

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ZONING COMMISSION

VIRTUAL PUBLIC HEARING

VIA WEBEX

MONDAY, JULY 15, 2024

The Public Hearing by the District of Columbia Zoning Commission convened via videoconference pursuant to notice at 4:04 p.m. EDT, Anthony Hood, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson  
ROBERT MILLER, Vice Chairperson  
JOSEPH S. IMAMURA, Commissioner  
TAMMY STIDHAM, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN, Secretary  
MIKE SAKINEJAD, Data Specialist

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

HILLARY LOVICK, Esquire

The transcript constitutes the minutes from the Public Hearing held on July 15, 2024.

**Diversified Reporting Services, Inc.**

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(202) 467-9200

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Case No. 24-02	
Map Amendment from PDR-1 and RA-1 to MU-5B, Deanwood Metrorail Parking Lot (Sq. 5123 Lots 1-9, 35, 800, and 801; Sq. 5170 Lots 9, 10, 809; and PAR 0184 0100) - Ward 76	6

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

(4:04 p.m.)

CHAIRPERSON HOOD: Good afternoon, ladies and gentlemen. Today's date is July the 15th, 2024 and the time now is 4:04 p.m. We're convening a broadcast in this public meeting by videoconferencing. My name is Anthony Hood and I'm joined by Vice Chair Miller, Commissioner Stidham and Commissioner Imamura, as well as Office of Zoning Staff, Ms. Sharon Schellin and Mr. Sakinejad -- well, I hope I didn't mess that up, but either way, Mike, forgive me, I've already asked for forgiveness. We're also joined by the Office of Zoning Legal Attorney, Ms. Hilary Lovick.

I will ask all others to introduce themselves at the appropriate time. The virtual public hearing notice is available on the Office of Zoning's website. This proceeding is being recorded by a court reporter and the platforms used are WebEx or YouTube live. The video will be available on the Office of Zoning's website after the hearing. All persons planning to testify should've signed up in advance and will be called by name at the appropriate time. At the time of signup, all participants will complete the oath or affirmation required by Subtitle Z-4 8.7.

Accordingly, all those listening on WebEx or by phone will be muted during the hearing and only those who have signed up to participate or testify will be unmuted at

1 the appropriate times. When called, please state your name  
2 before providing your testimony. When you are finished  
3 speaking, please mute your audio. If you are -- if you  
4 experience difficulty accessing WebEx or with your telephone  
5 call-in or have not signed up, I believe we have a different  
6 number tonight, please call our OZ hotline number at 202-  
7 727-5471.

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

12 The subject of this evening's hearing is Zoning  
13 Commission Case No. 24-02, for WMATA map amendment at Square  
14 5123, Lots 1 through 9, 35, 800 and 801, Square 5170, Lots  
15 9, 10, 809, 814, Parcel 01840100 and at the Deanwood Metro  
16 Rail Parking Lot. Again, today's date is July the 15th,  
17 2024.

18 The hearing will be conducted in accordance with  
19 revisions of 11-D CMR Chapter 4, as follows: Preliminary  
20 matters, Applicant case, I think the Applicant has asked for  
21 up to 25 minutes, probably can do it a little faster, just  
22 hit the highlights. We will have report of government  
23 agencies, report of Department of Transportation, Office of  
24 Planning, report of the ANC, testimony of the organizations  
25 and individuals. Organizations, five minutes; individuals

1 three minutes. Then we will have the rebuttal and closing  
2 by the Applicant. Again, the OZ hotline number is 202-727-  
3 5471 for any concerns during this proceeding.

4 At this time, the Commission will consider any  
5 preliminary matters. Does the staff have any preliminary  
6 matters?

7 PRELIMINARY MATTERS

8 MS. SCHELLIN: Just very quickly, there's one  
9 proffered expert witness from the Applicant, Shane Dettman,  
10 who's previously been accepted, so we just ask the  
11 Commission to accept him in this case, also.

12 CHAIRPERSON HOOD: Okay. Any objections? Not  
13 hearing, we will continue that status.

14 MS. SCHELLIN: Okay. And then also, we have ANC  
15 7C, Antawan Holmes. I don't have a report in the record for  
16 ANC 7C. The last thing we had was just their set0down  
17 report. So if he's going to be testifying, we don't have a  
18 report giving him authority to do so, so hopefully if he's  
19 here, he'll have a report.

20 And then Dave Lewis is representing the Applicant,  
21 along with his colleague, Derick Wallace and so I think they  
22 are going to take 20 to 25 minutes and the OP Hearing Report  
23 is at Exhibit 24 in support; DDOT Report at Exhibit 25 with  
24 no objections, and I believe those were the only Agency  
25 reports in the record and this is ready for the Commission

1 to move forward, unless the Applicant has a preliminary  
2 matter they want to bring up.

3 CHAIRPERSON HOOD: Okay. Before we go to the  
4 Applicant, I think Mr. Holmes has been authorized -- I think  
5 he's a chair, anyway, I believe, but I think he has been  
6 authorized to represent ANC 7C, but we'll -- either way, Mr.  
7 Holmes, don't worry, we will hear from you.

8 All right. Mr. Lewis?

9 MR. LEWIS: Can you all hear us?

10 CHAIRPERSON HOOD: We can hear you now, yes. Are  
11 you all in the same room?

12 MR. LEWIS: We are. Yes, sir.

13 CHAIRPERSON HOOD: You have one computer?

14 MR. LEWIS: We have one audio line.

15 CHAIRPERSON HOOD: Okay, okay. Well, let's see  
16 how that goes, okay. Go right ahead.

17 CASE NO. 24-02

18 MR. LEWIS: Okay. Good afternoon, Commissioners.  
19 My name is Dave Lewis. I'm an attorney with the Law Firm of  
20 Goulston and Storrs, here today on behalf of the Applicant,  
21 WMATA. And as Michelle mentioned, I'm joined by my  
22 colleague, Derick Wallace of Goulston and Storrs. Also with  
23 me is Howard Ways, who's the senior development manager at  
24 WMATA and our expert in land planning, Shane Dettman, who  
25 you all know. Thank you for the opportunity to present this

1 application and for your time reviewing our materials.

2 Mike, if you don't mind pulling up our  
3 presentation, we'd appreciate that. But we'll get going  
4 while that's happening. Today's subject --

5 CHAIRPERSON HOOD: Mr. Lewis, may I ask you a  
6 question?

7 MR. LEWIS: Yes, sir.

8 CHAIRPERSON HOOD: Do you all have any opposition  
9 in this case?

10 MR. LEWIS: Not formally, no. We have a letter of  
11 support from ANC 7C. That was sent at like 3:50-something  
12 this afternoon and it went to BZA submissions, so I  
13 forwarded it to Ms. Schellin maybe ten minutes ago.

14 CHAIRPERSON HOOD: Okay. So Ms. Schellin, let's  
15 put that in the record. Again, I know a lot of times we get  
16 confused. Okay. I just wonder why we need 25 minutes, but  
17 I'm not going to interrupt that.

18 MS. SCHELLIN: I'm sorry. What was that that you  
19 just submitted?

20 MR. LEWIS: So Chairman Holmes forwarded you the  
21 ANC 7C report about ten minutes ago.

22 MS. SCHELLIN: Okay. I didn't see it in the  
23 record, so --

24 MR. LEWIS: Well, he sent it to BZA submissions.

25 MS. SCHELLIN: That's the problem.

1           MR. LEWIS: Yeah. So I forwarded it to you.

2           CHAIRPERSON HOOD: Okay. We'll get it and we will  
3 open the record for that, okay. I mean we will receive  
4 that. All right.

5           MR. LEWIS: So there's also -- there's also a  
6 report, as mentioned, from the Deanwood Citizens  
7 Association. That did not make it into the record in time,  
8 either. I believe --

9           MS. SCHELLIN: The Commission has to approve that  
10 because they submitted less than 24 hours, so I need the  
11 Commission to approve that letter and the library letter  
12 before I can put those in. The ANC I have no problem, but  
13 the other two, I need the Commission to approve because they  
14 submitted it less than 24 hours.

15           CHAIRPERSON HOOD: So let me see, I can't -- I  
16 need to pinpoint everybody. I can't see everybody right  
17 now, but I will in a minute. But any objections? If you  
18 have any, I can't see you right now, just let me know.  
19 Speak up. If not, we will accept all of it. Okay.

20           So Ms. Schellin, we will -- we will take  
21 everything in the record and let the record reflect I can  
22 see all my colleagues now.

23           MS. SCHELLIN: Okay.

24           CHAIRPERSON HOOD: Okay, Mr. Lewis, you may begin.  
25 I won't hold you up anymore.

1           MR. LEWIS: That's okay. And Mr. Hood, to your  
2 question, we're not aware of opposition. The DCA letters  
3 says it's in support. We've had great conversations with  
4 the DCA. I understand from Ms. Ackerman that Javi Sanchez,  
5 on behalf of the DCA signed up in opposition, so that's a  
6 little bit of news to us. But that's why we're prepared to  
7 give you a 25-minute version of this presentation and then I  
8 guess we'll hear from Mr. Sanchez. But our understanding,  
9 as of 9:00 this morning, is that the DCA is in support.

10           CHAIRPERSON HOOD: Okay. All right. Well, I  
11 won't prolong anymore. You all may -- you may begin.

12           MR. LEWIS: Okay. Thank you. Mike, if you could  
13 go to the next slide, please. Thank you. So the subject of  
14 today's property or today's application is several lots that  
15 WMATA owns at the Deanwood Metro Rail Station, bounded by  
16 Minnesota Avenue Northeast and Quarrel (phonetic) Street  
17 Northeast in Ward 7. And the Applicant requests a rezoning  
18 form the existing PER1 and RA1 to MU-5B.

19           This application is, at its core, a comprehensive  
20 plan and small area plan consistency case. As you see in  
21 our materials, the future land use map designation for this  
22 site is mixed use, medium density residential, low density  
23 commercial and local public facilities. The current PDR  
24 zone does not permit any meaningful residential use and the  
25 RA-1 zone does not permit any meaningful commercial use.

1 The proposed MU-5B zone permits both consistent with the  
2 future land use map. Mike, if you could go to the next  
3 slide, please. Thank you.

4 This map amendment advances the number of transit-  
5 oriented development and other objectives of the comp plan,  
6 which my colleague, Mr. Dettman, will discuss in his portion  
7 of the presentation. This application also advances other  
8 adopted public policies relevant to the subject site and I  
9 just want to take a moment to summarize some of those to set  
10 the stage. If you could go to the next slide, Mike.

11 For starters, the Deanwood Metro Rail Station is  
12 called out in WMATA's 10-year strategic plan. There is not  
13 yet a specific joint development project for this site,  
14 other than a new branch of the public library, which we'll  
15 talk about in a second, but this map amendment is the next  
16 step in a planning and development process that will lead to  
17 a new mixed use development at the Metro Rail Station.

18 Significantly, this is one of the top priority  
19 sites for WMATA in the District, per its 10-year plan and is  
20 located in what is called an equity emphasis area, where  
21 WMATA is devoting its resources, public resources to areas  
22 that have been under invested for far too long. So this  
23 application is consistent with WMATA's plan. Next slide,  
24 please, Mike.

25 In addition to WMATA's plan, there's also the DC

1 Public Library Facilities Plan and the Mayor's Fiscal Year  
2 '25 Budget, both of which call for, and importantly  
3 allocate, roughly \$24 million for the construction of a new  
4 library on the park and ride parking lot at the Deanwood  
5 Metro Rail Station.

6           This application is consistent with the DCPL plan,  
7 too. This application is also consistent with the Mayor's  
8 housing goals in the Housing Equity Report from OP. This is  
9 a map amendment from a site that is zoned PDR-1. WMATA did  
10 a lot of public outreach, which Mr. Ways will discuss, and  
11 one of the points that was made many times from members of  
12 the community is that there is a lot of affordable housing  
13 and public housing in and around Deanwood, and what is  
14 really needed is additional market rate housing.

15           So this application does not seek the IZ+  
16 designation for this site, consistent with OP's  
17 recommendations. We're happy to discuss that in more  
18 detail, if necessary, because we know that's often the focus  
19 of the Commission and that's something that's frankly fairly  
20 unique about this application, but we are in alignment with  
21 OP on this point.

22           Finally, this application is consistent with the  
23 racial equity goals of the comp plan. Mr. Dettman will  
24 cover this in more detail in his comments as well, but I  
25 wanted to call to the Commission's attention what a robust

1 and meaningful job WMATA has done soliciting input from the  
2 community, meeting with folks from the community and making  
3 changes and adopting comments from the community.

4           Before WMATA even filed this map amendment  
5 application, it undertook a robust public outreach process  
6 to gather information, host community members, et cetera,  
7 and then use the feedback from that process to decide  
8 whether to move forward with the map amendment and then, if  
9 so, to figure out exactly which zone was appropriate, given  
10 the comments received from the public. That outreach has  
11 continued over the past year and we've outlined all of it in  
12 our updated racial equity tool response, which is at Exhibit  
13 23C.

14           In working to satisfy the procedural and  
15 substantive equity goals of the comp plan, that doesn't mean  
16 that there aren't occasionally areas where people within the  
17 community want different things or have asked for things  
18 that aren't typically part of a map amendment. But there's  
19 been conversation. There's been true consideration by WMATA  
20 of community feedback and input. And I am certain that  
21 WMATA wants to do the right thing as a development partner  
22 for the Deanwood community.

23           One thing there was broad agreement on here is  
24 that the surface parking lot next to the Metro Rail Station  
25 is not the best thing for Deanwood and it should be

1 redeveloped. This map amendment is the next step in  
2 realizing that consensus. And if you could go to the next  
3 slide, please, Mike. I think probably one -- thank you,  
4 yes.

5           We're pleased to be here with a report in support  
6 of the application from the Office of Planning at Exhibit  
7 24, a report of no objection from DDOT, Exhibit 25. And as  
8 mentioned at the outset, we have a letter of support from DC  
9 Public Library. We've had many positive conversations with  
10 ANC 7C and, in particular, Chairman Holmes, over the past  
11 many months, including most recently this past Thursday when  
12 ANC 7C voted to support this application, and we're  
13 delighted to have the ANC's support. We also have support  
14 from the Deanwood Citizen's Association in the form of an  
15 initial letter at Exhibit 13 and then the supplemental  
16 letter that was introduced today, which we discussed at the  
17 outset.

18           So my final comment before I turn it over to Mr.  
19 Ways, we have two witnesses this afternoon, Mr. Ways, on  
20 behalf of WMATA, and Mr. Dettman, our expert in land  
21 planning, and with that, I'd like to turn the presentation  
22 over to Mr. Ways to introduce himself and talk about WMATA's  
23 vision for the site, the RFP process and community outreach.

24           Mr. Ways? Is Mr. Ways a panelist?

25           MR. WAYS: Hello, can folks hear me?

1                   CHAIRPERSON HOOD: Yes, we can hear you.

2                   MR. WAYS: Oh, excellent. Good afternoon, Zoning  
3 Commission. My name is Howard Ways. I am a senior  
4 development manager working for WMATA. I have been with the  
5 Agency for a little more than a year. Prior to that, I  
6 worked for a number of years in DC Government at the Office  
7 of Planning, the Deputy Mayor's Office for Economic  
8 Development. I worked in Prince George's County as the  
9 executive director of the redevelopment authority and before  
10 I was at WMATA, I was the chief of operations at the  
11 District Department of Transportation. I'm really excited  
12 to present this project to you all and make the request for  
13 the map amendment, support the map amendment application  
14 that we've submitted.

15                   And I'm really excited about presenting this  
16 development opportunity here at the Deanwood Metro Station.  
17 The slide in front of you shows an aerial image of the site  
18 in question. To the right, upper right corner, you see the  
19 surface parking lot. Next to that, you see the bus, bus  
20 loop and kiss and ride parking lot sort of immediately in  
21 front of the station entrance. And just to the right of  
22 that, you see the Deanwood Community Center. And just south  
23 of that, you see the Ron Brown High School. So that's the  
24 neighborhood context and this is an excellent opportunity  
25 for the surface parking lot to be repurposed in a way that

1 helps to fulfill the hopes and aspirations of the Deanwood  
2 community and also making sure that what we do is consistent  
3 with not only the comprehensive plan but the small area plan  
4 for the Deanwood community. Next slide, please.

5           These are some imagery from the site. As you can  
6 gather from these photographs, it's a relatively flat site  
7 adjacent to not only the WMATA rail line but also the CSX  
8 rail line on Minnesota Avenue. You see in Slide No. 1 or  
9 Photo No. 1 the exit from the bus loop, various crosswalks  
10 in the neighborhood and you see a slide -- I guess it's  
11 Slide 6 or Photo 6, an imagery of the rail line, the CSX  
12 rail line that runs immediately adjacent to the site. Next  
13 slide, please.

14           As David mentioned, Deanwood is one of the  
15 stations that was identified in the WMATA 10-year strategic  
16 plan that was approved by a board nearly two years ago. And  
17 in that plan, it called for an accelerated joint development  
18 process, one that would repurpose underutilized land around  
19 WMATA stations for various uses. And the term joint  
20 development really is a Federal Transit Administration  
21 terminology that is used for projects much like this. It's  
22 really essentially land that was originally acquired for the  
23 purpose of supporting public transportation being repurposed  
24 for economic development purposes, so that is what we're  
25 trying to do here.

1 WMATA has a very robust joint development program.  
2 We've been told by FTA that we have the most robust joint  
3 development plan or history of any transit agency in the  
4 United States. And per the strategic plan, look to  
5 accelerate those benefits and bring more of those benefits  
6 to neighborhood oriented stations. Much of the previous  
7 work happened in downtown areas or higher density areas  
8 around commercial development. The 10-year strategic plan  
9 moves us into more neighborhood-oriented stations such as  
10 Deanwood. What you see on this slide are the four priority  
11 strategies, along with supporting actions. All of which are  
12 proposed here at the Deanwood Station. Next slide, please.

13 I thought my camera was on. I apologize. I don't  
14 see a button that's on my camera. I'll keep talking while I  
15 get some assistance on figuring out how to turn my camera  
16 on. So this slide reflects the proposed changes the WMATA  
17 board has approved for the Deanwood Station. And that  
18 process starts with -- well, it starts with a public hearing  
19 known as the WMATA Compact Hearing. We held that hearing  
20 back in July of 2023. I'll talk in more detail about that  
21 during the next slide, but the slide here really goes to the  
22 time horizon of the start of the compact hearing process, we  
23 applied for the map amendment in January of 2024. We've  
24 also begun a solicitation process through a joint  
25 development solicitation that was advertised publicly back

1 in June and we anticipate if all goes well and we select the  
2 right developer, there are no market hiccups, the economy  
3 improves, that there's an anticipation that the best case  
4 scenario, you can see in 2026, the actual start of  
5 construction on this joint development site as well as  
6 completion of the joint development project sometime around  
7 2028. Next slide, please.

8           A little bit more about the compact hearing. So  
9 one of the things that we changed in our process at WMATA is  
10 we're doing much more community engagement and planning  
11 prior to the release of a solicitation. So previous  
12 efforts, you know, much of the outreach and engagement  
13 really wasn't started and initiated until a developer was  
14 selected. We've decided -- and especially -- we think it's  
15 especially important at WMATA, especially since we're moving  
16 towards more neighborhood-focused stations is to engage the  
17 community much earlier in the joint development process. So  
18 the first step in that process is to determine the best way  
19 that the station could be repurposed in a way that promotes  
20 economic development outcomes.

21           And so that process starts with the compact  
22 hearing that we held back in July of last year, which led to  
23 a series of recommendations from the community. We've had a  
24 very robust engagement process mailing out postcards,  
25 providing fliers and hosting the hearing on July 11, and the

1 result of that is that we received 100 comments regarding  
2 the future of the mixed use development concept. There was  
3 overwhelming support for that. As you see on the slide, 86  
4 percent of the comments supported that.

5           We had a lot of comments that supported the  
6 inclusion of a grocery store as part of this mixed use  
7 development opportunity, as well as a strong support for  
8 additional housing with special emphasis on market rate  
9 housing. You know, the belief is that given the enormous  
10 challenges that brick and mortar retail has today with  
11 internet commerce, it's really important to make sure that  
12 there is an appropriate amount of density around retail  
13 sites in order for those retail sites to attract a strong  
14 customer base. And the community, you can see from the  
15 comments, I think understands the importance of having, you  
16 know, that type of residential density to support commercial  
17 development.

18           And then lastly, very strong support for the idea  
19 of having a full service community library branch here at  
20 Deanwood. My first job in Washington D.C. was the planner  
21 for Ward 7 and I remember very distinctly working with the  
22 Deanwood community about having a library branch larger than  
23 the 120-square foot kiosk that was once there at the Marvin  
24 Gaye Park. So in many ways, for me, this is really coming  
25 full circle to see aspirations go from discussions of a full

1 service library to the execution of an actual branch here at  
2 the Deanwood Metro Station. Next slide.

3           So this is a timeline that really lays out the  
4 community engagement we've had as part of the map amendment  
5 process. And as you can see, it might be a little hard to  
6 read on your screen, the text is a little small, but the  
7 gist of this is it shows a fairly rigorous and robust  
8 community engagement process. We have gone to several ANC  
9 meetings. We have gone to several Deanwood Citizens  
10 Association meetings. We've had meetings with the  
11 leadership of those organizations. WMATA held a community  
12 open house. You know, we sent out postcards, had fliers.  
13 We thank the Deanwood Citizens Association and ANC for  
14 distributing fliers through their networks. In order for  
15 there to be wide outreach in the Deanwood Community so folks  
16 are more than well aware of the opportunity and the effort  
17 to bring the kind of economic development that is so desired  
18 in Deanwood.

19           So we direct the engagement of those organizations  
20 during this process and, you know, WMATA's commitment is to  
21 continue that engagement throughout the solicitation  
22 process, the design, construction and ultimate operations of  
23 whatever gets constructed here ultimately. Next slide.

24           And this slide shows some examples of the, you  
25 know, literature that was created. We have fliers, both in

1 English and in Spanish that went out. We sent out over  
2 1,000 postcards as part of the map amendment outreach. As I  
3 mentioned before, we hosted a community open house at the  
4 community center. You see a photograph of that at the  
5 bottom of the screen. So, you know, I'm very proud of the  
6 work that we've done at WMATA. We listened to the  
7 community.

8           As part of the RFP process, we included not on the  
9 priorities from the small area plan, but also included, you  
10 know, documentation from both the ANC and the Civic  
11 Association with their priorities -- Citizens Association  
12 with their priorities so that the developers who were  
13 considering responding to the solicitation know well upfront  
14 what the Deanwood community's priorities are and our  
15 expectation is that developers will respond in a positive  
16 way to those priorities in addition to providing a community  
17 engagement strategy. One of the requirements of the  
18 solicitation is to each respondent to provide a community  
19 engagement strategy and, again, from WMATA's perspective,  
20 that engagement goes from the solicitation all the way  
21 through to the ultimate operations of the development. So  
22 we feel that the community will always have a seat at the  
23 table, both the ANC and the Citizens Association, and as I  
24 told them, this is really the start of a long term  
25 relationship. And I am really thankful to the leadership of

1 both organizations for support of this project and look  
2 forward to continued engagement as we move forward. Next  
3 slide.

4 MR. DETTMAN: Thank you, Howard and good  
5 afternoon, Commissioners. My testimony today will walk  
6 through the proposal's satisfaction of the standard of  
7 review that's applicable to a zoning map amendment, which is  
8 stated before you on the slide here. I won't go ahead and  
9 read it. Next slide.

10 As you know, in accordance with the comp plan, the  
11 Commission must conduct its comp plan evaluations applicable  
12 to the zoning map amendments using the racial equity lens,  
13 which is discussed in the comprehensive plan in terms of  
14 both an outcome and a process. As demonstrated in the case  
15 record at Exhibits 2A2 and 2C, upon evaluation of the  
16 proposed rezoning, I would respectfully submit that the  
17 proposal is not inconsistent with the comp plan when read as  
18 a whole through a racial equity lens. Consistent with the  
19 Commission's racial equity tool, WMATA has conducted  
20 extensive meaningful engagement with the ANC, the Citizens  
21 Association and residents and stakeholders not only on this  
22 specific proposal but as Mr. Ways just described, also  
23 through its compact hearing process that began back in July  
24 of 2023.

25 In terms of outcomes, the proposed rezoning will

1 help address some of the planning and development priorities  
2 expressed by the community and set forth in the comp plan,  
3 particularly as they relate to encouraging more equitable  
4 distribution of affordable housing, support for better  
5 neighborhood serving amenities in underserved areas and  
6 addressing deficiencies in civic facilities and  
7 appropriately scaled transit-oriented development.

8           Finally, as discussed in our detailed written  
9 evaluation, we identified a few potential inconsistencies  
10 with policies and actions in the housing and urban design  
11 elements. While we believe we've made the case that the  
12 proposed rezoning is not inconsistent with these particular  
13 comp plan provisions, to the extent the Commission finds  
14 otherwise, we believe that any of those inconsistencies  
15 would be far outweighed by other competing comp plan  
16 policies in the land use, transportation, housing, economic  
17 development, as well as the far northeast and southeast  
18 elements.

19           In the interest of time, we did not include  
20 specific slides addressing these potential inconsistencies,  
21 but we are fully prepared, in response to questions by the  
22 Commission, to fully address any questions around potential  
23 inconsistencies that are discussed in our written filings.  
24 Next slide.

25           I'll start off quickly by looking at a -- by

1 making a comparison of the existing proposed zoning for the  
2 site. As we'll see, when addressing the FLUM, the existing  
3 zoning for this site is inconsistent with the land use  
4 designation that was adopted by the council in 2021, which  
5 supports mixed use development with an emphasis on  
6 residential use. Currently, the site is primarily zoned  
7 PDR-1, which does not support the type of mixed use  
8 development that the FLUM in the comprehensive plan  
9 envisions. Further, the small portion of the site that's  
10 zoned RA-1 does not allow mixed use development in that it  
11 only allows residential use and no commercial use. The  
12 proposed MU-5B zone will resolve this inconsistency. Next  
13 slide.

14           The site is within the neighborhood enhancement  
15 area on the generalized policy map. And the GPM also  
16 envisions the Deanwood Station as a new neighborhood center.  
17 Under the framework element, a neighborhood enhancement area  
18 can have substantial amounts of vacant and underutilized  
19 land, such as the case with this site, that present  
20 opportunities for compatible infill development, including  
21 new residential and mixed use buildings. New housing is  
22 encouraged in these areas, in accordance with the FLUM and  
23 applicable comp plan policy guidance.

24           A neighborhood center is described as an area that  
25 meets the day-to-day needs of residents and workers in

1 adjacent neighborhoods. Typical uses could include  
2 convenience stores, small neighborhood markets,  
3 supermarkets, branch banks, restaurants and basic services.  
4 Office space can be found in these areas, but it's small  
5 office space that can be found typically at ground floor  
6 office space with above story residential uses.

7           The proposed rezoning to MU-5B is not inconsistent  
8 with the GPM as it will support redevelopment on the site  
9 with new mixed use development containing ground floor and  
10 neighborhood serving retail and service uses and residential  
11 use that will enhance the area. It will also facilitate the  
12 construction of a new standalone Deanwood Public Library, as  
13 was discussed by Mr. Ways. Next slide.

14           The proposal is also not inconsistent with the  
15 site's mixed use, low density commercial, medium density  
16 residential local public facility designation on the FLUM.  
17 As you know, mixed use is a specific land use designation on  
18 the FLUM and the density and intensity of development within  
19 these types of areas is determined by the specific mix of  
20 uses that's shown in the striping, with additional guidance  
21 provided by area elements, as well as applicable small area  
22 plans, which we have in this case. The FLUM envisions  
23 medium density mixed use development with an expressed  
24 preference for residential over commercial that could be  
25 collocated with local public facilities, like in this case

1 with the existing bus transit facility.

2           The MU-5B zone is not inconsistent with this  
3 designation when read together with the policies and other  
4 applicable plans. Just as the FLUM envisions, the MU-5B  
5 zone permits medium density mixed use development with an  
6 emphasis on residential use and permits neighborhood serving  
7 uses, such as shopping and business needs that are  
8 appropriate for neighborhoods outside the central core.  
9 Next slide.

10           From a technical perspective, we can see here that  
11 the density permitted in the MU-5B zone is consistent with  
12 typical matter of right density envisioned by the FLUM, as  
13 it's described in the framework element. Generally  
14 speaking, the FLUM contemplates medium density mixed use  
15 development up to about a 4.0 FAR with greater density  
16 permitted under IZ or a PUD, right in line with this  
17 guidance, the MU-5B zone permits a matter of right density  
18 of 3.5 FAR, 4.2 with IZ, with a limit on nonresidential uses  
19 to 1.5 FAR. Next slide.

20           I know in prior cases, the Commission has inquired  
21 of the Applicant about how we arrived at the zone that we  
22 were currently pursuing. We looked at a range of zones that  
23 potentially could be deemed to be not inconsistent with the  
24 comprehensive plan and the future land use map. You can see  
25 the range of zones that we looked at here. And as I

1 mentioned, the FLUM contemplates medium density mixed use  
2 development, which under the framework element could tell  
3 you that, you know, we could be pursuing MU-8 and MU-10 in  
4 this area. The framework element describes MU-8 and MU-10  
5 as medium density zones, mixed use zones and you can see the  
6 densities would fall within those as well for the four to  
7 six.

8           However, we're pursuing arguably what would be  
9 considered under the framework element as a moderate density  
10 mixed use zone and we think that's the right zone for a  
11 couple of reasons. One being, you know, the market demand  
12 that WMATA sees for a potential mixed use development in  
13 this area. We also think that the FAR and the height  
14 permitted under the MU-5B is the right zone, given the  
15 surrounding context of the site. When looking at, you know,  
16 MU-5 or MU-7, we went with the MU-5B because we saw a need  
17 for the height that was allowed under the MU-5B, as opposed  
18 to the additional density that we could've gotten through  
19 the MU-7 zone. We want retail at this site to be good  
20 retail. And so what we opted for for the MU-5B is a little  
21 bit of additional height to allow that ground floor retail  
22 height to have a slightly higher floor to ceiling without  
23 having to take that height out of the residential that's  
24 above that. Next slide.

25           If we look at the policy guidance, it all sort of

1 lends itself to, again, the MU-5B zone, allowing for, you  
2 know, that type of density and mixed use development. The  
3 far northeast and southeast area element has specific  
4 policies about Deanwood and has a Deanwood policy focus  
5 area, which talks about mixed use development consisting of  
6 medium density housing and low density commercial uses. And  
7 there's also a policy that encourages the development of a  
8 variety of neighborhood-serving commercial uses along  
9 certain corridors, such as Minnesota Avenue. Next slide.

10           The proposed zone is also consistent with the  
11 Deanwood Small Area Plan. The small area plan identifies  
12 five focus notes, and you can see here, they're listed here.  
13 Deanwood Metro being one of them. And the slide summarizes  
14 the type and intensity of commercial development that's  
15 envisioned for each node under the small area plan. So, for  
16 example, the node at Minnesota Avenue and Benning, which the  
17 small area plan calls Downtown Ward 7, describes it as the  
18 commercial heart and destination for Deanwood, that node is  
19 envisioned for a civic or government center, shopping and  
20 entertainment, housing uses. This is the node where DCGS  
21 recently relocated its headquarters. It contains the East  
22 River Park Shopping Center, which his planned for a major  
23 redevelopment, which is referred to as the Northeast Heights  
24 Town Center. So sort of certainly, I have your commercial  
25 component at that node.

1           In contrast, the small area plan envisions  
2 Deanwood for having a much smaller commercial component,  
3 specifically, the small area plan supports multifamily  
4 housing with only minor convenience retail serving transit  
5 commuters and residents. Next slide.

6           Here's just a couple additional slides with some  
7 notable excerpts from the small area plan, again, talking  
8 about the Deanwood node as a prime opportunity for future  
9 mixed use development. It's seen as having limited traffic  
10 exposure with little pedestrian activity, resulting in no  
11 significant generator for retail demand, other than Metro  
12 itself and even that is relatively low, given the low  
13 ridership at the station. And finally, the small area plan  
14 sees this site as being ripe for a land use change from  
15 light industrial to moderate to medium density mixed use,  
16 providing additional housing and minor retail. Again, so  
17 it's all sort of lending itself to this MU-5B zone, which  
18 favors residential with some smaller density commercial use.  
19 Next slide.

20           This is just more of the same on the small area  
21 plan, again, looking at multifamily housing, limited retail  
22 use. Next slide.

23           The last couple slides I have, Mr. Chairman,  
24 address the Commission's racial equity tool. It's a four-  
25 part tool, as you know. Next slide. With the first part

1 requiring applicants to consider the comp plan policy  
2 guidance that's provided as applicable to the proposed  
3 rezoning. We've conducted an exhaustive review. It's set  
4 forth in written filings and what the policy guidance says,  
5 as it applies to this proposed rezoning, is that it will  
6 substantially advance comprehensive plan policies related to  
7 development around Metro, infill development while  
8 maintaining a variety of neighborhoods and achievement of  
9 housing production goals as well as promoting equitable  
10 access to transportation.

11 As I mentioned, we've also prepared a thorough  
12 evaluation of potential comp plan inconsistencies. We note  
13 them in our written filings and we're prepared to fully  
14 address them if the Commission so chooses. Next slide.

15 Mr. Ways already talked about the extensive and  
16 meaningful public engagement that's occurred on this zoning  
17 proposal. As was mentioned, 14 meetings took place with the  
18 ANC, the Deanwood Citizens Association as well as residents  
19 and other organizations, since we filed the application in -  
20 - since the initial engagement with the ANC in early  
21 January.

22 Finally, the racial equity tool -- next slide --  
23 requires applicants to evaluate a zoning action through a  
24 number of equitable development indicators looking at direct  
25 and indirect displacement. We don't -- there will be no

1 direct displacement of residents or businesses, as there's  
2 none on the site. Indirect displacement is not anticipated  
3 to occur with the proposed rezoning, given the percent of  
4 homeownership in the area, as well as trends in income,  
5 unemployment rate, poverty level, as well as housing cost  
6 burden. It'll have a positive impact on housing with  
7 additional housing in close proximity to Metro. That's both  
8 market rate as well as affordable housing with the regular  
9 IZ.

10           And we anticipate that there'll be substantial  
11 improvements to the public realm with pedestrian safety  
12 along Minnesota Avenue, improve stormwater management and  
13 certainly access to opportunity with construction jobs, new  
14 job opportunities in retail, residential build management,  
15 the public library, as well as the access to additional jobs  
16 elsewhere with the new residential in close proximity to  
17 transit. Next slide.

18           And so with that, I would simply say -- I won't go  
19 through this slide in detail, but say that the proposed  
20 rezoning does meet the standard of review under the zoning  
21 regulations and that it is not inconsistent with the  
22 comprehensive plan when read with the racial equity lens as  
23 well as consistent with the Deanwood Small Area Plan and the  
24 purposes of the Zoning Act. And with that, Mr. Chairman, I  
25 appreciate your time and hand it back to Dave for closing.

1           MR. LEWIS: Thanks very much, Mr. Dettman. I'd  
2 like to reiterate that WMATA has already committed the land  
3 to the District for DCPL to build a new full size branch of  
4 the library in Deanwood. I know the Commission generally  
5 doesn't talk about specific projects as part of a map  
6 amendment and map amendments don't include discussion of  
7 "public benefits," but the new library branch is such an  
8 important element of the future of the Deanwood Metro Rail  
9 Station that it's worth mentioning because I know the  
10 Commission cares what impacts these map amendments have and  
11 this one has a very positive impact.

12           The success of expanding the Deanwood branch of  
13 the library is a testament not only to WMATA working with  
14 the highest levels of the District government, but also to  
15 the advocacy and vision of Chairman Holmes, ANC7C, the  
16 Citizens Association and all the folks in the community who  
17 are working so hard for the good of their neighbors. Beyond  
18 the DCPL facility, this map amendment facilitates future  
19 mixed use development of Deanwood and it's still far too  
20 early to know exactly what the specific uses on the ground  
21 floor will be, but this map amendment helps make it possible  
22 in a way that existing PDR zoning does not. So with that,  
23 Commissioners, we're happy to answer any questions that you  
24 all might have regarding this map amendment application this  
25 afternoon. Thank you.

1                   CHAIRPERSON HOOD: Thank you, Mr. Lewis and to the  
2 team for your presentation. Let's see if we have any  
3 questions or comments.

4                   Vice Chair Miller, if you could start us off.

5                   VICE CHAIR MILLER: Can you hear me? Okay. Thank  
6 you to the Applicant team for your presentation of this map  
7 amendment, which going from PDR-1 and RA-1 to MU-5B for an  
8 area, this Deanwood Metro site, which is designated on the  
9 future land use map, as you said, as medium density  
10 residential, low density commercial and local public  
11 facilities. And so I mean I think it's pretty clear that  
12 the MU-5B zoning is much more consistent than the existing  
13 zoning, which largely, except for the very small RA-1  
14 portion, wouldn't allow any residential when the future land  
15 use map is calling for medium residential.

16                   So that's how -- that's our primary standard of  
17 review for map amendments. We don't have a project in front  
18 of us. I know that's from what's in the record, I know that  
19 the community is somewhat frustrated by that and wanted to  
20 have a community benefits agreement that they wanted to, I  
21 guess, that is associated with planned unit developments and  
22 that we can consider as part of our order, but we can't with  
23 a map amendment consider those types of conditions. But I'm  
24 wondering if in all of your community engagement, were there  
25 certain community benefits that you, the Applicant, have

1 requests for community benefits that you've received from  
2 the ANC or Deanwood Citizens or others which you are engaged  
3 in or are we being responsive to or how are you responding  
4 to those requests? We can't make it part of this order. It  
5 isn't part of, necessarily, our consideration, so it  
6 probably -- I mean how relevant it is to what our decision  
7 is is somewhat in question, but can you just give me some  
8 further information on what your dialogue has been with the  
9 ANC and Deanwood Citizens and maybe other community groups  
10 on what benefits they might be seeking and which you maybe  
11 could separately, I guess, enter into some kind of agreement  
12 with them outside of our zoning process?

13 MR. LEWIS: Yes. Thank you for the question.  
14 I'll start off just by reiterating that the library -- the  
15 plan for the library is a really meaningful gift from WMATA  
16 to the District and beyond that, the conversation has  
17 largely been about the type of commercial uses in the ground  
18 floor or future joint development project with lots of  
19 comments, we kind of mentioned it a couple of times this  
20 afternoon, lots of comments about grocery stores as a highly  
21 desired use.

22 And so most of the conversation, Commissioner  
23 Miller, has been about grocery stores and, you know, I'll  
24 let Howard kind of supplement here with what they've done,  
25 what WMATA has done because WMATA has done a lot, but the

1 short answer is that this map amendment facilitates the  
2 mixed use development, which paves the way for grocery store  
3 use in the future and Mr. Ways, I don't know if you want to  
4 add further to the grocery store commentary.

5 MR. WAYS: Sure. Howard Ways, Senior Development  
6 Manager. I apologize, for some reason, my computer is not  
7 allowing me to turn on my camera. So yeah, the grocery  
8 store, you know, going back to the compact hearing last  
9 year, it was identified as probably the leading community  
10 benefit that we heard from the residents throughout this  
11 process and so WMATA has done a couple of things. So we've,  
12 you know, engaged the Deputy Mayor's Office for Planning and  
13 Economic Development on this project. We were able to get  
14 the site identified as being eligible for the supermarket's  
15 tax credit that the city has to offer.

16 I've also had conversations with the Washington  
17 D.C. Economic Partnership about strategies to attract  
18 commercial uses to this site, with a particular emphasis on  
19 grocery store uses. We think the site is large enough to  
20 accommodate a small format grocery store, you know,  
21 somewhere between 10,000 and 20,000 square feet. We've  
22 identified six small format supermarket operators that  
23 currently operate in the District's, Maryland and Virginia.  
24 And so we expect to have, along with our selected  
25 development partner, a very aggressive approach towards

1 trying to attract a grocer to this location, as well as  
2 other neighborhood serving community uses.

3 MR. LEWIS: And I would just add, Commissioner  
4 Miller, you know, Mr. Ways mentioned it in his testimony,  
5 but just to point it out in response to your question, the  
6 RFP does include the comments about this grocery store use  
7 preference from the DCA folks and from the ANC. Those  
8 comments, those preferences were wrapped into the RFP so  
9 that developers, respondents could see, you know, how  
10 important this was to the community, but the RFP also  
11 directly speaks to the need for a grocery use in this area.  
12 That's called out in our supplemental submission at Exhibit  
13 23.

14 VICE CHAIR MILLER: Well, thank you, Mr. Lewis and  
15 Mr. Ways for those responses. And Mr. Ways, it's good to  
16 hear you, even though I can't see you. We've worked  
17 together in previous lives together or careers together. So  
18 the RFP process, which is a separate process from this  
19 process, that's WMATA's RFP process; is that correct?

20 MR. WAYS: Correct.

21 VICE CHAIR MILLER: Not the District's. Hi, I see  
22 you now.

23 MR. WAYS: Yes. I came to the other side of the  
24 table.

25 VICE CHAIR MILLER: Good to see you.

1                   MR. WAYS: Yes, good to see you.

2                   VICE CHAIR MILLER: Just where is the RFP process  
3 status right now?

4                   MR. WAYS: Sure, sure.

5                   VICE CHAIR MILLER: Where -- yeah.

6                   MR. WAYS: So the joint development solicitation  
7 was advertised June 17. Since then, we've had a  
8 presolicitation developer forum online. We had about 79  
9 participants in that meeting. That was followed up a couple  
10 of days later with an actual site walkthrough with potential  
11 respondents. We had about 30 people, you know, various  
12 developers, architects, engineers participate in that  
13 walkthrough and the due date for responses is September 10th  
14 of this year.

15                  VICE CHAIR MILLER: Thank you, appreciate that  
16 response. And I should've mentioned the public library use,  
17 that is the new public library that's going to be on this  
18 site and we have that in the record, as you mentioned, the  
19 letter of support from DCPL and that contribution to this  
20 development is a very significant component and the MU-5B  
21 zoning, you said, that's being proposed would allow for a  
22 10,000 to 20,000 square foot of commercial use on that -- on  
23 the lower level, on that ground and lower level or where  
24 exactly? Is it on the ground level or is it --

25                  MR. WAYS: On the ground level, correct. Howard

1 Ways, again, Senior Development Manager with WMATA. Yes, in  
2 our analysis of the site, we believe that the site is large  
3 enough to accommodate 10,000 to 20,000 square feet of ground  
4 floor retail as part of the mixed use development.

5 VICE CHAIR MILLER: And I don't want to -- this  
6 will be my last question on this since I don't want to get  
7 too much into the project, since we're not -- don't have a  
8 project before us, but you said you did identify six  
9 grocers, small format grocers, what does it mean to  
10 identify? You've talked with them yet or you think that  
11 they -- it fits -- it might fit into their marketing scheme  
12 based on what they've done in the past?

13 MR. WAYS: Correct. The six operators we've  
14 identified that have an established footprint in the DMV,  
15 you know, in the District, in the suburban Maryland,  
16 suburban Virginia. So we think they would be, you know, the  
17 first group of likely candidates to talk to about having a  
18 grocer come to this particular site. You know, obviously, a  
19 grocer that's familiar with the DMV market would have, you  
20 know a leg up on outside competition. They may also be  
21 currently looking at additional sites that we're not aware  
22 of and Deanwood, we think, is a prime location, transit  
23 accessible, historic neighborhood, Metro accessibility.

24 With the appropriate zoning in place, we think  
25 that that is a good recipe for, you know, at least starting

1 off conversations with potential grocers.

2 VICE CHAIR MILLER: Thank you. One last question.  
3 One the MU-5B zoning that's being proposed, again, we don't  
4 have a project in front of us, but what is the -- there was  
5 a reference in -- I think it's the only reference I saw to  
6 the number of housing units that would be potentially  
7 developed on this site because of the new zoning and I think  
8 they had something like 650 units, which sounds like a lot,  
9 it is a lot of housing units and we know that inclusionary  
10 zoning would apply to -- the regular inclusionary zoning  
11 would apply if we go with OP's recommendation, which is the  
12 8 to 10 percent set aside. But can you just tell me what  
13 the potential permission is for the number of units that  
14 would be allowed with the MU-5B zoning, Mr. Lewis or Mr.  
15 Dettman or whoever or Mr. Ways?

16 MR. LEWIS: Well, preliminary, the number seems  
17 high to me, I think materials that we've been sharing with  
18 the ANC and the DCA, I think we recorded something like 125  
19 to 175 units, does that sound right to you?

20 MR. WAYS: Yeah, there's -- again, Howard Ways,  
21 WMATA. There's sort of two standards you're looking at.  
22 One is what is the amount of density which ultimately  
23 translates to the number of units that the zoning would  
24 allow, compared to what we think at a given moment the  
25 market demands and financial feasibility of those units is.

1 So in our analysis, and I'll speak from the financial  
2 feasibility --

3 CHAIRPERSON HOOD: Did they freeze or did we  
4 freeze? I think we froze.

5 MR. WAYS: -- more than accommodates that level of  
6 density.

7 CHAIRPERSON HOOD: So Mr. Ways, let me just say,  
8 for some reason, you all froze. I hate to have you repeat  
9 all of that again.

10 MR. WAYS: Oh, okay.

11 CHAIRPERSON HOOD: But if you could --  
12 (Crosstalk).

13 MR. WAYS: Okay. So I'll address the site from a  
14 market feasibility and financial feasibility perspective,  
15 so, you know, our analysis is such that we believe that  
16 there is a market and a financial feasibility for anywhere  
17 from 125 to 175 units of market rate housing at this  
18 location. And the zoning that we've asked for through the  
19 map amendment provides more than enough density to allow for  
20 that level of development to occur.

21 MR. LEWIS: And just to finish that thought, I  
22 think the number you're citing, Commissioner Miller, comes  
23 from the DDOT report, where they're looking at kind of the  
24 maximum theoretical capacity here over the entire site.  
25 Only a portion of which is the joint development site. So

1 they're looking at maxing out the density on top of the bus  
2 turnaround and the Metro rail station itself, which I think  
3 is what DDOT, that's how they analyze potential traffic  
4 impacts. But that really doesn't align with what Metro is  
5 soliciting in terms of its RFP.

6 VICE CHAIR MILLER: Right. And it might've even  
7 included housing on top of the potential new library.

8 MR. WAYS: Exactly, yeah.

9 VICE CHAIR MILLER: Which, as I understand it,  
10 you're not planning on this -- for this particular  
11 development, it's supposed to be a freestanding library; is  
12 that correct?

13 MR. WAYS: Correct.

14 VICE CHAIR MILLER: Okay. Thank you very much. I  
15 appreciate all of the presentation, the community engagement  
16 that you've done. We're going to hear maybe from the  
17 community and I might have some more questions for you after  
18 I hear from them and after I read more carefully the ANC  
19 letter that just came into the record. I read it very  
20 quickly as you were -- as it came in just a few minutes ago,  
21 but I need to read it a little more carefully and I might  
22 have some more questions later, Mr. Chairman. But than you  
23 all very much.

24 CHAIRPERSON HOOD: Okay. Thank you. Commissioner  
25 Stidham, any questions, comments?

1                   COMMISSIONER STIDHAM: Just well one question and  
2 one comment, actually. First of all, thank you for the  
3 detailed comparison of the different zones that you are  
4 looking at. It was helpful in not only seeing it but  
5 hearing your justification for why you did not select those  
6 as the zoning you were looking for, so that was really  
7 helpful. I would like to hear a little bit more detail in  
8 the comp plan inconsistencies and the policies that I  
9 believe Mr. Dettman pointed out and that were a part of  
10 Exhibit 2C and 23, maybe, if you could just expand on that a  
11 little bit, it would be great.

12                   MR. DETTMAN: Sure. Thank you, Commissioner  
13 Stidham and is it Mike? Mike, we have a couple slides  
14 prepared on the comp plan inconsistencies. Would you mind  
15 bringing those up? I think there's a couple diagrams,  
16 Commissioner Stidham that I think would be helpful in our  
17 summary of this. So in our filing -- as the appendix slides  
18 are coming up, in our writeup of the potential  
19 inconsistencies, there were a few housing policies related  
20 to affordable housing next to Metro Rail and then there was  
21 also a couple policies in the urban design element related  
22 to contrasts and building scale and what not, basically  
23 policies that are encouraging avoidance of overpowering  
24 contrast and scale, like a 100-foot building across the  
25 street from a 20-foot building.

1           Now, this is -- there's a separate PDF, Mike, that  
2 I sent to Mr. Young and Ms. Schellin. Great. Thank you.  
3 Next slide. So as I mentioned, as it relates to housing  
4 near Metro, there is a land use action that talks about  
5 encouraging development in and around Metro stations to  
6 exceed affordable units required under the IZ program. And  
7 then next slide, there's also two housing element  
8 provisions. One is a policy talking about requiring 20 to  
9 30 percent of the housing units built publicly owned  
10 disposed land for affordable. And then there's another  
11 action talking about review and consider expansion of the IZ  
12 program. So I want to just address those three things in  
13 the next slide. Next slide, please.

14           Quickly, there is guidance that we have and we  
15 talk about this all the time, but there's guidance provided  
16 by the courts in terms of how you address nonmandatory  
17 language in the comp plan and mandatory language in the comp  
18 plan. It's there for your consideration, but in general,  
19 you know, whether or not you're inconsistent with a policy  
20 that's worded in nonmandatory terms or mandatory terms, it  
21 does not automatically mean that the Commission disapproves  
22 the project. It's all about the balancing of consistencies  
23 and inconsistencies is what these two provisions say from  
24 the McMillan order. Next slide.

25           So looking at the two actions and we often don't

1 talk about the difference between an action and a policy in  
2 the comprehensive plan, but I thought here it might be worth  
3 just talking about it. So we believe that we are not  
4 inconsistent with these two particular actions. First,  
5 they're not policies and then if you look at the  
6 implementation element, it talks about how the comp plan  
7 provides recommended actions that are to be carried out by  
8 government agencies. And so really, it's not for  
9 applicants, it's really for agencies to address.

10           And if you look at the implementation element,  
11 there's a very detailed chart that assigns each action to a  
12 government agency. Also, when it talks about -- setting  
13 that aside, when you look at the language in the first  
14 action about encourage developments, as we've already  
15 discussed, this is a proposal for a zoning map amendment.  
16 There's no specific development and then the second action,  
17 review and consider expansion of the IZ program, the  
18 Commission has already done that. They've already expanded  
19 the IZ program in creating IZ+. And in doing that, Office  
20 of Planning and the Commission created a mechanism that  
21 allowed for deviations from IZ+ based upon the term that  
22 shows up in the regulations, mitigating circumstances, such  
23 as locations that already have an overconcentration of  
24 affordable housing. And there's the provision from Subtitle  
25 Z400.5, where it's a relief fail. It allows the Office of

1 Planning and the Commission to look at the circumstances of  
2 a particular area and determine whether or not IZ+ is  
3 appropriate. And as Mr. Lewis mentioned, the Office of  
4 Planning is recommending that IZ+ in this particular  
5 planning area is not appropriate. Next slide.

6           This policy that we're here looking at, affordable  
7 housing on publicly owned sites, you know, you could say is  
8 worded in mandatory terms, require that 20 to 30 percent of  
9 the housing built on public-owned land be devoted to  
10 affordable housing. And then on the right hand side, it's  
11 just sort of a justification for why we believe we're not  
12 inconsistent with this. First, set asides above 20 percent  
13 fall outside the IZ program, even under IZ+. And they're  
14 more germane to district land dispositions under DC10801,  
15 which WMATA is not subject to. Also, 20 to 30 percent  
16 affordable housing would perpetuate the continued  
17 overconcentration of affordable housing in Wards 7 and 8.

18           I would also say that this would also conflict  
19 with the housing element goal of 15 percent affordable  
20 housing per planning area. It also conflicts with other  
21 guidance that's provided in the comprehensive plan and as  
22 that language from the McMillan case talks about that, even  
23 a policy that's worded in mandatory terms, you know, the  
24 Commission has to sometimes look at where there are  
25 conflicts. And there is guidance in the comprehensive plan

1 that talk about avoiding overconcentration of affordable  
2 housing in areas that have too much affordable housing, as  
3 well as more about the equitable distribution of affordable  
4 housing, meaning affordable housing in high income areas and  
5 market rate housing in low income areas. Next slide.

6           So if we look at what information is out there,  
7 you can see the table on the left, working from the  
8 comprehensive plan, where the comp plan, again, sets a goal  
9 of 15 percent of housing units in each planning area to be  
10 affordable. And you can see here outlined in red in the  
11 housing element, the far northeast, southeast planning area  
12 has over 20 percent, 26 percent of the housing units in that  
13 area are currently affordable housing. And actually, I  
14 think that that number is probably low because if you look  
15 at the most recent data on DMPED's affordable housing  
16 tracker, you can see based upon the 2019 housing equity  
17 goals that were established by the Mayor, this particular  
18 planning area is already over 200 percent of its affordable  
19 housing goal. So that information sort of tells you that,  
20 you know, perhaps the IZ+ on this particular site would not  
21 be appropriate. Next slide.

22           We also looked at, you know, the IZ program is  
23 sort of built on the premise that the additional market rate  
24 units that you gain through the bonus density help to cross  
25 subsidize the affordable units that are required. And in

1 areas --several neighborhoods in Ward 7 and Ward 8, really,  
2 you don't have -- the rents that are generated by the market  
3 rate units cannot cross subsidize the affordable units. And  
4 so what we show in this chart here is -- let's just look at  
5 the bottom levels, the median rents that are out there in  
6 Ward 7 in the planning areas, as well as the Deanwood  
7 neighborhood, the median rent in this area is around \$1,100,  
8 around \$1,200 for the median rent across all unit types.

9           If you just look at the median rent that can be  
10 charged, the maximum median rent that can be charged for IZ  
11 units at the 60 percent MFI level, that's about \$1,500, so  
12 really, because of the lower rents in this area, they have a  
13 hard time -- the market rate rents have a hard time cross  
14 subsidizing affordable. So the more affordable you put in  
15 the building, the more difficult it will be for a developer  
16 to come and build and finance a project, right? Really,  
17 under these circumstances, it's the IZ units that are cross  
18 subsidizing the market rate units. And so that's just some  
19 -- that's just a data point that we wanted to present to you  
20 to show that, you know, we believe that on this site,  
21 regular IZ, which the set aside under regular IZ would be  
22 between, assuming stick construction, it would be between 10  
23 and 12.5 percent. We think that's the right amount of  
24 affordable housing for this particular site. That's all I  
25 have for you --

1 (Crosstalk).

2 COMMISSIONER STIDHAM: Great. No, that was very  
3 helpful. Thank you very much for going into such  
4 significant detail. Thank you. And Chair, I have nothing  
5 more.

6 CHAIRPERSON HOOD: Good. Thank you, Commissioner  
7 Stidham.

8 Commissioner Imamura, any questions or comments?

9 COMMISSIONER IMAMURA: Thank you, Chairman. No  
10 questions, just a couple comments. Appreciate the questions  
11 that Commissioner Stidham had asked, as well as Vice Chair  
12 Miller. Specifically, I want to underscore Commissioner  
13 Stidham's comments about the comparison of zones, that was  
14 very helpful, especially the explanation for why you chose  
15 MU-5B for its height versus the MU-7 for its density.  
16 Appreciate the honesty behind that, specifically, just for  
17 the higher retail space and just the explanation that you'd  
18 have to take out additional floors and units if you went  
19 with the MU-7 just to get the commercial retail space, so  
20 appreciate that.

21 Also, appreciate the timeline, that was very  
22 helpful to see. A lot of times, applicants will come in and  
23 just provide a list, but it's helpful to sort of visualize  
24 what that looks like at the time. I also want to comment  
25 just on the community outreach efforts, community

1 engagement. I think Mr. Ways, you had mentioned you  
2 recognized it was important to engage the community early in  
3 the process and so that's something that we listen for  
4 closely, so I appreciate your comments about that.

5           Also, I think somebody had touched on just looking  
6 at the community leads, I know we know this is a map  
7 amendment, appreciate Vice Chair Miller's comments just in  
8 general about some of the programming for the space, even  
9 though that's not before us. It's important to understand  
10 zoning is just not necessarily about planning, but it's sort  
11 of a two-dimensional space about higher density, but it's  
12 important to understand sort of the comprehensive view and  
13 vision for this area, what the needs and opportunities are,  
14 the urban feel and how that ties into the urban fabric of  
15 the neighborhood. So it's really important to understand  
16 the complete aspect of what the potential is for this  
17 particular site. So I appreciate Vice Chair Miller's  
18 comments or questions about that and the responses.

19           And then just also wanted to comment, I think Mr.  
20 Ways had mentioned on the joint development site here about  
21 the comments from FDA about WMATA being probably one of the  
22 most progressive transit agencies. This particular map  
23 amendment aligns with the 10-year strategic plan for this  
24 particular area, so it seems to me as if there's been a lot  
25 of cross coordination and planning and I certainly

1 appreciate that. That certainly came through tonight in  
2 your presentation.

3           Also, just wanted to comment also, one more, I  
4 guess, it's one thing -- just to go back to the community  
5 engagement, it's one thing to say, you know, you reached out  
6 to the community and did a lot of engagement, but also just  
7 wanted to comment that I appreciate the breakdown of those  
8 results, just the honesty behind that as well, saying hey,  
9 these are the results or the kind of comments that we  
10 received. And I don't recall the exact amount, I didn't  
11 take those down, but about, you know, most of them were  
12 about the public library or the grocery store, mixed-use  
13 housing, so I appreciated the additional insight that you  
14 provided, the breakdown of the information at that scale.

15           Outside of that, I think I'm in agreement with  
16 Vice Chair Miller that it seems as if maybe the MU-5B is not  
17 inconsistent with the comprehensive plan and that any  
18 inconsistencies are overridden by some of the opportunities  
19 here provided by this map amendment. So with that, Mr.  
20 Chairman, I don't think I have any other comments. I  
21 appreciate the due diligence and the thoroughness that this  
22 Applicant has put into this map amendment, the additional  
23 slides that were reserved to respond to Commissioner  
24 Stidham's questions there. It was just nice backup  
25 information to have. So I appreciate the Applicant trying

1 to tailor the presentation to fit into 20, 25 minutes and  
2 hit the highlights but then also have other information for  
3 our questions, so pretty effective, I think, but otherwise,  
4 I don't have any questions. I think all of the questions  
5 that I did have were already responded to through either  
6 Vice Chair Miller's set of questions and Commissioner  
7 Stidham's, so thank you, Mr. Chairman.

8 CHAIRPERSON HOOD: Thank you. First, let me thank  
9 this Applicant. I'm sure -- I will tell you, I am disturbed  
10 by ANC Commissioner 7C's letter. This is a map amendment  
11 and maybe sometimes we signal the wrong things as the  
12 Commission because the counsel, my legal counsel has told me  
13 many times do not talk about a project. So I try to -- I  
14 try to lead by example. However, I understand, I think this  
15 map amendment, though, and the rezoning, which I believe,  
16 too, is not inconsistent, if we stay on topic, then we won't  
17 confuse the community.

18 I'm out here with the community and I'm going to  
19 offer to Commissioner Holmes, if I need to come out and help  
20 to establish that, that we're not -- this is not about a  
21 community benefits package, and if WMATA is talking about  
22 doing something like that with you, that's not actually  
23 before the Zoning Commission. But I will say this, I know  
24 Howard Ways, I've known Howard Ways for years. I was in  
25 Prince George's County this past Saturday for the relevant

1 seminar they had out there. He's well-respected. He was  
2 well-respected and his name came out there, in a good way.  
3 And I will tell you that he knows the ropes. And, for me,  
4 when I look at this letter, ANC 7C, like he said, I believe  
5 he started on the beginning and it's full circle for him, I  
6 believe that some of this confusion that sometimes we may be  
7 signaling will be taken care of with him continuing to work  
8 on this project, so Mr. Ways, not putting any pressure on  
9 you, I know you can get it done. You've been around the  
10 circles. You've been in many places and you know this stuff  
11 like the back of your hand, so I would appreciate that.

12           And will talk to Commissioner Holmes. And I want  
13 Commissioner Holmes to know I appreciate the work he does.  
14 I'm willing personally to come out to the ANC and if you and  
15 I want to sit, get together and I don't drink coffee, but  
16 get together, just have a conversation, I really want to  
17 make sure, and I mentioned this previously, that we're not  
18 sending the wrong signal to residents that they can get a  
19 benefits package on a map amendment because I think some  
20 communities know that and some have a problem understanding  
21 that. But I think that this zone and what Howard Ways and  
22 the team, this is a prescription to get exactly where you  
23 need to go. It's not inconsistent, but I don't want us to  
24 start sending that signal because I'm hearing a lot and I  
25 don't hear it just in here.

1           And then it sounds like well, I heard you cutting  
2 out our benefits, that's what I'm hearing. That's not what  
3 the law -- we have to go by the regulations, so I would  
4 encourage my colleagues, too, that let's make sure we stay  
5 on course. Other than that, Mr. Ways, good seeing you. I  
6 think that this is a great project. I mean not project, a  
7 great map amendment to get to where you're trying to get to,  
8 the description to get to where you're trying to get to.  
9 And sometimes, I know it can be kind of difficult not to  
10 talk about a project. I have been schooled by the set of  
11 attorneys we have now, the ones I had previously and the  
12 ones I had when I first started and it ain't never changed,  
13 so I'll leave it at that.

14           I don't necessarily have any questions. I think  
15 my colleagues have covered them, so what I will do -- Ms.  
16 Schellin, do we have -- is Mr. Holmes here from ANC 7C?

17           MS. SCHELLIN: Let me check.

18           CHAIRPERSON HOOD: Well, Mr. Ways, did you see the  
19 letter? Let me ask you this, did you see the letter from  
20 ANC 7C?

21           MS. SCHELLIN: Yes, I believe it's been put in the  
22 record now.

23           CHAIRPERSON HOOD: Well, I was just asking Mr.  
24 Ways has he had a chance. Okay. Hold on.

25           MR. WAYS: Yes, I did see the letter,

1 Commissioner.

2 CHAIRPERSON HOOD: Okay, okay. And I know you're  
3 working with them and helping them understand. I mean I  
4 just think that certain neighborhoods -- and I'm not getting  
5 on anybody, certain neighborhoods -- I see in some  
6 neighborhoods where this has not come up and then in some  
7 neighborhoods, neighborhoods like where I live at, this  
8 comes up all the time and I want to make sure we are on the  
9 same -- we're doing the same thing across the city, that's  
10 all I'm trying to say.

11 Mr. Holmes, Commissioner Holmes --

12 COMMISSIONER HOLMES: Yes.

13 CHAIRPERSON HOOD: Good evening.

14 COMMISSIONER HOLMES: Good evening, sir.

15 CHAIRPERSON HOOD: All right. Do you have any  
16 questions?

17 COMMISSIONER HOLMES: For the Applicant?

18 CHAIRPERSON HOOD: Yes.

19 COMMISSIONER HOLMES: No. At this time, we've had  
20 exhaustive conversations with the Applicant and, at this  
21 point, the only real question in terms of, like you said  
22 before -- not you but another commissioner said in terms of  
23 where are we with the RFP and he did give us an answer that  
24 that's going to be to September.

25 CHAIRPERSON HOOD: Okay. I hope you stick around

1 and do your report because I do have some questions and I'm  
2 going to offer something to you. We'll go from there, okay?

3 COMMISSIONER HOLMES: Absolutely.

4 CHAIRPERSON HOOD: All right, my man. All right.

5 Ms. Schellin, do we have any -- that's right,  
6 there's only one ANC. Do we have any other government  
7 agencies?

8 MS. SCHELLIN: No other government agencies that  
9 I'm aware of.

10 CHAIRPERSON HOOD: And DDOT usually doesn't show  
11 for this, right?

12 MS. SCHELLIN: Let's see if DDOT is here. They  
13 typically don't.

14 CHAIRPERSON HOOD: Right.

15 MS. SCHELLIN: I do not see anybody from DDOT.

16 CHAIRPERSON HOOD: All right. Let's go to the  
17 Office of Planning.

18 MS. SCHELLIN: Okay. That's going to be Ron  
19 Barron and Joel Lawson.

20 CHAIRPERSON HOOD: Okay. Let's bring them up and  
21 you all may begin.

22 MR. BARRON: Good evening, Commissioners. I did  
23 have a slide that I had sent to Michael if he is able to  
24 pull that up so you all have something to look at. All  
25 right. Good evening, Mr. Chair and Commissioners. My name

1 is -- for the record is Ron Barron with the DC Office of  
2 Planning. The Office of Planning recommends approval of the  
3 Applicant's request for a map amendment at the Deanwood  
4 Metro Station. This map amendment would rezone property  
5 from PRD-1 and RA-1 to MU-5B. The future land use map  
6 designates the property as suitable for medium density  
7 residential, low density commercial and local public  
8 facilities, as has been discussed.

9           The MU-5B zone is a moderate to medium density  
10 mixed use zone so the proposed map amendment would not be  
11 inconsistent with this designation or with the generalized  
12 policy map. OP continues to not recommend that IZ+ be  
13 applied in this case. The far northeast, far southeast  
14 planning area has a significant portion of the city's total  
15 dedicated affordable housing units already. And has  
16 exceeded the District's target for new affordable units by  
17 almost 225 percent, as was stated. Standard IZ requirements  
18 would obviously still apply.

19           On balance, when viewed through a racial equity  
20 lens, the proposed map amendment would not be inconsistent  
21 with comprehensive plan goals. It would allow for new  
22 housing options, community facilities and opportunities for  
23 job creation. And with that, I will conclude the Office of  
24 Planning testimony for this case and would be happy to  
25 answer any questions you may have. Thank you.

1 CHAIRPERSON HOOD: Thank you, Mr. Barron and all  
2 of the work that you all have done on this. Let's see if we  
3 have any questions or comments.

4 Vice Chair Miller?

5 VICE CHAIR MILLER: No questions. Thank you, Mr.  
6 Barron for the Office of Planning report.

7 CHAIRPERSON HOOD: Okay. Commissioner Stidham?

8 COMMISSIONER STIDHAM: Thank you very much.

9 CHAIRPERSON HOOD: And Commissioner Imamura?

10 COMMISSIONER IMAMURA: Thank you, Mr. Chairman.  
11 No questions, Mr. Barron. Thank you for your report to help  
12 us set the canvas for this map amendment.

13 CHAIRPERSON HOOD: Okay. I don't have any  
14 questions either, Mr. Barron. Thank you.

15 Mr. Lewis, do you have any questions?

16 MR. LEWIS: (Inaudible) Office of Planning.

17 CHAIRPERSON HOOD: Okay. Chairman Holmes, do you  
18 have any questions of the Office of Planning?

19 COMMISSIONER HOLMES: Again, to confirm that they  
20 stated that we were ANC -- I was reading the report and it  
21 said that ANC 7C has 20 percent of all affordable housing in  
22 citywide, I just wanted a confirmation on that.

23 MR. BARRON: It was about 19 percent in, I  
24 believe, 2019.

25 COMMISSIONER HOLMES: Yes.

1           MR. BARRON: And since then, we've exceeded --  
2 there's been more construction and they exceeded the city's  
3 goals since 2019 by 225 percent.

4           COMMISSIONER HOLMES: Okay. Thank you. Because,  
5 as the community was having a -- looking at that number, we  
6 figured it was more, but we have been asking for an updated  
7 number to support us for this project, so thank you.

8           CHAIRPERSON HOOD: All right, thank you. I think  
9 that's it Mr. Barron. Thank you very much. We appreciate  
10 your report.

11          MR. BARRON: Thank you very much, Commissioners.

12          CHAIRPERSON HOOD: All right. Thank you.

13          Ms. Schellin, let's go to -- Chair Holmes, are you  
14 ready to give us your report?

15          COMMISSIONER HOLMES: Sure, I can. Give me one  
16 second.

17          MS. SCHELLIN: I'm sorry. Chairman Hood, do you  
18 consider the DC Public Library as a public agency?

19          CHAIRPERSON HOOD: Do I consider it? I guess so,  
20 yeah. Do they want to --

21          MS. SCHELLIN: They want to testify.

22          CHAIRPERSON HOOD: Okay. Well, let me say this --

23          MS. SCHELLIN: We don't typically have them as a  
24 public agency, but --

25          CHAIRPERSON HOOD: Yeah. If that's -- yeah, DC

1 Public Library -- but let me say this, whoever -- can  
2 somebody look in the chat? I don't know. Normally, the  
3 chat is off. I see them asking questions --

4 MS. SCHELLIN: I've checked that. I've been  
5 checking it, yeah.

6 CHAIRPERSON HOOD: Okay, all right. I didn't know  
7 we were using the chat, okay. All right. Let's go to DC  
8 Public Library. Let me see. Who's representing it? I  
9 don't see -- okay, Ms. Pahwa -- I'm going to really mess --  
10 no, let me try to pronounce it, Pahwa. I've heard your name  
11 before and I just can't remember. Is it Pahwa -- Pahwa,  
12 okay. Well, I was in the same library, okay. All right.  
13 You may begin.

14 MS. PAHWA: Good evening, Chairman and  
15 Commissioners. This is Jaspreet Pahwa from DC Public  
16 Library. I'm the director of capital planning and  
17 construction. We have entered into the record a bit late,  
18 but we've submitted the letter of support for the library --  
19 from the library for the zoning for the map amendment and  
20 I'm here to answer any questions. I've also submitted a  
21 copy of the written testimony clarifying that we are looking  
22 to design and construct a stand-alone library, which will e  
23 distinct from the joint development RFP that WMATA is  
24 shepherding.

25 CHAIRPERSON HOOD: So Ms. Pahwa, you endorse or

1     you support the map amendment?

2             MS. PAHWA: Absolutely.

3             CHAIRPERSON HOOD: And after the prescription,  
4     then you will -- whatever happens with that, you'll work  
5     with the Applicant on that, right?

6             MS. PAHWA: That's right. We've been under  
7     conversations and have to formalize the written agreements  
8     with WMATA to go forward with the designing and building the  
9     library.

10            CHAIRPERSON HOOD: Okay. All right. I just  
11     wanted to -- I wanted to stop right there just with the map  
12     amendment.

13            MS. PAHWA: Yes.

14            CHAIRPERSON HOOD: All right. So thank you so  
15     much. We appreciate you all taking the time to opine on  
16     this. Let's see if we have any questions.

17            Vice Chair Miller?

18            VICE CHAIR MILLER: Thank you, Mr. Chairman.  
19     Thank you, Ms. Pahwa, for being here on behalf of DC Public  
20     Libraries. It's very exciting that a new library will be  
21     coming to this site and that is already budgeted for, as I  
22     understand it?

23            MS. PAHWA: That's correct. The Mayor's budget  
24     has funded the library to the \$24 million number and we are  
25     ready to embark our journey very, very soon.

1           VICE CHAIR MILLER: And just because you're here,  
2 just so I have my understanding of the big picture, how many  
3 regional or branch libraries are there in the city and how  
4 many of them are still awaiting to be modernized? I know a  
5 lot of them have been and they're very exciting all  
6 throughout the city, but can you just give us a very brief  
7 summary of where the library modernization project is?

8           MS. PAHWA: Absolutely. We have 26 libraries  
9 citywide. Our facilities masterplan paved way for the  
10 replacement of some of the smaller libraries in spirit of  
11 equitable service to the neighborhoods that have been  
12 previously underserved by smaller footprints. Deanwood  
13 Library is one such location. It is currently the 7,300  
14 square foot library is collocated with the recreation center  
15 and our typical branch library is 20,000 square foot plus.

16           As part of our masterplan that was completed just  
17 before the pandemic and published, we requested funding for  
18 replacing some of those locations. So, at this point, we  
19 have four of those smaller locations to be replaced by full  
20 service libraries. And we have two existing library  
21 locations that have not been modernized in the entire campus  
22 and you have seen one of those projects more recently, the  
23 Chevy Chase Library.

24           VICE CHAIR MILLER: Right, okay. Well, thank you  
25 very much.

1 MS. PAHWA: Absolutely.

2 VICE CHAIR MILLER: And good luck with this  
3 modernization as well.

4 MS. PAHWA: Thank you.

5 VICE CHAIR MILLER: Thank you, Mr. Chair.

6 CHAIRPERSON HOOD: Okay, thank you.

7 Commissioner Stidham, any questions or comments?

8 COMMISSIONER STIDHAM: Thank you for being here  
9 and having seen what I would call a kiosk there, this will  
10 be a huge benefit to the community, so thank you for your  
11 work.

12 CHAIRPERSON HOOD: Okay. And Commissioner  
13 Imamura, any questions or comments?

14 COMMISSIONER IMAMURA: Thank you, Mr. Chairman.  
15 No questions, just a comment I thought Vice Chair Miller was  
16 going to say it's very exciting that DC Public Library,  
17 another agency on a hearing rather than OP and DDOT, so  
18 appreciate another agency weighing in. Thank you for the  
19 work that you do on behalf of the city. Thank you very much  
20 for your testimony today.

21 CHAIRPERSON HOOD: Ms. Pahwa, I just have a quick  
22 question. Who is the chair of the board now?

23 MS. PAHWA: Anthony Williams, Tony Williams.

24 CHAIRPERSON HOOD: Oh, oh, okay. Excuse me. All  
25 right. All right. Thank you very much. Let's see if we

1 have any other questions for you.

2 MS. PAHWA: And Andrew Trueblood is the chair of  
3 the facilities committee, which is what my built environment  
4 team reports to.

5 CHAIRPERSON HOOD: Oh, okay.

6 MS. PAHWA: Yeah.

7 CHAIRPERSON HOOD: That's where everybody is,  
8 okay.

9 MS. PAHWA: Yes.

10 CHAIRPERSON HOOD: Well, good, all right. Let's  
11 see if we have any -- Mr. Lewis, do you have any questions?

12 MR. LEWIS: Thank you for showing up.

13 CHAIRPERSON HOOD: Chair Holmes, do you have any  
14 questions of Ms. Pahwa?

15 COMMISSIONER HOLMES: No, thank you.

16 CHAIRPERSON HOOD: Okay. Again, as one of my  
17 colleagues mentioned, I think it was Commissioner Imamura or  
18 one of them mentioned it's good to hear from the library, so  
19 come back and see us soon.

20 MS. PAHWA: Absolutely.

21 CHAIRPERSON HOOD: All right. Thank you.

22 All right, Ms. Schellin, I think we're going to  
23 Chair Holmes now.

24 Chair Holmes?

25 COMMISSIONER HOLMES: Thank you. So you all

1 received my -- you all have received my -- our decision memo  
2 for the 72402. As such, I won't go over -- I assume you all  
3 have read it now, so I will go to the part where you, Chair  
4 Hood, have been discussing.

5 CHAIRPERSON HOOD: Okay, thank you.

6 COMMISSIONER HOLMES: Uh-huh. One second let me  
7 pull this up here. (Child speaking). Sure, go ahead. One  
8 second. (Child speaking).

9 CHAIRPERSON HOOD: We'll wait until you get a  
10 lemonade.

11 COMMISSIONER HOLMES: Absolutely, appreciate it.  
12 Yep, on dad time. So --

13 CHAIRPERSON HOOD: We all know how that is, we  
14 have to stop and get lemonade and do what we've got to do,  
15 so we're a patient commission.

16 COMMISSIONER HOLMES: I appreciate that, lemonade,  
17 Costco hotdog, ice cream, all that. Now, getting back to  
18 where we were talking about, so, you know, this process --  
19 let me first, you know, we start on a positive always around  
20 here, we, ANC7C, working with WMATA, Mr. Hays, as well as,  
21 of course, working with the DCA, this has been a long  
22 process. They did come early and they were often on our  
23 agenda, at least probably, I think, three times over the  
24 last six months. So WMATA did do -- did reach out to us  
25 early and often, so we appreciate that.

1           In terms of the DCPL Library, we are very excited  
2 about that. The DCA with the Friends of Deanwood Library  
3 went to go get that \$24 million. It's been in the budget  
4 for about two years, so we have -- we keep fighting to make  
5 sure it stayed there. We're so glad that it should be  
6 activated and that the WMATA was able to provide that land  
7 for the library.

8           In terms of housing, of course, the community, we  
9 have seen a lot, as you know, this is what, my sixth term  
10 going -- sixth term as a commissioner, and we've been  
11 talking about nothing but affordable housing the entire time  
12 over in 7C, so we were not surprised by the numbers that  
13 showed up in the Office of Planning report and, as such, we  
14 have concerns about housing overall, not just in general,  
15 that whether the intent for it to be market rate, as was  
16 said earlier, those numbers are so low, market rate is  
17 affordable on our side of town, so it's almost default, and  
18 what we end up seeing is that when you ask for market rate,  
19 60 percent, 80 percent higher, it still ends up sliding back  
20 into being affordable, whether it's through making sure that  
21 you keep a high occupancy rate at that building and then  
22 moving into vouchers, et cetera.

23           So we are cognizant that our numbers are high and  
24 they remain higher because we have a lot of projects, we've  
25 had a lot of projects in the past that's gone through zoning

1 that, you know, we'll start off with the well-meaning  
2 intentions of being a mixed use project, but again, there's  
3 a lot of affordable housing and we did a lot of replacement  
4 housing units as well, that's been expanded on many projects  
5 that are in 7C. So we are very concerned about that and we  
6 continue to ask for -- a lot of projects start as mixed use,  
7 but we have concerns and we worry about the commercial part  
8 actually being fulfilled.

9           Of course, we're looking at -- we had the 4,800 on  
10 Nannie Helen Burroughs. The only thing we have out of that  
11 is a Subway. As we're looking at this project, we're still  
12 waiting for the strand to be activated. Of course, you  
13 already know about the Capitol Gateway Marketplace and all  
14 of the trials and tribulations on that project. So we are  
15 very wary of the commercial aspects always tied to an MU  
16 project and it would be -- it would be foolish for us not to  
17 mention it every time we have a hearing. All right.

18           And so in terms of the mixed use development, of  
19 course, they are correct that the number one discussion for  
20 that point is a grocery store. But other things that were  
21 brought up during that hearing as well, as with goes along  
22 with the disposition hearing, there was a discussion for  
23 basically seeing if the community can receive some of those  
24 benefits that the executive office was talking about in  
25 terms of more agencies moving into Ward 7 and 8. So that

1 type of commercial use would be welcomed as well as  
2 educational equity as the report that came out from UDC a  
3 few years ago stated that a majority of --- most students  
4 that went to community college came from Ward 7, so having  
5 it moved to Ward 5 seems to -- was a head scratcher for us  
6 and we figured this would be a great time to realign that  
7 decision.

8 All right. So that's quickly going on what the  
9 community talked about and, again, our recommendations were  
10 also echoed by Office of Planning and others about the 2021  
11 Comp Plan, the 2008 Deanwood Strategic Development Plan, the  
12 Nellie Helen Burroughs Corridor Small Area Plan, which we  
13 are still doing concurrently while this project was being  
14 discussed to the community. Again, we just want to make  
15 sure in terms of, again, the transparency of the RFP process  
16 so that -- and actually, participation in the RFP process is  
17 what the community and the ANC would love for to occur  
18 because we want to make sure that as these -- because this  
19 process is asking to -- is doing a map amendment without  
20 actually showing a project of the possible, the community is  
21 having to sit there and trust to see what is going to  
22 happen.

23 Instead of that trust, transparency and a seat at  
24 the table would enable that and so that's why the community,  
25 as well as the ANC would like a seat -- have a seat at the

1 table for the RFP process.

2 Now, of course, WMATA did do their due diligence  
3 and they did meet out with the community and the Commission  
4 multiple times and they did finally come up on the 12th to  
5 DC and was able to approve the map amendment and they  
6 relayed that to the ANC and we also approve, support the map  
7 amendment, you know, however, but as we've seen, we, ANC7C,  
8 as well as the DCA has sat there and had conversations, just  
9 talk about concerns on this project and the process going  
10 forward -- well, now and going forward and, again, we are  
11 used to, and I think Commissioner Miller said it best, like  
12 we're used to a project and a PUD and having all of these  
13 discussions and again, going to the portion of a map  
14 amendment has the appearance of shielding the future  
15 developer from having to have outlook or community outreach  
16 to the community because we've seen projects happen that way  
17 where (inaudible) did not occur and the project moved  
18 forward and some of the things that were said before the  
19 project actually didn't occur at the completion of the  
20 project.

21 So we want to -- we want to actually make sure  
22 that, you know, as we're looking at going forward as map  
23 amendments come to not just 7C but all commissions,  
24 especially east of the river, that, you know, there is some  
25 way to have a mechanism to talk about if we can't talk about

1 CBAs, what is an equivalent necessary to make sure that  
2 communities and the ANC are at the table throughout the  
3 entire process.

4           And then in terms of the parking requirement, and  
5 we know DDOT doesn't come to these meetings, but, you know,  
6 we have concerns about, again, DDOT and their highly  
7 restrictive parking, which could inhibit the ability to do  
8 economic development on grocery stores and other types of  
9 economic development projects within 7C, east of the river,  
10 et cetera, because until we have that amenity, we still need  
11 cars to get to our amenities. So again, one of my  
12 recommendations I would just put in there is to talk about a  
13 CBA agreement attached to a map amendment, but again, if  
14 there is some other process or way, innovative solutions is  
15 what we're really looking for here to make sure that  
16 ultimately the ANC and the community are really tied to this  
17 project, not just at this portion, because what we've seen  
18 with other projects is that once things become by right, we  
19 then do not start -- we stop receiving much notification and  
20 we don't want that with this project or any project in the  
21 future.

22           So in closing, you know, we want to thank you  
23 again for the great weight, allowing us to provide great  
24 weight with this project and, again, we do look forward to  
25 that new standalone library and the potential for a grocery

1 store development at the Deanwood Metro Station. And I'm  
2 here for questions.

3 CHAIRPERSON HOOD: All right. Thank you,  
4 Commissioner Holmes. Let's see if we have any questions. I  
5 have some, but I'll go in the same order.

6 Vice Chair Miller, do you have any questions or  
7 comments?

8 VICE CHAIR MILLER: Thank you, Mr. Chairman and  
9 thank you, Chair Holmes for your testimony here today.  
10 Appreciate it. No questions at this time. I'm still  
11 digesting Mr. Holmes' comments.

12 CHAIRPERSON HOOD: Okay.

13 Commissioner Stidham, any questions or comments?

14 COMMISSIONER STIDHAM: Thank you, no.

15 CHAIRPERSON HOOD: Okay. And Commissioner  
16 Imamura, any questions or comments?

17 COMMISSIONER IMAMURA: Thank you, Mr. Chairman.  
18 No questions. The only comment is, you know, I appreciate  
19 Chair Holmes, your testimony and I certainly understand the  
20 perspective and views of your constituents. It is difficult  
21 to distinguish the difference between sort of projects and  
22 map amendments, right, because people are interested in the  
23 look, feel and touch of what might be coming. And I think  
24 it's just incumbent of all of us to remind everybody that  
25 these map amendments really set the stage for those kinds of

1 conversations to happen. So until then, right, it's  
2 theoretical, just as DDOT's numbers about the number of  
3 units, so these map amendments is really what sets the stage  
4 for those conversations to take shape, but certainly, I  
5 understand, again, the point of view and perspective and  
6 what (inaudible). Again, thank you for your time and  
7 testimony.

8           CHAIRPERSON HOOD: Chairman Holmes, I, too, I want  
9 to thank you. I've watched you over the years and I want to  
10 thank you. And being on the ANC, you always consult with  
11 your civic and citizens associations, your community groups  
12 in there and I think that's a plus, a big plus as far as I'm  
13 concerned. But one of the things that I don't want to do,  
14 and you brought up some very good points, and I was sitting  
15 here thinking, when we have a map amendment, you know, how  
16 do we hold projects to the fire, what they say they're going  
17 to do once it's approved here. We know this is a recipe for  
18 them to be able to try to achieve some of those things and  
19 that's actually a good question. I think we need to see  
20 what other areas are doing, but what I -- the only thing I  
21 say, in your submission, it says therefore, and I agree with  
22 you keeping it right out in front, you should do that, but I  
23 don't want to put you on promise land, like this Commission  
24 has some big thing they can do because it says, "Therefore,  
25 ANC7C recommends that the community benefits agreement be

1 attached to a map amendment request to eliminate this  
2 loophole for this project with all future requests."

3 I'm going to tell you straight up, we can't do  
4 that. But it's good to keep it out there, the one thing  
5 Chairman Hood is not going to never do is keep you on  
6 promised land, make it look like I can do something and then  
7 when the vote comes out or when it's done, we actually  
8 didn't do anything. We want to make sure that what you're  
9 asking for because I'm looking at this letter and you bring  
10 up some good points. We need to hold feet to the fire so  
11 that some of these things can materialize. Now, how do we  
12 do that? We have elected officials and you're an elected  
13 official and you have -- the ANC has a lot of power with  
14 DDOT. You mentioned DDOT. You have a lot of power. It's  
15 not necessarily in our -- and you already know this, you've  
16 been doing this a long -- what, six terms you said -- you  
17 already know this, you all have a lot of power. All I can  
18 suggest is continue to exercise it and hold their feet to  
19 the fire.

20 But one thing I'm not going to never do is put a  
21 neighborhood, and you mentioned east of the river, and I  
22 agree, I'm not going to put you on promised land, so I'll  
23 just leave it at that. I don't necessarily have a question,  
24 unless you have a question for me and I'm always open and  
25 welcome to come out and not talk about a case, but just come

1 out and shooting with you guys and ladies and we can just  
2 talk indirectly, not necessarily about a subject, but I'm  
3 always willing to do that and if somebody from the Office of  
4 Zoning, the Office of Planning needs to do that, you need me  
5 to help you do that, just let me know. All right.

6 COMMISSIONER HOLMES: Thank you for that.

7 CHAIRPERSON HOOD: Okay. Let's go to -- Mr.  
8 Lewis, do you have any cross of the chair?

9 MR. LEWIS: No, sir. Thank you.

10 CHAIRPERSON HOOD: Okay. And that's it. Okay.  
11 So thank you, Chair Holmes, fi you can stick around,  
12 somebody may have some -- oh, did you do your report? Yeah,  
13 you just did.

14 COMMISSIONER HOLMES: Absolutely. I'll be around  
15 if you need me.

16 CHAIRPERSON HOOD: Yeah, okay. Thank you. All  
17 right.

18 Ms. Schellin -- oh, I know what I'm doing, where  
19 I'm trying to get to, trying to get to the people on  
20 opposition, support or undeclared.

21 MS. SCHELLIN: (Inaudible) ANC there was cross,  
22 okay.

23 CHAIRPERSON HOOD: Yeah. I thought -- you know,  
24 we just was asking questions, I didn't call anyone.

25 MS. SCHELLIN: All right. So for witnesses, let

1 me get there. There's not a lot. Let's see. Javier  
2 Sanchez with Deanwood Citizens Association.

3 CHAIRPERSON HOOD: Okay. Let's bring up --

4 MS. SCHELLIN: I'm sorry. He's listed as an  
5 opponent. I'm sorry. (Crosstalk)

6 CHAIRPERSON HOOD: Let's bring them all up. May  
7 as well.

8 MS. SCHELLIN: Okay. If you'll put them all up,  
9 okay. Jennifer Stecklow is undeclared. David Smith,  
10 another representative for Deanwood Community Citizens  
11 Association, now he's listed as a proponent.

12 CHAIRPERSON HOOD: Okay.

13 MS. SCHELLIN: So I'm not sure which one is  
14 representing Deanwood. We've got Deanwood Community  
15 Citizens Association and Deanwood Citizens Association, I'm  
16 assuming they're the same.

17 CHAIRPERSON HOOD: Well, let's see who's going to  
18 represent them. Let's bring them up and we can ask them.

19 MS. SCHELLIN: Right. So just the three are the -  
20 - they're the only three that registered to testify.

21 CHAIRPERSON HOOD: Okay, all right. Which one was  
22 the proponent?

23 MS. SCHELLIN: I'm sorry.

24 CHAIRPERSON HOOD: Which one was the proponent? I  
25 can't see.

1 MS. SCHELLIN: The proponent was Mr. Smith, David  
2 Smith.

3 CHAIRPERSON HOOD: Okay. Let's start with Mr.  
4 Smith first.

5 Mr. Smith, I think you're still on mute. There  
6 you go. You're off now. Good evening.

7 MR. SMITH: -- Commissioners and thank you for  
8 allowing me to testify today. I think that first, I'd like  
9 to just quickly, you know, really, Mr. Ways, Howard -- I've  
10 known Howard, I was the Anacostia Riverkeeper. I was a  
11 commissioner with the Anacostia Waterfront Commission. I  
12 worked with Mr. Bunn and Marion Barry to design and really  
13 lead a lot of the efforts around St. Elizabeths in Ward 8.  
14 With that, I can't even remember, it's been so long. I was  
15 the president of the Deanwood Citizens Association and  
16 helped Mr. Holmes become chairman. We worked hand-in-hand  
17 from the beginning of his ten years -- actually, they kind  
18 of forced me into being president.

19 I was elected president emeritus of Deanwood  
20 Citizens Association. I'm not here actually representing or  
21 talking on their behalf. Javier is the economic development  
22 chair. He'll speak on the behalf of the citizens  
23 association. I'm with Deanwood Community Development  
24 Organization. We've been around since 2015. We actually  
25 negotiated the majority of the community benefits agreement

1 and set the initial precedent working with Commissioner  
2 Holmes and the ANCs to try to guide the process of how  
3 development happens in Ward 7. And as you know, Mr. Hood,  
4 I'm a descendent of Lloyd Smith, who was also your mentor at  
5 one point. And he sat on that board and used his authority  
6 as a heavy blow to folk who even try to come over here  
7 without meeting with the community and giving us what we  
8 want. They wouldn't get through any of these committees had  
9 that not happened. And so I would really be interested in  
10 really -- Mr. Hood, I would love to get in that meeting with  
11 you and Mr. Holmes and, you know, really just chop it up and  
12 strategically help the next generation avoid these circular  
13 conversations that continue to redline our community.

14 I've submitted my written testimony. I would ask,  
15 just for the sake of time, you know, I'll skip that, I'll  
16 just say that I do support this project. I was one of the  
17 ones that initially started this conversation probably in  
18 '09, right when the recreation center was being completed.  
19 My mother was the president of the Deanwood Citizens  
20 Association during that push, working with Ms. Johnson and  
21 some of the senior citizens who had been in the citizens  
22 association when my father was president, working with my  
23 grandfather 30 years ago. So this Deanwood Metro  
24 conversation is not new.

25 We want the same things we see in Pentagon City

1 and in Alexandria with the bus terminal underneath. Amazon  
2 is doing at these subways in Virginia what we thought would  
3 be done in Deanwood 30 years ago. So we're not impressed.  
4 I'm saying this -- now I'm going to take off my play nice  
5 hat, let me just say we're not impressed at the progress.  
6 I'm 50 years old this year. I've been catching the subway  
7 since I was three, so I'm not impressed. My children have  
8 now graduated from college and have come home to a community  
9 with no economic opportunity, with master's degrees from  
10 places like John Hopkins and Georgetown, but yet, I still  
11 have to send them across town to teach and send them across  
12 town to spend my money at retail establishments at the  
13 bottom of UDC, way up on Connecticut Avenue.

14               So we've been looking at this Deanwood Metro  
15 Station as a catalyst to really stabilize our community to  
16 keep us out of this affordable housing crunch and allow us  
17 to actually have amenities like grocery stores and, you  
18 know, just (inaudible) government agencies to kind of  
19 balance out that tax base so we don't have that flip-flop  
20 where we're using vouchers as we are in every single project  
21 in this community to subsidize actual market rate. And I'd  
22 also like to point out that the last time I testified before  
23 this committee, it was for the Nannie Helen Burroughs  
24 project, where we actually did accomplish a community  
25 benefits agreement. And I just want to also put before this

1 committee, we do recognize as a community, as we've known  
2 for 40 years what you guys' roles are, people like myself  
3 and Mr. Holme, we bring these things to you because if you -  
4 - if not you, who? Clearly, no one else has done it. Now,  
5 we have multiple lawsuits that are coming out of east of the  
6 river, really going after various agencies, specifically for  
7 knowing a community's request around the Fair Housing Act  
8 and providing these zoning and funding and LIHTCs and that  
9 violate the Civil Rights Act, the Housing Acts of 1974, I  
10 could go on and on.

11           The things that the 200 percent plus housing,  
12 people like myself and the Economic Development Committee  
13 and Commissioner Holmes have been screaming this from the  
14 top of the roofs and we have yet to get a grocery store. We  
15 have yet to get the government agencies at the level where  
16 we're imploring and as we drive around our communities, none  
17 of the people in our communities are getting these  
18 construction jobs. They're not getting contracts. So I  
19 would say to Howard and Dave, I think you guys have done an  
20 excellent, excellent job. I really want to see -- I was  
21 hoping, Mr. Hood, that you guys in the Committee could put a  
22 little bit more weight -- great weight means what and what  
23 kind of society do we live in where we get these titles and  
24 these alleged authorities that actually have no power?  
25 Because at the end of the day, great weight means nothing if

1 in these conversations, it falls on deaf ears and you guys  
2 vote -- this is a usurp of the HUD process.

3           And as a developer myself, I'm actually in favor  
4 of this project, but I warn, and I've warned in every  
5 project, that without a community benefits agreement and  
6 some legal way to hold these projects accountable or through  
7 some agency, whether it's not Zoning or DMPED, if someone,  
8 DOT, doesn't take the legal authority to enforce outcomes,  
9 we'll get that one percent. So over the last 20 to 30  
10 years, we've gotten less than one percent of the economic  
11 value from any of these billions of dollars' worth of  
12 projects, which means there's been massive displacement,  
13 massive turnover in homeownership, massive unemployment  
14 rates, high school dropouts, infant mortality. They're all  
15 directly connected to economic outcomes. So we continue to  
16 build things in the way where affordable housing takes  
17 precedent and our developers get to dictate what happens to  
18 people like me who live in the community, that my  
19 grandchildren will still be subjugated and oppressed. We  
20 don't get financing as businesses, so these are  
21 opportunities in our community, this is our land.

22           We have a right beyond constitutional right, and  
23 I'm going to leave that alone, but we do, to demand that our  
24 public spaces are used in a way that really benefit us. And  
25 we're not really just interested in the bricks and mortar,

1 we're more interested in how it interacts with our  
2 community. So if we don't get the grocery store, the  
3 government agency, the university and the library in an  
4 integrated way, a boutique hotel is something that would  
5 bring the economic value to that sort of development, but we  
6 want to lead this conversation. We don't want to bring in  
7 some so-called expert. We've been having these  
8 conversations for 30 years and I really think it's  
9 disingenuous to zone a project without a PUD using our  
10 intellectual property, which is our creative rights of how  
11 this thing should be designed to be farmed out to some  
12 foreigner, really, and anybody that doesn't live in Deanwood  
13 at this point, to me, is a foreigner, okay?

14           So anybody that's taking money out of our  
15 community, out of our tax base is a foreigner. So I know --  
16 I've worked with Howard. I love the things that Dave --  
17 Dave, I was really appreciative of the equity piece, but  
18 equity for us is economics, not jobs. We need contracts,  
19 ownership opportunities, long term engagement. I really  
20 want to thank WMATA because they've been doing a good job of  
21 giving us this information of how to get involved as a  
22 vendor with WMATA, but we need more than that. And we've  
23 seen again, and I'll end it with this, I think Commissioner  
24 Holmes was right on point, I think the civic association is  
25 right on point, but I just wanted to make sure that I put

1 the history is always due into this, this project, Deanwood  
2 wouldn't exist if it wasn't for Lloyd Smith and Marshall  
3 Heights Community Development Organization, nor would any  
4 subway. We had to sit down at the council building for a  
5 month straight because we weren't going to get subway trains  
6 at all. Now this is the history nobody talks about. But  
7 that cost the people jobs and houses and generational wealth  
8 just to get this subway station here in our community. And  
9 you know how political things are, so when you speak up  
10 against powers, you lose money.

11           So every generation that we see this progress with  
12 buildings being built, families like mine take the hit, you  
13 know? So we want to see zoning, you work with us, in a way,  
14 with these hearings so we can get ahead in these  
15 conversations, we become parties. We've done everything  
16 legally we thought we could do. And I think Commissioner  
17 Holmes and me are frustrated in this point, using our great  
18 weight as presidents, as commissioners. I've been a  
19 commissioner with the mayor in three different aspects  
20 related to environment. At the end of the day, it's like  
21 money is controlling everything and we want to -- and at  
22 some point, there has to be some accountability where the  
23 buck stops and we don't see that as a community. We're very  
24 confident this is a good project. We know it's going to  
25 benefit generations to come. My concern is Deanwood

1 Community Development Organization, with a group of about 15  
2 to 17 contractors that do everything from concrete to tar,  
3 you know, we don't get those financing opportunities. We  
4 don't get those teaming opportunities. We don't get those  
5 direct contract opportunities to be able to then train and  
6 hire our own people. And I think so if -- so Anthony, Mr.  
7 Hood, please come to the neighborhood. I'd love to drive  
8 you around so you can actually see how our dollars are being  
9 spent.

10           Most of these people on these sites don't even  
11 speak English, and I'm going to say it like it is, I sound  
12 like I'm an Ohio Republican, but the reality is in this  
13 neighborhood, that is the reality and it's been the reality  
14 since I've been back from college since 2004. No one in  
15 this neighborhood at the level that we should be is being  
16 empowered. We have a construction school right here in our  
17 dear public charter school three or four blocks from  
18 Deanwood Metro Station. How do we know? Because we have  
19 those relationships. We pushed for that school for projects  
20 like this. But without that community benefits agreement,  
21 we absolutely know this won't happen in a way that'll be  
22 meaningful for our families and to the next generation.

23           So I really appreciate you commissioners, you  
24 know, really reiterating the fact that this zoning hearing  
25 is about the map amendment, but the reason why I'm here and

1 I think the reason why a lot of us are here is because this  
2 is where we hope the buck stops.

3 We hope WMATA takes this seriously and also, in  
4 light of these new legal cases that are coming out, you  
5 know, really as a result of violating the Fair Housing Act,  
6 you know, we were hoping that -- we don't want to continue  
7 to have to use our personal time and income to sue to get  
8 government agencies that are supposed to represent citizens  
9 to do their job really and make it a republic and represent  
10 us in a way that our tax dollars actually serve us and not  
11 foreign entities or people from Kentucky, I mean so that's  
12 what we've been seeing and that's my ultimate feel, it's  
13 ultimately about economics.

14 We've only received about one percent of any  
15 economic dollars in this community over the last 20 to 30  
16 years, gentrification --

17 CHAIRPERSON HOOD: Okay, so -- so --

18 MR. SMITH: -- mass unemployment is the result of  
19 the economic issue here.

20 CHAIRPERSON HOOD: Mr. Smith, I'm going to need  
21 you -- with all due respect because I had a lot of respect  
22 for your grandfather, the last Lloyd Smith, so with all due  
23 respect, I'm going to need you to wind it up because I  
24 already know that my legal counsel is saying you put all of  
25 that in the record because I can tell you, if you go back

1 and look at -- hold on, hold on.

2 Just go ahead and finish up and then I'll talk  
3 more.

4 MR. SMITH: Oh, no. Mr. Hood, I know me and you  
5 have had these kind of conversations. I wanted to put it on  
6 the record because, you know, I step away from this work to  
7 make money, you know?

8 I'm not here -- I'm a developer, I have a  
9 community-based organization. I definitely want to team  
10 within this project, considering I've been pushing for it  
11 for over 12 years and I have a team of developers, a team of  
12 contractors that really would like a big slice of this pie.

13 So I'll wrap up in saying I'm definitely in  
14 support of this project, contingent on some sort of  
15 community benefits agreement or commitment from WMATA that  
16 they'll make sure and ensure that the things that the  
17 community really wants, not just in amenities, whether it's  
18 a grocery store, a UDC or what have you, but the contract  
19 dollars, that some reasonable percentage go directly to the  
20 community, the same way we had it when folks like Marion  
21 Barry was here, when we were thriving as a culture.

22 I think that that is my main impetus on this  
23 testimony, that it's more about, to me, the economic impact  
24 and the opportunity for the community to serve in a  
25 leadership role. So thank you for allowing me to testify.

1                   CHAIRPERSON HOOD: Okay. All right. Thank you.  
2 And I let that go because I know Mr. Lloyd Smith was a  
3 commissioner on this commission for years. I've actually  
4 looked at a lot of his records. He went through some of the  
5 same stuff that we're doing here. I was put on here, as you  
6 know, Mr. Smith, by Marion Barry and I tell people I'm still  
7 here. So and I'm trying to do the best that I can, just  
8 like I'm sure Mr. Smith and Jerrily Kress and all of those  
9 people who I've served with who've now even are deceased,  
10 but I will say this to you, there's a regulation that I go  
11 by and have to go by, and get where you're talking about,  
12 there's some more things I would like to say, not  
13 necessarily specific to this case, but we can do that if me,  
14 you and Mr. Holmes want to get together and, like you say,  
15 chop it up, I'm willing to do that because I think that's  
16 the correct forum for that and this is not that forum, but  
17 hold tight (crosstalk).

18                   MR. SMITH: I agree, thank you.

19                   CHAIRPERSON HOOD: Hold tight. We may have some  
20 more questions for you.

21                   Vice Chair Miller?

22                   VICE CHAIR MILLER: Thank you, Mr. Chairman and  
23 thank you, David Smith, for your testimony today and thank  
24 you for your work and your family's work with continuing the  
25 legacy of the community service work and I hear your

1 frustration and I would just say continue your advocacy on  
2 all fronts. I wish we could do more in the context of this  
3 case, but I understand where you're coming from and I  
4 appreciate your being here tonight and all the work that you  
5 do in the community.

6 MR. SMITH: Thank you, thank you. I just hope you  
7 guys, you know, have this conversation amongst --

8 CHAIRPERSON HOOD: Okay, hold tight. Hold tight,  
9 Mr. Smith. Hold tight.

10 Commissioner Stidham, any questions or comments?

11 COMMISSIONER STIDHAM: Thank you for your service  
12 and your time here this evening.

13 CHAIRPERSON HOOD: Okay. Commissioner Imamura,  
14 any questions from you?

15 COMMISSIONER IMAMURA: Thank you, Mr. Chairman, I  
16 echo Vice Chair Miller and Commissioner Stidham's comments.  
17 Thank you, Mr. Smith for being here. Also, to underscore  
18 what Chairman Hood mentioned about the ANC, but this applies  
19 to organizations like Deanwood or its citizens, but there's  
20 a lot -- you have a lot of influence for shaping decisions  
21 by participating in the public process, so again, thank you  
22 for being here.

23 CHAIRPERSON HOOD: And Mr. Lewis, do you have any  
24 cross? Okay.

25 Chair Holmes, do you have any cross?

1 COMMISSIONER HOLMES: No, I do not.

2 CHAIRPERSON HOOD: Okay. And Mr. Smith, it's good  
3 to hear you again, even though I didn't see you, it's been  
4 some years. But again, I often think about those who came  
5 before me, your grandfather and I know you and I have had  
6 discussions and if you and Mr. Holmes put it together or get  
7 in touch with me and let's chop it up for about an hour or  
8 so and nothing case specific, we're not talking about this  
9 case, believe me, because I would be in a whole lot of  
10 trouble, so it won't be having nothing to do with this case,  
11 but let's do that. I'm going to take you all up on that if  
12 you wish to do that. All right.

13 Ms. Schellin, who do we have next?

14 MS. SCHELLIN: The opponent, which is Javier  
15 Sanchez.

16 CHAIRPERSON HOOD: Okay. And Mr. Sanchez is  
17 representing Deanwood, right, he's the representative?

18 MS. SCHELLIN: Well, no, because only one of them  
19 can represent them (crosstalk).

20 MR. SANCHEZ: Right.

21 CHAIRPERSON HOOD: Okay.

22 MS. SCHELLIN: So he gets three minutes.

23 MR. SANCHEZ: Okay. So I am actually -- it was --  
24 I'm representing the Deanwood Citizens Association. They  
25 have -- as an entity has expressed a letter of support, so

1 it's a proponent for the map amendment and I want to just  
2 say thank you for everybody from WMATA's team, David and Mr.  
3 Howard and the crew there for their outreach to the  
4 community, both to the DCA and the ANC and the rest of the  
5 community here in Deanwood and to listen to our input, our  
6 community preferences in regards to basically what we've  
7 expressed to WMATA since, you know, they've come to the  
8 community. And I know there's a lot of history involved.  
9 You, no doubt, heard from Mr. Smith and Chairman Holmes in  
10 regards to the long, long project and we are absolutely, you  
11 know, onboard with this, but we wanted to also take the time  
12 to express some reservations in regards to, you know, CBA  
13 not being included in the I would say package that I know  
14 that this form is not, you know, the right, you know,  
15 mechanism to, you know, put something into place such as a  
16 CBA.

17 But I just wanted to also say that we are a little  
18 disappointed that, you know, WMATA did not -- you know,  
19 absent of a CBA, you know, did not come to the table as far  
20 as like, you know, another innovative way to, you know,  
21 think outside the box and, you know, to, you know, put some  
22 of our priorities -- actually or all of the priorities, as  
23 we've expressed to WMATA, into, you know, something binding  
24 to increase accountability and so that way, they can gain  
25 trust, you know, or we can gain trust from WMATA. We want

1 to be -- we want to make sure that the community drives the  
2 development agent agenda during the RFP selection and we  
3 want to make sure that the developments that occur do  
4 reflect the community input and to ensure that the selected  
5 developers at the end, I know that this is not -- this is,  
6 you know, a developer or a project has not been, you know,  
7 awarded, but we want to make sure that these developers are  
8 held accountable and, too, that they're not just doing  
9 things without the community's input and consent.

10           We want to make sure that these conversations are,  
11 you know, alive and as the project evolves and we want to  
12 make sure that those regular input are, you know, done, you  
13 know, like the outreach and the engagement that WMATA has  
14 done throughout this engagement. So, you know, we just  
15 don't want WMATA to say oh, okay, here you go developer, do  
16 your job and then radio silence from WMATA and developers,  
17 you know, doing a 180. So we want to make sure, you know,  
18 we want accountability, even though we do support the  
19 rezoning amendment and, you know, there was something that  
20 we're antidevelopment, but we're not. So this does not send  
21 a message or signal to, you know, businesses, you know,  
22 opening here. We're, you know -- we support our small  
23 businesses, our local businesses here in Deanwood and so  
24 that -- raising concerns and community preferences does not  
25 equate to antidevelopment, so I want to make sure that David

1 understands that and the rest of WMATA also understands that  
2 as well. So yeah, I will -- I hope I've used all my three  
3 minutes there and thank you very much.

4 CHAIRPERSON HOOD: Okay. So I want to make  
5 something clear, I get it. You know, I've grappled with  
6 this process, this process in place. Mr. Smith, even when  
7 your grandfather was here, this process was in place when I  
8 got here, but I know there are other -- and I'm just saying  
9 me because I'm probably the longest serving right now, but I  
10 do know that you can enter into agreements. I'm comfortable  
11 to a point because we have Mr. Ways and we also have Mr.  
12 Holmes, you know? And we have you, Mr. Smith and you, Mr.  
13 Sanchez.

14 You all can -- just have to hold your feet to the  
15 fire and you all had to enter agreements, but our process  
16 limits us. The question is, is it consistent. Is this map  
17 amendment consistent? And that's the threshold question for  
18 us. But, you know, you can enter into agreements. I can  
19 tell you personally, I always have had issues with not being  
20 able to talk about a project, but I also have learned, I've  
21 said this before, I've learned to follow the regulations.

22 So I have to follow it and there are other  
23 avenues, maybe the RFP process, this comes up all the time  
24 here recently. I've been here 25 years and here in the last  
25 couple of years, this issue has been coming up. So I don't

1 know what we're doing different now than we did then because  
2 we're still doing the same process, map amendments. We're  
3 still doing that, but the issue wasn't attaching anything to  
4 it. We tried once, I think, and legal counsel correct me,  
5 and I think the court sent it back to us. So that's why I'm  
6 saying I don't want to put us on promised land. The  
7 Commission, we know we can't do anything about the community  
8 benefits package, but it's not that I don't endorse it, not  
9 that I don't say go for it, get it how you can, keep working  
10 at it and the RFP process, keep working with WMATA or  
11 whomever the developer is, keep doing it, but I do know it  
12 does not follow in this process and I will leave it at that  
13 for now.

14 All right. Any other questions or comments of Mr.  
15 Sanchez?

16 Vice Chair Miller?

17 VICE CHAIR MILLER: Chairman, no. Thank you, Mr.  
18 Sanchez for your comments and I would just echo the  
19 chairman's comments. This map amendment does facilitate the  
20 types of uses that the community wants, whether it's the  
21 public library, whether it's market rate housing or whether  
22 it's a grocery store or other neighborhood serving  
23 commercial uses. We can't require it in this process, but I  
24 do encourage, as you have, WMATA and the future developer of  
25 the site to continue to listen to the community's concerns

1 and go and include within this project important benefits to  
2 the community, like a grocery store in addition to the  
3 public library that will be coming, so that's all, Mr.

4 Chairman, thank you.

5 CHAIRPERSON HOOD: Thank you.

6 Commissioner Stidham, any questions or comments?

7 COMMISSIONER STIDHAM: No, sir, not at this time.

8 CHAIRPERSON HOOD: I want you all to know it's  
9 raining real hard over here, so anyway. Luckily --  
10 hopefully, my window's up, my wife would -- anyway, I'm  
11 talking out loud.

12 Commissioner Imamura, any questions or comments?

13 Okay. All right.

14 Mr. Lewis, are you laughing because I might have  
15 water in my car? I see you smiling. Are you laughing about  
16 --

17 MR. LEWIS: I really hope -- I really hope I'm not  
18 in the same boat.

19 CHAIRPERSON HOOD: Okay. No, I'm not finished  
20 Ms. --

21 MS. SCHELLIN: Oh, okay, I just wanted to make  
22 sure.

23 CHAIRPERSON HOOD: Yeah. So Mr. Lewis, yeah, I'm  
24 just messing with you. Do you have any questions of Mr.  
25 Sanchez?

1 MR. LEWIS: No, sir. Thank you.

2 CHAIRPERSON HOOD: All right. Chair Holmes, do  
3 you have any questions of Mr. Sanchez?

4 COMMISSIONER HOLMES: No, sir. Thank you.

5 CHAIRPERSON HOOD: All right, Ms. Schellin.

6 Thank you, Mr. Sanchez. And we get it, we get it.  
7 Trust me, we get it. I definitely, but we all get it.

8 CHAIRPERSON HOOD: All right. Can we bring up the  
9 other witness?

10 MS. SCHELLIN: Yes, that's Jennifer Stecklow and  
11 she was listed as undeclared and is it safe for Mr.  
12 Sakinejad to take down Mr. Sanchez and Mr. Smith now? You  
13 don't need them up anymore?

14 CHAIRPERSON HOOD: We can leave them up just in  
15 case we might have to come back to them. Let's just see.

16 MS. SCHELLIN: Okay, all right.

17 CHAIRPERSON HOOD: We don't have a crowd.

18 MS. SCHELLIN: So Ms. Stecklow is the last  
19 witness.

20 CHAIRPERSON HOOD: Ms. Stecklow, you may begin.

21 MS. STECKLOW: As you've made very clear what the  
22 purpose of today is, so I don't want to reiterate things  
23 that have already been made, but I do have a statement that  
24 I would appreciate reading. So my name is Jennifer Stecklow  
25 and I hold the position of treasurer for both Deanwood

1 Citizen Association and the Friends of Deanwood Library.  
2 I'm also the vice chair of the DC Economic Development  
3 Committee, along with Javier Sanchez. Both are volunteer  
4 run organizations that work to advocate for positive change  
5 and development in Deanwood. Today, I'm here before the  
6 board as a resident of Deanwood and I appreciate the  
7 opportunity to speak before this commission.

8 I want to start by thanking WMATA and Howard Ways,  
9 Dave Lewis and Shane who have been very open to hearing from  
10 the community regarding this particular development. I also  
11 want to clarify why is the community asking for grocery  
12 stores. Ward 7 has only three grocery stores, which  
13 represents four percent of all of the grocery stores in DC.  
14 While Wards 1 to 6 have 92 percent of the grocery stores  
15 with Ward 3 alone having 16 stores. To put this into  
16 perspective, that's one grocery store for every 5,000 Ward 3  
17 residents compared to one for every 25,000 residents in Ward  
18 7. This stark contrast highlights the disparities in our  
19 access to basic essential services. And why does the  
20 community want market rate housing? As you've heard ANC7C  
21 has exceeded our affordable housing numbers by 225 percent.

22 In fact, if all pending and ongoing affordable  
23 housing projects from the DC Government proceed, 49 percent  
24 of all affordable housing in the district will be  
25 concentrated east of the river, while Wards 1, 2 and 3 will

1 have less than 12 percent. This concentration of affordable  
2 housing in Ward 7 and 8 without the necessity amenities  
3 exasperates existing inequalities and places an undue burden  
4 on our residents. The lack of grocery stores, health  
5 facilities and other businesses not only affects the quality  
6 of life but also poses significant challenges to community  
7 wellbeing. Deanwood is a neighborhood that has faced  
8 systematic neglect and underinvestment, resulting in  
9 significant disparities in basic amenities, education,  
10 healthcare and economic opportunities compared to other  
11 parts of the city.

12 WMATA has an opportunity to provide much needed  
13 development, such as market rate housing, a grocery store  
14 and commercial spaces for amenities that we need. If they  
15 do receive the board's approval, I hope that they will be  
16 good partners and allow a member of the ANC or a member of  
17 Deanwood Citizens Association to have an official seat  
18 during the RFP process and throughout the duration of the  
19 project. Thank you for your time.

20 CHAIRPERSON HOOD: Thank you, Ms. Stecklow, I  
21 really appreciate your testimony. I appreciate all the  
22 testimony I heard and I don't disagree with any of it. I  
23 agree with all of the testimony I've heard and I'm taken  
24 back by your numbers. I've never heard it put that way  
25 about the grocery stores, so thank you for -- you know, I

1 knew it, but I just never knew it was that much of a  
2 variance from Wards 1 through 3, so anyway, thank you for  
3 your testimony. Let's see if others have any questions or  
4 comments.

5 Vice Chair Miller?

6 VICE CHAIR MILLER: No questions. Yes, I would  
7 thank you -- I thank you for your testimony tonight and I  
8 would echo the Chairman's comments about thanking you for  
9 pointing out the inequity. The numbers speak volumes. It's  
10 not right, not right.

11 MS. STECKLOW: Thank you.

12 CHAIRPERSON HOOD: Commissioner Stidham, any  
13 questions or comments?

14 COMMISSIONER STIDHAM: No, I don't. Thank you.

15 CHAIRPERSON HOOD: And Commissioner Imamura, any  
16 questions or comments?

17 COMMISSIONER IMAMURA: No questions. Thank you,  
18 Ms. Stecklow.

19 CHAIRPERSON HOOD: Ms. Stecklow, I will say this,  
20 people probably say -- I've had this asked to me one time  
21 where one of the councilmembers asked me well, Anthony, I  
22 mean Chairman Hood, if you -- in a hearing, if you didn't  
23 like it, why did you vote for it. It's because we have to  
24 go by the regulations. And I'll tell you what I told -- I'm  
25 just saying that conversation, I told the council, in front

1 of the council, I said, you know, there's no, there's no  
2 regulations that says does Anthony Hood like it or not. So,  
3 you know, we -- and I think it doesn't say whether the  
4 Commissioners like it or not. So when we hear those things,  
5 they're disturbing, but we also have our regulations to go  
6 by. And I'm sitting here thinking about, you know, when I  
7 hear what you're saying and that comment about the grocery  
8 stores, I didn't know it was that, to that deep. So I'm --  
9 anyway, maybe I'm thinking and talking out loud, but we  
10 think about these things long after these hearings are  
11 over, how can we make the difference that makes a  
12 difference. And it's more than just vote no, we have to go  
13 by the regulations.

14           That's why as the community, you all have the  
15 power as organizations, you all can work together, but  
16 again, I agree, I think Mr. Ways, he knows his way around  
17 town, and I believe he's going to come through for us. So  
18 I'm looking forward -- years from now, I know I'm not going  
19 to regret what I'm saying here today, I'm sure of it, you  
20 know, I'm very sure of it. So let's see, Mr. Lewis, do you  
21 have any comments for Ms. Stecklow, I mean cross?

22           MR. LEWIS: No, sir. Thank you.

23           CHAIRPERSON HOOD: And Chair Holmes, I don't see  
24 you. I know you're still here.

25           COMMISSIONER HOLMES: I'm definitely here.

1                   CHAIRPERSON HOOD: Okay. Do you have any  
2 questions?

3                   COMMISSIONER HOLMES: No comments, thank you.

4                   CHAIRPERSON HOOD: Okay. All right. Thank you,  
5 Ms. Stecklow.

6                   MS. STECKLOW: Thank you.

7                   CHAIRPERSON HOOD: All right. Mr. Lewis, do you  
8 have any rebuttal or any closing?

9                   MR. LEWIS: I'll just -- I'll combine it all into  
10 one if that's okay.

11                  CHAIRPERSON HOOD: Yes.

12                  MR. LEWIS: I just wanted to start off by thanking  
13 everyone again for the time this evening, particularly,  
14 especially Chairman Holmes and members of the DCA. We've  
15 had lots of phone calls and working sessions and I realize  
16 how hard they've been working and just really appreciate  
17 them for doing that, putting the time into this map  
18 amendment application. And I'll just kind of close by  
19 saying WMATA has given a lot of thought to why this  
20 proceeded as a map amendment application and the simple  
21 answer is we think that's the fastest route, the best route  
22 to deliver the economic development and these other  
23 amenities that we've heard about this evening.

24                  We think that the map amendment is the right  
25 vehicle here and it's the straightest path to the investment

1 in Ward 7 and particularly in Deanwood that's long overdue  
2 from WMATA's perspective. So that was the genesis of the  
3 map amendment pathway. We talked long and thought hard  
4 about what was the right approach here and we think that's  
5 the right answer.

6 I would also point out Chairman Hood that WMATA is  
7 also a creature of statute and is bound by its rules and  
8 regulations and sometimes limited, unfortunately, in what it  
9 can and cannot do in terms of how it enters into agreements  
10 or not and so we've had to grapple with that and I would say  
11 emphatically that we've had many conversations where WMATA  
12 has shown over and over again that it is going into and  
13 coming out of these conversations with open ears in terms of  
14 what the communities ask for and I think that's evidenced by  
15 the exercise we've been through already and the path forward  
16 that has been established largely, frankly, through Mr.  
17 Ways' and others at WMATA but their commitment here.

18 So I'll close just by pointing out that we think  
19 it's a -- as an application that needs to be shown is not  
20 inconsistent with the comprehensive plan, we think it  
21 satisfies that standard quite readily, in addition to all of  
22 the other items we've talked about this evening. Thank you  
23 very much for your time.

24 CHAIRPERSON HOOD: Thank you, Mr. Lewis and Mr.  
25 Ways and to the team. Thank you to the public who have come

1 down to testify. I'm hoping that the dialogue continues  
2 that, you know, we just don't keep putting east of the  
3 river, as Chair Holmes said, on promised land. Let's get it  
4 done for them in the best way we can and let's get -- let's  
5 start putting those amenities or whatever needs to be done  
6 evenly distributed across the city, which I think,  
7 especially -- well, I don't want to get into that. I'll  
8 leave that alone because I don't want to offend another part  
9 of the city.

10 All right. What do my colleagues think? Are we  
11 waiting on anything? I think what we have before us, I  
12 think -- are we ready -- I'm ready to move forward. Let me  
13 hear from others. Vice Chair Miller?

14 VICE CHAIR MILLER: I'm ready to move forward as  
15 well.

16 CHAIRPERSON HOOD: Okay.

17 Commissioner Stidham, are you ready?

18 COMMISSIONER STIDHAM: Yes, ready.

19 CHAIRPERSON HOOD: Commissioner Imamura? Okay.

20 Ms. Schellin, is this a two vote -- I've got --  
21 since we changed the rules, I don't know what's -- okay.  
22 It's a two vote, okay. All right. We're not asking for  
23 anything, I don't think. Check and see something here,  
24 okay. All right. So would someone like to make a motion?

25 VICE CHAIR MILLER: Mr. Chairman, I would move

1 that the Zoning Commission take proposed action on Zoning  
2 Commission Case No. 24-02, the map amendment of the Deanwood  
3 Metro Station site, I hesitate to mention all of these  
4 square and parcel and lot numbers. I think I won't, unless  
5 Ms. Schellin thinks I should do it for the record, okay. I  
6 would move the map amendment for the Deanwood Metro Station  
7 site that we've been discussing all afternoon and evening  
8 and with the regular IZ designation noted as recommended by  
9 the Office of Planning and ask for a second.

10 COMMISSIONER IMAMURA: Second.

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

13 Not hearing any, Ms. Schellin, would you do a roll  
14 call vote, please?

15 MS. SCHELLIN: Commissioner Miller?

16 VICE CHAIR MILLER: Yes.

17 MS. SCHELLIN: Commissioner Imamura?

18 COMMISSIONER IMAMURA: Yes.

19 MS. SCHELLIN: Commissioner Hood?

20 CHAIRPERSON HOOD: Yes.

21 MS. SCHELLIN: Commissioner Stidham?

22 COMMISSIONER STIDHAM: (No response).

23 MS. SCHELLIN: The vote is four to zero to one to  
24 approve the proposed action of Zoning Commission Case No.  
25 24-02 and that is without IZ applying, correct, Commissioner

1 Miller?

2 VICE CHAIR MILLER: Without IZ Plus applying.

3 MS. SCHELLIN: IZ Plus, I'm sorry, IZ Plus  
4 applying, that's true. And we'll ask the Applicant to  
5 provide a draft order in two weeks, within two weeks. And  
6 we'll refer this to NCPC and this will not come up until --  
7 for final until some time in September. Thank you.

8 CHAIRPERSON HOOD: Okay. Anything else, Ms.  
9 Schellin, anything else on this case? Okay. Let me just  
10 say this first, the Zoning Commission will meet again July  
11 the 18th, which is this Thursday, Zoning Commission Case No.  
12 23-24. This is the Eckington Mews LLC and we'll be meeting  
13 at 4:00 p.m. on these same platforms. I want to thank  
14 everyone for their participation tonight. The community, as  
15 well as the WMATA and the applicant and the counsel and  
16 everybody, appreciate it. Let's continue to collaborate,  
17 continue to work together to make it work for the east of  
18 the river in Ward 7 with Chair Holmes and the residents of  
19 our great city. So with that, this hearing is adjourned.  
20 Good night, everyone.

21 (Whereupon, the hearing was adjourned at 6:26  
22 p.m., Eastern Daylight Time.)

23 \* \* \* \* \*

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## REPORTER CERTIFICATE

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In the matter of: Virtual Public Hearing

Before: D.C. Zoning Commission

Date: 07-15-2024

Place: Teleconference

was duly recorded and accurately transcribed under my  
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Lee Ann Tardieu