

GOVERNMENT OF  
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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REGULAR PUBLIC HEARING  
CASE NO. 24-10

+ + + + +

THURSDAY

FEBRUARY 20, 2025

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The Public Hearing of the District of Columbia Zoning Commission convened via teleconference, pursuant to notice at 4:00 p.m. EDT, Anthony J. Hood, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson  
ROBERT E. MILLER, Vice Chair  
JOSEPH IMAMURA, Commissioner  
GWEN WRIGHT, Commissioner  
TAMMY STIDHAM, Commissioner

OFFICE OF ZONING STAFF PRESENT:

PAUL YOUNG, Zoning Data Specialist  
ELLA ACKERMAN, Assistant Secretary

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

HILLARY LOVICK, Esquire

OFFICE OF PLANNING STAFF PRESENT:

CRYSTAL MYERS

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The transcript constitutes the minutes from the  
Regular Public Hearing held on February 20, 2025.

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Case No. 24-10

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(4:00 p.m.)

CHAIRPERSON HOOD: Good afternoon, ladies and gentlemen. We are convening and broadcasting this public hearing by videoconferencing. My name is Anthony Hood. Joining me are Vice Chair Miller, as well as Commissioners Wright, Stidham, and Imamura. We're also joined by the Office of Zoning staff, Ms. Ella Ackerman, who's our Assistant Secretary, and Mr. Paul Young, who will be handling all of our virtual operations. Also, from our Office of Zoning Legal Division, we have Ms. Hillary Lovick. I will ask all others to introduce themselves at the appropriate time.

Copies of today's virtual public hearing notice are available on the Office of Zoning's website. Please be advised that this proceeding is being recorded by a court reporter and is also webcast live via Webex and YouTube Live. The 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, and only those who have signed up to participate or testify will be unmuted at the appropriate time.

Please state your name before providing oral testimony on your presentation. Oral presentations should be limited to a summary of your most important points. When you are finished speaking, please mute your audio so that your microphone is no longer picking up sound or background noise. If you experience

1 difficulty accessing Webex or with your telephone call-in, then  
2 please call our OZ Hotline number at 202-727-0789 to receive  
3 Webex log-in or call-in instructions or if you need assistance  
4 to sign up to testify.

5 All persons planning to testify either in favor,  
6 opposition, or undeclared must sign up in advance and will be  
7 called by name at the appropriate time. If you wish to file  
8 written testimony or additional supporting documents during the  
9 hearing, then please request that the submission be entered into  
10 the record and be prepared to describe it at the time of your  
11 testimony.

12 The subject of this evening's hearing is Text and Map  
13 Amendments to create a new Pennsylvania Avenue East Neighborhood  
14 Zone use, NMU-5A/PAE, a new Subtitle H, Chapter 11, and amend  
15 Subtitle W, Chapter 1, Squares 5553, Lots 1, 4, 5, 26 through  
16 28, 809 and 810; Square 5556, Lots 29, 38, 39, 61, 62 and 823  
17 through 826; Square 5559, Lots 35 and 806; Square 5560, Lots 39,  
18 40 through 46, 52, 55 and 814 through 817; Square 5579, Lots 63,  
19 64, 57, 806 and 807; and Square 5581, Lot 804. Again, today's  
20 date is February 20th, 2025.

21 The hearing will be conducted in accordance with the  
22 provisions of 11-Z DCMR, Chapter 5 (sic), as follows: preliminary  
23 matters; presentation by the petitioner -- in this case, the  
24 Office of Planning -- report of other government agencies; report  
25 of the ANC -- in this case, we have ANC 7B and 8A -- testimony

1 of organizations and individuals. Organizations will have five  
2 minutes, individuals will have three minutes, respectively. Then  
3 we will hear in the order from those in support, opposition, or  
4 undeclared. While the Commission reserves the right to put time  
5 limits for presentations, if necessary, it intends to adhere to  
6 the time limits as strictly as possible and notes that no time  
7 shall be ceded.

8 At this time, the Commission will consider any  
9 preliminary matters. Ms. Ackerman, do we have any preliminary  
10 matters?

11 MS. ACKERMAN: Yes, we do. So since setdown on July  
12 25th, we have received the OP report, which is in support, at  
13 Exhibit 7. This will be presented by Crystal Myers, and she  
14 plans to take 10 to 15 minutes. There's a DDOT report at Exhibit  
15 8. They stated they have no objection to the requested text and  
16 map amendments. And ANC 7B submitted a resolution at Exhibit 10.  
17 They are in support as well. Lastly, the Office of Planning  
18 submitted a waiver request at Exhibit 9. OP stated that it failed  
19 to post properly to the property because it would have been  
20 impractical, given the number of properties involved and that  
21 most of them are privately owned. The Commission should rule on  
22 the waiver requested. And there are no other preliminary matters  
23 tonight.

24 CHAIRPERSON HOOD: Thank you, Ms. Ackerman. Let me  
25 start of first by talking about the waiver request and the

1 property not being posted. Typically, that is usually requested  
2 at setdown, and typically we grant it. This is always a touch  
3 and go for me. I believe that with the record and the ANCs being  
4 involved with this and many charrettes and the many conversations  
5 that have been had. I'm -- I am truly fine with going forward.  
6 Again, it's always a touch and go. Somebody will show up, didn't  
7 know about it. We can't always dot all the I's in situations  
8 like this, but I believe -- I would hope -- I think moving forward  
9 would not do any harm or prejudice anyone, because I believe  
10 there's been plenty of discussion, but let me hear what other's  
11 thoughts are, because there are a number of things that we can  
12 do here. Let me hear first from maybe Commissioner Imamura, if  
13 you can start us off please.

14 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I'm  
15 in agreement with you. I think there's been ample involvement  
16 and I'm comfortable with granting the waiver.

17 CHAIRPERSON HOOD: Commissioner Wright.

18 COMMISSIONER WRIGHT: I am comfortable with granting  
19 the waiver, because there has been a great deal of outreach. I  
20 will note that other applicants -- for example, Georgetown  
21 University -- have posted notices for activities that involved  
22 very large geographic areas, the -- several blocks of the campus,  
23 so it is possible to do. And, you know, I think that in future  
24 cases, really, the city and the Office of Planning should look  
25 into the kind of posting that other applicants like Georgetown

1 have done. In this case, because there has been a great deal of  
2 outreach and they listed very clearly all the community meetings  
3 that have been held, I'm willing to vote for the waiver, but I  
4 really think that this should not be the rule; it should be the  
5 exception.

6 MS. ACKERMAN: I just wanted to make a note quick that  
7 there is no one signed up to testify in support or opposition  
8 for the case tonight.

9 CHAIRPERSON HOOD: Okay. Thank you, Ms. Ackerman. All  
10 right. Thank you, Commissioner Wright. I'm trying to figure out  
11 the nexus, but that's a good one. Thank you. Maybe that's  
12 telling us something different. All right. Commissioner  
13 Stidham, any comments on that?

14 COMMISSIONER STIDHAM: No. I tend to agree with  
15 granting the waiver with the amount of -- (coughs) -- I'm  
16 sorry -- outreach that OP has done in the community over a number  
17 of events.

18 CHAIRPERSON HOOD: Okay. And Vice Chair Miller.

19 VICE CHAIR MILLER: Thank you, Mr. Chairman. Yes, I  
20 agree that -- I support the waiver request, and I agree with all  
21 of the comments of my colleagues, but particularly Commissioner  
22 Wright. I think the city should make some effort to post, you  
23 know, at intersections or in public space, since it's private  
24 properties that are involved. The city should abide by the rules  
25 that we ask private and nonprofit applicants to abide by. It



1 | should make some effort in the future, so I would join in that  
2 | request for the future.

3 |           CHAIRPERSON HOOD: Okay. And I think -- I think we can  
4 | have this discussion about that -- we can move forward today, but  
5 | let's have this discussion, because I'm trying to remember have  
6 | they ever. To my knowledge, they have never -- I've been around  
7 | awhile -- and there was a reason why they have never, but let's  
8 | put that in the parking lot. The parking lot's getting full --  
9 | and let's have that -- revisit that discussion. Every so many  
10 | years, it's always good to either refresh our memories or  
11 | understand exactly why they're not doing it and maybe revisit  
12 | decisions that have been made previously. I have no problems  
13 | with that. So great discussion. Looking forward to that  
14 | discussion. I would ask Ms. Ackerman to let Ms. Schellin know  
15 | that we need to have that discussion please. Okay. All right.  
16 | Let's bring up the Office of Planning. And I am having a problem  
17 | with my files. One second. Ms. Myers,

18 |           MS. LOVICK: Sorry. Excuse me please.

19 |           CHAIRPERSON HOOD: Yes.

20 |           MS. LOVICK: Hi. Can we just get an agreement by  
21 | consensus or take on a vote on that waiver please before --

22 |           CHAIRPERSON HOOD: Oh, we didn't it. Thank you. Can  
23 | we do general consensus? Thank you, Ms. Lovick. General  
24 | consensus. General consensus, Ms. Lovick. Thank you for -- I  
25 | just assumed, but I didn't record it, so that's been a general

1 consensus with the discussion that we're going to have later, Ms.  
2 Ackerman, as we have requested. Okay. By general consensus, we  
3 will move forward. Okay. Ms. Myers. Good afternoon. You may  
4 begin.

5 MS. MYERS: Good afternoon, Commissioners. Crystal  
6 Myers with the Office of Planning. The Office of Planning  
7 proposes a zoning text and related map amendment for the new  
8 Pennsylvania Avenue East neighborhood mixed-use zone, which would  
9 also be known as MMU-5A/PAE.

10 Next slide please. The zone is proposed for properties  
11 generally fronting on Pennsylvania Avenue Southeast between  
12 Fairlawn Avenue Southeast and 27th Street Southeast. These  
13 properties are currently zones MU-4, which is a low-density zone.

14 Next slide please. During the 2021 Comprehensive Plan  
15 update, community members and other stakeholders requested for a  
16 Small Area Plan to be done for the area. The Pennsylvania Avenue  
17 East Plan was completed in 2022 and approved on February 7th,  
18 2023. The plan recommends for a new zone to be created for the  
19 eastern end of the corridor. The proposed text and map amendment  
20 for the new zones are the next steps towards implementing the  
21 Comprehensive Plan and the Pennsylvania Avenue East Small Area  
22 Plan's vision for the eastern end of the Pennsylvania Avenue East  
23 Corridor. Thanks.

24 Next slide please. The proposed text and map amendment  
25 would not be inconsistent with either the Generalized Policy Map

1 or with the Future Land Use Map designations. The Generalized  
2 Policy Map recommends Main Street Mixed-Use Corridor. The Future  
3 Land Use Map recommends moderate density commercial land uses in  
4 these areas. This Future Land Use Map recommendation changed in  
5 the 2021 Comprehensive Plan update from the previous low-density  
6 commercial recommendation. This was a change requested by the  
7 Ward 7 Economic Development Council to encourage more development  
8 in the area. The proposed text and map amendment would allow  
9 the additional density and height needed to encourage moderate  
10 density development.

11 Next slide please. The new zone would be a neighborhood  
12 mixed-use zone based on the MU-5A zone. It would allow moderate-  
13 density mixed-use development with generally ground floor retail  
14 and residential uses above. There are many neighborhood mixed-  
15 use zones in the District. I think one of the more recent ones  
16 is the Chevy Chase one that you all have been working on.

17 Next slide please. The new zone's height would be up  
18 to 70 feet with IZ and up to 4.2 FAR with IZ. It includes a 0.5  
19 FAR density bonus option for a grocery store. This could help  
20 to implement the Small Area Plan's strong recommendation for a  
21 grocery store in the area. The zone also includes a stepback  
22 requirement to protect adjacent low-density residential  
23 properties in the R and RF zones.

24 Next slide please. Some other things just to highlight  
25 area that the ground floor commercial uses would be required in

1 the new buildings, and the new zone would include some of the  
2 design guidelines from the Small Area Plan that improve  
3 pedestrian experience on Pennsylvania Avenue.

4 Next slide please. Oh, and I should note that IZ Plus  
5 is recommended in this new zone. So changes since setdown; when  
6 we last saw you, there's been just a couple of changes that we've  
7 made since then, one being that we streamlined the text for the  
8 grocery store bonus by referring to the grocery store definition  
9 in Subtitle B. Another one is that we removed the addition of  
10 the entertainment and arts use in the NMU-Use Group B Matter of  
11 Right section because that use group is already permitted in the  
12 neighborhood mixed-use zones.

13 Next slide please. The Pennsylvania Avenue  
14 East/Southeast Corridor is within the far northeast and southeast  
15 planning area. In this planning area, over 90 percent of the  
16 residents are black, and the median income is roughly half that  
17 of the District. This planning area has experienced many years  
18 of disinvestment, poverty, and unemployment. It has also not  
19 received the same level of investment as other parts of the  
20 District. The additional density proposed in the new zone could  
21 bring more residents to the area, which could help support  
22 existing local businesses and attract more services to the area.  
23 Displacement pressures on existing businesses may occur from the  
24 proposed text and map amendment. This could be mitigated through  
25 recommendations in the Small Area Plan, such as financial and

1 technical assistance programs that are not within the purview of  
2 Zoning. In addition, the new zone would require providing ground  
3 floor retail space, which could accommodate existing businesses  
4 and provide opportunities for larger or better spaces.

5           Next slide please. There has been extensive community  
6 outreach related to the creation of the new zone. Most recently,  
7 OP presented and attended ANC 7B's full Commission meeting last  
8 month. ANC 7B voted to support the new zone, and their letter  
9 of support is in the record. Previously, OP attended and  
10 presented at ANC community meetings last summer and spring. OP  
11 also conducted extensive community outreach for the Pennsylvania  
12 Avenue Southeast Small Area Plan between April 2021 and July  
13 2022. The outreach centered on engaging with residents, ANCs,  
14 local businesses, and community organizations through various  
15 online and in-person activities.

16           The community has expressed support for affordable  
17 housing and mixed-use development and having a neighborhood  
18 grocery store. That's some of the feedback we've received.  
19 There's also been a strong interest in seeing pedestrian  
20 improvements along Pennsylvania Avenue Southeast. Some residents  
21 and business owners have expressed a desire for this process to  
22 move expeditiously. They want to see the zone in place, so that  
23 the expected improvements to the corridor can occur as soon as  
24 possible. And, with that, I will conclude the OP's testimony,  
25 but, of course, here for questions. Thank you.

1           CHAIRPERSON HOOD: Thank you, Ms. Myers. We appreciate  
2 your report and the Office of Planning's work. You went straight  
3 to the report. You got us the information we needed and did a  
4 great report, so thank you. Let's first see if we have any  
5 questions or comments. Commissioner Imamura, and then I'll come  
6 to Commissioner Wright.

7           COMMISSIONER IMAMURA: Thank you, Mr. Chairman.  
8 Appreciate it. Thank you, Ms. Myers, for your succinct report.  
9 I do have a couple questions and would just like your perspective  
10 a little bit. Appreciate the outreach that OP has done,  
11 certainly, providing a number of dates. One of the things that  
12 I'm kind of interested in is that in these kind of case we always  
13 hear about the number of dates or number of touch points, but,  
14 in addition to that, I'm interested in how many -- I guess the  
15 number of people that we've touched, that have attended these  
16 events. So it's one thing to say we've had 20 events and only  
17 maybe five or six people show up, but I'm kind of curious, just  
18 if you know off the top of your head, just a ballpark, are we  
19 talking several hundred people have been involved in some of  
20 these events over the course of time or --

21           MS. MYERS: So if you were to look at it as a  
22 combination of all the outreach efforts that were done at the  
23 Small Area Plan side of it, as well as what we did with the  
24 outreach, when it comes to the specific to the zone, it could --  
25 it could be roughly about a hundred. I know that from the

1 Small -- from the neighborhood planning team, they gave me a list  
2 of all their contacts in order to reach out to, and it was quite  
3 extensive. There's also community groups that we've reached out  
4 to who would, you know, express what we were doing for the Small  
5 Area Plan to their members and their constituencies. For, more  
6 specifically, directly what I've done when it comes to the new  
7 zone, I'll admit they were relatively small attendance at, like,  
8 the ANC meeting. They're also online, so sometimes I can't really  
9 tell how many people are listening to me.

10 COMMISSIONER IMAMURA: Sure.

11 MS. MYERS: But we did make an effort to go to multiple  
12 meetings, especially I recall the first meeting I attended was  
13 pretty low attendance, so I wanted to make sure I came out to a  
14 few more to try to get more of the word out, and that was more  
15 successful. Especially, I would say, the last meeting I went to,  
16 there was a bit more attendance, so, you know -- and I remember  
17 one of the ANC Commissioners had invited me to one of the  
18 community meetings that he participates in, in order to help me  
19 get the word out more, because not everybody attends ANC meetings.  
20 So there was multiple efforts for -- directly for the zone and  
21 when -- like I said, for the Small Area Plan there were multiple  
22 efforts that the neighborhood planning team did.

23 COMMISSIONER IMAMURA: Terrific. Thank you, Ms. Myers.  
24 I appreciate your honesty and forthrightness with that, so -- and  
25 that's something that I plan on asking others in following cases.

1 It's great that we do these extensive outreach, but it's also  
2 important to try to reach as many people as we can, and that's  
3 why -- the purpose behind multiple engagements, right? So the  
4 other question I have, you went through -- just touched on  
5 briefly, and I understand why, but I wanted to ask if you could  
6 talk a little bit more about some of the design guidelines to  
7 improve the pedestrian experience. We talked a little bit about  
8 ground floor retail, and just at a very, very high level, if you  
9 could just touch on that a little bit.

10 MS. MYERS: Certainly. Now, just -- so, you know, I  
11 think you all know this. There's only so much we can do with  
12 zoning, so we kind of try to touch on things that could be  
13 expressed in zoning, one of them being a requirement for, like,  
14 storefront windows for the retail, in order to make it a little  
15 bit more engaging on the street. Just taking a look at some of  
16 the other stuff here. I know that there was setback requirements  
17 or, you know, pulling up the buildings to the street in order  
18 to, again, help the street experience be more engaging. I talked  
19 with DDOT about some other ideas, so in the community there was  
20 interest in, like, bike lanes and that type of experience, but  
21 that's not something we can do through the new zone, so some  
22 other efforts to, you know, make the street more engaging or  
23 activity was limited. Ground floor retail is another thing to  
24 just bring up. So it -- you know, it was some things we could  
25 do, but not as much as perhaps we would like to do. And I



1 think -- I'm just checking on one other thing here. Yeah, so at  
2 least 75 percent of the front building façade would be built up  
3 to the front line. The commercial entrances would be spaced out  
4 on every 40 feet on the ground floor. So, you know, those are  
5 things that we could express in zoning. There are also some  
6 things that we've done in some of the other neighborhood mixed-  
7 use zones that we have found to be helpful. So that's, you know,  
8 kind of as far as we went with the design guidelines and  
9 incorporating them.

10 COMMISSIONER IMAMURA: Terrific. I appreciate your  
11 answer on that. I also wanted -- had a question about the  
12 stepback, but I'm glad that you at least touched on that a little  
13 bit. And then my last question is, in your professional opinion,  
14 how do you see this really transforming the area or reshaping the  
15 demographics of the neighborhood in sort of the optimal way? And  
16 I guess what I'm asking is help me reimagine what this might look  
17 like.

18 MS. MYERS: Well, the hope is to attract more  
19 development. I mean, right now, there's a little bit of  
20 commercial development, but, for the most part, there's not a lot  
21 going on. There's no -- there's one residential building, but,  
22 otherwise, we're not aware of any other residential in this  
23 planning area. So this new zone could potentially attract more  
24 mixed-used development, some more residential, affordable as well  
25 as market rate housing, and, hopefully, attract more commercial

1 development, and we're really hoping for a grocery store, but,  
2 you know, we're hoping this could attract that type of development  
3 as well. So it's just trying to make the right situation to  
4 attract just more development in the area, which I know the  
5 community has been very strongly interested in. So it's just the  
6 density and height that potentially could attract that.

7 COMMISSIONER IMAMURA: Terrific. Thank you. And I  
8 guess just to come back to that, about what the residents are  
9 looking for, I know you had mentioned in your report there that --  
10 just to expedite this; I'm really interested in moving this --  
11 you know, sort of fast-tracking it I guess -- my words, not  
12 yours -- but just, in general, just the general tone, comments,  
13 or concerns, other than what you've already mentioned about the  
14 community, sort of, general feedback about this?

15 MS. MYERS: It's been positive; it's been supportive,  
16 the types of development they want to see, which is more  
17 residential, more retail. That's why -- they're supportive  
18 because they can see the zone potentially bringing that. The  
19 interest in Pennsylvania Avenue also becoming more pedestrian  
20 friendly and comfortable experience. They understand that, you  
21 know, there's a point that zoning can do, and then there's a  
22 point that, you know, Department of Transportation would have to  
23 take over on, and, you know, other development projects would  
24 potentially have to do privately, but when it comes to zoning,  
25 they're hoping for -- just to see more happen along Pennsylvania

1 Avenue Southeast.

2 COMMISSIONER IMAMURA: Terrific. Well, as I've always  
3 said, the Zoning Commission really sets the canvas for good things  
4 to happen, but those good things have to happen with vision, and  
5 so it sounds like the residents here have that kind of vision  
6 and hope, and so I'm pleased to hear that. So, again, thank you  
7 for your report. Mr. Chairman, I yield back.

8 CHAIRPERSON HOOD: Okay. Thank you. Commissioner  
9 Wright.

10 COMMISSIONER WRIGHT: Thanks. I really don't have any  
11 questions. I just have a couple of comments, which are that I  
12 really, really like the language in this proposed zone about a  
13 number of the design issues, and I think that we could perhaps  
14 learn from this and use this in some of the other zones that we  
15 have talked about over the last few months.

16 I particularly like the rear setback language saying  
17 that from a height of 25 feet, you then have a one-to-one setback;  
18 essentially, a 45-degree plane. I think that language is really,  
19 really good, and I guess I wish we had been able to incorporate  
20 that language in a couple of other zones that we've looked at  
21 over the last few months, because I think it's very clear, and I  
22 think it offers a good level of compatibility with the lower-  
23 density residential neighborhoods that are adjacent. So I would  
24 encourage, as the Office of Planning is looking at various zones  
25 and PUDs, because this issue comes up in PUDs as well, that we

1 think about using this as a sort of standard; you know, that  
2 maybe this becomes the boilerplate language. Because it feels  
3 like, you know, in some zones we've had, you know, certain  
4 setbacks starting at 40 feet; in some zones it starts at 60 feet.  
5 I mean, I think it's been a little different in each of the cases  
6 that I've seen, but I really like this language a lot, and I  
7 think it could become a good future standard.

8 I also like the language about how the street-facing  
9 retail is to be handled and the spacing of retail entries and  
10 the height of the retail, and, you know, I think it lays out a  
11 really good envelope for what hopefully will be future  
12 development and successful retain. So, you know, this is very  
13 much, you know, in keeping with the kinds of language I think we  
14 should be looking for, and I think this is a great example for  
15 future cases that you may see. So that's all I was going to say.  
16 I think it's really a good -- a good draft zone, and I hope we  
17 can move forward with it, as the community has said,  
18 expeditiously.

19 CHAIRPERSON HOOD: Okay. Great. Thank you.  
20 Commissioner Stidham, you have any questions or comments?

21 COMMISSIONER STIDHAM: No questions or comments, other  
22 than to echo what has already been said. I'm quite familiar with  
23 this neighborhood, and I think this is a great opportunity. And  
24 I have to agree with Commissioner Wright with the language and  
25 the guidelines that it's developed for these changes to take

1 place. I think they are well structured and provide for great  
2 opportunities for this neighborhood, so nothing more from me.

3 CHAIRPERSON HOOD: Okay. Thank you. And Vice Chair  
4 Miller.

5 VICE CHAIR MILLER: Thank you, Mr. Chairman, and thank  
6 you, Crystal Myers and your colleagues, who I see often here  
7 usually here and listening virtually, Joel Lawson and Jennifer  
8 Steingasser. Thank you for the Office of Planning comprehensive  
9 report and all of your outreach efforts to develop the Small Area  
10 Plan really in response to the Ward 7 Economic Council -- I don't  
11 know if I got the name right, but I remember that being developed  
12 when I was at a different council actually. But this proposed  
13 zoning does implement the Small Area Plan that was -- for  
14 Pennsylvania Avenue East that was adopted by the Council Mayor  
15 and developed in -- at the request almost and in conjunction with  
16 the community, so I am supportive -- I support this proposed new  
17 neighborhood mixed-use zone. And the Council subsequently made  
18 that Comprehensive Plan Land Use Map -- Future Land Use Map change  
19 from low-density commercial to moderate-density commercial, as  
20 you noted.

21 On the community outreach on the proposed zoning, and  
22 we have the ANC 7B's very strong letter in support at Exhibit  
23 10, which came in recently, which is important -- unanimous  
24 support -- but you -- there was -- we did grant the waiver request  
25 on the posting by the applicant -- Office of Planning in this

1 case -- posting, although there certainly are other means that  
2 we utilize to notify people, and a lot of people know about this  
3 case in that -- in that neighborhood. But you said on January  
4 14th you did e-mail civic groups, property owners, and  
5 neighboring ANC SMDs. Did you -- did you e-mail -- I guess you  
6 e-mailed all the property owners that you may have had e-mail  
7 addresses for. Do you know how many property owners -- private  
8 property owners there are? I mean, the Chairman read off a ton  
9 of squares and lots, which I hope we don't have to repeat when  
10 we approve -- when we get to the motion to approve proposed  
11 action, but do you know how many private property owners are  
12 involved here? I mean, that's why I think some kind of additional  
13 posting would have been helpful, even though this neighborhood  
14 is -- from my what experience and from what you've presented,  
15 it's very familiar with this case and, actually, initiated it  
16 almost. So do you know how many property owners -- private  
17 property owners are affected by this change in zoning?

18 MS. MYERS: I apologize. I do not know the number.  
19 It's quite a few, but I don't actually know the number. I believe  
20 Office of Zoning sent out the appropriate noticing for this case  
21 to all of the private property owners, but I just don't know off  
22 the top of my head.

23 VICE CHAIR MILLER: Well, I think this is a -- I'd be  
24 interested in just knowing that if -- from either our OZ staff  
25 or OP staff at -- I don't need to know it now before we take

1 any -- if we're going to take proposed action, but maybe -- I  
2 think this is a two-vote case. Is that correct, Mr. Chairman?

3 CHAIRPERSON HOOD: (Nods head affirmatively.)

4 VICE CHAIR MILLER: So maybe at final, we can just have  
5 that information, or between now and final we can have that  
6 information, just for my own benefit. I just have curiosity, but  
7 also because we're changing zoning for private property owners  
8 who may not be aware -- some of them might not be aware that  
9 we're doing that, although it's -- I see the benefit of doing  
10 that for them and for the city and for the neighborhood. So I  
11 really have no other comments. I agree with all the comments of  
12 my colleagues. I thank you for your very thoughtful comments.  
13 I agree with the design guidelines that have been emphasized by  
14 you, Ms. Myers, and by Commissioner Wright, that that is a good  
15 template to provide that transition that we often come up --  
16 grapple with in all of our -- in many of our cases. So I think  
17 that this was -- this is a -- I support -- I'm very supportive  
18 of these design guidelines and this text and related map  
19 amendment, so thank you for bringing it forward it to us, and  
20 I'm prepared to support it tonight, Mr. Chairman.

21 CHAIRPERSON HOOD: And I want to thank you all of my  
22 colleagues. I really enjoyed listening to the questions and the  
23 discussion, which only led me to two questions extra that I need  
24 to ask, and one of them I think is self-explanatory, Ms. Myers,  
25 but I want to ask it anyway -- my way, so I can understand it.

1 This text and map amendment that went out to the community, it  
2 was -- was it a led effort by -- the Office of Planning took  
3 something out and the community adopted, or did you all work  
4 together to come up with what we have before us today?

5 MS. MYERS: Well, this zoning text and map amendment  
6 is sort of the last stage of the whole planning process for the  
7 Pennsylvania Avenue Small Area Plan. So, during that part of the  
8 process, our planners went out with the community and had various  
9 community meetings and crafted a Small Area Plan that articulated  
10 what the community was saying were things they wanted to see.  
11 And so, at this stage, what we did was take that information and  
12 I guess synthesize it down or translate it into zoning, so some  
13 of it is the design guidelines straight from the Small Area Plan.  
14 And so there -- you know, there is some community involvement at  
15 that point, but a lot of this is just taking the Small Area Plan  
16 and turning it into language -- zoning language.

17 CHAIRPERSON HOOD: Okay. Great. So it was -- I'm  
18 going to -- I'm going to leave this as it was a joint effort.  
19 I'm going to leave it at that, so thank you. Also, let me just  
20 ask, do we know what's going on with 8A? Have they just chosen  
21 not to respond? I didn't see it, unless I missed it.

22 MS. MYERS: We made attempts to reach out to ANC 8A,  
23 and there was an initial response from them, but they did not  
24 respond after that. So, at that point, all we can do is just  
25 say -- kind of rely on some of the e-mails that we've been sending



1 out, and some of those e-mails have some of the ANC 8A SMDs on  
2 them, but an attempt to actually present at their hearing, that  
3 was not successful.

4 CHAIRPERSON HOOD: Okay. Thank you. We appreciate all  
5 the work that you all have done on this. And, with that, any  
6 other questions -- follow-up questions for Ms. Myers?

7 (No response.)

8 CHAIRPERSON HOOD: Okay. Thank you, Ms. Myers.  
9 Excellent report. Appreciate it. We do have a DDOT report, and  
10 DDOT says they have no objections to the -- do we have any -- I  
11 don't think we have anybody from DDOT, do we, Ms. Ackerman --

12 MS. ACKERMAN: I'm checking now.

13 CHAIRPERSON HOOD: -- before I give their report, which  
14 is one sentence I'm going to get.

15 MS. ACKERMAN: No, we don't have anybody.

16 CHAIRPERSON HOOD: Okay. DDOT had no objections to the  
17 text and map amendment that's being proposed. Ms. Ackerman, do  
18 we have anyone here from the ANC? We do know we have a support  
19 letter from 7B.

20 MS. ACKERMAN: No, we don't have anybody.

21 CHAIRPERSON HOOD: Okay. All right. Do we have anyone  
22 here to testify in support, opposition, or undeclared from the  
23 public?

24 MS. ACKERMAN: No.

25 CHAIRPERSON HOOD: Okay. All right. So, with that,

1 | colleagues, we have before us -- and this is a two-vote case, and  
2 | I think we've asked for one or two things. I can't remember.  
3 | Vice Chair, I think you asked for something. But I think this  
4 | is ready to move forward. I'm not sure, Commissioner Imamura,  
5 | if you asked for something as well.

6 |           COMMISSIONER IMAMURA: I did not.

7 |           CHAIRPERSON HOOD: Okay. Okay. Did anybody ask for  
8 | anything?

9 |           VICE CHAIR MILLER: Well, I asked for -- if they have --  
10 | if we -- if our OZ staff or OP staff had the property owners that  
11 | were -- that are being affected by this -- the private property.

12 |           CHAIRPERSON HOOD: Right. Yeah. We -- I got you. I  
13 | got you. Yeah, because we don't want to do it and then we hear  
14 | later on -- how we usually hear later on, after we've done our  
15 | action, we didn't know nothing about this, so, yeah, I do agree  
16 | with that. So that's why you're hesitant, because it's touch and  
17 | go anyway. So if they could provide that between now and final,  
18 | that would be great. And maybe if they can even reach out --  
19 | I'm not what the procedure is -- that would also be great. All  
20 | right. Anything else?

21 |           (No response.)

22 |           CHAIRPERSON HOOD: All right. Thank you, Ms. Ackerman.  
23 | Colleagues --

24 |           MS. LOVICK: Hi.

25 |           CHAIRPERSON HOOD: Yes.

1 MS. LOVICK: I just wanted to respond to your question.  
2 So the rules for rule-making map amendments that are filed by  
3 either an ANC or OP is that the notice does not have to go to  
4 200 footers, so there was not a notice provided to 200 footers  
5 in this case. Just letting you know that.

6 CHAIRPERSON HOOD: Okay. So the property

7 MS. LOVICK: The actual rule is --

8 CHAIRPERSON HOOD: No, no. We'll take your word --  
9 we'll take your word for it. So the property owners don't have  
10 to be notified.

11 MS. LOVICK: That's correct.

12 CHAIRPERSON HOOD: Okay.

13 VICE CHAIR MILLER: That can be one of the discussion  
14 items for your future discussion item at -- in the future.

15 CHAIRPERSON HOOD: That parking lot's getting full.  
16 It's getting full, and I'm getting lost to what's in it, so,  
17 anyway, that's why I have to ask staff to help me, so anyway.  
18 All right. Thank you, Ms. Lovick. All right. So that's  
19 something that we can add to our list. I think we need to talk  
20 about that sooner than later, so let's try to help me remember  
21 to tell Ms. Schellin, let's put it on one of our agendas to talk  
22 about. All right. Would somebody like to make a motion on this?  
23 Commissioner Imamura or --

24 COMMISSIONER IMAMURA: Yeah, sure, I can make a motion,  
25 Mr. Chairman. Thank you. So I move that the Zoning Commission

1 take proposed action on Case Number 24-10, as captioned and read  
2 by the good Chairman, and ask for a second.

3 VICE CHAIR MILLER: I would second it.

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

6 (No response.)

7 CHAIRPERSON HOOD: All right. Not hearing any, Ms.  
8 Ackerman, could you do a roll call vote please?

9 MS. ACKERMAN: Yes. Commissioner Imamura.

10 COMMISSIONER IMAMURA: Yes.

11 MS. ACKERMAN: Commissioner Miller.

12 VICE CHAIR MILLER: Yes.

13 MS. ACKERMAN: Commissioner Hood.

14 CHAIRPERSON HOOD: Yes.

15 MS. ACKERMAN: Commissioner Stidham.

16 COMMISSIONER STIDHAM: Yes.

17 MS. ACKERMAN: And Commissioner Wright.

18 COMMISSIONER WRIGHT: Yes.

19 MS. ACKERMAN: This hearing has been approved for  
20 proposed action, five to zero to zero.

21 VICE CHAIR MILLER: Mr. Chairman, I meant to -- I think  
22 that the OP report mentioned this, but part of this did have the  
23 IZ Plus designation. I think we just should emphasize that that  
24 has the IZ -- inclusionary zoning Plus designation, that that was  
25 part of the motion and second and approval.

1 CHAIRPERSON HOOD: Okay. I think -- I think that  
2 adds -- so we'll just include that. Ms. Ackerman, no need to go  
3 back through it. The record will reflect that that all was  
4 included. Okay?

5 MS. ACKERMAN: Okay.

6 COMMISSIONER IMAMURA: Thank you for the amendment,  
7 Vice Chair.

8 CHAIRPERSON HOOD: Did he hear you? Okay. He accepted,  
9 so we include it, as noted. Ms. Ackerman, do we have anything  
10 else pertaining to this case this evening?

11 MS. ACKERMAN: No, we do not.

12 CHAIRPERSON HOOD: Okay. And, Ms. Ackerman, I always  
13 get Ms. Schellin to check behind me, but I think our next case  
14 is Zoning Commission Case Number 24-23 on February 24th, which  
15 is Monday.

16 MS. ACKERMAN: Yes.

17 CHAIRPERSON HOOD: And the Cedar Tree Academy Public  
18 Schools, Zoning Commission Case 24-23, on these same platforms.  
19 All right. So, with that, I want to thank everyone for their  
20 participation, and, with that, you all have a great weekend, and  
21 this hearing is adjourned. Goodnight.

22 (Whereupon, the above-entitled matter went off the  
23 record at 4:42 p.m.)

24

25

C E R T I F I C A T I O N

This is to certify that the foregoing transcript

In the matter of: Public Hearing - Case No. 24-10

Before: DC Zoning Commission

Date: 02-20-25

Place: Webex Videoconference

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



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Deborah B. Gauthier