

GOVERNMENT OF
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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REGULAR PUBLIC HEARING

+ + + + +

WEDNESDAY

JUNE 25, 2025

+ + + + +

The Public Hearing of the District of Columbia Board of Zoning Adjustment convened via teleconference, pursuant to notice at 9:30 a.m. EDT, Frederick L. Hill, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

FREDERICK L. HILL, Chairperson
CARL H. BLAKE, Vice Chairperson
CHRISHAUN SMITH, Commissioner
JOSEPH IMAMURA, Commissioner, Zoning Commission

BOARD OF ZONING ADJUSTMENT STAFF PRESENT:

KEARA MEHLERT, Secretary
PAUL YOUNG, A/V Operations

The transcript constitutes the minutes from the Regular Public Hearing held on June 25, 2025.

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

2 (9:30 a.m.)

3 CHAIRPERSON HILL: Good morning ladies and gentlemen
4 to the Board of Zoning Adjustment. Today is 6/25/2025's public
5 hearing will please come to order. My name is Fred Hill, Chairman
6 of the District of Columbia Board of Zoning Adjustment. Joining
7 me today are Board members Carl Blake, Chrishaun Smith and Dr.
8 Joe Imamura. Today's meeting and hearing agenda are available
9 on the Office of Zoning's website. Please be advised this
10 proceeding is being recorded by a court reporter and is also
11 webcast live via Webex and YouTube Live. The video of the webcast
12 will be available on the Office of Zoning's website after today's
13 hearing.

14 Accordingly, everyone who is listening on Webex or by
15 telephone will be muted during the hearing. Also please be
16 advised that we do not take any public testimony at our decision
17 meeting sessions. If you're experiencing difficulty accessing
18 Webex or with your telephone call-in, then please call our OZ
19 hotline number at 202-727-5471 to receive Webex and call-in
20 instructions.

21 At the conclusion of a decision meeting session I
22 shall, in consultation with the Office of Zoning, determine
23 whether a full or summary order may be issued. A full order is
24 required when the decision it contains is adverse to a party
25 including an affected ANC. A full order may also be needed if

1 the Board's decision differs from the Office of Planning's
2 recommendation. Although the Board favors the use of summary
3 orders whenever possible an Applicant may not request the Board
4 to issue such an order.

5 In today's hearing session everyone who is listening
6 by Webex or by telephone will be muted until the hearing and only
7 persons who have signed up to participate or testify will be
8 unmuted at the appropriate time. Please state your name and home
9 address before providing oral testimony or your presentation.
10 Oral presentation should be limited to a summary of your most
11 important points. When you're finished speaking please mute your
12 audio so that your microphone is no longer picking up sound or
13 background noise.

14 Once again, if you're experiencing difficulty accessing
15 Webex, please call the hotline number that's listed on the screen.
16 All persons planning to testify either in favor or in opposition
17 should have signed up in advance. They'll be called by name to
18 testify. If this is an appeal only parties are allowed to
19 testify. By signing up to testify all participants completed the
20 oath or affirmation as required by Y-408.7.

21 Requests to enter evidence at the time of an online
22 virtual hearing such as written testimony or additional
23 supporting documents other than live video which may not be
24 presented as part of the testimony may be allowed pursuant to Y-
25 103.13 provided that the persons making the request to enter an

1 exhibit explains, a) how the proposed exhibit is relevant, b) the
2 good cause justifies allowing the exhibit into the record
3 including an explanation of why the requester did not file the
4 exhibit prior to the hearing pursuant to Y-206 and see how the
5 proposed exhibit would not unreasonably prejudice any parties.
6 The order of procedures for special exception and variances are
7 pursuant to Y-409.

8 At the conclusion of each case an individual who is
9 unable to testify because of technical issues may file a request
10 for leave to file a written version of the planned testimony to
11 the record within 24 hours following the conclusion of public
12 testimony in the hearing. If additional written testimony is
13 accepted the parties will be allowed a reasonable time to respond
14 as determined by the Board. The Board will then make its decision
15 at its next meeting session but no earlier than 48 hours after
16 the hearing.

17 Moreover, the Board may request additional specific
18 information to complete the record. The Board and staff will
19 specify at the end of the hearing exactly what is expected and
20 the date when a person must submit the evidence to the Office of
21 Zoning. No other information shall be accepted by the Board.

22 Finally, the District of Columbia Administrative
23 Procedures Act requires a public hearing on each case be held in
24 the open before the public. However, pursuant to 405(b) and 406
25 of the Act the Board may, consistent with its rules and

1 procedures, enter into a closed meeting on a case for purposes
2 of seeking legal counsel on a case pursuant to D.C. Official Code
3 Section 2-575(b)(4) and/or deliberate on a case pursuant to D.C.
4 Official Code Section 2-575(b)(13) but only after providing the
5 necessary public notice in the case of an emergency closed meeting
6 after taking a roll call vote.

7 Madam Secretary, do we have any preliminary matters?

8 MS. MEHLERT: Good morning, Mr. Chairman, members of
9 the Board.

10 Today's schedule, the expedited review Application No.
11 21323 of Steven and Natalia Graham was administratively
12 rescheduled to the July 23rd, 2025 public meeting. Also the
13 Chairman has reviewed and granted waivers to allow late filings
14 into the applicable case record pursuant to Subtitle Y, Section
15 206.7 and Section 103.13. Any other late filings during the
16 course of today's live hearing should be presented before the
17 Board by the Applicant, parties or witnesses after the case is
18 called. Any other preliminary matters will be noted when the
19 case is called.

20 CHAIRPERSON HILL: Okay. Great. Thank you so much.
21 Chrishaun did not get the memo. And if you would please go ahead
22 and call our first case.

23 MS. MEHLERT: The first case in the Board's hearing
24 session is Application No. 21304 of Muluwork Kenea. This is an
25 application pursuant to Subtitle X, Section 901.2 for a special

1 exception under Subtitle U, Section 251.1(b)(3) to allow the
2 extension of an existing child development home from nine to
3 twelve children as a home occupation use in a three-story
4 principal dwelling.

5 It's located in the R-2 zone at 5357 Gay Street,
6 Northeast, Square 5210, Lot 25, and as a preliminary matter the
7 Applicant submitted a motion to allow an untimely filing to
8 provide supplemental information in Exhibit 28.

9 CHAIRPERSON HILL: Okay. Great.

10 If the Applicant can hear me, if they could please
11 introduce themselves for the record.

12 MS. KENEA: Yes. My name is Muluwork Kenea. My home
13 address is 5357 Gay Street, Northeast, Washington, D.C.

14 CHAIRPERSON HILL: Okay. Great.

15 Ms., how do you say your last name again? I'm sorry.

16 MS. KENEA: Kenea K-E-N-E-A.

17 CHAIRPERSON HILL: Ms. Kenea, are you representing
18 yourself in this one today?

19 MS. KENEA: Yes.

20 CHAIRPERSON HILL: Okay. All right. Okay.

21 I'm going to go ahead and allow into the record the
22 material that you're trying to get in, as I'm taking a look at
23 it and I think it's something the Board would like to be able to
24 see. And if you want to go ahead and explain to us how you think
25 you're meeting the criteria for us to grant this particular

1 relief. I'm going to put 15 minutes on the clock so I know where
2 we are and you can begin whenever you like.

3 MS. KNEA: Okay. You guys, you put my present
4 PowerPoint there or I have to put it?

5 CHAIRPERSON HILL: Yes. No, Ms. Kenea. Mr. Young,
6 could you put up the PowerPoint, please? Thank you.

7 MS. KNEA: Okay.

8 First time, I want to say my name is Muluwork Kenea.
9 I'm serving this community almost 20 years in Washington, D.C.
10 on another childcare but I opened this business since 2016 on
11 Ward 7. My home childcare is extended home childcare and some
12 of my parents they are supporting me on, they are on the meeting,
13 but I wanted to explain some about my program, our program in
14 Ward 7.

15 The most high quality childcare and Head Start program
16 we are working with the parent low income families. We can move
17 it, could you -- okay.

18 I will introduce myself. Our program it is starting
19 since 2016 in 5357 Gay Street, Washington, D.C. We are currently
20 full capacity but we have a lot of parents there on the waiting
21 list for their children's aftercare and an instructional
22 (phonetic) program. We are high quality in D.C. quality rate and
23 I am early Head Start program provider. I'm credential in NAFCC
24 A credential and several most low income family I'm serving, and
25 we in the Southeast and the Northeast and we accept special needs

1 and everything. We don't have discrimination in our program and
2 my program is multi-cultural program. The staff is multi-
3 cultural and we accept all of, raise all color and any economic
4 status too. Next page, please.

5 Why I start my business? It is because I believe that
6 young families deserve both access and high quality child
7 service. In my ten years GAP Community Childcare staff or teacher
8 assistant teacher and the lead teacher. I am experienced and
9 when I have my third child I have to put him in childcare in my
10 community, I didn't, you know, I didn't see that much high quality
11 childcare in my community. That's why I am start my business in
12 home childcare and I extend it, right now I need to extend it
13 until 12.

14 My main purpose is to serve the community and provide
15 all children, they deserve high quality childcare. That is my
16 purpose and my goal, my future goal and all my parents, when they
17 go to their work or they go to school they get, they leave their
18 children in high quality childcare. Next.

19 In our programs, this picture in our backyard when
20 children has a place --

21 CHAIRPERSON HILL: Ms. Kenea?

22 MS. KNEA: Yes.

23 CHAIRPERSON HILL: Can I just interrupt you one second
24 I mean, I can see your slide deck because it's in the record and
25 I'm able to scroll through it. It looks like a lovely business,

1 it really does and it looks like, you know, you're doing your
2 best there for the neighborhood. I'm just kind of interested a
3 little bit more in the zoning issues that are before us so if
4 it's okay, Ms. Kenea, and I know that there's people that I think
5 want to testify, so I just want to kind of get some of the
6 different information from the different parties that we need to
7 hear from. So, Mr. Young, if you could just drop the slide deck
8 for a second and, again, Ms. Kenea, I appreciate the time that
9 you put into that.

10 But let me kind of go run through some of the, because
11 you're trying to go from nine to twelve children, so I think, I
12 don't know if the Board's going to have any, what particular
13 questions they may or may not have.

14 Can I hear from the Office of Planning?

15 MS. BROWN-ROBERTS: Yes. Good morning, Mr. Chairman
16 and members of the BZA. Maxine Brown-Roberts representing the
17 Office of Planning.

18 As you can see from our report, we were not able to
19 provide a full report because we had asked the Applicant for some
20 information that addresses some of the parameters for the special
21 exception. We got some of the information but not all and so we
22 were not able to finalize the report to provide, you know, a full
23 analysis to the BZA. You know, if we get that information, we'll
24 be happy to provide a report.

25 CHAIRPERSON HILL: Right.

1 So, Ms. Kenea, do you understand the information that
2 the Office of Planning is trying to get from you?

3 MS. KENEA: I contact everybody that what they ask to
4 me. I send to them. They have just miscommunication. It is
5 different kind of persons that ask to me. I sent it --

6 CHAIRPERSON HILL: Okay. It's okay. It's okay. It's
7 good.

8 MS. KENEA: Yeah.

9 CHAIRPERSON HILL: It's all right.

10 Well, Ms. Kenea, they're just trying to figure out
11 whether you have enough square footage it looks like per child,
12 right? And so --

13 MS. KENEA: Yeah. I send to Mr. (indiscernible) on
14 Monday. I send on the PowerPoint. He say he didn't receive.
15 Again, I send it on email Monday. I have 450 square feet for
16 the child.

17 CHAIRPERSON HILL: Okay.

18 And, Ms. Brown-Roberts, I'm just trying to help
19 facilitate. What is it exactly that OP is looking for because,
20 I mean, you're looking for some kind of --

21 MS. BROWN-ROBERTS: Yeah. We're looking for that
22 information that she just stated that was sent in on Friday. We
23 were also looking, there's also a requirement that I think the
24 facility cannot occupy more than 25 percent of the total house.
25 We didn't get the square footage of the house to figure that out,

1 which is an important thing for, you know, one of the principal
2 requirements. We didn't get that.

3 Also the HOP requires that any operation outside of the
4 house, you ask for a waiver and there is a, the playground and
5 that sort of thing for the home is outside. So she just needs
6 to ask for a waiver, I mean, you know, there's nothing wrong
7 about that. That's something that we could, will support. But
8 we needed that information.

9 CHAIRPERSON HILL: Okay.

10 So, Ms. Kenea, are you working with Ms. Brown-Roberts?
11 I'm sorry, I don't know how it works over there at OP. Like, do
12 you work directly with the Applicant?

13 MS. BROWN-ROBERTS: Yes. And I did send, I sent her
14 one email and asked for, because as you can see the application
15 did not have a lot of the information concerning the HOP, and so
16 I sent her a list of questions. She did answer some of them and
17 then I requested a second, I sent a second email saying, you
18 know, please address these ones that were not addressed in the
19 first email, so.

20 CHAIRPERSON HILL: Got it.

21 Ms. Kenea, without a report from the Office of Planning
22 there's not much, you know, you're going to be kind of stuck,
23 right? So I need to get a report. So if you have the, if you
24 can answer those questions to Ms. Brown-Roberts --

25 MS. KENEAE: Sure.

1 CHAIRPERSON HILL: -- then we'll be able to kind of move
2 forward. Okay?

3 MS. KENEA: I will do it as soon as possible by today.

4 CHAIRPERSON HILL: Okay. Let me think.

5 Mr. Young, are there people here wishing to speak?

6 MR. YOUNG: Yes, we do.

7 CHAIRPERSON HILL: How many do you have?

8 MR. YOUNG: Well, my list has probably about 15 people.
9 I'm not sure if every single one of them are.

10 CHAIRPERSON HILL: Okay.

11 MR. YOUNG: But I can start calling them in groups of
12 like, four.

13 CHAIRPERSON HILL: No, no. That's okay, because I
14 don't have enough here to really do anything with and so I'm not
15 going to take testimony right now.

16 So for those that are listening it seems like it could
17 possibly be a relatively straightforward thing but I don't know
18 yet, right? And so we won't know either until the Office of
19 Planning has the information that they need to make a
20 recommendation one way or the other, right? I see that you've
21 gone to the ANC and we have a recommendation from your ANC. So,
22 Ms. Kenea, go ahead and get the Office of Planning the information
23 they need, okay, and we'll do a continued hearing on this as soon
24 as we can.

25 I guess, when do you think you can get that information

1 to the Office of Planning, Ms. Kenea?

2 MS. KENEA: I will do it today but I don't know. They
3 receive it on Monday and I have the email, they said they receive
4 everything. I don't know. I'm wondering right now they say they
5 don't have it, but I'll resend it back in.

6 CHAIRPERSON HILL: Okay. Well, obviously there's
7 something that they're missing, right? And so --

8 MS. KENEA: Yeah.

9 CHAIRPERSON HILL: -- it's necessary for you guys to
10 both get on the same page, right?

11 MS. KENEA: Yes. His name is Mr. Hamlin (phonetic).
12 He say he received everything.

13 CHAIRPERSON HILL: Okay. Okay.

14 MS. KENEA: Hamlin, Mark. He was, we was on the phone.
15 He say he receive everything and he say everything fine.

16 CHAIRPERSON HILL: Ms. Mehlert, if you can help
17 coordinate this that would be helpful maybe?

18 MS. MEHLERT: Sure, yeah. We'll take a look and --

19 CHAIRPERSON HILL: Okay. Great.

20 So then we're off, we're back here, we have a hearing
21 on the 2nd, we have a hearing on the 2nd, then we're off on the
22 9th. Then we have three more days, right? I wonder if you could
23 get this back to us by the 2nd? I don't think so. Maybe.

24 Ms. Brown-Roberts, do you think we'll be able to get
25 back here by the 2nd?

1 MS. BROWN-ROBERTS: Next Wednesday?

2 CHAIRPERSON HILL: Yes. That's a week from now.

3 MS. BROWN-ROBERTS: Yes, yes.

4 CHAIRPERSON HILL: Okay. Let's --

5 MS. BROWN-ROBERTS: Yeah. If she gets the information
6 to me, yes.

7 CHAIRPERSON HILL: Okay.

8 So, Ms. Kenea, try to get the information. Trying to
9 figure it out because if I don't get a report we're just going
10 to keep kicking you down the road. Okay? And so, I'll let the
11 secretary, Ms. Mehlert, help coordinate this, okay, and then
12 we'll try to get you -- how many cases we got on the 2nd, Ms.
13 Mehlert?

14 MS. MEHLERT: There are five and so this would be the
15 sixth case.

16 CHAIRPERSON HILL: Okay. We'll try to bring you back
17 here next week. Okay, Ms. Kenea?

18 MS. KENEAL: Okay. Thank you very much. I really
19 appreciate.

20 CHAIRPERSON HILL: Yes. And then I guess we'd hopefully
21 get a report from the Office of Planning by Monday, Ms. Brown-
22 Roberts? Is that okay?

23 MS. BROWN-ROBERTS: Yes, Mr. Chairman.

24 CHAIRPERSON HILL: Okay. Or Tuesday. I mean, like,
25 whatever you think. So then, you know, I don't know how much

1 time you guys need.

2 You were going to say something, Ms. Mehlert? No?

3 Okay. Great. All right. Then I'm going --

4 VICE CHAIRPERSON BLAKE: Okay. Go ahead, Mr. Blake.

5 VICE CHAIRPERSON BLAKE: Ms. Brown-Roberts, I just want
6 to make sure I understand exactly what you're asking for. The
7 primary question that I think I'm hearing is the issues of total
8 square footage of the house and the part that is resident
9 occupied --

10 MS. BROWN-ROBERTS: Yes.

11 VICE CHAIRPERSON BLAKE: -- so that your .5 percent
12 threshold can be determined?

13 MS. BROWN-ROBERTS: Right. Yes.

14 VICE CHAIRPERSON BLAKE: And the number of residents,
15 non-residents that will be employed and the number of residents
16 that will be employed; is that correct?

17 MS. BROWN-ROBERTS: Right.

18 VICE CHAIRPERSON BLAKE: So the two main pieces of
19 information. Okay. So those are fairly straightforward and it's
20 my understanding we can actually (indiscernible) 251.6 actually
21 weigh both of those if there is an issue. So it is really, you
22 need just those two pieces of information I think is all that
23 we're really asking for. Is that, if I'm correct?

24 MS. BROWN-ROBERTS: Yes. Those are the main issues,
25 yes.

1 MS. KENEA: Yeah. Two side is already, I'm working the
2 first floor also already approved before Covid about the place,
3 the space, because the licensing is OC and OC give us a fund
4 (phonetic) and they are, what is it, they fix the place in 2018
5 because of Covid I didn't extend it. That is lift --

6 CHAIRPERSON HILL: No, it's all right, Ms. Kenea. Just
7 go ahead and work with the Office of Planning. Okay?

8 MS. KENEA: Okay.

9 CHAIRPERSON HILL: And we'll get you back here on the
10 2nd. Okay?

11 MS. KENEA: Okay.

12 CHAIRPERSON HILL: All right. I'm going to close this
13 portion of the hearing and the record and come back for a
14 continued case on the 2nd. Okay. Great.

15 Thank you, Ms. Kenea.

16 MS. KENEA: Thank you.

17 CHAIRPERSON HILL: Thank you everybody. Okay. So
18 we'll come back for a continued hearing. Okay. All right.

19 Ms. Mehlert, you can call our next one when you get a
20 chance?

21 MS. MEHLERT: Next is Application No. 21288 of Shiljar
22 Nair and Vijayalakshmi Vellayan. Sorry about the pronunciation.
23 As amended, this is a self-certified application pursuant to
24 Subtitle X, Section 901.2 for a special exception under Subtitle
25 U, Section 601.1(f) to allow a residential use on an alley lot

1 not needing the alley with requirements of Subtitle U, Section
2 600.1(f).

3 This is for a new two-story detached principal dwelling
4 on an alley lot located in the RF-3 zone at 321 Rear Channing
5 Street, Northeast, Square 3555, Lot 800. This was originally
6 scheduled for the May 14th hearing and postponed at the
7 Applicant's request and we'll also note that ANC 5F's letter in
8 support was added to the record yesterday in Exhibit 32.

9 CHAIRPERSON HILL: Okay. Great.

10 If the Applicant can hear me, if they could please
11 introduce themselves for the record.

12 MS. WILSON: Hi. Alex Wilson from Sullivan & Barros
13 on behalf of the Applicant in this case. We do have the owner
14 and architect signed up I believe. I don't see them on but if
15 we need them we can get them on.

16 CHAIRPERSON HILL: Okay.

17 Let's see what we need or who we need things from. If
18 you want to go ahead and walk us through your client's application
19 and why you believe they're meeting the criteria for us to grant
20 the relief requested. I'm going to put 15 minutes on the clock
21 so I know where we are and you can begin whenever you like.

22 MS. WILSON: Great. Thank you so much. Mr. young,
23 could you please pull up the presentation? Thank you. Could
24 you please go to the next slide? Thank you.

25 So the property is located in the R-3 zone. Ms. Nair,

1 along with her family, own the street facing lot at 321 Channing,
2 the alley lot directly behind it which is the subject property
3 at 321 Rear Channing as well as a smaller alley lot to the south
4 which is identified with the orange arrow. The subject alley lot
5 is directly to the south of the street facing lot. It's where
6 the grey marker is to the north of the orange arrow and this
7 alley lot was created in 1931 in its current configuration. It's
8 relatively large. It's about the same size as the street facing
9 lots and Ms. Nair plans to construct a small single family home
10 on the lot and live there. She will use the smaller alley lot
11 to the south, Lot 111, to satisfy the parking requirement.

12 In terms of the relief we are requesting, single family
13 homes on alley lots are permitted by-right if there's access
14 through either a 24 foot wide alley or a 15 foot wide alley within
15 300 feet of a public street. This property is 300 feet from 4th
16 Street as shown on the map, but the alley narrows to below 15
17 feet. So it doesn't meet that by-right requirement and that's
18 why we're seeking special exception relief as that alley narrows
19 to below 15 feet. Next slide, please.

20 The Office of Planning is recommending approval. DDOT
21 has no objection. FEMS has no objection. The Applicant
22 consistently reached out to other agencies but did not receive a
23 response. ANC 5F voted unanimously in support. There are
24 multiple ANC meetings as is standard for this ANC. We presented
25 last month to the ANC, then the Zoning Committee actually walked

1 through the property and then this was in front of the ANC again
2 last week where we received a vote in support.

3 So in addition to the three public meetings and the
4 public notices from Office of Zoning, we sent additional notices
5 to the neighbors and Ms. Nair spoke to a few neighbors in person
6 and no concerns were raised at that time, and the directly
7 adjacent neighbors have not raised any concerns.

8 I did see a couple of letters in the record submitted
9 Monday. They appeared to be referring to big alley green space
10 further south. There seems to be some confusion about where the
11 proposed new house is going to go, but this project would not
12 impact any community green space. It's not near that space and
13 so it seems like the issues raised in those letters aren't
14 directly related to the property and appear to be more global
15 issues.

16 This specific case is based on the fact that the alley
17 narrows to less than 15 feet and of course this is an alley lot
18 that's existed for 100 years in its current configuration. It's
19 finally being improved and meeting all of the development
20 standards including those for green space and pervious surface,
21 so this should be an overall positive given the comments therein.
22 Next slide, please.

23 So the Applicant also owns the street facing lot
24 directly to the north and so she's going to create an easement
25 for egress through that front lot. The easement's not necessary

1 for approval but I did want to mention it since it provides
2 additional assurances regarding access by emergency services
3 although of course FEMS said it had no objection, even without
4 this easement and so this map highlights that the alley lot is
5 just as large as the street facing lot to the north and shows
6 where that egress will be located. Next slide, please.

7 Even though this lot is quite large for an alley lot
8 in this square the house itself is going to be relatively small,
9 provide the appropriate setbacks. The letters raised concerns
10 over equity and spoke to some larger scheme that Ms. Nair is
11 planning. Ms. Nair is of course permitted to do what she likes
12 with her properties within the zoning regulations and approvals
13 by this Board, but this particular project is not pushing any
14 boundaries. It's not asking for any relief for the building
15 envelope. It's a modest home, still has plenty of adjacent yard
16 space. It meets all the setbacks. It exceeds the previous
17 surface requirement and she is going to live here and the other
18 lot she owns in the alley will be used to meet the parking
19 requirement she has for this home, again, trying to do everything
20 within the regulations to the extent possible. Next slide,
21 please.

22 And the regulations are safely met. The purpose of the
23 special exception is to ensure adequate access from the relevant
24 agencies and that the property is large enough to support a home.
25 In this case the property has nearly three times the required

1 square footage required in this zone. It's limited to one
2 dwelling unit. It connects to a public street within 300 feet
3 and there is an easement proposed through the street facing
4 property for good measure. Every agency has been served and
5 FEMS, arguably one of the more critical agencies, has no
6 objection. OP recommends approval and DDOT has no objection.
7 Next slide, please.

8 This just shows the floor plan in more detail. And
9 next slide, please.

10 And this is the plats and, as I said, if we have any
11 additional questions about the plans we can get the architect on
12 as well as Ms. Nair, but that concludes the main presentation and
13 I'm happy to answer any questions.

14 CHAIRPERSON HILL: Okay. Thanks, Ms. Wilson.

15 Before I turn to the Board, okay, go ahead, Mr. Blake.

16 VICE CHAIRPERSON BLAKE: Yes. Ms. Wilson, I just want
17 to make sure you said on the parking, I mean the relief removed
18 the request for relief there, is there an easement for the parking
19 as well? I may have missed that in the presentation. I know
20 there's an easement for access, but you're going to have the
21 parking next door or in its own lot, but is there going to be an
22 established easement there?

23 MS. WILSON: So I will have to double check this, but
24 I believe the requirement is that it has to be within 600 feet
25 and then when we go to permitting if it's commonly owned that's

1 sufficient and there's doesn't need to be a separate easement.
2 There just needs to be, like, some sort of lease agreement shown
3 to DOB. But I can double check and if there is a requirement
4 for some sort of parking easement we could do that, but it's a
5 completely separate lot and it's not directly adjacent. So I
6 think she would just create some sort of parking agreement is
7 typically what they require.

8 VICE CHAIRPERSON BLAKE: Okay. So my question is that,
9 and this is just for more informational purposes for me, to the
10 extent since she sold that other property the right to continue
11 to have space there, would that be continued as well? It seems
12 without an easement it wouldn't and then I guess you'd just have
13 to come back for relief then.

14 MS. WILSON: Yeah. We would either have to come back
15 for relief although, and this is in the future and it may not
16 pass, the new regulations would actually remove the, the newly
17 proposed regulations would remove this parking requirement. So
18 we would either have no parking requirement or we would need to
19 come back for relief.

20 VICE CHAIRPERSON BLAKE: Okay. Thank you.

21 CHAIRPERSON HILL: Okay. Great.

22 Can I turn to the Office of Planning?

23 MR. JESICK: Thank you, Mr. Chairman, and members of
24 the Board. My name is Matt Jesick presenting OP's testimony in
25 this case.

1 And the Office of Planning is happy to rest on the
2 record in support of the application, but I'd be happy to take
3 any questions.

4 Thank you.

5 CHAIRPERSON HILL: Okay. Thanks, Mr. Jesick.

6 Well, since Mr. Iglesias, I guess Mr. Iglesias as you
7 joined us, do you want to introduce yourself?

8 MR. IGLESIAS: Yes. Good morning. My name is Carlos
9 Iglesias with JMI Developers. We are the design team for the
10 project.

11 CHAIRPERSON HILL: Okay. Great. Thank you.

12 MR. IGLESIAS: And I can answer question that the Board
13 has.

14 CHAIRPERSON HILL: Okay. Great. Thank you, Mr.
15 Iglesias. All right

16 Does the Board have any questions for anybody?

17 (Pause.)

18 CHAIRPERSON HILL: Okay. Mr. Young, is there anyone
19 here wishing to speak?

20 MR. YOUNG: Yes. We have two witnesses signed up.

21 CHAIRPERSON HILL: Okay. Want to give me their names,
22 please.

23 MR. YOUNG: Yes. It is Jessica Sarstedt and Paige
24 Lieberman.

25 CHAIRPERSON HILL: Okay. Got it.

1 Ms. Sarstedt, can you hear me?

2 MS. SARSTEDT: I'm going to have my colleague Paige go
3 first.

4 CHAIRPERSON HILL: Okay. Who's your colleague?

5 MS. SARSTEDT: The other person on here to testify,
6 Paige Lieberman.

7 CHAIRPERSON HILL: Oh, got it. But you both signed up
8 but you -- okay, Ms. Lieberman, can you hear me?

9 MS. LIEBERMAN: I can hear you, yes. Thank you.

10 CHAIRPERSON HILL: Okay. You both signed up though and
11 completed the oath and everything, correct?

12 MS. LIEBERMAN: Correct.

13 MS. SARSTEDT: Yes.

14 CHAIRPERSON HILL: Okay. All right.

15 Ms. Lieberman, as a member of the public you'll have
16 three minutes to give your testimony and you can begin whenever
17 you like.

18 MS. LIEBERMAN: Thank you.

19 So I'm commenting on the application as a resident of
20 Edgewood and also vice president of the Edgewood Alley Green non-
21 profit who owns land directly adjacent to the piece of land we're
22 talking about at this hearing.

23 I know the attorney for the development had said that
24 there was no, there's a misunderstanding of what property we're
25 talking about and that there was no neighborhood objection but

1 I'm here to speak on behalf of many neighbors who were not able
2 to attend today and voice (indiscernible) --

3 CHAIRPERSON HILL: Ms. Lieberman, Ms. Lieberman, Ms.
4 Lieberman?

5 CHAIRPERSON HILL: Does your camera work?

6 MS. LIEBERMAN: Yes.

7 CHAIRPERSON HILL: Could you turn it on?

8 MS. LIEBERMAN: Sure. Yes.

9 CHAIRPERSON HILL: Okay. Great. Thanks.

10 And then you say you're speaking on behalf of people.

11 Do you have something written that says you're speaking on behalf
12 of people?

13 MS. LIEBERMAN: Yes. I'm happy to provide that. I did
14 not submit that but I am happy to provide that. A lot of the
15 people in this neighborhood are working class and just couldn't
16 join a virtual call at 10 a.m.

17 CHAIRPERSON HILL: Okay. Okay. Go ahead and give us
18 your testimony.

19 MS. LIEBERMAN: Of course, yeah.

20 So the area in question today is not just part of an
21 alley, it's a shared open space surrounded by row houses that has
22 long served as a gathering point. It's been a chop shop, a
23 parking lot and a dumping ground. In late 2019 it was also the
24 site of a tragic death when a neighborhood resident overdosed in
25 their parked car due to the collective negligence of the community

1 to ignore this space. That's when everything changed. In 2020
2 supported by various city departments, neighbors got the space
3 cleaned up of abandoned cars, bulk trash and overgrown weeds and
4 in the process we wove our community together even tighter.

5 Fast forward to 2025 and dozens of families have pooled
6 significant financial resources and time to form Edgewood Alley
7 Green, a non-profit that's turning the space into an official
8 community park. It's been a seismic difference for Edgewood with
9 people using it for everything from a quiet spot to enjoy nature
10 to hosting community gatherings for birthdays and holidays. Our
11 organization is now on track to own about half of the open space
12 by this time next year which will serve the entire neighborhood,
13 not just one house.

14 While this may seem like a small zoning change and
15 proposed development, it's important to note that this hearing
16 is not being held in a vacuum. In addition to this property, as
17 shown, this owner has purchased an adjacent property with a home
18 on it that has been unkept and sat empty for over a year. They've
19 also purchased an additional alley lot that's not adjacent and
20 building additional structures in this area, especially with
21 alley only access would drastically alter the character of this
22 green space and undermine years of community led restoration.

23 In the end for us it's about equity. If we think about
24 it if this hearing were being held about a zoning change in
25 another part of the city, Wesley Heights, Sixteenth Street

1 Heights, Foggy Bottom, in fact it wouldn't be held because those
2 neighborhoods already have exceptions in the city zoning to block
3 development, to "preserve areas planned as open backyards and
4 protect the light, air and privacy that they provide."

5 I can assume that these neighborhoods receive this
6 carve out because of political clout and financial resources.
7 They don't want their alley lots turned into residences. They
8 don't want their access to the alley and open space blocked by
9 construction vehicles, construction dust or other cars. They get
10 that without even showing up to a hearing. But who gets to
11 request that their families benefit from the light, air and
12 privacy of an alley way. Edgewood didn't have the means to get
13 this kind of special treatment before this development was
14 proposed, but you can help to stop it.

15 Inequity doesn't happen accidentally. It also doesn't
16 always happen because of malicious intent. It happens because
17 we have a system that allows individuals to use it in a selfish
18 way that benefits themselves. In theory that's why stopgaps like
19 zoning boards exist. They have the ability to perpetuate the
20 inequity and you have the opportunity to even the playing field.

21 I look forward to seeing how you vote, and thank you
22 for listening.

23 CHAIRPERSON HILL: Okay. Great. Thank you, Ms.
24 Lieberman.

25 Ms. Sarstedt, and I'm sorry if I'm not pronouncing your

1 name correctly, can you --

2 MS. SARSTEDT: You got it right.

3 CHAIRPERSON HILL: Okay. Great.

4 Does your camera work also?

5 MS. SARSTEDT: I don't seem to have a camera option.

6 CHAIRPERSON HILL: Okay. No problem.

7 If you can again introduce yourself for the record and
8 then you'll give three minutes of your testimony.

9 MS. SARSTEDT: Thank you.

10 I am Jessica Sarstedt, resident of Edgewood. I'm
11 commenting on Application 21288 as a resident of Edgewood living
12 directly behind the property in question today, and as the
13 president of Edgewood Alley Green non-profit.

14 In addition to the remarks shared by my colleague,
15 Paige, I want to highlight the wide ranging support this park has
16 received and the value we would all be jeopardizing by allowing
17 this proposed development. This is a very small block and an
18 additional structure is really the last thing this neighborhood
19 needs. Creating this park has been a five year uphill battle
20 and we've many more years to go. However, we've been supported
21 by partners for three main reasons.

22 Heat island mitigation. Edgewood is a heat island. In
23 2017 a D.C. Policy Center Study showed that on a typical day in
24 August the high temperature was officially 93, but actual on the
25 ground variance ranged from 73 in Rock Creek area to 102 near

1 Edgewood. Bottom line, the difference is green space. With heat
2 comes danger the study noting that Edgewood has one of the highest
3 risk neighborhoods for heat stroke, heat related illness based
4 solely on tree canopy. That's why we've gotten support from
5 Pepco and Casey Trees to support this green space.

6 Crime reduction. Research has repeatedly shown a
7 correlation between green spaces and reduced crime. For many
8 years this alley was known for a spot for dumping illegal cars
9 and selling illicit drugs. Since becoming a green space it's now
10 a safe and welcoming space for neighbors and children. In 2023
11 a study by NBC4 Washington used the GIS analysis to map violent
12 crimes across the city with an overlay of tree canopy. There
13 was an undeniable connection. Tree canopy leads to lower violent
14 crimes and allowing more dense development would be a threat to
15 the trajectory of the crime reduction so desperately needed in
16 Edgewood and the Metropolitan Police Department has supported
17 multiple community events in the park for this reason. We've had
18 multiple police in support of our events in the past.

19 And finally flood mitigation. Edgewood has faced
20 severe flooding issues. In 2020 six inches of rain fell in just
21 70 minutes leading to water bleaching from toilets and drains
22 affecting 30 homes bordering this exact alley way and nothing has
23 been done in terms of infrastructure mitigation since then. In
24 2023 neighbors watched this tragedy repeat as two dozen homes
25 were flooded and ten dogs drowned in the daycare just a block

1 away. This specific part of Edgewood desperately needs more
2 green space and less development to curb flood mitigation. Our
3 park helps to manage stormwater and aligns with city
4 infrastructure upgrades like the Boundary Tunnel. More
5 development and paving will just hinder this goal.

6 And before my time expires I do want to address the
7 housing issue. I'm fully aware that one argument in favor of
8 the zoning is to add additional housing which is desperately
9 needed in our city. No doubt about it. But in a time when
10 affordable housing is a major challenge in our country and in our
11 city. While I fully support this argument that's not what is
12 happening here. This development will create another non-
13 affordable home with no guarantees on affordability. It will
14 replace a hard won green space with density and disruption.
15 Another structure is the last thing this specific block needs
16 right now.

17 Thank you for your time.

18 CHAIRPERSON HILL: Okay. Great. Thank you.

19 I'm a little confused about one thing. So either Ms.
20 Sarstedt or Ms. Lieberman, I mean you guys don't own the lot that
21 we're talking about, right?

22 MS. SARSTEDT: No, we do not. The Applicant owns the
23 lot.

24 CHAIRPERSON HILL: Okay. So you're trying to buy the
25 lot?

1 MS. SARSTEDT: No. We're trying to convey to you all
2 that additional structures on top of lots very, very close to
3 each other including lots close to a green space is the last
4 thing this community needs.

5 CHAIRPERSON HILL: Okay. Got it.

6 Did you guys go to the ANC meeting?

7 MS. LIEBERMAN: We were not aware that this was on the
8 agenda for the ANC meeting. We just saw that this hearing was
9 posted and that's the only notification we got that this was
10 happening.

11 CHAIRPERSON HILL: Got it. Okay. Because your ANC
12 voted in favor.

13 MS. SARSTEDT: Yeah. We were just made aware of that
14 today.

15 CHAIRPERSON HILL: Okay.

16 MS. SARSTEDT: We also had ANC support for the park,
17 so not sure what happened there.

18 CHAIRPERSON HILL: Okay.

19 MS. LIEBERMAN: This is a very unique alleyway where
20 there are about 24 different parking spaces within it, so Edgware
21 Alley Green is working to take ownership of many of those, as
22 many of those lots as possible. We've got about half of them
23 right now to create a park.

24 CHAIRPERSON HILL: Okay. Okay.

25 Does the Board have any questions of the witnesses?

1 (Pause.)

2 CHAIRPERSON HILL: Okay. All right, Ms. Lieberman, Ms.
3 Sarstedt, thank you so much for joining us today.

4 MS. SARSTEDT: Thank you.

5 CHAIRPERSON HILL: Okay. Great.

6 Mr. Young, there's no one else, correct? Mr. Young?
7 Okay. I don't think there's any more witnesses, you said there's
8 two. All right.

9 Does the Board have any questions, final questions for
10 anybody?

11 (Pause.)

12 CHAIRPERSON HILL: Okay. Ms. Wilson, do you have
13 anything you'd like to add at the end?

14 MS. WILSON: Thank you all for your time today.

15 CHAIRPERSON HILL: Okay. Great. Thank you. All right.

16 I'm going to go ahead and close the hearing and the
17 record.

18 (Pause.)

19 CHAIRPERSON HILL: All right. So I'm just going to
20 refer the witnesses also to the Office of Planning's report in
21 Exhibit 26 and I'm, again, going through right now.

22 I mean, I was a little, no, I wasn't confused. The
23 Applicant's trying to do something with their property. It's
24 their property, they can do whatever they want to do with their
25 property as long as they meet the criteria for which to do it

1 and so we're looking at the different things that are necessary
2 and they need a little bit of relief because of the narrowness
3 of that particular alley part.

4 I do think that I will agree with the analysis the
5 Office of Planning has put forward. I hear and understand what
6 the witnesses were talking about and I do wish them the best of
7 luck in terms of getting more green space for their foundation
8 and, you know, for the neighborhood there. But, you know, I
9 can't do anything really about somebody's private property and
10 so anyway, I'm going to agree with the analysis the Office of
11 Planning has put forward and also that the ANC has also done
12 their analysis to look at the property and also believe that they
13 meet the criteria to grant this relief, and so I'll be voting in
14 favor of this application.

15 Mr. Smith, is there anything you'd like to add?

16 COMMISSIONER SMITH: No, Chairman Hill. I agree with
17 your assessment of this case and the Office of Planning's
18 assessment of this case.

19 I do hear the concerns that was raised by the parties,
20 the individuals that are in opposition and I, you know, highly
21 support where they're going with trying to create additional open
22 space within the neighborhood but the private property rights is
23 private property rights. We have an Applicant that owns the
24 property and we have to act on the application before us, not
25 necessarily act on it any way that would deny this to give the

1 two individuals that are in opposition the opportunity to buy the
2 lots for open space purposes. While noble we have to act on the
3 application and based on what is submitted for the application I
4 do believe they've met the burden of proof for us to grant the
5 special exception, noting again the ANC is in support and the
6 agency that typically would be in opposition to any type of
7 alley-type construction because of public safety concerns are not
8 in opposition. DDOT, FEMS, they're not in opposition to this
9 request by the Applicant. So with that I will vote to support.

10 CHAIRPERSON HILL: Thank you.

11 Vice Chair Blake?

12 VICE CHAIRPERSON BLAKE: Mr. Chair, I agree with the
13 comments that you've made and that Board member Smith made and I
14 am in support of the application.

15 CHAIRPERSON HILL: Thank you.

16 Dr. Imamura?

17 ZC COMMISSIONER IMAMURA: Thank you, Mr. Chairman.

18 I'm in agreement with my colleagues and everything that
19 you stated. I was a little confused in sort of the description
20 of the park. It looks like, it's kind of unkept, an unimproved
21 lot there but I do commend, as Board member Smith said, their
22 activism is commendable and wish them the best, but prepared to
23 vote in support.

24 CHAIRPERSON HILL: Okay.

25 I'm going to go ahead and make a motion to approve

1 Application No. 21288 as captioned and read by the secretary, and
2 ask for a second. Mr. Blake?

3 VICE CHAIRPERSON BLAKE: Second.

4 CHAIRPERSON HILL: Motion is made and seconded. Madam
5 Secretary, can you take a roll call?

6 MS. MEHLERT: Please respond to the Chair's motion to
7 approve the application.

8 Chairman Hill?

9 CHAIRPERSON HILL: Yes.

10 MS. MEHLERT: Vice Chair Blake?

11 VICE CHAIRPERSON BLAKE: Yes.

12 MS. MEHLERT: Board member Smith?

13 COMMISSIONER SMITH: Yes.

14 MS. MEHLERT: Dr. Imamura?

15 ZC COMMISSIONER IMAMURA: Yes.

16 MS. MEHLERT: Staff records the vote as four to zero
17 to one to approve Application No. 21288 on the motion made by
18 Chairman Hill and seconded by Vice Chair Blake.

19 CHAIRPERSON HILL: Thank you, Ms. Mehlert. You can
20 call our next one, please.

21 MS. MEHLERT: Next case is Application No. 21284 of T-
22 Mobile Northeast, LLC. This is a self-certified application
23 pursuant to Subtitle X, Section 901.2 for a special exception
24 under Subtitle C, Section 1313 to allow a new monopole. This
25 involves a new telecommunications facility on an existing public

1 school campus located in the RA-1 zone at 3401 4th Street,
2 Southeast, Parcel 0243/0059. As a preliminary matter the
3 Applicant submitted a motion to allow an untimely filing for an
4 updated letter of authorization in Exhibit 28.

5 CHAIRPERSON HILL: Okay.

6 If the Applicant can hear me, if they could please
7 introduce themselves for the record.

8 MS. SMALLWOOD: Hi. Good morning. I'm Corinne
9 Smallwood with Network Building + Consulting representing T-
10 Mobile.

11 CHAIRPERSON HILL: Okay. And I guess, Ms. Smallwood,
12 you wanted to put something into the record that clarifies that
13 you have the ability to be here and testifying?

14 MS. SMALLWOOD: Yes, that's correct. We had initially
15 submitted an authorization for DGS on behalf of NB&C but we added
16 a one from T-Mobile as well to the record.

17 CHAIRPERSON HILL: Okay. Great. I'm going to go ahead
18 and allow that into the record so the Board can take a look at
19 it.

20 If you want to go ahead and walk us through your
21 presentation and let us know how you think you're meeting the
22 criteria for us to grant the relief, and I'm going to put 15
23 minutes on the clock so I know where we are, and you can begin
24 whenever you like.

25 MS. SMALLWOOD: Absolutely. Thank you.

1 Today we are requesting special exception relief for
2 the construction of an antenna tower at 3401 4th Street,
3 Southeast, Ballou High School. We're here today with support
4 from the Office of Planning and as well as support from ANC 8C.
5 Mr. Young, if you would please share the presentation. Thank
6 you. Next slide.

7 As mentioned T-Mobile is requesting a special exception
8 relief pursuant to Section 1313. T-Mobile is proposing to install
9 a monopole of 120 feet in height at Ballou High School. The new
10 monopole would accommodate the relocation of existing antennas
11 on the roof of 3720 Martin Luther King, Jr. Avenue, Southeast
12 which are currently no longer in operation due to vandalism.
13 This has caused a drop in coverage for T-Mobile in the area.

14 The 3720 Martin Luther King, Jr. Avenue location is a
15 DGS-owned location as well. This relocation of the monopole
16 would continue coverage in the neighborhood and allow for co-
17 location of other carriers as well. The monopole is proposed to
18 be located on the northern edge of the existing parking area on
19 the eastern side of the property. Next slide, please.

20 Some background is the proposed T-Mobile monopole is
21 strategically designed to visually integrate with the existing
22 vertical infrastructure. So this is a, there are future slides
23 that will show imagery of this, but there are several light
24 standards and utility poles in the area. The monopole will
25 visually integrate with this space causing minimal visual impact

1 and maintaining the consistency with the built environment.

2 We did look into the possibility of swapping out an
3 existing light standard for the monopole. Due to
4 constructability and height requirement this was not feasible.
5 The monopole itself will be DGS owned and maintained by T-Mobile
6 and based on the satisfaction of the criteria and conditions
7 within 1313 the proposed monopole use for T-Mobile would be in
8 harmony with the intent and purpose of the zoning regulations.
9 Next slide, please.

10 This is a photo simulation of what the proposed
11 monopole would look like. Next slide.

12 Here is where on the property the monopole would be
13 located. Next slide.

14 Next slide.

15 This is the site plan. Next slide.

16 And here is an elevation view of the monopole. The
17 compound would be at the base of the monopole fenced in to match
18 the existing fencing on the property and this does show that the
19 monopole has opportunity for two additional co-locations of other
20 wireless carriers if they so choose to join. Next slide.

21 This slide is showing the existing site at 3720 Martin
22 Luther King, Jr. Avenue which has now been decommissioned due to
23 vandalism, so the proposed monopole is covering the majority of
24 the area that was impacted of loss of T-Mobile coverage due to
25 that decommissioned site. Next slide.

1 I have a few photo simulations here. These are where
2 our viewpoints are shown from the site. Next slide.

3 This is the existing. Next slide.

4 Proposed. As you can see the monopole -- what was
5 that? Sorry. The monopole blends in or is visually minimally
6 impacting the area due to the other high structures in the area.
7 Next slide.

8 Existing. Next.

9 Proposed. Next.

10 We have existing. Next.

11 Proposed. Next slide.

12 Existing. Next slide.

13 Proposed. Next slide.

14 This one the site is not visible. Next slide.

15 And also not visible here from Mississippi Avenue.
16 Next slide, please.

17 Okay. That concludes our presentation. Thank you.

18 CHAIRPERSON HILL: Okay. Thank you.

19 Before I turn to the Board, could I hear from the Office
20 of Planning.

21 MS. THOMAS: Yes. Good morning, Mr. Chair, members of
22 the Board. Karen Thomas with the Office of Planning.

23 And we are in support of this monopole on the Ballou
24 High School property. We, I just want to note for the record as
25 a point of information that HSEMA emergency management in the

1 District has had this consistent complaint of vandalism of
2 telecommunications equipment and this installation is in support
3 of trying to mitigate the vandalism of equipment,
4 particularly for the District. DGS is going to be owning this
5 monopole and if I misspoke, I had in my report that maintenance
6 would be conducted by DGS but apparently based on what the
7 Applicant just said, T-Mobile would be maintaining it. But the
8 District will be owning this monopole and it's a very important
9 location for service in the Southeast of the District.

10 So we are in support of this application. It has met
11 the standards and the criteria.

12 Thank you.

13 CHAIRPERSON HILL: Okay. Thank you, Ms. Thomas.

14 Mr. Young, is there anyone here wishing to speak?

15 MR. YOUNG: We do not.

16 CHAIRPERSON HILL: Okay.

17 Does the Board have any questions for the Office of
18 Planning and/or the Applicant?

19 (Pause.)

20 CHAIRPERSON HILL: Okay. Ms. Smallwood, do you have
21 anything you'd like to add at the end?

22 MS. SMALLWOOD: I do not. Thank you.

23 CHAIRPERSON HILL: Okay. Great. Thank you.

24 I'm going to close the hearing and the record. Okay.
25 I thought this is relatively straightforward. I don't have any

1 issues with it. I thought the pictures were actually really
2 helpful and so I'm going to agree with the Office of Planning's
3 analysis as well as that of the ANC and vote in favor of this
4 application.

5 Mr. Smith, is there anything you'd like to add?

6 COMMISSIONER SMITH: Nothing to add, Chairman Hill.
7 I'm in support.

8 CHAIRPERSON HILL: Mr. Blake?

9 VICE CHAIRPERSON BLAKE: I'm in support, Mr. Chair.

10 CHAIRPERSON HILL: Thank you.

11 Dr. Imamura?

12 ZC COMMISSIONER IMAMURA: I'm in support.

13 CHAIRPERSON HILL: Okay.

14 I'm going to make a motion to approve Application No.
15 21284 as captioned and read by the secretary, and ask for a
16 second. Mr. Blake?

17 VICE CHAIRPERSON BLAKE: Second.

18 CHAIRPERSON HILL: Motion is made and seconded. Madam
19 Secretary, can you take a roll call?

20 MS. MEHLERT: Please respond to the Chair's motion to
21 approve the application.

22 Chairman Hill?

23 CHAIRPERSON HILL: Yes.

24 MS. MEHLERT: Vice Chair Blake?

25 VICE CHAIRPERSON BLAKE: Yes.

1 MS. MEHLERT: Board member Smith?

2 COMMISSIONER SMITH: Yes.

3 MS. MEHLERT: Dr. Imamura?

4 ZC COMMISSIONER IMAMURA: Yes.

5 MS. MEHLERT: Staff would record the vote as four to
6 zero to one to approve Application 21284 on the motion made by
7 Chairman Hill and seconded by Vice Chair Blake.

8 CHAIRPERSON HILL: Okay. Great. Thank you.

9 You guys, can we just take a quick ten minute break and
10 we'll come back? Thank you so much.

11 (Whereupon, there was a brief recess.)

12 CHAIRPERSON HILL: All right, Madam Secretary. Could
13 you call us back in and call our next case, please.

14 MS. MEHLERT: The Board is back from a quick break and
15 returning to its hearing session. The next case is Application
16 No. 21305 of the Minerva Vision Group. This is a self-certified
17 application pursuant to Subtitle X, Section 901.2 for a special
18 exception under Subtitle U, Section 203.1(d) to allow a community
19 center use for a non-profit and charitable purposes in an existing
20 one-story detached building. It's located in the RA-1 zone at
21 2430 Ainger Place, Southeast, Square 5740, Lot 295.

22 CHAIRPERSON HILL: Okay. Great.

23 If the Applicant can hear me, if they could please
24 introduce themselves for the record. I think you're on mute, Mr.
25 Jordan.

1 MR. JORDAN: Good morning, Mr. Chairman and Board.
2 Floyd Jordon representing Minerva Vision Group. I also have in
3 attending Katrina Jones who's president of Minerva Vision Group
4 and Carolyn Fuller from my office.

5 CHAIRPERSON HILL: Okay. Great.

6 Well, Chairman Jordan, welcome back. I haven't seen
7 you in a very long time.

8 MR. JORDAN: I was just thinking that. You know, I
9 thought my five years on the Board were something but you've got
10 to be near ten now.

11 CHAIRPERSON HILL: It's starting to, yeah. It's
12 turning into a little bit more than I thought also, Chairman
13 Jordan. Okay.

14 I'll tell you what. Why don't you go ahead and walk
15 us through your application and I know you know what you're doing,
16 and you can begin whenever you like.

17 MR. JORDAN: If I could because I do understand the
18 pressure on the Board and these weekly meetings. People don't
19 just, generally they don't understand how many hours you have to
20 put in before you get to this point for these hearings and then
21 afterwards.

22 But, Mr. Chairman, I would submit if it's okay with the
23 Board that we would stand on the record that's submitted. We
24 have the ANC support for this special exception relief. Office
25 of Planning supports it. DDOT supports it. There's no

1 opposition, and what we're doing, my client is doing is a good
2 thing, is taking an abandoned church that's been sitting for
3 several years and going to turn it into a community center. They
4 are not-for-profit and their only issue here is to provide a
5 community service giving community space to meet, small community
6 organizations who need the office space. They're not doing any
7 structural repairs. They're not doing any structural changes or
8 anything to the building, so it will be just as is. Inside might
9 get some cosmetics, but that's it. And it meets all the
10 requirements for it.

11 So if it's okay or if the Board wants me to go into
12 anything deeper, but I would stand on the record. I would submit
13 to stand on the record.

14 CHAIRPERSON HILL: Chairman Jordan, I will go ahead and
15 follow your lead since I haven't seen you in a long time and
16 we'll go ahead and move along here and see where we go.

17 Ms. Myers, could you please introduce yourself and give
18 us the Office of Planning's recommendation report?

19 MS. MYERS: Certainly. Good morning. Crystal Myers
20 with the Office of Planning.

21 The Office of Planning recommends approval of this case
22 and can stand on the record of the staff report, but of course
23 here for questions. Thank you.

24 CHAIRPERSON HILL: Thank you.

25 Mr. Young, is there anyone here wishing to speak?

1 MR. YOUNG: We do not.

2 CHAIRPERSON HILL: Okay. Do my fellow Board members
3 have any questions of my esteemed colleague or past colleague and
4 then the Office of Planning?

5 (Pause.)

6 CHAIRPERSON HILL: Okay. All right.

7 Well, all right. Thank you, Ms. Myers, and Mr. Jordan,
8 it's been a long time. I also didn't think I was going to be
9 here as long as I've been here.

10 MR. JORDAN: But that's, you're four to two, there's
11 something there because, you know, as you've been through this
12 process and not even talking about the people that complain. No
13 matter, you can't win or lose, you can't win in that job.

14 Also, if it's approved by the Board can we have a
15 summary order, please?

16 CHAIRPERSON HILL: Mr. Jordan, we will see what we can
17 do with that one. All right.

18 I'm going to go ahead and close the hearing and the
19 record. Thank you, sir. You take care.

20 (Pause.)

21 CHAIRPERSON HILL: Okay. Great.

22 Well, Mr. Jordan was the chair when I came on and so,
23 and then he left and then I suddenly became the vice chair and I
24 was, like, wow, this is happening fast. And then the vice chair
25 left and then it happened really fast, as Mr. Blake knows.

1 And so, in any case, I will agree with the application
2 that the client has put forward. I will also agree with the
3 Office of Planning's recommendation in terms of how they're
4 meeting this particular relief requirements and I also think that
5 the Applicant has gone through all of the necessary outreach with
6 the ANC and has also obtained their support. I'm going to be
7 voting in favor of this application.

8 Mr. Smith, do you have anything you'd like to add?

9 COMMISSIONER SMITH: Nothing to add. I'm in support.

10 CHAIRPERSON HILL: Mr. Blake?

11 VICE CHAIRPERSON BLAKE: Nothing to add. I'm in
12 support.

13 CHAIRPERSON HILL: Dr. Imamura?

14 ZC COMMISSIONER IMAMURA: Nothing to add. This is of
15 benefit to the community.

16 CHAIRPERSON HILL: Okay. Great.

17 I'm going to go ahead and make a motion to approve
18 Application No. 21305 as captioned and read by the secretary, and
19 ask for a second. Mr. Blake:

20 VICE CHAIRPERSON BLAKE: Second.

21 CHAIRPERSON HILL: Motion made and seconded. Madam
22 Secretary, take a roll call, please?

23 MS. MEHLERT: Please respond to the Chair's motion to
24 approve the application.

25 Chairman Hill?

1 CHAIRPERSON HILL: Yes.

2 MS. MEHLERT: Vice Chair Blake?

3 VICE CHAIRPERSON BLAKE: Yes.

4 MS. MEHLERT: Board member Smith?

5 COMMISSIONER SMITH: Yes.

6 MS. MEHLERT: Dr. Imamura?

7 ZC COMMISSIONER IMAMURA: Yes.

8 MS. MEHLERT: Staff would record the vote as four to
9 zero to one to approve Application No. 21305 on the motion made
10 by Chairman Hill and seconded by Vice Chair Blake.

11 CHAIRPERSON HILL: Great. Thank you.

12 If you could call our next case when you get a chance,
13 Madam Secretary.

14 MS. MEHLERT: Next is Application No. 21309 of Henry
15 Gonzalez and Risa Tochiki. This is a self-certified application
16 pursuant to Subtitle X, Section 901.2 for a special exception
17 under Subtitle D, Section 207.5 to allow the rear wall of a semi-
18 detached building to extend farther than ten feet beyond the
19 farthest rear wall in the adjoining principal residential
20 Building on any adjacent property.

21 This is for a two-story rear addition to an existing
22 semi-detached principal dwelling with a new accessory apartment
23 in the cellar. It's located in the R-2 zone at 5012 Nebraska
24 Avenue, Northwest, Square 1879, Lot 38. As a preliminary matter
25 the Applicant submitted a motion to allow an untimely filing for

1 a sun study which is in Exhibit 20A.

2 CHAIRPERSON HILL: Okay. Great. Thank you.

3 Unless the Board has any issues I'd like to see the sun
4 study and so I'm going to go ahead and allow it into the record.
5 If the Applicant can hear me, if they could please introduce
6 themselves for the record.

7 MR. GONZALEZ: Yes. Henry T. Gonzalez. I'm the owner
8 at 5012 Nebraska Avenue.

9 CHAIRPERSON HILL: Great.

10 Mr. Gonzalez, are you presenting to us today?

11 MR. GONZALEZ: No. Mr. Kearley, Greg Kearley and Eric
12 Gronning, the architect.

13 CHAIRPERSON HILL: Great. Thank you.

14 Mr. Kearley, could you introduce yourself for the
15 record. You're on mute, I think.

16 MR. KEARLEY: Gregory Kearley. I'm an architect,
17 licensed architect in D.C. and I'm representing Mr. Gonzalez
18 and --

19 CHAIRPERSON HILL: Okay. Great.

20 MR. KEARLEY: -- and Eric Gronning is here as well.

21 CHAIRPERSON HILL: Great. Thank you, Mr. Kearley. Mr.
22 Kearley, if you want to go ahead and walk us --

23 MR. GRONNING: Good morning. I'm Eric Gronning. I'm
24 representing the owner as architect for the project. Sorry to
25 interrupt.

1 CHAIRPERSON HILL: That's all right. Thank you, Mr.
2 Gronning.

3 Mr. Kearley, if you want to walk us through your
4 client's application again and why you believe they're meeting
5 the criteria for us to grant the relief requested. I'm going to
6 put 15 minutes on the clock so I know where we are, and you can
7 begin whenever you like.

8 MR. KEARLEY: All right. Thank you.

9 So the Applicant is asking for relief for a special
10 exception from the ten foot rule, D-207.4. We're asking for 12
11 feet of relief from that. Currently there is already five and a
12 half feet past the ten foot for the existing condition so we're
13 asking for an additional approximately seven feet, a little bit
14 less than seven feet and we have all the neighbor's support.
15 There is an ANC has unanimously supported this particular
16 extension of the rear.

17 We did do a sun study that was added to the record and
18 this was part of my conversation with OP. They asked us to
19 include that and which we did, and so we believe that we're
20 meeting the criteria of a special exception as the light and air
21 available to the neighbor is not being unduly affected in a
22 negative way. The privacy and use and enjoyment of the
23 neighboring properties shall not be unduly compromised and that
24 really is confirmed by the neighbors themselves as they have all
25 supported the project and there's support letters. And then the

1 proposed addition, together with original building as viewed from
2 the street or alley or other public ways still remains the
3 character and pattern of the neighbors.

4 So we are meeting all of the criteria for relief for a
5 special exception. We have ANC support and neighbor support.
6 I'm glad to walk you through the sun studies if you want to
7 bring that up but it's up to you.

8 CHAIRPERSON HILL: It's okay, Mr. Kearley. It's okay.
9 I can see the sun studies. All right.

10 Before I turn to my Board can I hear from the Office
11 of Planning?

12 MR. MITCHUM: Good morning, Mr. Chairman, members of
13 the Board. This is Joshua Mitchum with the Office of Planning.

14 We are in support of the application and will just
15 stand on the record, and available for any questions.

16 CHAIRPERSON HILL: Thank you, Mr. Mitchum.

17 Mr. Young, is there anyone here wishing to speak?

18 MR. YOUNG: We do not.

19 CHAIRPERSON HILL: Okay.

20 Does the Board have any questions for the Applicant or
21 the Office of Planning?

22 (Pause.)

23 CHAIRPERSON HILL: Okay. All right.

24 Mr. Kearley, thank you for your time and you all have
25 a good day. I'm going to close the hearing and the record.

1 | (Pause.)

2 CHAIRPERSON HILL: Okay.

3 For me the sun studies were actually very helpful. I
4 mean, it is going back a little bit, you know, the 12 feet and I
5 know how they were trying to get to the seven feet discussion
6 but I think that I'm comfortable with what they're trying to do
7 and I also do appreciate the analysis that the Office of Planning
8 has put forward and also that of the ANC, and I appreciate that
9 the Applicant has gone through and seen, you know, and reached
10 out to the community. I'm going to be voting in favor of this
11 application.

12 Mr. Smith, do you have anything you'd like to add?

13 COMMISSIONER SMITH: I have nothing to add. I feel
14 like this is a fairly straightforward application. The agent
15 stated the sun study was helpful to me and I would just note that
16 the neighbor that would be most impacted at 5010 Nebraska Avenue
17 is in support of the application. So with that I will rest on
18 OP's staff report giving it great weight and will support the
19 application.

20 CHAIRPERSON HILL: Thank you.

21 Mr. Blake?

22 VICE CHAIRPERSON BLAKE: Mr. Chair, I have nothing to
23 add. I'm in support of the application.

24 CHAIRPERSON HILL: Thank you.

25 Dr. Imamura?

1 ZC COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I'm
2 in agreement with everything that's been said and would only add
3 that it's a rather nice design solution.

4 CHAIRPERSON HILL: Great. Thank you. All right.

5 I'm going to make a motion to approve Application No.
6 21309 as captioned and read by the secretary, and ask for a
7 second. Mr. Blake?

8 VICE CHAIRPERSON BLAKE: Second.

9 CHAIRPERSON HILL: Motion made and seconded. Madam
10 Secretary, if you could take a roll call, please.

11 MS. MEHLERT: Please respond to the Chair's motion to
12 approve the application.

13 Chairman Hill?

14 CHAIRPERSON HILL: Yes.

15 MS. MEHLERT: Vice Chair Blake?

16 VICE CHAIRPERSON BLAKE: Yes.

17 MS. MEHLERT: Board member Smith?

18 COMMISSIONER SMITH: Yes.

19 MS. MEHLERT: Dr. Imamura?

20 ZC COMMISSIONER IMAMURA: Yes.

21 MS. MEHLERT: Staff would record the vote as four to
22 zero to one to approve Application No. 21309 on the motion made
23 by Chairman Hill and seconded by Vice Chair Blake.

24 CHAIRPERSON HILL: Thank you.

25 Madam Secretary, you can call our next case, please.

1 MS. MEHLERT: The last case is Application No. 21303
2 of Jamal Ahmed. This is an application pursuant to Subtitle X,
3 Section 1002 for use variances from the maximum permitted
4 principal dwelling unit requirements of Subtitle U, Section
5 301.1(b) and from Subtitle U, Section 301.5(b) to allow an
6 increase in the number of units in an existing apartment house
7 with less than 900 square feet of lot area per dwelling unit.

8 This is for the creation of two additional dwelling
9 units in the cellar of an existing four unit apartment house in
10 a two-story building. It's located in the RF-1 zone at 1631 A
11 Street, Southeast, Square 1086, Lot 804. As a preliminary matter
12 the Applicant just really last night submitted a request to
13 postpone.

14 CHAIRPERSON HILL: Okay. Great. Thanks.

15 If the Applicant can hear me, if they could introduce
16 themselves for the record.

17 MS. DAVIS: Good morning. This is Beth Davis on behalf
18 of the owner.

19 CHAIRPERSON HILL: Okay. And, Ms. Davis, who are you
20 with?

21 MS. DAVIS: I run a consulting firm.

22 CHAIRPERSON HILL: Okay. And is there a letter of
23 authorization for you?

24 MS. DAVIS: Yes. It's in the record.

25 CHAIRPERSON HILL: Okay. Great. All right.

1 So you are asking for a postponement.

2 MS. DAVIS: Correct.

3 CHAIRPERSON HILL: And how long were you trying to get
4 a postponement to?

5 MS. DAVIS: So our client retained Sullivan & Barros
6 just yesterday and they have additional records and material that
7 they would like to submit to the Office of Planning to review.
8 When we spoke to Marty yesterday, he suggested postponing the
9 case to July 16th or the earliest available date thereafter.
10 That way we could get everything we needed to into the record by
11 Friday. That would give the Office of Planning adequate time to
12 consider a more complete justification and then we can move
13 forward.

14 CHAIRPERSON HILL: Okay.

15 Is the Office of Planning here and if so, if they could
16 introduce themselves for the record?

17 MR. BEAMON: Shepard Beamon with the Office of
18 Planning.

19 CHAIRPERSON HILL: Hi, Mr. Beamon.

20 So, I mean, we've all reviewed this already and so I'm
21 just trying to see if you, I don't know what information they're
22 going to try to give you, Mr. Beamon, on Friday but if you
23 got information on Friday, when do you think you'd be able to
24 get something back to us?

25 MR. BEAMON: And my apologies, but what date did the

1 Applicant mention for the next hearing?

2 CHAIRPERSON HILL: They're trying to get back here on
3 the 16th of July and they're trying to get you information, I
4 guess Ms. Davis, by this Friday two days from now?

5 MS. DAVIS: That's what Marty suggested.

6 CHAIRPERSON HILL: Okay.

7 I love it, Ms. Davis. When you say Marty you mean
8 Martin Sullivan, Mr. Sullivan?

9 MS. DAVIS: Yes. Martin Sullivan. Sorry.

10 CHAIRPERSON HILL: Okay. That's okay. So, okay.

11 MR. BEAMON: I do think that'll be, I think that should
12 be enough time for us to review and get a --

13 CHAIRPERSON HILL: Okay.

14 MR. BEAMON: -- another report in if necessary.

15 MS. DAVIS: And I do want to say July 16th or the
16 earliest date thereafter. We're not, we're not trying to put
17 undue pressure on the Office of Planning.

18 CHAIRPERSON HILL: Okay. Ms. Davis, have you been with
19 us before?

20 MS. DAVIS: Many times.

21 CHAIRPERSON HILL: I just can't see, I can't recognize
22 you. Does your camera work?

23 MS. DAVIS: I know. I'm so sorry. My camera's not
24 working on my computer.

25 CHAIRPERSON HILL: Okay. It's so funny. You know, if

1 I don't get the little face in the little square --

2 MS. DAVIS: I totally understand.

3 CHAIRPERSON HILL: -- it's hard to figure out. But,
4 okay. So --

5 MS. DAVIS: I'm notoriously always behind Call Your
6 Mother hearings and I always have to sit through their hearings
7 in order to --

8 CHAIRPERSON HILL: No. Yeah.

9 MS. DAVIS: -- (indiscernible). I don't know if you
10 remember. That doesn't ring a bell?

11 CHAIRPERSON HILL: I mean, I remember the hearings but
12 I don't remember --

13 MS. DAVIS: You and me both.

14 CHAIRPERSON HILL: You know. Yeah. Okay.

15 Madam Secretary, what's the 16th look like again?

16 MS. MEHLERT: There are currently six hearing cases
17 scheduled.

18 CHAIRPERSON HILL: Yeah. And then, then we'd go to
19 recess and then what's September looking like?

20 MS. MEHLERT: September, you may be able to put it on
21 September 17th. There's an appeal and three hearing cases
22 scheduled that day.

23 CHAIRPERSON HILL: Okay. So we're pretty jammed up in
24 September anyway.

25 MS. MEHLERT: Correct.

1 CHAIRPERSON HILL: Okay. Great. Okay. I hope
2 everybody enjoys August.

3 So, okay. Ms. Davis, we're going to put you on the
4 16th. I mean, I think you might even end up needing more time,
5 that's the only reason why I'm not sure because you might end up
6 needing more time. But --

7 MS. DAVIS: I understand.

8 CHAIRPERSON HILL: -- you guys can figure that out.
9 Let's go ahead and put on you on the 16th. If you can get the
10 information you need to get to the Office of Planning I guess by
11 Friday, that gives them, you know, a week and then I guess I'll
12 let Madam Secretary tell you the dates because I'm not doing well
13 looking at calendars today.

14 MS. MEHLERT: So if the Applicant is able to submit by
15 Friday, I don't know if two weeks is sufficient for the Office
16 of Planning. I mean, we could, I mean, it could be any time
17 really before the hearing if you'd like.

18 CHAIRPERSON HILL: Mr. Beamon, I just forgot, sorry Ms.
19 Mehlert, I just forgot whether there's a week, I don't need a
20 week anyway for anything now, right, in terms of, right. They
21 can just give us the report. I mean, is Friday the 11th possible,
22 Mr. Beamon?

23 MR. BEAMON: Yeah, yes.

24 CHAIRPERSON HILL: Okay. Let's go ahead and if you can
25 give us anything by Friday the 11th, that's great and we'll come

1 back here for the hearing on 7/16.

2 MS. MEHLERT: I'll also just note the ANC could, if
3 they wanted to, respond by the 11th as well I guess.

4 CHAIRPERSON HILL: That's be great. I mean, they have,
5 they already put in their report, right?

6 MS. MEHLERT: Yes.

7 CHAIRPERSON HILL: Ms. Davis?

8 MS. DAVIS: Yes.

9 CHAIRPERSON HILL: If you guys do, if you could have
10 something in the record that just says that if you talk to the
11 ANC or that you tried to talk to the ANC if they have any
12 information they want to give to us after the Office of Planning
13 has put in their report?

14 MS. DAVIS: Absolutely, yeah. We've presented to them
15 and they did vote unanimously in support of the application but
16 we will make sure that they have any additional information that
17 we put into the record.

18 CHAIRPERSON HILL: Thanks. I just need to know whether
19 or not you guys change anything and then whether the ANC has seen
20 that change, okay?

21 MS. DAVIS: Understood.

22 CHAIRPERSON HILL: Okay. All right. Then we'll see
23 you on the 16th.

24 MS. DAVIS: Thank you. I hope you have a great rest
25 of your day. It ended early.

1 CHAIRPERSON HILL: Thank you. I know. Thank you.
2 Okay.

3 And we're going to close this portion of the hearing
4 and the record, oh, no, just the portion of the hearing and we're
5 going to have a postponement until 7/16. Okay. Let me think.
6 Okay. Great.

7 Is that all we have today, Madam Secretary?

8 MS. MEHLERT: Yes. Nothing else from staff.

9 CHAIRPERSON HILL: Okay. Super short. All right.

10 You guys have a good day and we'll see you next time.
11 Thank you. Hearing's over. Bye bye.

12 (Whereupon, the above-entitled matter went off the
13 record at 11:01 a.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

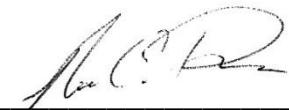
In the matter of: Public Hearing

Before: DC BZA

Date: 06-25-25

Place: Via Webex

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



Nwamaka Dawson