falling on deaf ears because I feel the
10 decision has already been made.

11 You know, I did originally oppose the proposal for
12 the dance loft and those of us who did it was originally for
13 the reason of the height and density of the project, not the
14 -- because of the affordable housing portion of it. We were
15 all proponents for the affordable housing. It was just if
16 it could be within the guidelines of zoning.

17 Now how I feel about zoning is that zoning is
18 there for a reason, to protect the continuity of a
19 neighborhood. I'm originally from San Francisco and San
20 Francisco has had many changes, several of which -- many
21 buildings have been torn down and built up, and once you
22 tear down buildings and you build up you can't get that --
23 those buildings back, you can't get the continuity and the
24 feel of that neighborhood back.

25 You know, we chose this neighborhood three years

1 ago for a reason. It was tree lined streets. It had the
2 walkability of the unique balance of a neighborhood feel
3 with the ability to have the restaurants of said block that
4 they want the change. We could still walk to Columbia
5 Heights.

6 I'm not comfortable with the language where it
7 states that there's no height limit. The flier that I
8 received had eight stories, and I know that you are using
9 comparisons to Dupont Circle, things of that nature.
10 However, the surrounding neighborhoods, Petworth, Crestwood,
11 Columbia Heights -- the Columbia Heights should you use it,
12 it's way down, down near the Metro station. It is -- you
13 cannot use that when you are thinking of our particular
14 neighborhood.

15 It -- I just -- I can't even express the fact
16 that, you know -- like she was saying before me that you
17 can't get on board on something that you don't know in the
18 future what it will be like, especially if you are going to
19 vote on something that says -- you know, doesn't have
20 parameters. You don't know what the building is going to
21 look like. Is it going to be brick, red brick, gray brick.
22 You know, is it going to be sustainable materials.

23 You know, again I'm not comfortable with some of
24 the wording that said it doesn't have a height limit. I was
25 not aware, except through a flier over the weekend, and I do

1 feel that, you know, what I have to say is falling on deaf
2 ears. I think the decision has already been made by the
3 Zoning Board, and I feel that those of the people who
4 purchased the buildings and have businesses knew of the
5 zoning when they bought the buildings to begin with and now
6 they want to change the parameters of the businesses they
7 purchased.

8 I understand that things change and, you know, I
9 frequent the businesses in question. I try to give my
10 business to the local businesses, but the fact of the matter
11 is there is zoning -- zoning for a reason, to keep the
12 continuity of the neighborhood. When you change the zoning
13 you change the neighborhood. And, you know, that is how I
14 feel.

15 And many of us, you know, can't change work to be
16 here. I had a 4:00 meeting and unfortunately that is often
17 what happens when a lot of the meetings are done during the
18 day, and the walkabouts and things of that nature. People
19 have work.

20 And again I thank you for allowing me to speak at
21 short notice. I think that this should be tabled during a
22 -- you know, if they don't know what they want to do until
23 the project is made available to present, then I think this
24 should be tabled until they have a project to present.

25 And thank you for allowing me the opportunity to

1 say a few words. Thank you.

2 CHAIRPERSON HOOD: Thank you both. Thank you, Ms.
3 Boland and Ms. Butler.

4 Let's see if we have any questions of either one.
5 Vice Chair Miller.

6 VICE CHAIRPERSON MILLER: Thank you, Mr. Chairman,
7 and thank you Ms. Butler and Ms. Boland for testifying here
8 today and Ms. Butler for submitting the written comments
9 that you submitted, which I read, and for your previous
10 participation in zoning -- in a Zoning Commission case. I'm
11 sorry that you feel that -- a disagreement with that
12 decision if it means that we have deaf ears; we have ears.
13 I heard a lot of opposition testimony in that case. I hear
14 your opposition testimony in this case. There are reasons to
15 support both cases, which we've articulated here today and
16 in the Zoning Order for that case and the deliberations we
17 had on that case.

18 Sometimes I feel like what we're saying is --
19 falls on the deaf ears of those who oppose the ultimate
20 decision. I assure you that no decision has yet been made,
21 no deliberations have yet been held by this body on this
22 case until today. We have not articulated any public or
23 private position on it.

24 I also -- I don't want to -- that's a comment.
25 I'm not asking for a comment in response. I do want to also

1 respond to the statement by Ms. Boland that there's no
2 height limit with the proposed Map Amendment before us.
3 That is incorrect. The MU-3 existing zone has a 40 feet
4 maximum height limit. The proposed zone, MU-5A, has a
5 maximum height limit of 65 feet or 70 feet with inclusionary
6 zoning.

7 So there is a height limit. It may be higher than
8 what you would like to see along this corridor or for these
9 properties. It is consistent with the Comprehensive Plan
10 Land Use Map, particularly the change that was made two
11 years -- three years ago I guess now, 2021, by your elected
12 representatives at the Council and the Mayor's Office to
13 include moderate commercial striping along with the moderate
14 residential striping that had been there previously, and to
15 include this property and other properties along this side
16 of the street in the Main Street Mixed Use Corridor
17 designation, policy designation on the Comp Plan Policy Map.

18 So those changes are what have -- we are required
19 as the Zoning Commission, one of our primary
20 responsibilities under the Home Rule Charter is to ensure
21 that Zoning is not inconsistent with the Comprehensive Plan.
22 The Comprehensive Plan was changed. These property owners,
23 this collective of property owners have brought forward a
24 change that I believe is more consistent with the current
25 Comprehensive Plan designation than the -- than the existing

1 lower density zoning.

2 So I would just point all that out just for the
3 record to be complete. But I appreciate your testimony here
4 today and I will review it even more carefully. But thank
5 you very much.

6 Thank you, Mr. Chairman.

7 CHAIRPERSON HOOD: Thank you. Commissioner
8 Imamura.

9 COMMISSIONER IMAMURA: Thank you, Mr. Chairman.
10 Ms. Boland, Ms. Butler, thank you both for your testimony.

11 As Vice Chair Miller pointed out I don't think any
12 decisions have been made. Another aspect of our job as a
13 Commission here is to balance the needs of the community and
14 ensure that our decisions are not inconsistent with the Comp
15 Plan.

16 Ms. Boland, as Vice Chair Miller pointed out there
17 is a height limit. There are also other requirements too.
18 It's a complex process to work through a Map Amendment, a
19 project, and the way I see it, I know you had preferred that
20 they come forward with a project, but you have two bites at
21 the apple here. I encourage you to stay involved, stay
22 engaged, and I'm not certain -- I don't -- if you attended
23 your ANC meetings at all about this, but I'm certain that
24 they will continue to engage the surrounding neighborhood.
25 I would expect that. I would certainly expect you, Ms.

1 Butler, and others to continue engaging with them and help
2 shape this, whatever the project may be.

3 I certainly think that putting forward a Map
4 Amendment first is sort of the first step in the process.
5 Other times you see where projects come with a Map Amendment
6 all together, bundled. It certainly moves things along a
7 little more quickly. I think here you have an opportunity
8 to work with them.

9 I understand your concerns and I thank you for
10 bringing them forward this afternoon and hope that both of
11 you again remain involved.

12 Ms. Butler, I understand that your term was you've
13 been beat down or you felt sort of exhausted from your
14 efforts. You know, zoning sort of has a long horizon and I
15 would just encourage you to remain engaged too to help shape
16 this. So different points of view help contribute to a
17 better outcome. So I think the Applicant here would benefit
18 from your points of view and others if and when a project
19 does emerge.

20 So again there hasn't been one put forward yet, so
21 we're just talking about a Map Amendment. So that's
22 consistent or not inconsistent with the Comprehensive Plan
23 and the Future Land Use Map.

24 So that's where we're at right now, just taking
25 that first step. So please stay engaged both as citizens

1 and for the benefit of your community.

2 So thank you, Mr. Chairman. You're back.

3 CHAIRPERSON HOOD: Okay. Commissioner Stidham,
4 any questions or comments?

5 COMMISSIONER STIDHAM: No questions, but just to
6 reiterate what is really -- and to really drive home what
7 has already been said, this is the very beginning of the
8 process and your engagement in the community can help shape
9 it moving forward. So it is very, very important that you
10 remain engaged as you seem to care about your community, and
11 what happens there, and I think that this has the
12 opportunity to further enhance your community of course with
13 your and others participation. So please I do encourage you
14 to really stay engaged in the process.

15 CHAIRPERSON HOOD: Okay. And I know -- I don't
16 want to beat you down, but I'm going to give you live
17 examples. I've been here long enough to see live examples.

18 And Ms. Butler, I want to come you because I
19 actually agree with you, but there are other things I have
20 to look at. But I'm going to come back to you, Ms. Butler.

21 But I will say when this Commission approved the
22 Costco, nobody wanted the Costco, they didn't want the gas
23 station. And I think about that. These are real, live
24 situations. I think about that every time I go to the
25 Costco, and I've said this a thousand times here, every time

1 I go to the Costco, it's crowded, I got to wait a long time,
2 and those people don't know I see them over there too.
3 They're some of the main people who are in line, some of the
4 main people crowding up the Costco.

5 Sometimes -- you know, one thing I -- one thing I
6 do appreciate about this city, while I don't always
7 understand it, because I remember my sister telling me,
8 "We're really messing up the height. I don't know if you
9 remember this, but I'll share this, I said this before,
10 we're really messing up the height in Brooklyn."

11 And then she finally came back and said, "You
12 know, I'm starting to -- I'm starting to kind of like that."
13 It kind of grew on her.

14 So, you know, these -- these changes sometimes
15 when we first start is an unknown, and I think in this case
16 what gives me a comfort level is that the people who are
17 coming to us live here. That gives me a big comfort level.

18 But I will tell you that I have always -- that's
19 why I asked the question earlier because it seems like we're
20 getting more and more -- I've had three sets of attorneys
21 since I've been on the Zoning Commission when I first
22 appointed by Mr. Barry. I had three sets.

23 One of the questions that I always ask when we do
24 these Map Amendments how do you not talk about a project? I
25 have a dissertation, I just asked this maybe about a year

1 ago, and I have a dissertation from the lawyer, every time I
2 ask the same question. Ms. Butler, I get a dissertation.

3 There are other factors that come into play that
4 we have to look at, especially dealing with the Comp Plan.
5 It's a whole long, drawn out -- and I would just encourage
6 you sometime to call and see what the Zoning Commission has
7 to look at. It's more than just what you and I think,
8 because you and I actually agree to that. I actually agree
9 with that. I've actually had a conversation today with
10 staff I'm still trying to understand now, and I've been
11 around a while.

12 But that is the regulations, and I have to follow
13 the law, and that's what I'm doing. And I'm sorry things
14 didn't go your way in these other cases, but guess what, I
15 have a vote and sometimes things don't go my way. I just
16 have to learn how to compromise, I have to learn how to
17 understand and deal with it.

18 So -- but I will reiterate what my colleagues
19 said, and I've said this previously, you get better outcomes
20 when you have different sides. Just like my colleagues here
21 and my previous colleagues that I've served with years ago,
22 we always didn't agree on whether a case is up or down, how
23 the case should be. We don't rubber stamp cases like some
24 people accuse us of. We really put a lot of thought behind
25 these cases and now a lot of work is being put into this

1 before it even comes to the Commission, which makes our jobs
2 a little easier.

3 It looks like in this case, and I'll be frankly
4 honest, Ms. Butler and Ms. Boland, it looks like a lot of
5 work was put into this. It might not be to everybody's
6 liking. But, you know, continue to stay engaged, continue
7 to work with your ANCs.

8 And I was -- I was going to ask the question, Ms.
9 Butler, what was -- and I think Commissioner Campbell
10 mentioned a meeting that was not well attended. I was
11 curious what that was, but now I know because some meetings
12 I go to only three will be there. At least you all had one,
13 but sometimes only three persons from the public are there.

14 It's important to stay engaged, as my colleagues
15 have already mentioned and I've always said, so you can get
16 your input in, and you'll get a better outcome. It might
17 not be the outcome you want, but you'll get a better
18 outcome. And then sometimes you may get all the outcome
19 you want. It all depends.

20 Because guess what, there's more than I in the
21 District of Columbia. We got a lot of views, and everybody
22 has a view. So that's all I'm going to say on that.

23 All right. Ms. Schellin, anybody else? And thank
24 you -- let me just say this. Thank you both. I believe
25 you're going to stay engaged. I know you're getting beat

1 down, we do too, but I believe you're going to stay engaged
2 and I'm just going to leave it at that.

3 Ms. Schellin, do we have anybody else?

4 MS. SCHELLIN: No one else.

5 CHAIRPERSON HOOD: All right. Mr. Sullivan, if
6 you want to do a closing or do you have a rebuttal?

7 MR. SULLIVAN: No. No, I don't, Mr. Chair.

8 CHAIRPERSON HOOD: Okay. Well, let's just do a
9 closing.

10 MR. SULLIVAN: I'll do super short closing. I
11 think, Mr. Chairman, as you stated this is quite a unique
12 group of Applicants, I know it was for me. To have a group
13 of Applicants that are property owners and business
14 operators and entrepreneurs that have gotten together in
15 agreement and decided to take actions, following up on what
16 the Council has done to protect, and preserve, and enhance
17 their long term interest in their properties and their
18 neighborhoods.

19 I think from this point then development if it's
20 to happen will happen organically as it does with these
21 interested property owners. Other than that I think that
22 the Application is -- has successfully put forth the case
23 that this action would not be inconsistent with the
24 Comprehensive Plan, and we respectfully ask the Zoning
25 Commission to approve the Application. Thank you.

1 CHAIRPERSON HOOD: And again thank you, Mr.
2 Sullivan and the Applicant, the team, the owners, and those
3 who have applied for this Amendment.

4 Any questions from my colleagues, any follow up
5 questions or comments? Are we looking for anything, if not
6 I personally am ready to dispose of this. Let me hear from
7 others. Vice Chair Miller.

8 VICE CHAIRPERSON MILLER: Yes, Mr. Chairman, I
9 think for the reasons that have been articulated by you and
10 others here today I'm ready to move forward with the first
11 -- this is a two vote case. I'm ready to move forward with
12 the first proposed action on this case.

13 CHAIRPERSON HOOD: Okay. Commissioner Imamura.

14 COMMISSIONER IMAMURA: I'm prepared to move
15 forward, Mr. Chairman.

16 CHAIRPERSON HOOD: And Commissioner Stidham.

17 COMMISSIONER STIDHAM: I am also.

18 CHAIRPERSON HOOD: Okay. So Vice Chair, since
19 I've been calling on you first this whole, the whole
20 hearing, could you make the motion.

21 VICE CHAIRPERSON MILLER: Okay, thank you, Mr.
22 Chairman, I appreciate that.

23 I would move that the Zoning Commission take
24 proposed action on Case Number 23-14, a Map Amendment from
25 MU-3A to MU-5A for properties that have been generally

1 identified on the west side of 14th Street between Decatur
2 Street on the north and Buchanan Street on the south with
3 the IZ Plus map designation that was recommended by the
4 Office of Planning and ask for a second.

5 COMMISSIONER IMAMURA: Second.

6 CHAIRPERSON HOOD: Okay, it's been moved and
7 properly seconded. Any further discussion? I would just
8 add, Vice Chair, if the community can still work with the --
9 I mean, the Applicants still work, and the business owners
10 still continue to work with the community as we've always
11 asked. If you would include that into your motion as well.

12 VICE CHAIRPERSON MILLER: Yes, I would certainly
13 incorporate that into my motion.

14 CHAIRPERSON HOOD: All right. So it's been moved
15 and properly seconded. Any further discussion? Not hearing
16 any, Ms. Schellin would you do a roll call vote, please.

17 (Roll call vote.)

18 MS. SCHELLIN: Yes, sir. Commissioner Miller.

19 VICE CHAIRPERSON MILLER: Yes.

20 MS. SCHELLIN: Commissioner Imamura.

21 COMMISSIONER IMAMURA: Yes and yes to the friendly
22 amendment by Chairman Hood.

23 CHAIRMAN HOOD: Thank you.

24 MS. SCHELLIN: Commissioner Hood.

25 CHAIRMAN HOOD: Yes.

1 MS. SCHELLIN: Commissioner Stidham.

2 COMMISSIONER STIDHAM: Yes.

3 MS. SCHELLIN: So the vote is four to zero to one
4 to approve proposed action in Zoning Commission Case Number
5 23-14. If we could have the Applicant provide draft
6 findings, facts, conclusions of law within two weeks that
7 would be great.

8 CHAIRPERSON HOOD: And Commissioner Imamura is
9 exactly right. He seconded it and I was supposed to come to
10 him. I only made one mistake today. No, it's like I made a
11 lot of them today.

12 Mr. Sullivan, do you have any -- I saw you raise
13 your hand.

14 MR. SULLIVAN: No, thank you. I was just
15 acknowledging the two weeks deadline. Thank you.

16 CHAIRPERSON HOOD: Oh, okay. All right. Before I
17 close this let me -- Ms. Schellin, everything else is in
18 order for this case?

19 MS. SCHELLIN: Yes.

20 CHAIRPERSON HOOD: Okay. Let me see if I can get
21 this right again. The Zoning Commission will meet again on
22 April 4th on the same platforms at 4:00 p.m. on Zoning
23 Commission Case Number 8604B, Green Harris, LLC, on these
24 same platforms.

25

1 With that I want to thank everyone for their
2 participation. I know all the work that everybody continues
3 to do up in Ward 4, and also the ANC, the Applicant,
4 everybody.

5 So with that this hearing is adjourned. Goodnight
6 everyone.

7 (Whereupon, the meeting was adjourned at 5:51
8 p.m.)

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REPORTER CERTIFICATE

This is to certify that the foregoing transcript
In the matter of: Public Meeting
Before: DCZC
Date: 04/01/2024
Place: Virtual Public Meeting
was duly recorded and accurately transcribed under my
direction; further, that said transcript is a true and
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