GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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REGULAR PUBLIC MEETING

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THURSDAY

APRIL 24, 2025

+ + + + +

The Public Meeting 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 GWEN WRIGHT, Commissioner TAMMY STIDHAM, Commissioner

OFFICE OF ZONING STAFF PRESENT:

PAUL YOUNG, Zoning Data Specialist ELLA ACKERMAN, Acting Secretary

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

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

OFFICE OF PLANNING STAFF PRESENT:

MICHAEL JURKOVIC

The transcript constitutes the minutes from the Regular Public Meeting held on April 24, 2025.

T-A-B-L-E O-F C-O-N-T-E-N-T-S

Case No. Parkside	05-28AI Residential, LLC
Case No. FC Ballpa	13-05F ark, LLC6
Case No. Disabled	22-11A American Veterans
Case No. D.C. Depa	24-24 artment of General Services

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

2 (4:00 p.m.)

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

Copies of today's meeting agenda are available on the Office of Zoning's website. Please be advised that this proceeding is being recorded by a court reporter and 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 difficulty accessing Webex or with your phone call-in, then please call our OZ Hotline number at 202-727-0789 for Webex log-in -- for Webex long-in or call-in instructions. At this time, the Commission will consider any preliminary matters. Does the staff have any preliminary matters?

MS. ACKERMAN: No, we do not.

CHAIRPERSON HOOD: Okay. Well, we will go with our agenda, as printed. First, I'd like to call time extensions; Zoning Commission Case Number 22-11A, Disabled American Veterans, Two-Year PUD Time Extension at Square 439S. Ms. Ackerman.

MS. ACKERMAN: Okay. So the applicant is requesting a two-year PUD time extension of the deadline to file a building permit application from July 28th, 2025 to July 28th, 2027. The applicant states that they are unable to obtain sufficient financing due to the inability to locate a new development partner after the initial partner's exit on May 31st, 2023. At Exhibit 4, we have the OP report, which is in support. There is no report from the ANC. This case is ready for the Commission to consider final action.

CHAIRPERSON HOOD: Thank you, Ms. Ackerman.

Commissioner Stidham, could you start us off on this please?

COMMISSIONER STIDHAM: Sure. Absolutely. I don't think -- I mean, I think it is fairly straightforward. They have -- the applicant has responded timely and there are no

2 time extension.	
3 CHAIRPERSON HOOD: Okay. I think that may stand	for
4 all of us, unless I see hear otherwise.	
5 (No response.)	
6 CHAIRPERSON HOOD: Okay. Commissioner Stidham, wo	uld
you like to make a motion please?	
8 COMMISSIONER STIDHAM: Absolutely. So I move fo	r a
9 time extension for Zoning Case Number 22-11A, Disabled Ameri	can
10 Veterans, Two-Year PUD Time Extension at Square 4395 (sic),	and
11 ask for a second.	
12 COMMISSIONER WRIGHT: I think it's Square 439S thou	gh.
COMMISSIONER STIDHAM: What did I say?	
COMMISSIONER WRIGHT: Five. It looks like a five.	
COMMISSIONER STIDHAM: Oh, it does look like a fi	ve.
16 I probably should put on my glasses. Yes, 439S. Thank you.	
17 COMMISSIONER WRIGHT: Yes, but I do second.	
CHAIRPERSON HOOD: Okay. It's been moved and prope	rly
19 seconded. Any additional comments?	
20 (No response.)	
CHAIRPERSON HOOD: Not hearing any, Ms. Ackerman, co	uld
you do a roll call vote please?	
you do a roll call vote please? MS. ACKERMAN: Commissioner Stidham.	

1	COMMISSIONER WRIGHT: Yes.
2	MS. ACKERMAN: Commissioner Hood.
3	CHAIRPERSON HOOD: Yes.
4	MS. ACKERMAN: Commissioner Miller.
5	VICE CHAIR MILLER: Yes.
6	MS. ACKERMAN: The staff records the vote four to zero
7	to one to approve Case Number 22-11A for final action, Imamura
8	not present, not voting.
9	CHAIRPERSON HOOD: Okay. Thank you, Ms. Ackerman.
10	Let's move right on. Let's go to Zoning Commission Case Number
11	05-28AI, Parkside Residential
12	MS. LOVICK: Sorry. Excuse me. I just wanted to add
13	if the applicant likes, they are free to submit a draft order
14	for the time extension. That's all I wanted to add.
15	CHAIRPERSON HOOD: Okay. Is that true in all of our
16	extension cases?
17	MS. LOVICK: Yes, sir.
18	CHAIRPERSON HOOD: Okay.
19	MS. ACKERMAN: Thank you, Hillary.
20	CHAIRPERSON HOOD: Okay. Thank you. All right. Zoning
21	Commission Case Number 05-28AI, Parkside Residential, LLC, One-
22	Year PUD Time Extension at Square 5056. Ms. Ackerman.
23	MS. ACKERMAN: The applicant is requesting a one-year
24	PUD time extension of the deadline to begin construction of Parcel
25	9B from March 23rd, 2025 to March 23rd, 2026. The applicant

states that they are actively seeking financing to begin construction. A waiver has also been requested from the requirements of Subtitle Z-705.5, which allows no more than two time extension requests for an approved PUD and limits the second time extension approval to no more than one year. This would be the third time extension for this case. At Exhibit 4, there is an OP report, which is in support of the time extension and the waiver from 705.5. There is no report from the ANC, but this case is ready for the Commission to consider final action.

CHAIRPERSON HOOD: Thank you, Ms. Ackerman. I'll start this one off. Again, we have a request for a time extension, but we also have a waiver request, the waiver request from the requirements, as mentioned by Ms. Ackerman, from Subtitle Z-705.5, which allows no more than two time extensions requests for an approved PUD and limits the second time extension approval to no more than one year to allow a third time extension.

I do know, having been around when the Commission put this in place, it was a different climate and things are a little different now, and I think -- I definitely have no problems in giving the waiver request so they can continue with the time extension, as noted, because a time extension I think is warranted, and they make the case -- they basically tell us about the financing, which seems to be a ringing theme. The applicant is unable to secure financing to commence Parcel B -- 9B and have done the ones in between, so I think the applicant -- as mentioned

1	in the record, they are actively negotiating, and they have some
2	prospectives. I won't put that out there about their
3	prospectives, but I'm hoping that for them and for the city,
4	that their prospectives will come through. I know they've applied
5	for a loan and it seems to be pretty promising, but fingers
6	crossed. I'll just leave it at that. Any further comments or
7	questions on that?
8	(No response.)
9	CHAIRPERSON HOOD: All right. So not hearing anything,
10	I would move that we approve both the waiver request, as well as
11	the time extension, for Parcel 9B from March 23rd, 2025 to March
12	23rd, 2026 in Zoning Commission Case Number one second
13	Zoning Commission Case Number 05-28AI, and ask for a second.
14	VICE CHAIR MILLER: Second.
15	CHAIRPERSON HOOD: It's been moved and properly
16	seconded. Any further discussion?
17	(No response.)
18	CHAIRPERSON HOOD: Not hearing any, Ms. Ackerman, could
19	you do a roll call vote please?
20	MS. ACKERMAN: Commissioner Hood.
21	CHAIRPERSON HOOD: Yes.
22	MS. ACKERMAN: Commissioner Miller.
23	VICE CHAIR MILLER: Yes.
24	MS. ACKERMAN: Commissioner Stidham.
25	COMMISSIONER STIDHAM: Yes.

MS. ACKERMAN: Commissioner Wright. 1 2 COMMISSIONER WRIGHT: Yes. MS. ACKERMAN: Staff records the vote four to zero to 3 one to approve Case Number 05-28AI for final action of the time 4 5 extension and the waiver request of 705.5. Commissioner Imamura 6 is not present, so is not voting. And the applicant may provide 7 a draft order. 8 CHAIRPERSON HOOD: Okay. Thank you, Ms. Ackerman. 9 Let's go to Zoning Commission Case Number 13-05F, FC Ballpark, 10 LLC, Two-Year PUD Time Extension at Square 0744S, Lots 807 through 813, and Square 744SS, Lots 805, 808, and 809. Ms. Ackerman. 11 12 MS. ACKERMAN: The applicant is requesting a two-year 13 PUD time extension of the deadline to file a building permit 14 application so they may obtain financing for the project. The extension would go until March 31st, 2027, and this is the first 15 16 extension request of the first-stage modification and second-17 stage PUD approved in ZC Order 13-05E. At Exhibit 3, we have 18 the OP report, which is in support. And there is no report from 19 the ANC today. That's all. 20 Okay. Thank you, Ms. Ackerman. CHAIRPERSON HOOD: 21 Commissioner Wright, would you like to get us started on this 22 please? 23 COMMISSIONER WRIGHT: Yes. This is another time 24 extension request on an important project. It is the first 25 extension request of the first-stage modification and the second-

1	stage PUD that was approved in Order Number 13-05E. And they
2	are it appears diligently looking at additional financing
3	opportunities and working hard to be able to complete this
4	project. I think that the time extension is definitely justified,
5	and I would be glad to make a motion to that effect, if there
6	are no objections from my colleagues.
7	CHAIRPERSON HOOD: No objections.
8	COMMISSIONER WRIGHT: Okay. Great. Well, then I move
9	that Zoning Commission Case Number 13-05F, FC Ballpark, LLC, Two-
10	Year PUD Time Extension at Square 0744S, Lots 807 to 813, and
11	Square 744SS, Lots 805, 808, and 809 I move that we approve
12	this time extension.
13	COMMISSIONER STIDHAM: Second.
14	CHAIRPERSON HOOD: It's been moved and properly
15	seconded. Thank you. Any further discussion?
16	(No response.)
17	CHAIRPERSON HOOD: Not seeing any, Ms. Ackerman, could
18	you do a roll call vote please?
19	MS. ACKERMAN: Commissioner Wright.
20	COMMISSIONER WRIGHT: Yes.
21	MS. ACKERMAN: Commissioner Stidham.
22	COMMISSIONER STIDHAM: Yes.
23	MS. ACKERMAN: Commissioner Hood.
24	CHAIRPERSON HOOD: Yes.
25	MS. ACKERMAN: Commissioner Miller.

VICE CHAIR MILLER: Yes.

MS. ACKERMAN: Staff records the vote four to zero to one to approve Case Number 13-05F for final action, Commissioner Imamura not present, not voting. And the applicant may provide a draft order.

CHAIRPERSON HOOD: Okay. Let's move to our next final action - final thing on the agenda for the day -- not thing, but final action for the day; hearing action, Zoning Commission Case Number 24-24, D.C. Department of General Services, Consolidated PUD and Related Map Amendment at Parcel 129/115. Who is -- oh, Mr. Jurkovic -- Mr. Jurkovic from the Office of Planning, you may begin.

MR. JURKOVIC: Good afternoon, Chairman and members of the Commission. The Office of Planning recommends the Zoning Commission set down consolidated PUD and map amendment for The Heritage. The applicant proposes to redevelop the eastern portion of the site with a new 407-bed men's shelter with ancillary uses to support the individuals utilizing the facility. The overall design of the facility and the selection of the wraparound services proposed should progress the District's goal of ending homelessness by giving those experiencing homelessness the opportunity to gain skills vital towards their journeys to permanent housing. No development is currently proposed for the western portion of the site, and the property is currently occupied by the District's animal shelter and segmented by a

roadway. In addition to the PUD's design flexibility, the applicant is also requesting flexibility to allow all of the proposed onsite parking to be compact spaces, as well as flexibility towards the loading berth size requirements. And if this case is set down, OP will provide a recommendation of said flexibility prior to the public hearing.

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Next slide please. The Future Land Use Map identifies this site as perfect for a mixed-use category comprised of highdensity commercial, high-density residential, and production, distribution, and repair. Though the southern portion is designated as appropriate for federal uses, moderate-density residential and production, distribution, and individually, the Comprehensive Plan states that the FLUM map is to be soft-edge and these designations were likely made to the federal ownership of the property and its proximity to the road dwellings fronting on Mount Olivet Road and other nearby existing PDR uses, though it should be noted that the proposed redevelopment is mostly within the mixed-use designation on the site; therefore, the redevelopment of the site should be with surrounding compatible the context and the FLUM designations.

OP also examined the proposal as it relates to the Comprehensive Plan policy, as viewed with the racial equity lens. From this, we believe the project would advance the aspects of the plan's goals regarding equity, including but not limited to

job creation and training; access to healthcare; the site's location along the bus route, as it relates to access to public transportation; and the proposed physical improvements to urban design, as well as the public realm. OP would note that there will be direct displacement, as there are no tenants or residents on the site, though, as mentioned earlier, the existing animal shelter will need to be relocated.

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Our full analysis can be found in our report. In summary, when evaluated through a racial equity lens, the project would not be inconsistent with the Comprehensive Plan. OP recommends that the application be set down. Thank you, and that concludes my verbal testimony.

CHAIRPERSON HOOD: Thank you, Mr. Jurkovic. Let's see if we have any questions or comments. I'm going to ask Vice Chair Miller to start us off with any questions or comments, if you have any.

17 COMMISSIONER STIDHAM: Chairman Hood, before we get
18 started --

CHAIRPERSON HOOD: I'm sorry. Yes, Commissioner Stidham.

COMMISSIONER STIDHAM: I just wanted to state for the record that I've been participating in my normal day-job capacity with the National Park Service with the particular applicant on the transfer of jurisdiction related to this property, so I wanted to point that out, but I also wanted to state that I will be

participating, because it won't affect my impartiality in making a decision and will base that decision solely on the administrative record provided.

CHAIRPERSON HOOD: Thank you, Commissioner Stidham.

Any issues, colleagues, with that?

(No response.)

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CHAIRPERSON HOOD: I certainly don't see any, so we'll continue to move forward. Thank you, Commissioner Stidham, for putting that on the record. Vice Chair Miller.

VICE CHAIR MILLER: Thank you, Mr. Chairman, and thank you, Mr. Jurkovic, for that Office of Planning report. seems to be a discrepancy in the descriptions of the Future Land Use Map designation between your report and the applicant's statement. The applicant's statement does not show any of the property in the moderate-density residential designation, while you -- your report -- OP -- you pointed out in your OP report that a small segment -- very small segment of the property is in the moderate-density residential designation. Both reports show that the portion of the property along New York Avenue is designated mixed-use high-density residential and high-density commercial and a portion of the property is in the federal designation and a portion is in the PDR designation. Can you can you confirm that the -- Mr. Jurkovic, that a portion of the property is designated in the moderate-density residential in the Future Land Use Map?

MR. JURKOVIC: Yes. There is -- from our mapping services and the existing FLUM map, it does appear that, like you said, a small sliver is within the moderate-density residential designation.

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VICE CHAIR MILLER: All right. So I think we would in the prehearing submission by both particularly, the applicant, since it's not even mentioned in their initial filings, we need a discussion of that issue and why the proposal -- the project is -- further discussion in your report, but more -- any discussion by the applicant that the -why the project is not inconsistent with that designation; if there are other policies that outweigh it, if none of the building, itself, is on that moderate -- whatever reasoning -- whatever the justifications are, and I'm sure there are justifications, but they need to be made in the prehearing submissions.

And, similarly, there's a discrepancy in the -- between your report and the applicant's statement regarding the Generalized Policy Map. The applicant's statement does not discuss the Neighborhood Conservation Area, and even though the map and your report clearly stated that it is -- that part of the property is within the Neighborhood Conservation Area. I think your report said that none of the building -- none of the project is being built on that area, and that may be the area where there's an easement as well. I'm not sure, but it just

needs to be addressed in the prehearing submissions by both the applicant and again by OP as to why the Neighborhood Conservation Area designation does not create an inconsistency of this project with the Comprehensive Plan. So that's -- those are -- those are two issues which need a fuller discussion, and we will expect that there would be that discussion in the prehearing submissions and at the hearing, but in the prehearing written submissions.

Also, there's really no discussion at all potential adverse impacts of a -- of the proposed use, a 407-bed emergency men's shelter. There's a lot of discussion about the benefits of that, and I agree with all of the discussion about the benefits of that, and they may outweigh any potential adverse impacts, but I think there has to be an acknowledgement of potential adverse impacts of the proposed use on the surrounding community, or, if there isn't, just -- there needs to be a justification for -- there needs to be a statement about it. That's part of our -- what we need to evaluate in this PUD and major map amendment going from RF to MU-9. Even though the density, itself, is not increasing by the project, the permitted density in the MU-9 is a much -- is a much larger FAR than the existing FAR.

I guess those -- so those are three issues that -- which need further discussion in the prehearing submissions. My only other question was the applicant -- oh, no, I have two questions. The applicant's statement submitted a community outreach statement which said that -- which outlined all the

meetings that have been held in the -- among stakeholders and in the community. I think recently there was ANC 5D meetings -- presentations. It -- the applicant's statement said there was no -- that it was well received at those meetings. Are you aware of any opposition that was -- I don't know if OP was at those -- any of those meetings. Are you aware of any community opposition to or ANC action on -- so far on this proposal?

2.

MR. JURKOVIC: OP did not attend those meetings, but the applicant has stated that they have not received any negative feedback and nor has OP.

VICE CHAIR MILLER: So we would just want an update of that further community outreach that's obviously -- that the applicant's statement said they were going to continue to do throughout this whole process, and so we'll expect to see that update. Finally, your -- you -- there's a lot of good information in your report. I'm sorry to just concentrate on the negative. I should have said thank you originally for your report. It has a lot of good information. I agree with almost everything that you've stated in that report, but there were these three, now four issues that I -- we need further information on.

And my final question was, your report, as it always does, includes the list of agencies that the proposal has been referred to. I didn't see the Department of Human Services in that list, and that just -- and maybe I missed it, but it surprised me, since DHS is the overseer of the District's homeless

program. Are we going to get something from DHS I assume at the hearing or prehearing?

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MR. JURKOVIC: I would imagine that DHS will participate in the process through --

VICE CHAIR MILLER: Can you -- I'm sorry. Go on.

MR. JURKOVIC: -- through our agency referrals. That is not like a comprehensive list of all the agencies that are typically invited to those interoffice meetings that we have. As far as who -- you know, we ask for additional input once an application's been set down.

VICE CHAIR MILLER: Okay. Well, that's fair enough. I think we would expect to get something in writing prehearing from the agency that is overseeing the District's homeless program, since this is an emergency replacement of the men's shelter -- the terrible-in-shape existing shelter not a block-and-a-half away or whatever. So if you -- if OP and the applicant can insure that we -- insure that we get something -- or that DHS is there at the hearing, in case there are questions that might come up. That's it, Mr. Jurkovic. I appreciate -- do appreciate all the work that you've done on this and the information that you have provided in the report. Thank you, Mr. Chairman. I'm finally finished.

CHAIRPERSON HOOD: Thank you, Vice Chair Miller. I would concur with all of your comments. I would just ask the applicant, as well as the Office of Planning to -- typically,

when we have stuff that's not necessarily fully cooked, we don't set it down, but I believe we can get this fully cooked and baked so we can digest it and make an informed, intelligent decision with all the information that's needed. And I would also echo some of the inconsistencies that the Vice Chair has mentioned, and I would ask that both the Office of Planning and the applicant, DGS, when they come down, that they have that information so we can have an informed hearing in that format. Let me open it up. Any other questions or comments, Commissioner Wright?

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COMMISSIONER WRIGHT: No questions. I agree with Vice Chair Miller. In his comments and questions, he's laid out some of the outstanding issues that need to be pinned down, and I appreciate him doing that. The -- I would mention, you know, the design of the building looks like a very interesting design. This is an extremely prominent location on New York Avenue. has a lot of visibility for people coming into the city and going out of the city. And when we actually hear this case, I would be interested in hearing more about the architectural design and, you know, why some of the design decisions were made. So if the architect for the applicant could, you know, present a little bit more about the architectural design, I would appreciate it. And it looks like a very interesting design, and I'm sure it will add a lot to New York Avenue, but I'd like to hear more about And, you know, again, I think the -- you know, the that.

1	questions that Vice Chair Miller raised about the mapping
2	inconsistencies that need to be pinned down are very important,
3	as is, you know, the whole discussion of impacts of the project.
4	You know, again, I think it could have some very, very positive
5	impacts, but I think it needs to have a balanced discussion of
6	potential impacts. And think that's it. Those were my only
7	comments, in terms of setting this project down for hearing. I
8	think I do support setting for hearing. I think there will
9	be more information that we'll need before and during the hearing
10	in order to really consider the project.
11	CHAIRPERSON HOOD: All right. Thank you. Commissioner

COMMISSIONER STIDHAM: No. I think everyone has pretty much hit everything that we need moving forward, and I am prepared to support setting this down.

CHAIRPERSON HOOD: All right. Sounds good. Thank you, Mr. Jurkovic. We appreciate your report as well. So what I would like to do now is see if Vice Chair Miller will make the motion.

VICE CHAIR MILLER: I'd be happy to, Mr. Chairman. I move that the Zoning Commission set down Zoning Commission Case 24-24, the Consolidated Planned Unit Development and Related Map Amendment from RF-1 to MU-9 at 1201 New York Avenue, Northeast, Parcel 129, Lot 115, and ask for a second.

COMMISSIONER WRIGHT: Second.

12 Stidham, any questions or comments?

1	CHAIRPERSON HOOD: It's been moved and properly
2	seconded. Thank you. Any further discussion?
3	(No response.)
4	CHAIRPERSON HOOD: Not hearing any, Ms. Ackerman, could
5	you do a roll call vote please?
6	MS. ACKERMAN: Commissioner Miller.
7	VICE CHAIR MILLER: Yes.
8	MS. ACKERMAN: Commissioner Wright.
9	COMMISSIONER WRIGHT: Yes.
10	MS. ACKERMAN: Commissioner Hood.
11	CHAIRPERSON HOOD: Yes.
12	MS. ACKERMAN: Commissioner Stidham.
13	COMMISSIONER STIDHAM: Yes.
14	MS. ACKERMAN: Staff records the vote four to zero to
15	one to approve Case Number 24-24 for setdown as a contested case,
16	Imamura not present, not voting. That is all
17	CHAIRPERSON HOOD: Okay. Thank you. Ms. Ackerman, do
18	we have anything else before us? I know the answer's already
19	no, but I just that's normal procedure, so I'm just going to
20	say I think you're on mute. The answer's no. Okay. So let
21	me
22	MS. ACKERMAN: Oh, sorry.
23	CHAIRPERSON HOOD: That's all right. Let me go to
24	and, Ms. Ackerman, I need you to help me with this. I want to
25	make sure people come back at the right time. I don't want to

1	give anybody the wrong information. The Zoning Commission won't
2	meet again until May the 1st, Case Number 24-19, and the case is
3	D.C. Child and Family Services Agency, CFSA, on these same
4	platforms at four p.m.
5	MS. ACKERMAN: That's correct.
6	CHAIRPERSON HOOD: Okay. Good. All right. With that,
7	I want to thank everyone for their participation, and, with that,
8	have a great weekend. See y'all later.
9	(Whereupon, the above-entitled matter went off the
10	record at 4:30 p.m.)
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CERTIFICATION

This is to certify that the foregoing transcript

In the matter of: Public Meeting

Before: D.C. Zoning Commission

Date: 04-24-25

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.

Deborah B. Gauthier

Deboral B. Sauthier