

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ZONING COMMISSION

VIRTUAL PUBLIC MEETING

VIA WEBEX

1599th Meeting Session

THURSDAY, SEPTEMBER 12, 2024

The Public Meeting of the District of Columbia Zoning Commission convened via videoconference pursuant to notice at 4:00 P.M. EDT, Anthony Hood, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

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

OFFICE OF ZONING STAFF PRESENT:

ELLA ACKERMAN, Zoning Specialist

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

DENNIS LIU, Esquire
JACOB RITTING, Esquire

This transcript serves as the minutes from the Public Meeting held on September 12, 2024.

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P R O C E E D I N G S

(4:00 p.m.)

CHAIRPERSON HOOD: Good afternoon, ladies and gentlemen. We are convening and broadcasting this public meeting by videoconferencing.

My name is Anthony Hood. Joining us this evening are Vice Chair Miller, Commissioner Stidham, and Commissioner Imamura. We are also joined by the Office of Zoning Staff, Ms. Ella Ackerman, and Mr. Paul Young, who will be handling all of our virtual operations. We also have joining us this afternoon our Office of Zoning Legal Division Mr. Dennis Liu and Mr. Jacob Ritting.

We will ask all others to introduce themselves at the appropriate time if appropriate.

Copies of today's meeting agenda are available on the Office of Zoning's website. Please be advised that this proceeding is being recorded by a court reporter and it is also Webcast Live, Web Ex and YouTube Live. The video will be available on the Office of Zoning's website after the meeting.

Accordingly, all those listening on Web Ex or by phone will be muted during the meeting unless the Commissioner suggests otherwise.

For hearing action items the only documents before us this evening are the Application, the ANC Set Down

1 Report, and the Office of Planning Report. All other
2 documents in the record will be reviewed at the time of the
3 hearing.

4 Again, we do not take any public testimony at our
5 meetings unless the Commission requests someone to speak.
6 If you experience difficulty accessing Web Ex or with your
7 phone call in then please call our OZ hotline number at 202-
8 727-0789 for Web Ex login or call in instructions.

9 Again, before I go to any preliminary matters let
10 me welcome each and every one of my colleagues back, all of
11 our staff welcome back. The month I know has been pretty
12 busy for our staff and I'm sure busy for us as well in our
13 other partes of our life, and also the residents of the
14 city.

15 So I hope everyone enjoyed having a restful month
16 of August and again ready to do the city's work. So thank
17 you for all you do, and again welcome back to each and every
18 one of you, especially under the sound of my voice. So
19 thank you.

20 At this time, Ms. Ackerman, do we have any
21 preliminary matters?

22 MS. ACKERMAN: Yes. Well, actually no, not --
23 just until you're ready for the first final action case.

24 CHAIRPERSON HOOD: Okay, so we have no preliminary
25 matters. Okay, great. All right.

1 Case No. 23-23

2 Let me get my agenda up. Okay, final action,
3 first case on Commission Case Number 23-23, Morningstar
4 Community Development, Map Amendment at Square 1088. Ms.
5 Ackerman.

6 MS. ACKERMAN: At the conclusion of the June 3rd
7 hearing the Commission took proposed action to approve this
8 case and it was referred to the NCPC for its 30 day comment
9 period.

10 At Exhibit 32 we have the NCPC Staff Report
11 advising it determined that the project is not inconsistent
12 with the National Comp Plan, nor would it impact any other
13 federal interest.

14 The Applicant provided a draft Order at Exhibit
15 29 and this case is ready for the Commission to consider
16 final action. Thank you.

17 CHAIRPERSON HOOD: Okay. Any additional comments
18 as stated. This final action case was delayed because the
19 Applicants had not referred NCPC. I think that now has --
20 we have dealt with that following the June 3rd meeting, our
21 public meeting. And also we will note that IZ Plus will
22 apply to this Map Amendment.

23 I don't have anything else to add. Any questions
24 or comments or anything else to add?

25 Commissioner Imamura.

1 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I
2 just wanted to note that I won't be participating in the
3 final action here. I wasn't present for the proposed action
4 so --

5 CHAIRPERSON HOOD: Okay, thank you for that. So
6 unless I hear anything else I will move approved as noted
7 and captioned in Zoning Commission Case Number 23-23,
8 Morningstar Community Development Map Amendment Square 1088,
9 and ask for a second.

10 VICE CHAIR MILLER: Second.

11 CHAIRPERSON HOOD: It's been moved and properly
12 seconded. Any further discussion? Not hearing any, Ms.
13 Ackerman, could you do a roll call vote please.

14 (Roll call vote.)

15 MS. ACKERMAN: Commissioner Hood.

16 CHAIRPERSON HOOD: Yes.

17 MS. ACKERMAN: Commissioner Miller.

18 VICE CHAIR MILLER: Yes.

19 MS. ACKERMAN: Commissioner Imamura.

20 COMMISSIONER IMAMURA: Not participating.

21 MS. ACKERMAN: Oh, yes, you're right. Sorry.
22 Commissioner Stidham.

23 COMMISSIONER STIDHAM: Yea.

24 MS. ACKERMAN: This case has been approved for
25 final action four to zero to -- oh, sorry. Oh, my goodness.

1 Three to zero to two. The minus two being the Commissioner
2 Imamura because he's not participating and third mayoral
3 appointee seat, which is vacant.

4 Case No. 24-02

5 CHAIRPERSON HOOD: Okay, thank you. Let's go to
6 Zoning Commission Case Number 24-02, WMATA Map Amendment at
7 Square 5123 and 5170 and Parcels 184/100. Ms. Ackerman.

8 MS. ACKERMAN: At the conclusion of the July 15th
9 hearing the Commission took proposed action to approve this
10 case and it was referred to the NCPC for its 30 day comment
11 period. At Exhibit 37 we have the NCPC's Staff Report
12 advising that the project falls under an exemption listed in
13 Chapter 8 of the NCPC's Submission Guidelines.

14 The Applicant provided a draft order at Exhibit 36
15 and 36A. This case is ready for the Commission to consider
16 final action. Thank you.

17 CHAIRPERSON HOOD: Thank you, Ms. Ackerman.

18 As already stated, for the most part we heard
19 testimony in support, but there were expression of lack of
20 power to what was the proceeding. Again this was a Map
21 Amendment the there were certain things that the community
22 wanted to see.

23 We heard the testimony in opposition from Deanwood
24 Association citing concerns that the planned development of
25 the site would potentially not result in certain benefits

1 promised to the community because it's a Map Amendment and
2 not a PUD. We could not compel an Applicant to file a
3 certain way in front of us. It's all on how they specify
4 what they're trying to -- what they're asking for.

5 And she said -- she testified stating that it
6 doesn't want affordable housing on this site, but instead
7 wants market rate housing and commercial uses, ideally a
8 grocery store use. So they had some other preferences, but
9 where are what we are.

10 And then the recommendation that IZ Plus should
11 not apply to the Map Amendment I think is where we all
12 landed, but let me open it up. Any other questions or
13 comments?

14 Mr. Imamura.

15 COMMISSIONER IMAMURA: Nothing further to add, Mr.
16 Chairman. I think your summary was concise and I don't have
17 anything else.

18 CHAIRPERSON HOOD: Okay. Mr. -- Vice Chair Miller
19 I saw you reaching for your mike.

20 VICECHAIR MILLER: Yeah, I agree with your
21 analysis and assessment. And like the previous final action
22 case this is a primarily -- this is a comp plan, consistency
23 case with zoning and the -- the proposed MU5B Zoning is more
24 consistent with the land use designations on the Comp Plan
25 Map and the existing PDR and RA-1 Zoning. It will

1 facilitate housing. It also will facilitate and is
2 encouraged in the ongoing related RFP process that WMATA is
3 having. It will encourage a grocery store, which the
4 community has expressed a preference for.

5 This site also will be -- I don't know if this
6 site, but adjacent to it right there is going to be a new
7 rebuilt Deanwood Public Library, which has been budgeted in
8 I think \$24 million in the approved budget.

9 So there are -- I'm ready to move forward with
10 final action, Mr. Chairman. Thank you.

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

13 COMMISSIONER STIDHAM: No, nothing more from me.
14 I'm prepared to support.

15 CHAIRPERSON HOOD: And I think all of us would
16 agree that we strongly encourage the continued dialogue and
17 collaboration between the Applicant and the community during
18 future development of this site as we always do in every
19 case.

20 So I'd like to make a motion to approve or
21 disapprove. Maybe I shouldn't say approve.

22 VICECHAIR MILLER: I would move, Mr. Chairman,
23 that the Zoning Commission take final action on Case Number
24 24-002. That's WMATA's Map Amendment at Square 5123 and
25 5170 and Parcel 180/100 from -- a Map Amendment from PDR-1

1 and RA-1 to MU-5B and ask for -- for a second. And just not
2 that IZ Plus will not apply as recommended by -- which is
3 what OP recommended in this case because of the
4 disproportionate number of -- amount of affordable housing
5 already in this neighborhood.

6 That is my motion to approve the final action.

7 Thank you.

8 CHAIRPERSON HOOD: Second.

9 COMMISSIONER STIDHAM: Second.

10 CHAIRPERSON HOOD: There has been moved and
11 properly seconded, we had two seconds. Ms. Ackerman, you
12 can pick the one. After the second, any further discussion?

13 Not hearing, Ms. Ackerman, could you do a roll
14 call vote, please.

15 (Roll call vote.)

16 MS. ACKERMAN: Commissioner Stidham.

17 COMMISSIONER STIDHAM: Yes.

18 MS. ACKERMAN: Commissioner Hood.

19 CHAIRPERSON HOOD: Yes.

20 MS. ACKERMAN: And Commissioner Imamura.

21 COMMISSIONER IMAMURA: Yes.

22 MS. ACKERMAN: Staff recorded the vote four to
23 zero to one to approve Case Number 24-02 for final action.
24 The minus one being the third mayoral appointee seat, which
25 is vacant.

1 CHAIRPERSON HOOD: Okay, thank you. Let's move to
2 the next case, Zoning Commission Case Number 23-24. This is
3 the Eckington Mews, LLC Consolidated PUD and related Map
4 Amendment at Square 3524.

5 Ms. Ackerman.

6 Case No. 23-24

7 MS. ACKERMAN: At the conclusion of the July 18th
8 hearing the Commission took proposed action to approve this
9 case and it was referred to the NCPC for its 30 day comment
10 period.

11 At Exhibit 42 we have the NCPC Staff Report
12 advising it determined the project falls under an exemption
13 listed in Chapter 8 of the NCPC Submission Guidelines.

14 The Applicant provided post-hearing submissions at
15 Exhibit 38, 41, 41A and 43. OP submitted a supplement
16 report at Exhibit 40. This case is ready for the Commission
17 not consider final action. Thank you.

18 CHAIRPERSON HOOD: I don't necessarily have a
19 whole lot. I just know that there was an issue that was
20 taken care of. Let me make sure we don't have any problems
21 with it.

22 It was presented to us while the actual affordable
23 housing set aside percentage was smaller than the three IZ
24 units in the project presented at the hearing. There was an
25 error, and to make up for that error the Applicant now

1 proposes to reserve all three units at 60 percent MFI
2 instead of one unit at 60 percent MFI, and two units at 80
3 percent MFI.

4 I believe -- I want to hear from others, but I
5 believe it was an honest mistake and I think the way I
6 understand it I think we give them -- we're better off with
7 three units at 60 percent as well. So -- and then we also
8 believe that the Applicant revised IZ proffer in addition to
9 the other public benefits of the project, including the
10 majority of units being family sized units and the
11 sustainability features are commensurate with the PUD relief
12 of flexibility that was requested.

13 I think -- I don't have any problems with it.
14 There was an error made, and I think the error was
15 corrected, and I think it's beneficial the way the error is
16 corrected, or at least the way I understand it. Let me hear
17 from others.

18 And I think Commissioner Imamura, is this one you
19 didn't participate on?

20 COMMISSIONER IMAMURA: I'm on this one, Mr.
21 Chairman.

22 CHAIRPERSON HOOD: Okay. Well, let me come to you
23 first then.

24 COMMISSIONER IMAMURA: Sure. No, I absolutely
25 agree that it was honest clerical error, and I think the

1 Applicant here rectified it with a very reasonable solution,
2 especially with deeper affordability at 60 percent MFI.

3 Also just wanted to note that OIG was also in
4 support of this. So I'm prepared to vote in support.

5 CHAIRPERSON HOOD: Okay, Commissioner Stidham.

6 COMMISSIONER STIDHAM: I agree. It was an honest
7 mistake, and I think that they have rectified it in a way
8 that makes a lot of sense, and I'm prepared to support as
9 well.

10 CHAIRPERSON HOOD: And Vice Chair Miller.

11 VICE CHAIR MILLER: I agree with you and my fellow
12 colleagues, Commissioners Stidham and Imamura. And the --
13 this map, this PUD and related Map Amendment will facilitate
14 housing and affordable housing, family sized units, home
15 ownership units at the deeper affordability level. And so -
16 - and it's -- it's -- the design is compatible with the
17 neighborhood, so I'm fully prepared to support it. Thank
18 you.

19 CHAIRPERSON HOOD: Okay. Would somebody like to
20 make a motion?

21 COMMISSIONER STIDHAM: I can do that. So I would
22 like to move the Commission take final action on Zoning Case
23 Number 23-24, Eckington Mews, LLC, Consolidated PUD and
24 related Map Amendment at Square 3524.

25 COMMISSIONER IMAMURA: Second.

1 CHAIRPERSON HOOD: It's been moved and properly
2 seconded. Any further discussion?

3 Not hearing any, Ms. Ackerman could you do a roll
4 call vote, please.

5 (Roll call vote.)

6 MS. ACKERMAN: Commission Stidham.

7 COMMISSIONER STIDHAM: Yes.

8 MS. ACKERMAN: Commissioner Imamura.

9 COMMISSIONER IMAMURA: Yes.

10 MS. ACKERMAN: Commissioner Hood.

11 CHAIRPERSON HOOD: Yes.

12 MS. ACKERMAN: And Commissioner Miller.

13 VICE CHAIR MILLER: Yes.

14 MS. ACKERMAN: Staff records the vote four to zero
15 to one to approve Case Number 23-24 for final action, the
16 minus one being the third mayoral appointee seat, which is
17 vacant.

18 CHAIRPERSON HOOD: Okay, moving right along.

19 Let's go to Zoning Commission Case Number 24-04 (NL1271) 5th
20 Street, LLC Map Amendment at Square 3591, Lot 003.

21 Ms. Ackerman.

22 Case No. 24-04

23 MS. ACKERMAN: So at the conclusion of the July
24 8th hearing the Commission took proposed action to approve
25 this case and it was referred to the NCPC for its 30 day

1 comment period. At Exhibit 29 we have the NCPC Staff
2 Report. This did advise that the project falls under an
3 exemption listed in Chapter 8 of the NCPC Submission
4 Guidelines.

5 And lastly the Applicant provided a draft order at
6 Exhibit 30. This case is ready for the Commission to
7 consider final action. Thank you.

8 Oh, and Commissioner Imamura is not participating
9 in this case because he wasn't there previously.

10 CHAIRPERSON HOOD: Thank you. All right, let me
11 ask one other comment, they want to talk about this. I
12 don't think there's a whole lot to talk about. I believe
13 this is ready for final action. IZ Plus would apply to this
14 Map Amendment, and there is a companion case, which we don't
15 need to discuss.

16 The Commission issued the Map Amendment, which we
17 are just evaluating the proposed MU-8B Zone, which is not
18 consistent with the comp plan. So I know that some other
19 things may happen later, but we don't necessarily need to
20 bring those up in this proceeding.

21 So let me open it up to hear from others.
22 Commissioner Stidham.

23 COMMISSIONER STIDHAM: I really don't have much to
24 add. I think it's fairly straightforward and I'm prepared
25 to support.

1 CHAIRPERSON HOOD: Okay, thank you. Vice Chair
2 Miller.

3 VICE CHAIR MILLER: I too am prepared to support
4 final action. Thank you.

5 CHAIRPERSON HOOD: Okay. All right. So with that
6 why don't I make -- I'll make a motion that we approve as
7 noted and captioned on the Commission Case Number 24-04 as
8 discussed and ask for a second.

9 COMMISSIONER STIDHAM: Second.

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

12 Not hearing any, Ms. Ackerman could you do a roll
13 call vote please.

14 (Roll call vote.)

15 MS. ACKERMAN: Yes. Commissioner Hood.

16 CHAIRPERSON HOOD: Yes.

17 MS. ACKERMAN: Commissioner Stidham.

18 COMMISSIONER STIDHAM: Yes.

19 MS. ACKERMAN: Commissioner Miller.

20 VICE CHAIR MILLER: Yes.

21 MS. ACKERMAN: Staff records the vote three to
22 zero to two to approve Case Number 24-04 for final action,
23 the minus two being Commissioner Imamura not participating
24 and the third mayoral appointee seat, which is vacant.
25 Thank you.

1 Case No. 23-02

2 CHAIRPERSON HOOD: Okay, thank you. Let's move
3 right along. Zoning Commission Case No. 23-02. This Office
4 of Planning Map Amendment in Square 175. Ms. Ackerman.

5 MS. ACKERMAN: Yes, at the July 11th meeting the
6 Commission took proposed action to approve this case and it
7 was referred to the NCPC for its 30 day comment period.

8 At Exhibit 728 we have the NCPC Staff Report
9 advising that it was determined that the Amendment is not
10 inconsistent with the National Comp Plan, nor would it
11 impact any other federal interest.

12 This case is ready for the Commission to consider
13 final action. Thank you.

14 CHAIRPERSON HOOD: Thank you, Ms. Ackerman. I
15 will just say this case, we've exhausted a lot on this case
16 in dealing Zoning Commission Case 23-02. I think we
17 discussed it thoroughly. I think we've come up with a
18 balance outcome. While many may not like what has come out
19 but, you know, we had so many competing interests.

20 While no one else may ever tell us this, but I
21 think the Commission -- you know, we might not always agree,
22 and I think we came up with a very balanced approach and I'm
23 hoping that things will move forward in a fashion that a lot
24 of agencies and the public had promised to work together
25 continues as this project evolves. Whatever goes on down

1 there evolves, because the project was not necessarily in
2 front us, it was more about instantly in the zone.

3 But I also would encourage that they continue to
4 work along in those other processes, and make sure they get
5 out early in communicating with the community. As we
6 noticed there was a major issue. We acknowledged all of
7 that, that the outreach could have been done a lot better.
8 But we know that everyone eventually found out because they
9 showed up.

10 So with that I don't have anything else to add to
11 that. I think we have exhausted U Street in this whole Map
12 Amendment, so I'll leave it at that.

13 Let me open it up to others. Commissioner
14 Imamura.

15 COMMISSIONER IMAMURA: I'm in complete agreement.
16 I think this was a really good example of how the Zoning
17 Commission really encouraged public participation in our
18 public decision making process. I'm not certain that
19 there's more to add to this after five hearings and probably
20 over 30 hours of testimony there. Certainly encourage
21 public to remain engaged as the process moves forward.

22 And I think we've set the stage here for what
23 could be a benefit to the city and to the community there,
24 and again just encourage those who are -- didn't have a
25 favorable view or were in opposition to this to remain

1 engaged and to help shape the outcome.

2 CHAIRPERSON HOOD: Thank you. Commissioner
3 Stidham.

4 COMMISSIONER STIDHAM: I think Commissioner
5 Imamura said it quite well and I have nothing more to add.
6 Thank you.

7 CHAIRPERSON HOOD: And Vice Chair Miller.

8 VICE CHAIR MILLER: Thank you, Mr. Chairman. Yes,
9 I agree with my -- with you and my colleagues that this is
10 ready for final action. The 30 hours of public hearings
11 were exhaustive and exhausting for both the public and us,
12 and everybody involved.

13 There's was a lot of work put into this. There
14 was a lot of testimony we received. There was responses to
15 that testimony throughout the -- our zoning process. The
16 Office of Planning initially proposed a text amendment,
17 companion case 23-26 is it, which provided for some setbacks
18 and side yard and other requirements to try to buffer the
19 new development from the adjacent lower scale row homes on V
20 Street and 17th.

21 And then later the Office of Planning actually
22 recommended pulling back the MU-10 for proposed zoning from
23 those streets, 17th and U, I think 80 feet in depth, to
24 retain the existing MU-4 zoning, rowhouse type zoning, so
25 that there would be that transition, appropriate design

1 transition, which the architect hopefully will do between
2 the higher MU-10 zoning and the MU-4 zoning along those
3 narrower streets and lower scale across the street homes.

4 And so, you know, this -- this site has in the
5 comp plan and other plans a lot of ambitious goals,
6 including affordable housing and market rate housing,
7 including neighborhoods serving retail, making it more
8 inviting the main street, U Street corridor, and most
9 importantly upgrading, modernizing the civic, public safety
10 uses on the site, the fire and police stations and perhaps
11 adding additional ones, in addition to the requirement in
12 the MU-10 zone of having a publicly accessible plaza from
13 the ground, which will emphasize the civic nature and public
14 accessibility of the site.

15 So I agree with you, Mr. Chairman, that it is a
16 balancing as it always is, and for this one, this case
17 really showed the different competing interests stake and I
18 think we've achieved a balance that can work, so I'm ready
19 to move forward. Thank you.

20 CHAIRPERSON HOOD: Great, thank you. Any other
21 comments? All right, with that I would move that we approve
22 Zoning Commission Case Number 23-02 with all of the input
23 from everyone and ask for a second.

24 VICE CHAIR MILLER: Second.

25 CHAIRPERSON HOOD: It has been moved and properly

1 seconded. Any further discussion?

2 Not hearing any, Ms. Ackerman could you do a roll
3 call vote please.

4 (Roll call vote.)

5 MS. ACKERMAN: Chair Hood.

6 CHAIRPERSON HOOD: Yes.

7 MS. ACKERMAN: Commissioner Miller.

8 VICE CHAIR MILLER: Yes.

9 MS. ACKERMAN: Commissioner Imamura.

10 COMMISSIONER IMAMURA: Yes.

11 MS. ACKERMAN: Commissioner Stidham.

12 COMMISSIONER STIDHAM: Yes.

13 MS. ACKERMAN: Staff records the vote four to zero
14 to one to approve case number 23-02 for final action. The
15 minus one being the third mayoral appointee seat, which is
16 vacant.

17 CHAIRPERSON HOOD: Okay, let me also just follow
18 on and thank our legal team for all the hard work and
19 putting all the pieces together in that particular. And
20 there was a lot of moving parts, a lot of different pieces,
21 and my hats off to, I believe it's Mr. Ritting who -- and
22 also Ms. Lovick as well as Mr. Liu. Our whole team I'm sure
23 had input and conversations about how to get us prepped and
24 get us ready for this, and I just wanted to say that.

25 I mean, they do it on every, a lot of -- every

1 case, but this case particularly had been -- was one of the
2 most cases that had a whole lot of things, moving parts to
3 it, and I wanted to make sure -- I wanted to pause a moment
4 and make sure I applaud them and thank them by having us
5 ready, I want to say Zoning Commission ready, to be able to
6 go and do our jobs, so thank you.

7 All right, let's keep moving. Let's go to a
8 hearing action, Zoning Commission Case Number 23-27, the
9 Office of Planning Text and Map Amendments to create the
10 Navy Yard East Zone: re-set down for some revised text.
11 Let's go to Ms. Thomas.

12 Case No. 23-27

13 MS. THOMAS: Yes, good afternoon, Mr. Chair and
14 welcome back to the fall session of the Zoning Commission
15 from the Office of Planning.

16 Thank you for having us this afternoon and the
17 Office of Planning is requesting the Commission accept the
18 Amendments to the original OP Petition in the subject case,
19 23-27, which is at Exhibit 2 in the record, which is
20 actually to create a new Navy Yard East Zone for the
21 Southeast portion of the Washington Navy Yard, noted in our
22 report and shown here in the first slide.

23 Next slide.

24 These proposed changes reflect the unique dual
25 jurisdiction of this site. The underlying ownership remains

1 with the U.S. Department of the Navy, and that is subject to
2 Master Plan approval by the National Capitol Planning
3 Commission, while the zoning is subject to approval by this
4 Commission.

5 Subsequent to the original petition set down on
6 November 14, 2023, OP continued its collaboration with NCPC
7 and the Navy to finalize the Washington Navy Yard Master
8 Plan, which is in fact the guiding planning document for the
9 proposed zoning. So we refined the zoning text to be
10 consistent with the approved Master Plan, the Section 106
11 Programmatic Agreement, and the resulting Memorandum of
12 Understanding between the District, NCPC, and the U.S.
13 Department of the Navy based on those extensive
14 negotiations. And these changes are highlighted here in the
15 chart.

16 I would just like to point out further that the
17 negotiation MOU stipulates that the project will contain an
18 8 percent base IZ set aside for rental units with an 8
19 percent set aside for sale units for the disabled veterans
20 outside of the IZ program. An additional 7 percent
21 affordable housing set aside for rental units may be further
22 available through the low income housing tax credit and the
23 affordable housing production trust fund.

24 So there's a range of affordability here for
25 rental units between 8 to 15 percent to accrue from

1 development in this zone.

2 Next slide.

3 So more importantly we have been working on
4 informing the community about the proposed zoning and new
5 opportunities when this process opened to the community. So
6 OP and the Navy's development partner, Redbrick, is
7 committed to providing information to and receiving comments
8 from the community throughout the zoning process.

9 And our outreach thus far has included meetings
10 with the ANC and the community providing targeted
11 information through emails and flyers to community residents
12 within a quarter mile and organizations within a half mile
13 radius of the un-zoned area as show in this slide, primarily
14 to ANC 8F, which is the most affected ANC, and to the
15 abutting ANC 6D.

16 I would just like to note here that the required
17 200 foot buffer would not have captured many organizations
18 or residents, so we decided to expand the outreach area. We
19 received feedback from our virtual meetings noted in our
20 report, and there is a dedicated OP webpage and email where
21 updates to this process are posted.

22 Our supplemental report outlines the meetings
23 we've had thus far, and we will continue with additional
24 meetings this fall to provide updates and answer any
25 questions or concerns regarding this text and Map Amendment.

1 And with that I'll be happy to take any questions.
2 Thank you.

3 CHAIRPERSON HOOD: Thank you, Ms. Thomas. Let's
4 see if we have any questions or comments. I'll go to
5 Commissioner Imamura first.

6 COMMISSIONER IMAMURA: Thank you, Ms. Thomas, for
7 your report tonight and work on this case.

8 I think there's a lot of potential here to
9 transform this part of the Navy Yard. I do have a couple of
10 questions.

11 Just at the outset as we normally do just curious
12 if there's any opposition to the proposal that you're aware
13 of at this moment or at this time.

14 MS. THOMAS: We're not aware -- we've had
15 comments. We've had comments concerning from the community,
16 not against the proposal as such, but just questions
17 regarding disability and with respect to the height and the
18 bridge, such comments like that, but nothing thus far
19 against it.

20 COMMISSIONER IMAMURA: All right, thank you. I
21 was curious what the general theme of those comments were.

22 The only other question or rather really request
23 is if perhaps maybe you could supplement the record with the
24 responses to the community outreach and engagement part of
25 the racial equity tool, particularly, you know, specifically

1 part two, prior to the public hearing should we set this
2 down.

3 And I just want to make a comment that I
4 appreciate the effort to expand the outreach beyond the 200
5 feet, and I think that was appropriate here to include
6 organizations at 1/4 and 1/2 mile. So I think that was a
7 good decision.

8 So with that, Mr. Chairman, I don't think I have
9 any other questions. Thank you.

10 CHAIRPERSON HOOD: Good, thank you. Commissioner
11 Stidham, any questions or comments?

12 COMMISSIONER STIDHAM: Just to reiterate the
13 request related to the community engagement. That is -- one
14 thing that I think is going to be very important for the
15 Applicant to be able to talk about is that the engagement
16 that has happened, whether hearing what they've done to
17 change things, and I think other than that I don't have
18 anything more to add.

19 CHAIRPERSON HOOD: Thank you. Vice Chair Miller.

20 VICE CHAIR MILLER: Thank you, Mr. Chairman, and
21 thank you to my colleagues for your questions and comments,
22 and thank you to Ms. Thomas for all your work on this case,
23 along with the collaboration and dialogue that you've had
24 with the Navy Department and the National Capitol Planning
25 Commission and the development partner, Redbrick. Those

1 collaborations were important to achieving the MOU Master
2 Plan, which -- upon which the zoning will be based. So that
3 was all good work and important for this case, so thank you.

4 CHAIRPERSON HOOD: Ms. Thomas, I don't -- I don't
5 have any comments, I mean questions or comments for you, so
6 thank you. We appreciate your report to us.

7 MS. THOMAS: Thank you.

8 CHAIRPERSON HOOD: And welcome back to -- with us
9 as well. Thank you.

10 All right, unless my colleagues have any other
11 questions or comments would somebody like to make a motion
12 to set this down?

13 COMMISSIONER IMAMURA: Thank you. I look forward
14 to setting this down. I move that the Zoning Commission set
15 down Case Number 23-27, Office of Planning Text and Map
16 Amendment to create the Navy Yard East Zone as part of the
17 reset down here with the revised text included. I ask for a
18 second.

19 COMMISSIONER STIDHAM: Second.

20 CHAIRPERSON HOOD: All right, it's been moved and
21 properly second. Any further discussion?

22 Not hearing any, Ms. Ackerman, would you do a roll
23 call vote please.

24 (Roll call vote.)

25 MS. ACKERMAN: Yes. Commissioner Imamura.

1 COMMISSIONER IMAMURA: Yes.

2 MS. ACKERMAN: Commissioner Stidham.

3 COMMISSIONER STIDHAM: Yes.

4 MS. ACKERMAN: Commissioner Hood.

5 CHAIRPERSON HOOD: Yes.

6 MS. ACKERMAN: And Commissioner Miller.

7 VICE CHAIR MILLER: Yes.

8 MS. ACKERMAN: Staff records the vote four to zero
9 to one to set down Case Number 23-27 as a rule making case.
10 The minus one being the third mayoral appointee seat, which
11 is vacant.

12 CHAIRPERSON HOOD: Okay, thank you. Let's keep
13 moving. I think this is our last action for today. Let me
14 scroll down. Just a second. Okay.

15 Zoning Commission Case Number 24-07, Skyland
16 Place, LLC Map Amendment at Square 5734 and 5735.

17 Case No. 24-07

18 Ms. Brown-Roberts.

19 MS. BROWN-ROBERTS: Good afternoon, Mr. Chairman
20 and members of the Commission. For the record I'm Maxine
21 Brown-Roberts from the Office of Planning on Zoning
22 Commission Case 24-07.

23 Next slide.

24 Skyland Place, LLC filed a petition to rezone the
25 area developed with the Skyland townhouse and apartment

1 residences from the R-3 and RA-1 zones to the RA-2 zone.

2 The property is within the Skyland neighborhood and consists
3 of mostly two story apartments and some townhouses.

4 In general the area around the property is a mix
5 of low to mid-rise residential units neighborhood serving
6 retail and service uses, and in particular the Skyland Town
7 Center, which is to the northeast.

8 The Applicant seeks to remap the proposed -- to
9 remap the properties to facilitate demolition of the
10 existing structures and infrastructure, which are aged, and
11 redevelop the site in phases with higher density apartments,
12 a mix of unit sizes, unit types and affordability, including
13 for sale town housing. Phasing will allow for on-site
14 relocation and minimize displacement through the
15 construction process.

16 Next slide.

17 The future land use map designates the property
18 for moderate density residential uses and the generalized
19 policy map designation is for neighborhood conservation
20 area. The proposed RA-2 zone is not inconsistent with these
21 designations as the zoning regulations designates the RA-2
22 zone for predominantly moderate density residential use.

23 The comp plan states that the RA-3 -- I'm sorry,
24 the R-3, RF, and RA-2 zone districts are consistent with the
25 moderate density residential category. When analyzed the

1 RA-2 zone is most appropriate for the large site as it
2 allows for a mix of unit types, sizes, affordability, and
3 the permitted height and density would be compatible with
4 the surrounding residential development and moderate density
5 commercial uses.

6 As outlined in the OP Report when evaluated
7 through a racial equity lens the proposed zoning would not
8 be inconsistent with many of the policies and objectives of
9 the comprehensive plan, particularly the land use and
10 housing policies addressing housing for families, affordable
11 and mixed income housing, moderate income housing, housing
12 for larger households, avoiding displacement, increasing
13 home ownership and housing choice for all adults.

14 The property is within the far southeast,
15 southwest area, which among other things recommends
16 increasing home ownership in the area.

17 The data in the planning area indicates that in
18 general between the 2012 to 2016 and the 2018 to 2022 time
19 periods there has been a small decrease in population, more
20 diversity in population, a decrease in poverty and cost
21 burden rates in the area. These changes are small, but the
22 Map Amendment would result in the population decrease in
23 poverty and the cost burden rates in the area. These
24 changes are small, but the Map Amendment would result in
25 increasing home ownership opportunities, which could

1 influence housing tenure in the area. A development with
2 housing and social intervention, and nearby employment
3 opportunities could positively impact the continued decrease
4 in poverty and cost burden areas in the area.

5 Next slide.

6 The planning area has a significant amount of the
7 city's affordable housing and exceeds its 2025 target by
8 224.8 percent, which is the highest amount of affordable
9 housing units of any planning area. OP and the Applicant
10 therefore recommends that the Map Amendment not be subject
11 to IZ Plus due to the large amount of existing affordable
12 housing already in existence. The focus could therefore be
13 on providing for moderate income and larger family units.

14 Next slide.

15 The property is within ANC 8B, and the Applicant
16 states that they have had one meeting with the ANC. The
17 residents of the community are also represented by the
18 Skyland Terrace Tenants Association. The Applicant states
19 that they have used several methods for outreach and will
20 continue to work with the ANC, the tenant association,
21 residents, and the wider community to improve responses to
22 their outreach.

23 The Office of Planning therefore recommends that
24 the proposed Map Amendment be set down for public hearing
25 and that it would not be appropriate for IZ Plus.

1 Thank you, Mr. Chairman, and I'm available for
2 questions.

3 CHAIRPERSON HOOD: Thank you, Ms. Brown-Roberts.

4 I want to ask this, but I just noticed, so the
5 Skyland Tenants Association, they had a dinner, or they had
6 a dinner for them? I'm just curious. I've never --

7 MS. BROWN-ROBERTS: The Applicant had the dinner
8 for them.

9 CHAIRPERSON HOOD: Oh, I mean, all these years --
10 not the Zoning Commission, but before I got on the Zoning
11 Commission I met with organizations and they never invited
12 me to dinner, so that's great. So anyway -- do you know
13 what the menu was?

14 MS. BROWN-ROBERTS: No. I wasn't there.

15 CHAIRPERSON HOOD: Oh, okay. Thank you.

16 All right. Commissioner Imamura, you have any
17 questions or comments?

18 COMMISSIONER IMAMURA: Thank you, Mr. Chairman.
19 Just a couple questions, a couple comments, Ms. Brown-
20 Roberts. As always thank you for your work on this.

21 I was interested about how this might change some
22 of the demographic trends in the neighborhood and you
23 certainly addressed that. I'm curious as always if you're
24 aware of any opposition at the moment, or what the comments
25 for outreach were, what the general theme was.

1 MS. BROWN-ROBERTS: I'm not aware of any
2 opposition at this time. The Applicant hasn't conveyed that
3 to me. But I think the responses have been much lower than
4 they would -- they would want it to be, and so that is
5 something that we have encouraged them to -- and they have
6 tried a number of things. As you see they had the dinner,
7 they've had mailings, and it seems to be that the response
8 is still lower than they would want.

9 So we have recommended to them that, you know,
10 they may look at some other, some other ways of trying to
11 reach the residents and, you know, have a bigger -- a
12 bigger, a better response from them.

13 But they have made presentations to them on this
14 application and also what the new development would entail,
15 particularly on the phasing since they would be retaining
16 residents on site. So they're active in those endeavors.

17 COMMISSIONER IMAMURA: All right, very good. I'm
18 interested if we decide to set this down to hear more about
19 their outreach efforts and their strategies to overcome some
20 of that.

21 The only other question that I have, so I just
22 wanted to confirm that the entire site is a neighborhood
23 conservation and that there isn't any part of the property
24 designated as enhanced new neighborhood center on the GPM.

25 MS. BROWN-ROBERTS: Yes, it's entirely within the

1 neighborhood conservation area. Yes, it's entirely.

2 COMMISSIONER IMAMURA: All right, very good.

3 Again, thank you Ms. Brown-Roberts for you work on this and

4 I'm prepared to set this down.

5 Mr. Chairman, thank you very much.

6 CHAIRPERSON HOOD: All right, thank you.

7 Commissioner Stidham any questions, comments.

8 COMMISSIONER STIDHAM: No, just thank you for your
9 report, much appreciated, and welcome back.

10 MS. BROWN-ROBERTS: Thanks.

11 CHAIRPERSON HOOD: And Vice Chair Miller, any
12 questions or comments?

13 VICE CHAIRMAN MILLER: I thank you and my fellow
14 commissioners for your comments and questions.

15 I'm prepared to support the continuing
16 revitalization of the Skyland neighborhood. I would note
17 that this proposal involves demolishing and rebuilding
18 housing units which are currently occupied I believe. There
19 are existing 224 units in 20 buildings and they're -- as you
20 mentioned Ms. Brown-Roberts they're out -- they've outgrown
21 their useful -- outlived their useful life and they need to
22 be -- they need to be rebuilt.

23 So that's important, but that involves the
24 relocation plan, and there is a phasing plan that you've
25 referenced in the Applicant's Exhibit 3E beginning on page

1 28, which you also referenced in your, in your report.

2 I think at the hearing I would like to just hear a
3 little more public discussion of that phase relocation plan,
4 which mostly I recall involves on site relocation in other
5 housing that's being built or available in the Skyland
6 project overall. So I just want to hear more about the
7 relocation plan efforts and how that information has been
8 shared with existing tenants and how they perceive and how
9 that's -- how that whole process is being worked on to be as
10 smooth and convenient as possible for the existing tenants.

11 So I thank you for all your work and the
12 Applicant's work on this project so far with the community
13 and appreciate the efforts going forward. Thank you.

14 CHAIRPERSON HOOD: I too thank you Ms. Brown-
15 Roberts and I would associate myself with the Vice Chair's
16 comments about the relocation and what's being presented I
17 think was Exhibit 3E. I'd like to expand and get a little
18 more into that because I'm hoping this Applicant is working
19 with the community and those who may have to move around for
20 a moment.

21 Hopefully it's temporarily, not too much, and I'm
22 hoping it's less stress. That's what we need to start
23 working towards. I don't know what else to say. Less
24 stress on the person who has to move their home around.
25 Nobody likes to be moved around. But I think at the end of

1 the day it will be better off, so let's see how -- I would
2 ask, and I probably -- if I remember I'm going to ask the
3 Applicant how much less stress they're putting on the
4 homeowner -- I mean, those who are -- the residents who are
5 in those facilities.

6 So looking forward to that and I'm hoping that
7 it's less stress, and I think that's -- that's very
8 important.

9 I don't have any other comments. Again welcome
10 back and thank you as always for your very well done report.

11 MS. BROWN-ROBERTS: You're welcome.

12 CHAIRPERSON HOOD: Okay. Would somebody like to
13 make a motion. I think this is ready to be set down and I'm
14 sure that the residents over there have been hoping, as has
15 already been mentioned about the -- there wasn't any
16 opposition, and I'm hoping they will be able to get the
17 outreach and settle things down so we can have a great
18 hearing.

19 So if somebody can make a motion.

20 VICE CHAIR MILLER: I'd like to make a motion, Mr.
21 Chairman. I share your comments on that. The Zoning
22 Commission set down Case Number 24-07, Skyland Place, LLC
23 Map Amendment at Squares 5734 and 5735 from RA-3 and RA-1
24 zones to RA-2 zones.

25 I'm looking at two different captions. One says

1 5734 and 5735 and the OP report says 5734 and 5725. I have
2 a feeling the 35 -- I have a feeling that's a typo, since 35
3 is right adjacent to 34. But I'll leave it to Ms. Ackerman
4 to correct that if I've stated that wrong.

5 I move that we set down Case Number 24-07 where IZ
6 Plus will not apply per the Office of Planning
7 recommendation and ask for a second.

8 COMMISSIONER IMAMURA: Second.

9 CHAIRPERSON HOOD: It's been moved and properly
10 seconded. I'm sure staff will get that taken care of. Any
11 further discussion?

12 Not hearing any, Ms. Ackerman could you do the
13 roll call vote please.

14 MS. ACKERMAN: Square 5734 and 35.

15 VICE CHAIR MILLER: Thank you, Ms. Ackerman.

16 MS. ACKERMAN: Okay. Who was it that seconded?

17 CHAIRPERSON HOOD: Commissioner Imamura.

18 MS. ACKERMAN: Commissioner Imamura, okay.
19 Commissioner Miller.

20 VICE CHAIR MILLER: Yes.

21 MS. ACKERMAN: Commissioner Imamura.

22 COMMISSIONER IMAMURA: Yes.

23 MS. ACKERMAN: Commissioner Hood.

24 CHAIRPERSON HOOD: Yes.

25 MS. ACKERMAN: Commissioner Stidham.

1 COMMISSIONER STIDHAM: Yes.

2 MS. ACKERMAN: Okay. Staff records the vote four
3 to zero to one to set down Case Number 23-27 as a contested
4 case. The minus one being the third mayoral appointee seat,
5 which is vacant.

6 CHAIRPERSON HOOD: Ms. Ackerman, do we have
7 anything else before us today?

8 MS. ACKERMAN: No, just that we'll meet again on
9 September 16th for Case Number 24-05 I believe.

10 CHAIRPERSON HOOD: Okay, thank you. I don't have
11 to do that. Thank you, Ms. Ackerman, you've done it now.

12 So let me just again welcome my colleagues back.
13 I'm looking forward to continuing the work of the city, and
14 welcome everyone back to this process.

15 I will tell you that we have a light month. I
16 probably shouldn't say that because every time I say
17 something it backfires on me. But it looks like we have a
18 light month, so next month we'll probably pay for it, but
19 hopefully things will continue -- we'll continue to do the
20 work of the city.

21 So thanks everybody. See you all on Monday and
22 have a great weekend.

23 (Whereupon, the meeting was adjourned at 4:49
24 p.m.)

25 * * * * *

REPORTER CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: Public Meeting

Before: D.C. Zoning Commission

Date: 09-12-2024

Place: Teleconference

was duly recorded and accurately transcribed under my
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Gary Euell