GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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REGULAR PUBLIC HEARING

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MONDAY

JANUARY 27, 2025

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The Public Hearing of the District of Columbia Board of Zoning Adjustment convened via teleconference, pursuant to notice at 4:01 p.m. EDT, Anthony Hood, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

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

OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN, Staff PAUL YOUNG, A/V Specialist

OFFICE OF ZONING LEGAL STAFF PRESENT:

JACOB RITTING, Esquire

The transcript constitutes the minutes from the Regular Public Hearing held on January 27, 2025.

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

2 (4:01 p.m.)

CHAIRPERSON HOOD: Good afternoon, ladies and gentlemen. We are convening and broadcasting this public hearing by videoconferencing. My name is Anthony Hood and I'm joined by Vice Chair Miller, Commissioner Wright, Commissioner Stidham and Commission Imamura. We're also joined by the Office of Zoning staff, Ms. Sharon Schellin, and also Mr. Paul Young who will be handling all of our virtual operations. I will ask, also we're joined by the Office of Zoning Legal Division, Mr. Jacob Ritting. 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 is also webcast live via Webex and YouTube Live and video will be available on the Office of Zoning's website after the hearing. Accordingly, all those listening on Webex or by phone will be muted during the hearing. Only those who have signed up to testify will be unmuted at the appropriate time. When called please state your name before providing your testimony. When you are finished speaking, please mute your audio. If you experience difficulty accessing Webex or with your telephone call-in, then please call our OZ hotline number at 202-727-0789 to receive Webex login or call-in instructions or if you have not signed up to testify as well.

All persons planning to testify must have signed up in advance and will be called by name at the appropriate time. At the time of sign up, all participants will complete the oath or affirmation required by Subtitle Z-408.7. If you wish to file written testimony or additional supporting documents during the hearing, then please be prepared to describe and discuss it at the time that you are submitting your request.

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The subject of this evening's hearing is Zoning Commission case No. 12-15D, Gallaudet University 2012-2027 Campus Plan Amendment and Further Processing for the Merrill Learning Center at Square 3593, Lot 0004, 800 Florida Avenue, Northeast. Again, today's date is January 27th, 2025.

The hearing will be conducted in accordance with provisions of 11 Z-DCMR, Chapter 4 as follows; preliminary matters, Applicant's case, the Applicant has up to 60 minutes but we can talk about that when the Applicant comes up, report of the Office of Planning and Department of Transportation, report of other government agencies. We will do it in reverse order. We will have report of other government agencies first, report of the Department of Transportation and report of the Office of Planning, report of the ANC. In this case I believe, I know ANC 5D, 6A and 6C I believe are participants. Then we'll have rebuttal closing by the, we'll have and testimony of organizations and individuals, each having five and three minutes respectively, organizations five minutes, individuals three

minutes, and then we'll have rebuttal and closing by the Applicant.

2.

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

MS. SCHELLIN: Just very briefly. I know that the Applicant has initially proffered some experts but they have decided that they are not proffering any expert witnesses and initially the Applicant out of abundance of caution had asked for a waiver from posting. They initially thought they needed to post all campus properties, however with the change that the Commission made properties within the campus plan no longer have to be posted, it's just those that are street frontages and buildings that are not owned by the campus, the University.

So that waiver is not needed unless Mr. Ritting feels otherwise. They did post according to the regs all street frontages and no buildings were unowned. And other than that, they are expecting probably 20 minutes presentation. If the Commission wants to hear one. They do have support. The ANCs, as you said there are three, 5D which is the property location, and then across I believe it's Florida Avenue you have 6A and 6C. I believe 6C stated that they would not participate or at least they relayed that to the Applicant who has advised me and I don't believe there was anything from 6A either.

So other than OP and DDOT are in support and I'll turn

over to the Commission.

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CHAIRPERSON HOOD: And, Ms. Schellin, let's bring up Mr. Hughes and all those who are going to be presenting this evening and let me just say, Mr. Hughes, typically the normal practice of the Commission if there's no opposition, it looks like everything -- and we have reviewed the record. But I'm going to ask my colleagues, I have reviewed, let me just say I have reviewed the record. I'm sure they have as well, and typically when we do that we ask you to usually hit the highlights and that's been the typical practice but the last meeting there was something said that I really didn't care for but I'm not going to let that interfere with what I'm doing here today.

But let me ask my colleagues, let me start off with you, Vice Chair Miller. Do you want a full presentation?

VICE CHAIRPERSON MILLER: The highlights would be fine. Thank you.

17 CHAIRPERSON HOOD: Commissioner Wright, do you want a 18 full presentation?

COMMISSIONER WRIGHT: Again, highlights would be fine.

20 CHAIRPERSON HOOD: Okay. Commissioner Stidham, do you

21 want a full presentation?

22 COMMISSIONER STIDHAM: The highlights are fine with me

23 also.

24 CHAIRPERSON HOOD: And Commissioner Imamura, do you

25 want a full presentation?

COMMISSIONER IMAMURA: The highlights are fine but I would just ask that the Applicant just speak at a regular pace and something that's audible, and I think it's worth noting last week the Applicant rushed through their delivery and it was inaudible so that's why I had asked them to hit the highlights afterward. So it wasn't, so that's why I had asked them to do that. It was very difficult for me to hear them. But the highlights would be fine tonight.

CHAIRPERSON HOOD: All right. So any time there's an issue I need colleagues to speak up and let me know. You know, that would be very helpful. All the time some of us hear things differently. I know I didn't hear any problems last week but any time there's an issue going on, please speak up and let us know.

COMMISSIONER IMAMURA: Yeah. It was a mumble. It was a mumble and so that was what made it difficult.

CHAIRPERSON HOOD: Well, I have to say I got a lot of comments about something that was said to me from people who were actually looking, including my wife. So I'm going to leave it at that for now.

Mr. Hughes, you may begin.

MR. HUGHES: Good afternoon, Commissioners. For the record I'm Dennis Hughes with Holland & Knight, LLP, land use counsel for Gallaudet University. I'm joined this afternoon by Richard Dougherty who serves as Gallaudet University's architect

and by Chris Hoffmann who's Gallaudet's Director of Campus Design and Planning.

2.

Ms. Schellin did a great job of introducing everything, but just very quickly, we're here to request your approval of a limited amendment to the campus plan that's currently in effect until 2027 and for further processing for the University's proposal to partially demolish and renovate the long standing but deteriorated library building known as the Merrill Learning Center. They're looking to renovate the building into an exciting multi-purpose facility with a dramatic architectural vocabulary.

Before I, what I'd like to do is turn things over to Richard Dougherty for a very quick review of the plans, just a few minutes, but I'd like to note that we believe the record is complete in this case. We've demonstrated compliance with the applicable zoning criteria through our submissions to the record, our application and our pre-hearing statement, and that includes an analysis of our compliance with the comprehensive plan.

We're very pleased, as Ms. Schellin noted, to have the support of the Office of Planning and we thank Mr. Bradford for his time and analysis, and we also note that the Department of Transportation has no objection to the application. We appreciate their review as well.

Finally, we met multiple times with ANC 5D, the ANC who, the campus is within the boundaries of ANC 5D. They submitted a letter to the record today I believe, it's Exhibit

30, if you haven't seen it yet noting their support for our application and we very much appreciate that.

2.

And with that, I've taken more time than I should already so let me turn it over to Richard and ask Mr. Young if you could pull up our PowerPoint presentation. Thank you.

MS. SCHELLIN: I see Mr. Vega is now on. I just wanted to let the Commission know that we do have the other sign language interpreter.

MR. HUGHES: I don't see Richard, so just give me one minute. Thank you.

MR. DOUGHERTY: Okay. Thank you, everybody.

So first of all I just want to thank you all just for the privilege to appear today. My name is Richard Dougherty. I am Gallaudet University's architect and I'm really excited just to share the plan that we have for the Merrill Library Complex. Next slide, please.

So as mentioned, the original ten year campus plan as presented from 2012 to 2022, however, you know, as extended as well, we are planning on removing the MLC Library in the heart of our campus to open up the mall. Next slide, please.

So that particular building what you notice here is the Merrill Library Complex. The building was built in 1981 and at that particular time the quality of construction was not particularly great. You know, through the decades we've had numerous issues with the building. We've had water leaks. We've

had structural issues as well. However, we've recognized that this particular building is, you know, the basement space, the underground space is over 65,000 square feet and it's a very functional space. It has very, very high ceilings. It has lots of storage space for our film studio, for our archives, et cetera.

2.

We've also noticed and recognized that that building prior to its construction, the Gallaudet community loved the openness of the Gallaudet mall which was very, very much, you know, appreciated from a depth perspective as a visual language and the geometry of the building really, you know, affected line of sight on the mall and if you could go to the next slide I'd like to start with our proposal for that building.

So you can see here we have three floor plans on this particular slide. The purple is the basement. The red is what we're proposing demolishing and removing. If you see the section drawing on the below, you'll notice that by removing the red portions of the building it will open up the entire mall of the campus from the visual perspective and open up all lines of sight from buildings along the mall, at the same time keeping that wonderful space that we have in the basement. I can show you what that looks like actually on our next slide.

So this is what our proposal is for the MLC. So you can see here this is the front of the MLC and you can see that we are proposing a landscaped garden area, trees where the buildings presently are. This will open up the Gallaudet mall

just to student traffic, to faculty traffic. It will become a seamless flow between buildings across the mall and also maintain visual lines of sight and paths from the 6th Street entrance and connect to our, really just connect east and west from our athletics department which is housed on our eastern side of campus and connected more to our western side of campus. We hope it'll activate our campus and it'll improve visibility from buildings to buildings on the mall. Next slide, please.

2.

This here shows an example of the entrance for the MLC and we've, you know, we've included deaf, blind individuals in our design here. We've included, you know, people in wheelchairs, people who have strollers and we're also, you know, we have very, very wide, wide thoroughfares and we're trying to, you know, return the mall to its original design as a landscaped mall. Next slide, please.

The goal is to also have lots of social infrastructure and what that means is having shade shelters, you know, having certain areas that will protect attendees from sunlight and invite people to gather and sit and have discussions. Next slide, please.

So this is the first floor plan and we're going to have hopefully an open gallery space and then there will be, the orange area there will be a café area which is going to be on the surface of the mall and that will attract folks, you know, and foot traffic, and really the priorities mostly are students, faculty

and staff for this café in terms of intended usage. Next slide, please.

2.

And this shows our entrance and the goal is to have it be very much a gallery space and very much an open space and provide visual lines of sight. Next slide, please.

And you can see the goal that we're trying to return the campus to. I mean, originally we had Chapel Hall, our older campus which is on the southern part of campus and we're trying to leverage this opportunity to highlight that part of campus and also provide views into the basement of the building as well. Next slide, please.

And you can see here this is the back of the café, the coffee house, all following depth space principles and depth space architectural principles. Next slide, please.

So this shows the entire basement floor plan. It's a wonderful space and the goal is to have different programs housed there and leverage Gallaudet in terms of its innovation and research capacities and entrepreneurship as well. So the left side of the plan, our hope is to have our archives and also have our Schuchman Documentary Center there. We'll also have two amphitheaters, film studios on the back side of the area and then we'll also have innovation spaces and spaces for staff and students to collaborate. Next slide, please.

The rest of the slides just show some of the architectural renderings for the basement of the building and how

the views will look and connect between the first floor, which is the outside, and the basement floor. Next slide, please.

2.

You can, yeah, just proceed through the next few slides. This area here is actually called the forum area and, again, it's designed to draw in folks and just provide spaces for innovation and collaboration. Next slide.

That's the end actually. I just want to thank everybody just for their time.

MR. HUGHES: Thank you very much, Richard.

Mr. Chairman, that concludes our Applicant presentation and we're certainly pleased to answer any questions you might have.

CHAIRPERSON HOOD: It was very to the point.

We have reviewed the record and I appreciate the PowerPoint, and I do want to say that I know having worked myself with one of the chair, Chair Guzman. I'm not sure if he's going to be here today, Ms. Schellin, let us know. But I thought his letter was very well thought out when he wrote it. I know the kind of work he does so I know that you all continue to do and, Mr. Hughes, years ago I've always mentioned Mr. George Boyd. Whenever it comes to Gallaudet, I'm sure some of the newer members may not remember Mr. Boyd, but Mr. Boyd was very responsible for the community working along with Gallaudet and the University. He actually helped set the model that we do across the city and I promised myself as long as I'm on this Commission, even though

he's passed about 15 years ago, I will not forget to mention him at every hearing that Gallaudet has.

So I appreciate Gallaudet's indulgence because if you

don't, you know, remember your past, sometimes the mistakes you make you repeat them and I can tell you Mr. Boyd has set something for years in the past and it's been over 15 years since he's been deceased. So thank you all. Let me see if my colleagues have any questions or comments.

Vice Chair Miller?

VICE CHAIRPERSON MILLER: Thank you, Mr. Chairman, and thank you to the Gallaudet team for the presentation today.

I also have reviewed the record and think it's a very straightforward case. It's a very attractive renovation of the Merrill Learning Center that you're doing there and the whole opening up of the mall, and I appreciate your reaching out to the ANCs and getting the support letter that we've received today from ANC 5D.

So I really don't have any questions. I think it's a great project and look forward to seeing it evolve.

Thank you.

MR. HUGHES: Thank you.

CHAIRPERSON HOOD: Thank you.

Commissioner Wright?

MR. HUGHES: Thank you.

25 COMMISSIONER WRIGHT: I also appreciated the

1	presentation and I think that it is a really fantastic project.							
2	I think that it makes use of existing space which is important							
3	in terms of reusing usable spaces and buildings and materials							
4	while it also integrates the landscape and the whole vista of the							
5	mall. I think that the landscaping plan with trees and shade							
6	structures will make for a very great gathering place above							
7	ground, as well as the places in the lower level that you are							
8	showing that are gathering spaces.							
9	So I really have no questions. I think it's a very							
10	creative sort of outside-the-box solution to the program of							
11	requirements that you have, and I definitely will support it.							
12	MR. HUGHES: Thank you.							
13	CHAIRPERSON HOOD: Thank you.							
14	Commissioner Imamura?							
15	COMMISSIONER IMAMURA: I read the record and reviewed							
16	all the drawings, and agree with Commissioner Wright it's a nice							
17	design solution.							
18	CHAIRPERSON HOOD: Are you finished?							
19	COMMISSIONER IMAMURA: I'm finished.							
20	CHAIRPERSON HOOD: Thank you. Okay.							
21	Commissioner Stidham?							
22	COMMISSIONER STIDHAM: Thank you, and thank you for the							
23	presentation.							
24	I have read too the record and I agree with my fellow							
25	Commissioners. This is going to be a beautiful change to the							

1	campus, I think a great addition and provide for very meaningful					
2	outdoor space in addition the indoor space that it provides. So					
3	I think it's fairly straightforward. I don't have any questions,					
4	and thank you.					
5	MR. HUGHES: Thank you.					
6	CHAIRPERSON HOOD: Thank you.					
7	Let me just say, again, I appreciate all the work that					
8	Gallaudet has been doing here in the city and especially working					
9	with the surrounding community. I don't have any questions. A					
10	very thorough presentation, so thank you.					
11	Ms. Schellin, do we have anyone from any of the three					
12	ANCs?					
13	(Pause.)					
14	CHAIRPERSON HOOD: Did I lose you, Ms. Schellin?					
15	MS. SCHELLIN: I do not see Mr. Guzman and I don't see					
16	the other two. So no one from the ANCs.					
17	CHAIRPERSON HOOD: Okay. All right.					
18	Let's go through this very quick. Ms. Schellin, what					
19	about any other government agencies besides DDOT and, well, any					
20	other government agencies besides DDOT and the Office of					
21	Planning?					
22	MS. SCHELLIN: Just OP. Mr. Bradford.					
23	CHAIRPERSON HOOD: Just OP. Okay. And we have a DDOT					
24	report. So let's bring up the Office of Planning. Mr. Bradford,					
25	Laboration of the control of the con					
	whenever you're ready you may begin.					

MR. BRADFORD: Good evening, Chair Hood and members of the Commission. For the record this is Philip Bradford, Development Review Specialist with the Office of Planning.

The Office of Planning recommends approval of case 12-15D which includes the proposed amendment to retain the MLC building which was indicated on its campus plan to be demolished and further processing for the campus plan for the renovation and addition to the building. The comprehensive plan map identifies the campus and the location of the Merrill Learning Center as institutional, while the generalized policy plan map identifies the location for institutional uses.

The proposed project would not be in conflict with either of these designations. The project furthers various comprehensive plan policies related to land use, transportation, the environment, economic development, education and the upper Northeast area element by adaptively reusing an existing structure and providing for new and enhanced educational facilities and making environmental improvements to the site. When viewed through a racial equity lens, the proposed action should not result in displacement of tenants or residents or have any impact on housing and does not involve any negative changes to the physical environment.

Therefore, OP is in support of the proposed campus plan amendment and further processing to retain the MLC building, previously indicated for demolition and construct the new

1	addition for the above ground portions of the building. While						
2	not included in the OP report or uploaded to the record, DOEE						
3	contacted OP and requested that the Applicant continue to work						
4	with the agency to meet DOEE requirements for the building as						
5	part of the Green Buildings Act.						
6	With that, I conclude my presentation and I'm available						
7	for any questions.						
8	CHAIRPERSON HOOD: Thank you, Mr. Bradford.						
9	Mr. Hughes, let me ask very quick. DOEE had had request						
10	especially to be in compliance with the Green Buildings Act. Does						
11	the Applicant agree? I'm sure the Applicant agrees to do that						
12	statutorily I'm sure, correct?						
13	MR. HUGHES: Yes, we do.						
14	CHAIRPERSON HOOD: Sounds good. Thank you.						
15	All right. Let's see if my colleagues have any						
16	questions or comments.						
17	Vice Chair Miller?						
18	VICE CHAIRPERSON MILLER: Thank you, Mr. Chairman.						
19	Thank you, Mr. Bradford, for your thorough report for						
20	the Office of Planning. I have no questions.						
21	Thank you.						
22	CHAIRPERSON HOOD: Thank you.						
23	Commissioner Wright?						
24	COMMISSIONER WRIGHT: I have no questions at this time.						
25	Thank you.						

1	CHAIRPERSON HOOD: Thank you.						
2	Commissioner Imamura?						
3	COMMISSIONER IMAMURA: Thank you, Mr. Bradford, for						
4	your report. I appreciate the work that you do.						
5	CHAIRPERSON HOOD: Commissioner Stidham, any questions						
6	or comments?						
7	COMMISSIONER STIDHAM: No. Thank you for your report.						
8	CHAIRPERSON HOOD: I too have no questions or comments.						
9	Mr. Hughes, do you have any questions of the Office of						
10	Planning, or comments?						
11	MR. HUGHES: No questions. Thank you.						
12	CHAIRPERSON HOOD: All right.						
13	All right. Thank you. Let's keep moving. Well, we						
14	do have a letter from the ANC. I did already mention about the						
15	letters from ANC, or at least ANC 5D.						
16	Ms. Schellin, do we have anyone here who wants to						
17	testify in support or opposition?						
18	MS. SCHELLIN: We have no one in any of the three						
19	categories.						
20	CHAIRPERSON HOOD: Now, I didn't see any other letters						
21	from 6A and 6C and I think you mentioned something about that						
22	earlier; is that correct or did I miss something?						
23	MS. SCHELLIN: I believe Mr. Hughes had a conversation						
24	maybe with them.						
25	CHAIRPERSON HOOD: Okay.						

1	MS. SCHELLIN: I think it was 6C said they would not						
2	participate. Mark Eckenwiler let Mr. Hughes know that.						
3	CHAIRPERSON HOOD: Okay. All right.						
4	I just want to make sure I get all the ANCs on the						
5	record. They are front line and they work hard and I want to						
6	make sure we have them.						
7	All right. So we don't have anyone here for						
8	organizations in support, opposition or undeclared, correct?						
9	MS. SCHELLIN: That is correct.						
10	CHAIRPERSON HOOD: Okay. Great.						
11	That shows, again, Mr. Hughes and team, Gallaudet, the						
12	work that you all have done. So thank you all for having that.						
13	Mr. Hughes, could you do you have any closing?						
14	MR. HUGHES: We just, in closing we thank you for your						
15	time.						
16	Thank you for these wonderful comments and we're very						
17	excited about the project. Certainly we'd like to move forward						
18	with it and if the Commission is so inclined we'd appreciate a						
19	vote in support.						
20	CHAIRPERSON HOOD: Okay.						
21	Ms. Schellin, this is a two vote case or one vote? One						
22	vote. Since we changed rules now I don't know whether it's one						
23	or two votes. Okay. All right.						
24	MS. SCHELLIN: Just one.						
25	CHAIRPERSON HOOD: Okay. All right.						

1	Okay. So thank you, Mr. Hughes, and thank you Gallaudet						
2	and the team. I appreciate all the work you all are doing. I'm						
3	sure my colleagues would agree with that. Let me see.						
4	Colleagues, you've heard the request						
5	MR. HUGHES: Thank you (indiscernible).						
6	CHAIRPERSON HOOD: you've heard the request. Would						
7	somebody like to make a motion?						
8	VICE CHAIRPERSON MILLER: Mr. Chairman, I would move						
9	that the Zoning Commission take final action on Zoning Commission						
10	Case No. 12-15D, Gallaudet University 2012-2027 Campus Plan						
11	Amendment and Further Processing for the Merrill Learning Center						
12	at Square 3593, Lot 0004, 800 Florida Avenue, Northeast, and ask						
13	for a second.						
14	COMMISSIONER STIDHAM: Second.						
15	CHAIRPERSON HOOD: It has been moved and properly						
16	seconded. Any further discussion? Not hearing any, Ms. Schellin,						
17	would you do a roll call vote, please?						
18	MS. SCHELLIN: Sure.						
19	Commissioner Miller?						
20	VICE CHAIRPERSON MILLER: Yes.						
21	MS. SCHELLIN: Commissioner Stidham?						
22	COMMISSIONER STIDHAM: Yes.						
23	MS. SCHELLIN: Commissioner Hood?						
24	CHAIRPERSON HOOD: Yes.						
25	MS. SCHELLIN: Commissioner Wright?						

1	COMMISSIONER WRIGHT: Yes.						
2	MS. SCHELLIN: And Commissioner Imamura?						
3	COMMISSIONER IMAMURA: Yes.						
4	MS. SCHELLIN: The vote is five to zero to						
5	approve final action in Zoning Commission Case No. 12-15D and we						
6	would ask the Applicant to provide a draft order. Sounds like						
7	possibly a summary order						
8	CHAIRPERSON HOOD: (Indiscernible).						
9	MS. SCHELLIN: Commissioners, or are you guys						
10	CHAIRPERSON HOOD: A summary order is appropriate.						
11	MS. SCHELLIN: Summary order. Okay. So, Mr. Hughes,						
12	could you do that two weeks from today?						
13	MR. HUGHES: Yes, certainly.						
14	MS. SCHELLIN: Thank you.						
15	MR. HUGHES: Thank you.						
16	CHAIRPERSON HOOD: Okay. Anything else on this case,						
17	Ms. Schellin?						
18	MS. SCHELLIN: That's it.						
19	CHAIRPERSON HOOD: Okay. The Zoning Commission will						
20	have Ms. Schellin, make sure I'm, well I believe I'm right,						
21	it's the only thing I have. Our regular meeting will be January						
22	the 30th on these same platforms at 4 p.m.						
23	And with that I want to thank everyone for your						
24	participation in this case tonight, and with that this hearing						
25	is adjourned.						

1		Good night e	every	one. Thank you.				
2		MR. HUGHES:	Thai	nk you very much	١.			
3		(Whereupon,	the	above-entitled	matter	went	off	the
4	record at	4:32 p.m.)						
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CERTIFICATION

This is to certify that the foregoing transcript

In the matter of: Public Hearing

Before: DC ZC

Date: 01-27-25

Place: Via Webex videoconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

Chric Hofer

Chris Hofer