

GOVERNMENT OF  
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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REGULAR PUBLIC MEETING

+ + + + +

THURSDAY

FEBRUARY 27, 2025

+ + + + +

The Public Meeting of the District of Columbia Zoning Commission convened via teleconference, pursuant to notice at 4:10 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  
SHARON S. SCHELLIN, Secretary

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

DENNIS LIU, Esquire  
JACOB RITTING, Esquire  
HILLARY LOVICK, Esquire

OFFICE OF PLANNING STAFF PRESENT:

CRYSTAL MYERS

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The transcript constitutes the minutes from the  
Regular Public Meeting held on February 27, 2025.

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(4:10 p.m.)

CHAIRPERSON HOOD: Good afternoon, ladies and gentlemen. We are convening and broadcasting this public meeting by videoconferencing. My name is Anthony Hood. I'm joined by Vice Chair Miller, Commissioners Wright, Imamura, and Stidham -- soon to be joined by Commissioner Stidham. We're also joined by the Office of Zoning staff, Ms. Sharon Schellin, as well as our Office of Zoning Legal Division, Ms. Hillary Lovick, Mr. Jacob Ritting, and Mr. Dennis Liu. We will ask all others to introduce themselves at the appropriate time. Mr. Paul Young, who's also handling all of our virtual operations.

Copies of today's meeting agenda are available on the Office of Zoning's website. Please be advised 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 meeting. Accordingly, all those listening on Webex or by phone will be muted during the meeting.

For hearing action items, the only documents before us this evening are the application, the ANC setdown report, and the Office of Planning report. All other documents in the record will be reviewed at the time of the hearing. We do not take any public testimony at our meetings, unless the Commission requests someone to speak. If you experience difficult accessing Webex

1 or with your telephone call-in, then please call our OZ Hotline  
2 number at 202-727-0789 for Webex log-in or call-in instructions.  
3 Again, let me apologize to the public and everyone for us being  
4 a few minutes late. At this time, the Commission will consider  
5 any preliminary matters. Does the staff have any preliminary  
6 matters?

7 MS. SCHELLIN: Just one second. I'm trying to get  
8 Ms. -- oh, she's on. There we go. She got in. I was making  
9 sure she got in as a panelist, Ms. Stidham -- or Commissioner  
10 Stidham. I'm sorry. Preliminary matters. I have none other  
11 than with some scheduling issues with some staffing. If we could  
12 take final actions first this evening, I believe that was the  
13 request of one or several Commissioners, if we could, because we  
14 have -- there are some cases where we didn't have all five  
15 sitting Commissioners.

16 CHAIRPERSON HOOD: Okay.

17 MS. SCHELLIN: So if we could do final actions first  
18 to get those critical cases.

19 CHAIRPERSON HOOD: Okay. Let's start off -- if  
20 everyone's ready, we will start off with our final actions. Final  
21 Action on Zoning Commission Case Number 24-07. This is Skyland  
22 Place, LLC map amendment at Squares 5734 and 5735. Ms. Schellin.

23 MS. SCHELLIN: Of course, I told you that, and then I  
24 had to find my place. Okay. So 24-07, we had a meeting in  
25 January, or you guys did, January 30th, and at that time there

1 | were some additional submissions asked for. And so there was a  
2 | Relocation Plan submitted by the applicant at Exhibit 34, and  
3 | then at Exhibit 34A also. And then there was a further submission  
4 | from ANC 8B. Their response -- actually, they responded I think  
5 | to the applicant, but they have not submitted anything to the  
6 | record, so there's nothing official for the Commission there.  
7 | But Exhibit 30, there's an NCPC report where they have a letter  
8 | stating that the proposal falls under an exception, so it is  
9 | exempt from review. Then Exhibits 31 and 31A, you have the draft  
10 | order from the applicant; Exhibit 32, you do have an OP report  
11 | there stating that at its meeting in December they voted five to  
12 | zero in opposition. I believe they're still in opposition. And  
13 | then 33 and 33A, you have the applicant's response to that report.  
14 | So it is before you ready for final action. Thank you.

15 |           CHAIRPERSON HOOD: All right. Thank you, Ms. Schellin.  
16 | And let me also mention, Commissioner Imamura will not be  
17 | participating -- or let me let you do it.

18 |           COMMISSIONER IMAMURA: No, Mr. Chairman. Thank you.  
19 | You're right. I will not be participating, because I was not  
20 | here at the hearing, so thank you.

21 |           CHAIRPERSON HOOD: All right. Thank you. We want to  
22 | make sure we do that for the public. All right. So there's four  
23 | of us. Commissioner Wright, would you like to get us started on  
24 | this?

25 |           COMMISSIONER WRIGHT: Thank you. Well, I appreciate

1 the applicant's efforts to submit additional information about  
2 their Relocation Plan. A lot of that information has assuaged  
3 some of the concerns that I expressed at the last meeting.

4 I do want to, you know, acknowledge several things;  
5 that the proposed RA-2 zone is definitely not inconsistent with  
6 the Comprehensive Plan, as a whole; that the -- any potential  
7 Comprehensive Plan inconsistencies are outweighed by the  
8 Comprehensive Plan policy goals and objectives that will be  
9 advanced by allowing more density and increased housing  
10 opportunities on this site; and I also agreed that the IZ Plus  
11 should not apply to this amendment, because of the abundance of  
12 existing affordable housing in the planning area.

13 In terms of the Relocation Plan, again, I'm sorry if I  
14 was the bad guy in really pushing a little bit more on this for  
15 more details, but I'm glad I did, because I feel like the  
16 information has been very helpful, and that it is clear that the  
17 first phase of 68 units, if it cannot be accommodated onsite, the  
18 applicant has identified specific properties that they own in the  
19 immediate vicinity where additional temporary relocations could  
20 be -- could be implemented. And I think that gives me a much  
21 greater level of comfort that they will make sure that all  
22 residents are treated fairly; that they are relocated on a  
23 temporary basis in a way that has the least impact on their, you  
24 know, lives, on where they, you know, consider their neighborhood  
25 to be, where their kids go to school, all of those important

1 factors. So I really appreciate the additional information about  
2 the Relocation Plan. You know, I understand that there probably  
3 will be families who will not be able to be relocated onsite,  
4 but it seems to me that the applicant has now thought through  
5 what will happen with those families, that they can be relocated  
6 in close proximity, and so, with all of that, I feel comfortable  
7 moving forward with final action on this project.

8 CHAIRPERSON HOOD: Okay. Thank you. Commissioner  
9 Stidham, any comments?

10 COMMISSIONER STIDHAM: No, I have nothing really to add  
11 and am prepared to support.

12 CHAIRPERSON HOOD: Thank you. Vice Chair Miller.

13 VICE CHAIR MILLER: Thank you, Mr. Chairman. I  
14 appreciate Commissioner Wright pushing for more information on  
15 the Relocation Plan. I think it gives all of us and should give  
16 the tenants and those who were opposed a greater comfort level  
17 about the -- about that plan. And I support this going forward,  
18 because I think this is an opportunity to renovate --  
19 modernize -- replace, actually, onsite for the existing tenants  
20 quality housing that is way outdated and needs to be -- needs to  
21 be replaced, and it's affordable housing, and it will -- it's  
22 supposed to remain so under this plan, so I'm ready to move  
23 forward with final action tonight, Mr. Chairman. Thank you.

24 CHAIRPERSON HOOD: Thank you. And I want to thank all  
25 of my colleagues. I agree with everything I've heard. And I



1 especially want to thank Commissioner Wright for pushing back  
2 some, because I have more of a level of confidence with  
3 relocation. I've never been a fan of relocation, even though,  
4 you know, I believe it should happen, but for some reason over  
5 the years it seems like it's always something that gets in and  
6 messes it up; it doesn't really go like it does, and people's  
7 lives -- we all want to have predictability, and I think it's  
8 important that we do all we can at this level to make sure that  
9 this relocation happens. So, Commissioner Wright, thank you for  
10 getting us more information so we have a comfort level.

11 And I want to encourage the applicant to make sure that  
12 that relocation and give the residents more predictability as we  
13 continue to increase the quality of life and their living the way  
14 they live is now with newer places, so please make sure that  
15 relocation works. So that's the best I can say, and I know it  
16 will be instituted in our order. So any other -- any other  
17 follow-up questions or comments?

18 (No response.)

19 CHAIRPERSON HOOD: If not, Commissioner Wright, could  
20 you make a motion on this?

21 COMMISSIONER WRIGHT: Sure. I move that we approve  
22 Zoning Commission Case Number 24-07, Skyland Place, LLC map  
23 amendment at Squares 5734 and 5735, and that we specifically note  
24 that we are not recommending IZ Plus.

25 CHAIRPERSON HOOD: Okay. And I'll second that. It's

1 | been moved and properly seconded. Any further discussion?

2 | (No response.)

3 | CHAIRPERSON HOOD: Not hearing any, Ms. Schellin, would  
4 | you do a roll call vote please?

5 | MS. SCHELLIN: Sure. Commissioner Wright.

6 | COMMISSIONER WRIGHT: Yes.

7 | MS. SCHELLIN: Commissioner Hood.

8 | CHAIRPERSON HOOD: Yes.

9 | MS. SCHELLIN: Commissioner Miller.

10 | VICE CHAIR MILLER: Yes.

11 | MS. SCHELLIN: And Commissioner Stidham.

12 | COMMISSIONER STIDHAM: Yes.

13 | MS. SCHELLIN: The vote is four to zero to one to  
14 | approve final action in Zoning Commission Case Number 24-07.  
15 | Thank you.

16 | CHAIRPERSON HOOD: Okay. Let's go with our next hearing  
17 | action case. I believe all of us are on this one -- Zoning  
18 | Commissioner Case Number 24-06. This is the District of Columbia  
19 | and Fletcher-Johnson Community Partners, LLC map amendment at  
20 | Square 5344. Ms. Schellin.

21 | MS. SCHELLIN: Yes, sir. So on this one, at the January  
22 | 13th public hearing, the applicant -- I mean -- I'm sorry -- the  
23 | Commission had a few questions, and so proposed action did get  
24 | taken and the referral to NCPC was done, and the applicant  
25 | provided a draft order at Exhibit 27. The NCPC report then came

1 in at -- I'm sorry -- a letter, rather -- staff letter stating  
2 that this case, too, was exempt from -- per the NCPC guidelines,  
3 from their review. So this case is also ready for final action.  
4 Thank you.

5 CHAIRPERSON HOOD: Thank you, Ms. Schellin. Again,  
6 it's the date that Ms. Schellin said we heard this hearing; we  
7 had our public hearing on January 13th. We -- this hearing showed  
8 extreme community outreach, which was good -- and engagement, and  
9 it was well documented. The proposed MU-8B zone was consistent  
10 with the Comprehensive Plan maps and policies. And we also know  
11 that the -- there was no support, opposition, or undeclared, and  
12 ANC 7E at the time had not submitted anything. And we know that,  
13 obviously, there was a lot of work done, because nobody came to  
14 testify. So, again, hats off to the applicant for doing its due  
15 diligence to make sure the community was informed. And as we've  
16 already agreed, we'll agree again I believe, that IZ Plus should  
17 not apply to the map amendment, due to the disproportionate amount  
18 of affordable housing existing already in the property area. So  
19 I will leave it at that, but does anyone have any additional  
20 comments? Commissioner Wright, Commissioner Imamura, Vice Chair  
21 Miller, and Commissioner Stidham, any additional comments?

22 (No response.)

23 CHAIRPERSON HOOD: Okay. Not hearing any, I would move  
24 that we approve, as captioned, Zoning Commission Case Number 24-  
25 06, and ask for a second.

1 COMMISSIONER IMAMURA: Second.

2 COMMISSIONER WRIGHT: Second.

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

5 (No response.)

6 CHAIRPERSON HOOD: Not hearing any, Ms. Schellin, would  
7 you do a roll call vote please?

8 MS. SCHELLIN: Yes. Commissioner Hood.

9 CHAIRPERSON HOOD: Yes.

10 MS. SCHELLIN: Commissioner Imamura.

11 COMMISSIONER IMAMURA: Yes.

12 MS. SCHELLIN: Commissioner Miller.

13 VICE CHAIR MILLER: Yes.

14 MS. SCHELLIN: Commissioner Wright.

15 COMMISSIONER WRIGHT: Yes.

16 MS. SCHELLIN: Commissioner Stidham.

17 COMMISSIONER STIDHAM: Yes.

18 MS. SCHELLIN: The vote is five to zero to zero to  
19 approve final action in Zoning Commission Case Number 24-06.

20 CHAIRPERSON HOOD: Okay. Let me read this caption.  
21 Okay. The next case, Zoning Commissioner Case Number 23-27.  
22 This is the Office of Planning text amendment -- text and map  
23 amendments to create the Navy Yard East zone, which is the NYE  
24 zone. Ms. Schellin.

25 MS. SCHELLIN: Yes, sir. At Exhibit 25, we have an

1 NCPC report stating that this would not adversely impact any  
2 identified federal interests, nor would it be inconsistent with  
3 the National Capital -- or the Comp Plan for the National Capital.  
4 There were a few responses -- or, actually, only one response in  
5 this case to the Notice of Proposed Rulemaking at Exhibit 26 from  
6 the Committee of 100. They continue to oppose this text and map  
7 amendment, and I'm sure the Commission has read that exhibit.  
8 And so, other than that, staff has nothing further to say on this  
9 case, other than it is, too, ready for final action, if the  
10 Commission decides to proceed accordingly. Thank you.

11 CHAIRPERSON HOOD: Okay. Colleagues, as you know on  
12 this case, we hashed out a lot of the concerns that I think --  
13 under the NYE zone. I don't know why I want to say "New Year's  
14 Eve" -- but of the new zone that's been proposed. And the thing  
15 about it is, some of the comments, that has been already stated  
16 from Ms. Schellin, the Committee of 100, there's been some  
17 comments. I don't we need to rehash it, unless my colleagues  
18 want to go back over those again. And one of the main things  
19 that we've all known is the height is always -- the OP Commission  
20 has always agreed, and the residents -- a lot of residents, and  
21 I think NCPC as well has agreed that the Zoning Administrator has  
22 the authority to interpret the height. So I realize the  
23 Committee's concerns, and I appreciate all the Committee's work,  
24 but I think we've hashed out a number of their issues previously,  
25 and I know that they basically reraised them, and we appreciate

1 | their earnest working on these issues, which also, at times, give  
2 | us light, but, this particular time, I think I'm going to move  
3 | forward, as proposed. Let me open it up for -- I'm going to vote  
4 | as moving forward, as proposed. Let me hear what others have to  
5 | say or comment. Commissioner Wright.

6 |           COMMISSIONER WRIGHT:     Yes, I also support this  
7 | application. And I do want to just note, in terms of affordable  
8 | housing, in addition to the regular IZ of eight percent, they're  
9 | really going to be required to apply for Low-Income Housing Tax  
10 | Credits, which would probably bring in an additional seven  
11 | percent of rental IZ, subject to those Low-Income Housing Tax  
12 | Credits. And there is an eight percent ownership -- for the  
13 | ownership units set aside for disabled veterans. So, although  
14 | it again sounds like, oh, they're just doing the minimum, in  
15 | reality, I think we're going to get more than just the minimum  
16 | IZ on this project, and I support that. So I am ready to vote  
17 | in support.

18 |           CHAIRPERSON HOOD:     Okay.     Great.     Thank you.  
19 | Commissioner Stidham, any comments?

20 |           COMMISSIONER STIDHAM:   No, no additional comments. I  
21 | agree with Commissioner Wright's comments, and I'm prepared to  
22 | support.

23 |           CHAIRPERSON HOOD:     All right.   Thank you.   And Vice  
24 | Chair Miller.

25 |           VICE CHAIR MILLER:   Thank you, Mr. Chairman.   Yeah, I

1 agree with the comments of Commissioner Wright and you, Mr.  
2 Chairman, and my -- and Commissioner Stidham in support of this  
3 application. Let me state at the outset that although I was not  
4 at the December 12th, 2024 public hearing, where you -- at the  
5 end of that hearing you took -- the Commission took proposed  
6 action, I have reviewed that hearing, I've watched it at least  
7 once, and appreciate all the comments that were made there. I've  
8 reviewed the complete hearing record in this case, and I support  
9 this text and map amendment going forward.

10 I think, since it's fresh in my mind, since I just  
11 watched the hearing yesterday, I think there are a lot of  
12 processes that are going to be involved in reviewing the projects  
13 that come forward in this particular zone, federal and District,  
14 and from our perspective, it'll be -- there's a design review  
15 process which has a number of important criteria, which can look  
16 at all of the issues of compatibility with the historic nearby  
17 properties and the viewsheds of sort of the waterfront, all the --  
18 it's laid out very extensively, and, as we pointed out at the  
19 conclusion of the hearing, that one of the overall arching  
20 purposes of the zone is to have that compatibility. So I think  
21 that the protections are there that might would address some of  
22 the concerns that were raised by the Committee of 100, and we do  
23 have the support, as you noted at that hearing, Mr. Chairman, of  
24 ANC 6B, unanimously in support of it -- in support of the  
25 application. So I'm prepared to move forward tonight.

1 CHAIRPERSON HOOD: Okay. Thank you. Did I get  
2 everybody? Okay. All right. So, with that, would somebody like  
3 to make a motion? Vice Chair -- or you want me to make it? Oh,  
4 Commissioner Wright.

5 COMMISSIONER WRIGHT: I'd be glad to or --

6 CHAIRPERSON HOOD: Go right ahead.

7 COMMISSIONER WRIGHT: Okay. Well, I move that we  
8 approve Zoning Case Number 23-27, presented by the Office of  
9 Planning, a text and map amendment to create Navy Yard East (NYE)  
10 zone, with all of the provisions that we have discussed.

11 COMMISSIONER STIDHAM: Second.

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

14 (No response.)

15 CHAIRPERSON HOOD: Not hearing any, Ms. Schellin, would  
16 you do a roll call vote please?

17 MS. SCHELLIN: And I believe it was -- Commissioner  
18 Imamura was not able to review the record on this one, right?

19 CHAIRPERSON HOOD: Right, he did not review the record.

20 MS. SCHELLIN: Okay. So I have Commissioner Miller.

21 VICE CHAIR MILLER: Yes.

22 MS. SCHELLIN: I mean, Commissioner Wright made the  
23 motion. I'm sorry. Commissioner Wright.

24 COMMISSIONER WRIGHT: Yes.

25 MS. SCHELLIN: Commissioner Stidham.



1 COMMISSIONER STIDHAM: Yes.

2 MS. SCHELLIN: Commissioner Hood.

3 CHAIRPERSON HOOD: Yes.

4 MS. SCHELLIN: And, Commissioner Miller, you did review  
5 the record, so --

6 VICE CHAIR MILLER: Yes, I did, yes, and I voted yes.

7 MS. SCHELLIN: So the vote being four to zero to one,  
8 Commissioner Imamura not voting, having not fully participated.  
9 And that case is done. Thank you.

10 CHAIRPERSON HOOD: Okay. Next, we all are on this one,  
11 but let me call it, and then I'm going to go to Commissioner  
12 Imamura, and then I'll let Ms. Schellin call the case. Let me  
13 do it that way. Don't let me forget that that quick. Okay.  
14 Zoning Commission Case Number 24-09. The Wesley Theological  
15 Seminary of the United Methodist Church, text amendment to  
16 Subtitle C and X. Let me go to Commissioner Imamura.

17 COMMISSIONER IMAMURA: All right. Thank you, Mr.  
18 Chairman. I think in closed session we had discussed that maybe  
19 Vice Chair Miller would go first.

20 CHAIRPERSON HOOD: No. I thought you had to say that  
21 you --

22 COMMISSIONER IMAMURA: I'm on 24-09, yes. No, you're  
23 right, Mr. Chairman. I did read into the record on this. I was  
24 not present for that.

25 CHAIRPERSON HOOD: For the last -- for the last part.

1 You were here for most of it. It was just that last little piece,  
2 so you've read that in the record.

3 COMMISSIONER IMAMURA: That's correct, yes. And, as  
4 you said in the hearing, I did watch the hearing. Mr. Chairman,  
5 you said this has been awhile for a while, around and around like  
6 a snowball, so now it's become I think an iceball.

7 CHAIRPERSON HOOD: Well, you definitely watched it, so  
8 okay, Ms. Schellin, would you tee it up for us, and then we'll  
9 go to Vice Chair Miller.

10 MS. SCHELLIN: Sure. So proposed action was taken at  
11 the January 19th, 2024 meeting. The proposed rulemaking was  
12 published on January 7th, 2025. There were a few comments that  
13 were received, and they were -- I'll give you those exhibit  
14 numbers in a minute, but -- well, Exhibit 65 was of them. Then  
15 Exhibit 66 was the NCPD staff report, stating that it found the  
16 text amendments would not be inconsistent with the Comp Plan for  
17 the National Capital and would not adversely affect any other  
18 identified federal interests. And then the rest of the responses  
19 to the proposed rulemaking were at 67 through 71 in the record.  
20 And the case, other than that -- I'm sorry. Did I say to 71?  
21 Yes, to 71. So it is ready to turn over to you guys to deliberate  
22 for final action, if you choose to do so. Thank you.

23 CHAIRPERSON HOOD: Okay. Thank you. Vice Chair Miller,  
24 could you start us off please?

25 VICE CHAIR MILLER: Okay, Mr. Chairman. Thank you.

1 And thank you, Commissioner Imamura, for reading into the record  
2 of the case, and I was hoping that you would start us off as  
3 well. I thought I might have been relieved of that.

4           So this is a very long running case, it's been noted.  
5 Wesley's situation and its immediate adjacency to American  
6 University presented truly unique circumstances, which we don't  
7 intend -- and we will -- I'll try to follow up with that in  
8 subsequent actions -- we don't intend for that to be any precedent  
9 for other cases, because we believe -- you know, the goal has  
10 been to allow Wesley to move forward with its plans to provide  
11 student housing -- university housing -- university housing to  
12 both Wesley students, faculty, and staff, and -- but mostly  
13 immediately adjacent American University faculty and staff,  
14 while -- and allowing Wesley to stay -- helping them stay where  
15 they are, where they've been for many decades, next to AU, and  
16 while maintaining the Comprehensive Plan's goal of creating more  
17 affordable housing, particularly in Ward 3.

18           So just to recap, at the proposed action that we took  
19 on December 19th, 2024, we discussed the post-hearing submissions  
20 and, particularly, the alternative proposed text by Advisory  
21 Neighborhood Commission 3E, which would require -- would have  
22 required Wesley to provide a higher offsite IZ set-aside of 12-  
23 and-a-half percent at deeper levels of affordability. That was  
24 the Version A of their proposal. Or Version B was to permit the  
25 Commission to determine the level of IZ at further processing for

1 the new -- for the new dorm. We decided that Wesley should  
2 provide the standard offsite IZ in Ward 3 at eight percent or  
3 ten percent, while reserving discretion at further processing  
4 during the Campus Plan -- further processing -- process for the  
5 Commission to decide how that offsite requirement could be met  
6 either by -- our proposed action was to -- either having the  
7 discretion to either increase or decrease the minimum set-aside  
8 amounts and allowing for that contribution -- for a financial  
9 contribution to be made in Ward 3 to a Ward 3 housing provider  
10 to meet those minimum -- to meet whatever we decided was to be  
11 the appropriate amount.

12           So we took proposed action and we -- to provide offset  
13 IZ at a minimum of eight percent or ten percent, as I said, in  
14 Ward 3, as an enforceable condition in the Campus Plan process,  
15 further processing to construct university housing on its campus,  
16 and we granted ourselves the discretion, which we have the  
17 authority to do, to include raising or lowering the offsite IZ  
18 set-aside requirement and/or requiring -- and allowing Wesley  
19 to -- because they're not an affordable housing provider,  
20 themselves, we're allowing Wesley to make a financial  
21 contribution to another provider that would provide that amount  
22 of housing that we determined to be sufficient in Ward 3 --  
23 exclusively affordable housing in Ward 3. We also changed all  
24 references in the regulations to -- from dormitory to university  
25 housing.

1           So a Notice of Proposed Rulemaking was published on  
2 January 7th, I believe, and we received an NCPC report, as Ms.  
3 Schellin I think said, that the proposal text -- proposed  
4 amendments -- text amendments would not be inconsistent with the  
5 federal interest. In response to the proposed rulemaking, we  
6 received several letters in opposition, mostly from those who had  
7 testified at the hearing or in the post-hearing -- and in the  
8 post-hearing submissions, reiterating many of those same points,  
9 including a submission from the Neighbors for Livable Cities,  
10 Spring Valley-Wesley Heights Citizens Association at Exhibit 65;  
11 Committee of 100 at Exhibit 67; a letter in opposition from an  
12 individual named J. L. Seftor; a letter in opposition from the  
13 Washington -- the Ward 3 Washington Interfaith Network Group --  
14 Affordable Housing Work Group; and from I believe Alma Gates as  
15 well, and we've looked at all those. And from, most important,  
16 from -- there was a supplemental ANC 3E report. So ANC 3E has  
17 asked us -- that's Exhibit 70. So they opposed -- ANC 3E opposed  
18 the text that we had proposed in the proposed rulemaking and  
19 pursuant to our discussion at that time, because they -- we gave  
20 ourselves the discretion to possibly permit less of an IZ  
21 amount -- affordable housing amount than required by the minimum  
22 amount in the IZ regulations. And the reason -- well, I don't  
23 think we need to go into what the reasons why we granted that  
24 discretion, but I'll just say what I was concerned about. I --  
25 we were going to be dealing with this -- the issue further in

1 the further processing of the Campus Plan at which the public  
2 would be participating and everybody would be able to comment,  
3 and at that time we would be able to see what the specific adverse  
4 impacts, if any, were from the proposed project of the university  
5 housing, and what mitigations were necessary to address those  
6 adverse impacts. And I thought that we should have the full  
7 discretion to determine the level of affordable housing to be  
8 provided in Ward 3, recognizing that it was not going to be onsite  
9 at the -- on the campus -- on either campus. So ANC requested  
10 that we adopt their previously opposed(sic) -- proposed Option B  
11 text from its November 25th filing at Exhibit 54, which would  
12 require Wesley to provide no less than the minimum required amount  
13 of offsite IZ, and to -- for the Commission to specify that amount  
14 at further processing.

15 So I am prepared, Mr. Chairman to support -- and the --  
16 and let me just say, the Washington Interfaith Network also, at  
17 Exhibit 69, was concerned about the same thing that ANC 3E was  
18 concerned, that we would be allowing ourselves to reduce the  
19 offsite IZ set-aside requirements below the IZ minimum  
20 requirements, and that -- and that allowing the financial  
21 contribution language was -- it was too broad and that it might  
22 not meet the minimum IZ amount requirements. So I don't know if  
23 I summarized where everybody was who commented on our proposed  
24 rulemaking, but let me say that I'm prepared to go forward with --  
25 on final rulemaking with the language that we proposed, with the

1 exception of -- I would suggest removing -- I would suggest to  
2 my colleagues that we remove the decreasing -- the discretion to  
3 decrease the minimum amount of affordable housing that would be  
4 required in the further -- in the Campus Plan further processing.  
5 It would be -- Wesley would be required to meet that minimum or  
6 greater -- and we will have that discretion to determine  
7 greater -- IZ affordable housing requirement, but it would be  
8 allowed to be in Ward 3 offsite, and it could be through a  
9 financial contribution to an affordable housing provider for  
10 exclusive production of that -- for the production of that  
11 minimum or greater amount of affordable housing in -- exclusively  
12 in Ward 3.

13 I'm prepared to move forward with final rulemaking,  
14 personally, tonight, with the change of removing our discretion  
15 that we explicitly -- which I think we already -- we do have,  
16 even if we take out the explicit reference to it here -- explicit  
17 reference to having the discretion to decrease the minimum amount  
18 of IZ set-aside, that they will have to meet a minimum amount of  
19 IZ or greater, and we will determine that as a -- collectively  
20 as a body at the further processing; they'll have to meet the  
21 minimum or greater amount of affordable housing, and they can do  
22 it offsite in Ward 3, and they can do it through a financial  
23 contribution to an affordable housing provider in Ward 3.

24 So that's where I am on this, Mr. Chairman. I think I  
25 tried to be fair in summarizing where the opposition was. I

1 | didn't go into all the proposed rule -- proposed -- the comments  
2 | in opposition to the proposed rulemaking, because most of them  
3 | were responding to what we specifically proposed, because I  
4 | thought we had discussed them -- we had discussed them  
5 | extensively previously. I will also just mention on the illegal  
6 | spot zoning argument that was reiterated, I don't think that that  
7 | argument has credence, because I think that this proposal is not  
8 | inconsistent with the Comprehensive Plan, as a whole. So I'll  
9 | just leave it at that and defer back to you, Mr. Chairman.

10 |           CHAIRPERSON HOOD: Thank you, Vice Chair Miller. This  
11 | is -- and as you said, this case has been going on for a while.  
12 | We've been in different places and different avenues of trying  
13 | to see how this can work out and be resolved. And I appreciate  
14 | the way you have analyzed this, because I -- for me -- from my  
15 | standpoint, you captured it all. And if you weren't following  
16 | us previously, you are now definitely up to date. So let me ask  
17 | Commissioner Wright, do you have any questions or comments?

18 |           COMMISSIONER WRIGHT: No. I think that Vice Chair  
19 | Miller did a really good job of laying out the issues. I think  
20 | this is a very unique case, and I know that we had asked for some  
21 | additional information from the Office of Planning about if there  
22 | are other similar kinds of situations elsewhere in the city, and  
23 | I don't think we really identified a lot. They did give us good  
24 | information about how offsite affordable housing IZ is handled  
25 | in other jurisdictions, and I think that is very informative and



1 helpful. I agree with Vice Chair Miller about taking out the  
2 language about decreasing the amount when we get to the Campus  
3 Plan. I think it was very unlikely we were going to be decreasing  
4 it, but just to be clear, that is definitely not the goal, if  
5 we're working with the minimum or greater is the goal. And, with  
6 that, I think I'm ready to move forward.

7 CHAIRPERSON HOOD: Thank you. Commissioner Stidham.

8 COMMISSIONER STIDHAM: I agree that minimum or greater  
9 is the goal and that it all needs to happen within Ward 3. So  
10 it sounds like that's what we're suggesting, so I'm in support  
11 to move forward.

12 CHAIRPERSON HOOD: Thank you. And Commissioner  
13 Imamura.

14 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I'm  
15 also in agreement to move forward and to remove the language  
16 about decreasing -- I agree with Vice Chair Miller though that  
17 it's within the Board's authority to make that determination to  
18 give ourselves that authority. So I'm certain that ANC 3E didn't  
19 intend, by the language that they provided, to dictate what the  
20 Zoning Commission's authority should be, but, again, you know,  
21 as I've said before, design is an iterative process, zoning is a  
22 deliberative process, imperfect, but I think there's been a  
23 number of compromises to move this case forward, and I would  
24 certainly hope, at least from the impression that I feel that  
25 I've been given, that the goalpost continues to move a little

1 bit, and I think it's moving a little less, and so I would hope  
2 that with our decision tonight, that this sort of tempers ANC  
3 3E's concerns and that they see that all parties, and the Zoning  
4 Commission included, that we've all moved in a direction forward  
5 here. If anybody should know that the Zoning Commission is always  
6 supportive of affordable housing, and to Commissioner Wright's  
7 comment, too, it's highly unlikely that we would move in a  
8 different direction to decrease that standard. So thank you, Mr.  
9 Chairman.

10 CHAIRPERSON HOOD: Thank you. I would agree with all  
11 of my colleagues, and I could just go ahead and just move forward,  
12 but there are a few comments -- one or two comments I want to  
13 make. The first one is spot zoning. Our legal counsel -- and  
14 I've said this before; I would put our legal counsel up against  
15 any lawyers, and not one time have they mentioned to me that this  
16 was spot zoning. And I'm sure that this would have been flagged  
17 by our Office of Zoning Legal Division, if this was spot zoning,  
18 so I'm going to take that off the table. They have not mentioned  
19 that to me, not one time, and I'm going to leave it at that.

20 Now -- and I appreciate ANC 3E's language that they  
21 proposed, and we do have the discretion, but when -- for me,  
22 decreasing was never an option, so I guess we needed some  
23 predictability, but we do have that discretion, but, you know, I  
24 would agree with everything that the Vice Chair said. So, you  
25 know, in this city, especially with things in this case,

1 particularly, what gets me over the hump is if we don't decrease  
2 it -- I mean, if we don't increase it, then there's a set-aside  
3 that's offsite. And in Ward 3 right now, you know, affordable  
4 housing is, for me, and what I've said in other cases, is very  
5 important, and anything that continue to go to that and help get  
6 that increased, affordable housing in Western Rock Creek, I think  
7 will be very beneficial to the residents of this city.

8           And I know some people don't agree, but the goal is  
9 always to try to make everybody happy. I know when you come out  
10 here with those goals, that's not going to -- that doesn't happen,  
11 but we also have to follow the regulations. So I'm not going to  
12 say anymore on that. Again, I appreciate all the work, and I  
13 know there's some people -- because I read the letters and I read  
14 the philosophies and the other things, and some of those things,  
15 I'm going to -- are going to stay with me, but I appreciate  
16 everyone's input. We got to this point, and I think we've come  
17 up with a good resolution. Everybody might not like it, but I  
18 think the Vice Chair and others have summed this up greatly. So,  
19 with that, that's all I have to say. Any other comments?

20           (No response.)

21           CHAIRPERSON HOOD: All right. So, with that, Vice  
22 Chair, would you make a motion please?

23           VICE CHAIR MILLER: Yes, I'll make a motion. I just  
24 wanted to thank -- before I do that, thank my colleagues for  
25 their comments and thank -- join the Commission in thanking all

1 of the public for all of their participation throughout this long  
2 process and the applicant's efforts to try to address community  
3 concerns throughout the process as well. So, with that, I would  
4 make a motion that the Zoning Commission take final action, as  
5 discussed this evening, on proposed -- on Zoning Commission Case  
6 24-09, Wesley Theological Seminary of the United Methodist  
7 Church, text amendments to Subtitles C and X, and ask for a  
8 second.

9 COMMISSIONER IMAMURA: Second.

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

12 (No response.)

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

15 MS. SCHELLIN: Commissioner Miller.

16 VICE CHAIR MILLER: Yes.

17 MS. SCHELLIN: Commissioner Imamura.

18 COMMISSIONER IMAMURA: Yes.

19 MS. SCHELLIN: Commissioner Hood.

20 CHAIRPERSON HOOD: Yes.

21 MS. SCHELLIN: Commissioner Wright.

22 COMMISSIONER WRIGHT: Yes.

23 MS. SCHELLIN: Commissioner Stidham.

24 COMMISSIONER STIDHAM: Yes.

25 MS. SCHELLIN: The vote is five to zero to zero to

1 approve final action in Zoning Commission Case Number 24-09.

2 Thank you.

3 CHAIRPERSON HOOD: Okay. Ms. Schellin, I'm going to  
4 go back to modification without a hearing, Zoning Commission Case  
5 Number 07-21D, BCORE 2201 M Street Northwest, LLC, PUD  
6 modification without a hearing at Square 50. Ms. Schellin.

7 MS. SCHELLIN: Yes, sir. So, as you stated, it is a  
8 modification without hearing. They are requesting to modify  
9 condition A.1. regarding a Notice of Order 07-21B. And this is  
10 regarding permissible PUD signage that was mistakenly allowed to  
11 be installed on top of the hotel building, and they want to be  
12 able to allow that to remain, with the condition that it not be  
13 illuminated. So you have that submission or request before you.

14 And then the applicant's justification for that states  
15 that it acquired the property from the prior owner and they  
16 undertook some renovations, and, of course, for some of the brand  
17 hotels they require certain signs. So they have made that  
18 submission into the record. And then there is responses in the  
19 record at Exhibit 7 from OP. They recommend approval, subject  
20 to a condition which they stated in their report. I don't believe  
21 ANC has a full quorum still, so there's nothing from them. West  
22 End Citizens Association, a longstanding citizens association,  
23 has been around I think from the beginning on this case. They  
24 submitted, at Exhibit 5, opposing. You have that in the record  
25 also, which I'm sure you've already read. And that is the last

1 exhibit that I have, so I'll turn it over to the Commission.  
2 Thank you.

3 CHAIRPERSON HOOD: Thank you, Ms. Schellin. First, let  
4 me ask, does anyone believe that this should not be a modification  
5 without a hearing?

6 (No response.)

7 CHAIRPERSON HOOD: Okay. I'm not seeing any -- I'm not  
8 getting any takers on that. When I looked at this case, I know  
9 that the West End -- and, unfortunately, ANC 2A is still having  
10 some issues. Hopefully, they'll get that rectified, but I want  
11 ANC 2A to know a lot of people -- a lot of ANCs of the city are  
12 still having issues, so, hopefully, people will step and fill  
13 some of those Commission positions, which are very important.  
14 But I will say that West End -- one of the things that I saw in  
15 their opposition was they didn't want it illuminated, and I  
16 believe that the -- the way I understood it, and I think Ms.  
17 Schellin just reaffirmed it, that the applicant said they were  
18 not going to illuminate it. So I'm not really sure where they  
19 are on that. Again, I think this is pretty straightforward. I  
20 understand the concern and the opposition, but I think this is --  
21 it's just very de minimis, and I'll leave it at that. Let me  
22 hear from others. Commissioner Stidham, any comments --  
23 questions or comments?

24 COMMISSIONER STIDHAM: No, sir. I agree with you. I  
25 think leaving the sign as is fine, as long as there is assurances

1 that it will not be illuminated, because that is the issue and  
2 that was what they were not supposed to do, regardless of the  
3 mistake, so that's where I stand.

4 CHAIRPERSON HOOD: Okay. Commissioner Wright.

5 COMMISSIONER WRIGHT: In this case, I am in agreement  
6 to approve the sign, as long as it's not illuminated, but I do  
7 want to make the point that I take PUD conditions very seriously.  
8 It makes me very concerned when there was an explicit PUD  
9 condition that has been violated for whatever reason, you know,  
10 misunderstanding, miscommunication, overlooking it, whatever the  
11 reason is. And you know, if this was not such a de minimis kind  
12 of situation where there will be a sign much like other buildings  
13 in the immediate area, it will never be illuminated, and, you  
14 know, the applicant understands from this point onward they must  
15 follow all of the PUD conditions, then I'm okay going forward  
16 with it. If it was a more significant change or violation of  
17 the PUD, I would not go for this, because I think we consider  
18 those conditions very carefully and we shouldn't change them  
19 easily, but, again, this is pretty de minimis. They've made a  
20 good case about other buildings in the immediate area having  
21 similar signs, and they have, as I understand it, agreed to, in  
22 perpetuity, not illuminate it. So, for those reasons, I'm willing  
23 to support.

24 CHAIRPERSON HOOD: Okay. Thank you. Commissioner  
25 Imamura.

1 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I  
2 agree with Commissioner Wright and Commissioner Stidham. I also  
3 want to underscore Commissioner Wright's comments about PUD  
4 conditions. This is not one of those situations where instead  
5 of asking for permission, you ask for forgiveness later, right,  
6 So this is not one of those instances and never will be. This  
7 does seem reasonable, given there are other competing hotels  
8 nearby that have signage installed. Again, this is really an  
9 issue about illumination, so I'm prepared to vote in support.

10 CHAIRPERSON HOOD: Okay. And Vice Chair Miller.

11 VICE CHAIR MILLER: Yeah, I support the application,  
12 for the reasons articulated by my colleagues.

13 CHAIRPERSON HOOD: Okay. Would somebody like to make  
14 a motion?

15 COMMISSIONER IMAMURA: I can make a motion.

16 CHAIRPERSON HOOD: Sure. Thank you.

17 COMMISSIONER IMAMURA: I move that the Zoning  
18 Commission approve BCORE -- approve -- sorry -- Case Number 07-  
19 21D, BCORE at 2201 -- or BCORE 2201 M Street Northwest, LLC, PUD  
20 modification without a hearing at 2201 M Street Northwest, hotel  
21 signage at Square 50, Lot 87, and ask for a second.

22 COMMISSIONER WRIGHT: Second.

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

25 (No response.)



1 CHAIRPERSON HOOD: Not hearing any, Ms. Schellin, would  
2 you do a roll call vote please?

3 MS. SCHELLIN: Commissioner Imamura.

4 COMMISSIONER IMAMURA: Yes.

5 MS. SCHELLIN: Commissioner Wright.

6 COMMISSIONER WRIGHT: Yes.

7 MS. SCHELLIN: Commissioner Hood.

8 CHAIRPERSON HOOD: Yes.

9 MS. SCHELLIN: Commissioner Miller.

10 VICE CHAIR MILLER: Yes.

11 MS. SCHELLIN: Commissioner Stidham.

12 COMMISSIONER STIDHAM: Yes.

13 MS. SCHELLIN: And the staff records the vote five to  
14 zero to zero to approve final action in Zoning Commission Case  
15 Number 07-21D, and asks the applicant to provide a draft order  
16 within two weeks. Thank you.

17 CHAIRPERSON HOOD: I have to remember the Turnbull  
18 spacebar. Mr. Turnbull told me at a hearing one time, he said,  
19 "You don't have to look for your mouse all the time; just hit  
20 the spacebar so you can unmute yourself," so I'm always --  
21 habits -- I'm always looking for my mouse.

22 MS. SCHELLIN: Which can be dangerous, as you know, for  
23 me -- my dogs --

24 CHAIRPERSON HOOD: All right.

25 MS. SCHELLIN: -- that like to jump up here.

1 CHAIRPERSON HOOD: That's true. All right. Let's  
2 go -- I think the only thing we have left, Ms. Schellin, is a  
3 hearing action, right?

4 MS. SCHELLIN: (Nods head affirmatively.)

5 CHAIRPERSON HOOD: Okay. Hearing action, Zoning  
6 Commissioner Case Number 24-11, Jemal's Schaeffer, LLC and  
7 Jemal's Bumper George, LLC, consolidated PUD and related map  
8 amendment at Square 4268 and Squares 153/113, 153/152 and  
9 153/153). Ms. Myers.

10 MS. MYERS: Good evening, Commissioners. The Office  
11 of Planning recommends the Zoning Commission set down this  
12 consolidated PUD application for -- in Square 4268, Zoning  
13 Commission Case 24-11.

14 Next slide please. This application is by Jemal's  
15 Schaeffer, LLC and Jemal's Bumper George, LLC in Square 4268 to  
16 rezone a portion of the subject property from MU-5B to PDR-1.

17 Next slide please. Since the proposal was submitted,  
18 the boundary for this PUD and its related map amendment were  
19 revised several times. The OP report is based on the version at  
20 Exhibit 17, which is shown here with the zoning labels added by  
21 OP. The proposal would develop a predominantly vacant site with  
22 a warehouse building that includes a showroom, associated office  
23 use, and a parking lot. The warehouse portion of the site would  
24 be rezoned to PDR-1, and the rest of the site would remain in  
25 the MU-5B zone. The design of the warehouse incorporates design

1 | preferences expressed by the community. The proposal includes  
2 | streetscape improvements on New York Avenue and Montana Avenue.  
3 | The benefits and amenities package includes installing a sidewalk  
4 | and a bike lane along Montana Avenue and New York Avenue;  
5 | streetscape improvements; improvements to the Fifth District  
6 | Police Station and to the Arboretum Recreation Center. The  
7 | proposal is within the by-right height and density allowed in the  
8 | zone.

9 |           Next slide please. On balance, this PUD would not be  
10 | inconsistent with the Comprehensive Plan Maps. On the Future  
11 | Land Use Map, the portion of the site proposed for rezoning is  
12 | designated for PDR uses, high-density residential, and high-  
13 | density commercial. The PDR designation requires that PDR space  
14 | be included in a development done in this area. The existing  
15 | zoning on this site does not allow PDR uses, so the proposed PDR-  
16 | 1 zone in this location would be more in line with the Future  
17 | Land Use Map than the existing zoning allows today. Again, the  
18 | proposed warehouse building would be entirely within the area  
19 | designated for PDR uses.

20 |           Next slide please. On the Generalized Policy Map, it  
21 | is designated a Land Use Change Area and a Future Planning  
22 | Analysis Area. The site is within the New York Avenue Northeast  
23 | Corridor Future Planning Analysis Area. In 2023, a Vision  
24 | Framework Plan for this area was completed, and it includes this  
25 | site. The proposal does not fully realize the Plan's vision for

1 the site in this Plan, but it is -- but it complies with many of  
2 the general recommendations for this Plan. Again, the proposal  
3 is not inconsistent with the Generalized Policy Map, and it is  
4 also generally not inconsistent with the New York Avenue Vision  
5 Framework.

6 Next slide please. When evaluated through a racial  
7 equity lens, the proposal would also not be inconsistent with the  
8 Comprehensive Plan. Upper Northeast Planning Area is  
9 predominantly Black, but has a growing number of non-White  
10 residents from other race and ethnic groups. The Black population  
11 in this planning area had a higher household income than Black  
12 residents Districtwide, but their income was lower than many  
13 other race and ethnic groups in the planning area. Residents who  
14 identify as Black, Hispanic, or some other race, had the lowest  
15 percentage of Bachelor's degrees in the planning area. The new  
16 jobs from the project could benefit these groups, because  
17 industrial jobs usually do not require a college degree and they  
18 offer higher wages than many other jobs.

19 And, with that, I will conclude the OP testimony, but,  
20 of course, I'm here for questions, if you have any. Thank you.

21 CHAIRPERSON HOOD: Thank you, Ms. Myers. And before I  
22 go to Commissioner Imamura, I have one or two comments. I'm glad  
23 to see this. I don't know if we have to go through all the  
24 nuances of what's going to have to be done here from a zoning  
25 perspective, but, as you mentioned, this is a number of times

1 | that this site has been proposed to do something. Having used  
2 | to live in this area, I know the neighbors in that neighborhood  
3 | have been looking for something for years. I lived in this area  
4 | for 30 years, and I can just say that it's a long time coming.  
5 | I'm not sure what's going to be done, but it's a long time coming,  
6 | and I'm hoping that this one gets done. Ms. Myers, let me ask,  
7 | how many -- how many other projects have been proposed for that  
8 | same parcel -- that same area; is it four or five?

9 | MS. MYERS: Unfortunately, I don't think I was involved  
10 | with the previous iterations, but I do understand that there's  
11 | been a long history on this site.

12 | CHAIRPERSON HOOD: Because I know the Commission, we  
13 | did a -- some years ago, which I thought was great, it just,  
14 | unfortunately, never happened, and it was a rendering that they  
15 | gave us to look at for that area, which would have been real --  
16 | I don't know if anybody else remembers this; maybe Vice Chair  
17 | Miller, in his other capacity, but I can just say that, you know,  
18 | everybody was excited about it, and I'm hoping everyone's excited  
19 | about whatever's going to happen here. But let me ask this  
20 | question. Do you know of any known opposition? That's one of  
21 | our standard questions.

22 | MS. MYERS: I'm not aware of any at this time. I know  
23 | that the ANC has submitted a letter in support already. I know  
24 | that in the past there's been some opposition in some previous  
25 | versions of this project or previous attempts, but I think, in

1 | this time period, this applicant has had some, apparently,  
2 | successful conversations with the ANC, but I guess we'll see, by  
3 | the time of the hearing, if we hear any other -- hear any  
4 | opposition on this case.

5 |           CHAIRPERSON HOOD: Thank you. And I do know -- I was  
6 | thinking about one of the first iterations -- and nobody I think  
7 | is building them now -- it was a bowling alley. That's how long  
8 | ago it was. And I don't see nobody building bowling alleys; at  
9 | least I don't. Anyway, I'm sure some expert planners, like  
10 | Commissioner Wright and Commissioner Imamura, they would know  
11 | about that more than I would. So, anyway, let me go -- let me  
12 | stop talking and go do Commissioner Imamura.

13 |           COMMISSIONER IMAMURA: Thank you, Mr. Chairman. As  
14 | always, Ms. Myers, thank you for your report and your  
15 | succinctness. I don't think that I have any questions, but I  
16 | had just a couple comments.

17 |           If the Commission so chooses to set this down, I'd be  
18 | interested for the applicant to include some diagrams showing the  
19 | entire PUD site, as amended, of course, and then, you know, that  
20 | would include what's included in the map amendment area and the  
21 | proposed building footprint, as well as an updated zoning  
22 | tabulation chart to reflect the changes that were made in Exhibit  
23 | 17. So I'm certainly interested to see that, should we decide  
24 | to set this down, and I'm interested in setting it down favorable  
25 | and in favor of setting it down. So that's all that I have.

1 Thank you, Ms. Myers. Mr. Chairman, I yield back.

2 CHAIRPERSON HOOD: Thank you. Commissioner Stidham,  
3 any comments or questions for OP?

4 COMMISSIONER STIDHAM: No, just to echo Commissioner  
5 Imamura, and definitely in support to set it down.

6 CHAIRPERSON HOOD: Thank you. Commissioner Wright.

7 COMMISSIONER WRIGHT: Yes, I am in support of setting  
8 it down. One thing I would just mention is that, you know,  
9 although, you know, warehouse buildings may not be the optimal  
10 sort of vision for this corridor, because, you know, I think we  
11 all see a lot of potential in it, I have seen some really creative  
12 warehouse buildings. I was involved with one in Alexandria,  
13 Virginia for Restaurant Depot, which is a big box warehouse kind  
14 of building, and we worked with the applicant and did some  
15 treatments that made it a really cool part of that sort of semi-  
16 industrial community. So I would just, you know, encourage, as  
17 we go forward with this -- I understand, you know, it might not  
18 be something that we can require as part of zoning, but I know  
19 that staff probably has lots of opportunity to talk with the  
20 applicant about different ideas, and that, you know, we encourage  
21 them to be creative, because, again, I think it's great to set  
22 this down to talk about this rezoning. It's probably, you know,  
23 a really good thing to discuss, but I think they can also be a  
24 little creative.

25 CHAIRPERSON HOOD: Okay. Thank you. Who -- oh, Vice

1 Chair Miller.

2 VICE CHAIR MILLER: Thank you, Mr. Chairman, and thank  
3 you, Ms. Myers. Good to see you again this week, as always, and  
4 thank you for your report. And I would associate myself with  
5 all the comments of my colleagues, particularly Commissioner  
6 Wright. It's -- and as the Chairman noted, this site has been  
7 waiting for a while -- the neighborhood's been waiting for a  
8 while for some productive use. And although different visions  
9 were perhaps more visionary and expansive, this is a limited  
10 portion and just including basically the footprint of the  
11 building, as your report -- as the revised application sets forth  
12 and as your report notes.

13 I just would also note that I -- you know, we have a  
14 lot of -- we have Comprehensive Plan policies where we're  
15 concerned about maintaining industrially-zoned lands, because the  
16 Comp Plan has been altered to add to the PDR stripe -- in most  
17 cases, they're residential and commercial -- so that we -- so  
18 that something comes forward for those underutilized properties.  
19 So I think this part of New York Avenue was one of those areas,  
20 but is this the first time that -- it's the first time that I  
21 recall where a rezoning has been asked for, which has gone from  
22 a higher zone that permitted -- in a higher zone that permitted  
23 residential and commercial to a PDR-1 zone that does not even  
24 permit residential? I just don't even recall that ever happening.

25 MS. MYERS: It's certainly the first for me.



1           VICE CHAIR MILLER: And you said that -- and you noted  
2 in your report the zoning regulations at present do not include  
3 a zone which would permit a range of residential, commercial, and  
4 PDR without there being a change in the zoning -- without  
5 changing -- yeah, a change in the zoning from PDR to something  
6 else. Is the Office of Planning contemplating such a zone that  
7 would permit -- that would be very difficult to craft I guess,  
8 and maybe that's why we're getting -- it's better maybe to handle  
9 it on a case-specific basis, the limited area, because you don't  
10 want to have conflicting industrial uses with residential uses.  
11 But are you -- is the Office of Planning contemplating a zone  
12 that would encompass all three in limited situations or with  
13 certain criteria?

14           MS. MYERS: Well, I know that we have a future study  
15 of the industrial zones and potentially looking at, you know,  
16 maybe how to tweak them or change them. I know that's coming up  
17 on our work program in the near future, but I don't know exactly  
18 what it will entail.

19           VICE CHAIR MILLER: I'm not suggesting to raise that  
20 to the top of the list or anything, because I know there's a long  
21 list there of things on their work program, but I saw the  
22 reference there that there's no zone, and so -- do we know what  
23 type of warehouse this is going to be at this point?

24           MS. MYERS: No, we don't really have details about  
25 that, but perhaps that's something that you all could have a

1 conversation with the applicant about, but I haven't gotten any  
2 more details from them about what, specifically, it could be.

3 VICE CHAIR MILLER: Yeah, maybe we can -- at the  
4 hearing, the applicant can provide -- they may be at a stage  
5 where they can provide more information on that point, so the  
6 neighbors know what's coming there. So thank you very much for  
7 your report. Thank you, Mr. Chairman. I'm prepared to support  
8 setdown.

9 CHAIRPERSON HOOD: All right. Any other questions?

10 (No response.)

11 CHAIRPERSON HOOD: All right. Somebody like to make a  
12 motion?

13 COMMISSIONER IMAMURA: I'll make the motion, Mr.  
14 Chairman.

15 CHAIRPERSON HOOD: Thank you.

16 COMMISSIONER IMAMURA: I move that the Zoning  
17 Commission set down Case Number 24-11, Jemal's Schaeffer, LLC and  
18 Jemal's Bumper George, LLC, consolidated PUD and related map  
19 amendment from MU-5B to PDR-1, New York and Montana Avenues  
20 Northeast at Square 4268, Lots 6, 12, 14, 801, 804 and 819, and  
21 Parcels 153/113, 153/152, and 153/153, and ask for a second.

22 COMMISSIONER STIDHAM: Second.

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

25 (No response.)

1 CHAIRPERSON HOOD: Not hearing any, Ms. Schellin, would  
2 you do a roll call vote?

3 MS. SCHELLIN: Commissioner Imamura.

4 COMMISSIONER IMAMURA: Yes.

5 MS. SCHELLIN: Commissioner Stidham.

6 COMMISSIONER STIDHAM: Yes.

7 MS. SCHELLIN: Commissioner Hood.

8 CHAIRPERSON HOOD: Yes.

9 MS. SCHELLIN: Commissioner Miller.

10 VICE CHAIR MILLER: Yes.

11 MS. SCHELLIN: Commissioner Wright.

12 COMMISSIONER WRIGHT: Yes.

13 MS. SCHELLIN: Staff records the vote five to zero to  
14 zero to set down Zoning Commission Case Number 24-11 as a  
15 contested case. Thank you.

16 CHAIRPERSON HOOD: Okay. Thank you. And I also wanted  
17 to thank Ms. Myers. I let her get away. I wanted to thank her  
18 for all the work on this and the report. I did think about --  
19 Ms. Myers, I do want to talk about the bicycle lanes as well,  
20 especially around New York Avenue, when we -- when we have a  
21 hearing, so hopefully you heard that. If not, I'll ask it when  
22 we get to that point. Ms. Schellin, do we have anything else  
23 before us?

24 MS. SCHELLIN: No.

25 CHAIRPERSON HOOD: Okay. The Zoning Commission will

1 meet again -- is that March 6th --

2 MS. SCHELLIN: (Nods head affirmatively.)

3 CHAIRPERSON HOOD: Okay. The Zoning Commission will  
4 meet again March 6th, and the case -- Zoning Commission Case  
5 Number 24-17, and the case name is Indiana University Foundation,  
6 Incorporated. So, with that, I want to thank all my colleagues  
7 and everyone, our lawyers and everyone who gets us prepared for  
8 these meetings. And, with that, this meeting is adjourned. Good  
9 night, everyone.

10 (Whereupon, the above-entitled matter went off the  
11 record at 5:18 p.m.)

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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 Meeting

Before: DC Zoning Commission

Date: 02-27-25

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