

GOVERNMENT OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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REGULAR PUBLIC MEETING

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THURSDAY

JULY 31, 2025

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The Public Meeting of the District of Columbia Zoning Commission convened via teleconference, pursuant to notice at 4:18 p.m. EDT, Anthony J. Hood, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

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

OFFICE OF ZONING STAFF PRESENT:

PAUL YOUNG, Zoning Data Specialist
SHARON S. SCHELLIN, Secretary

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

HILLARY LOVICK, Esquire
JACOB RITTING, Esquire

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OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER
KAREN THOMAS
MATTHEW JESICK
MICHAEL JURKOVIC
JOEL LAWSON
JOSHUA MITCHUM

The transcript constitutes the minutes from the
Regular Public Meeting held on July 31, 2025.

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(4:18 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, Commissioner Imamura, and Commissioner Stidham. We're also joined by the Office of Zoning staff, Ms. Sharon Schellin, as well as our -- Mr. Paul Young, who will be handling all of our virtual operations; also, our Office of Zoning Legal Division, Ms. Lovick -- I started to read Mr. Liu -- Ms. Lovick and Mr. Ritting. I will ask others to introduce themselves at the appropriate time.

MS. SCHELLIN: Chairman Hood --

CHAIRPERSON HOOD: Yes.

MS. SCHELLIN: -- if I may, before we begin, if I could just state that the Commission just returned from their closed meeting -- their closed session that started at 3:15 p.m. and are now starting their regular session. Thank you.

CHAIRPERSON HOOD: Okay. I had done that, but I guess I -- we're overcompensating now, but that's fine. We're good.

MS. SCHELLIN: I'm sorry. I had -- mine was on mute. I wasn't listening.

CHAIRPERSON HOOD: Yeah, I'd already done that, but, anyway, thank you. But that's all right. I want to make sure we're covered. We've done that.

1 MS. SCHELLIN: We're all scared of BEGA.

2 CHAIRPERSON HOOD: We're not scared. We're just trying
3 to be in compliance and make sure we do what's right, so let's
4 just overdo it until we figure it out.

5 Copies of today's meeting agenda are available on the
6 Office of Zoning's website. Please be advised that this
7 proceeding is being recorded by a court reporter and is also
8 webcast live via Webex and YouTube Live. The video will be
9 available on the Office of Zoning's website after the meeting.
10 Accordingly, all those listening by Webex or by phone will be
11 muted during the meeting.

12 For hearing action items, the only documents before us
13 this evening are the application, the ANC setdown report, and the
14 Office of Planning report. All other documents in the record
15 will be reviewed at the time of the hearing. We do not take any
16 public testimony at our meetings, unless the Commission requests
17 someone to speak. If you experience difficulty accessing Webex
18 or with your phone call-in, then please call our OZ Hotline number
19 at 202-727-0789 for Webex log-in or call-in instructions. At
20 this time, the Commission will consider any preliminary matters.
21 Does the staff have any preliminary matters?

22 MS. SCHELLIN: No, sir.

23 CHAIRPERSON HOOD: Okay. And we're going to go with
24 the agenda as noted. The first case is a modification without
25 hearing, Zoning Commissioner Case Number 22-21A, 2229 M Street,

1 LLC, modification without hearing at Square 4465, Lot 40. Ms.
2 Schellin.

3 MS. SCHELLIN: Yes, sir. This case -- as you stated,
4 it is a request to approve a modification to the final design of
5 the approved PUD. They would like to allow for the building of
6 passive housing certification and passive house standards. And
7 these modifications include replacing the exterior stucco with
8 EIFS material and offering fully-functional windows in place of
9 the Juliet balconies; and where the porch seating area and the
10 front entry space was, they'd like to have landscaping replacing
11 that; and a penthouse canopy will be removed; and, also, the
12 replacement of windows will be modified, and the size of the
13 windows along the east elevation towards M Street will be reduced
14 to address building code issues, reducing light -- reducing the
15 light entry to the units. So, with that, I'll turn it over to
16 the Commission. The OP report -- I forgot about this -- at
17 Exhibit 4 does recommend approval, and as of earlier today --
18 I'll check again while the Commission is discussing this -- we
19 did not have a response from the ANCs. Thank you.

20 CHAIRPERSON HOOD: Okay. Thank you for teeing that up
21 for us, Ms. Schellin. Let me just mention, the modification
22 request as has been noted, exterior materials, Juliet balconies,
23 the entry of the redesign, and the window arrangement. Let me --
24 let me start off with Commission Imamura and see what his comments
25 are. Commissioner Imamura.

1 COMMISSIONER IMAMURA: Thank you, Mr. Chairman, and
2 thank you, Ms. Schellin for teeing this up. You did a great job
3 in summarizing the proposed modifications. So, essentially, in
4 terms of the material, we did express, as a Commission, a
5 preference for stucco, but the fact that the applicant is pursuing
6 passive house certification is pretty significant. Most of those
7 requirements go above and beyond standard building codes, and so
8 this really does provide superior sustainability benefits for the
9 project.

10 And I noted, too, that the applicant had provided some
11 additional information about the EIFS material. And all of these
12 proposed modifications fall within, you know, the permitted
13 parameters for the approved PUD. In fact, I think what they're
14 requesting us to review really enhances the project, specifically
15 because of the passive house certification. And so I'm inclined
16 to vote in support of this, and I hope my fellow Commissioners
17 do too. I think this will -- this is certainly an improvement,
18 and I think we should certainly move this forward. So that's
19 all that I have to share, Mr. Chairman.

20 CHAIRPERSON HOOD: Thank you, Commissioner Imamura.
21 Normally, I go to Commissioner Wright, but I'm going to go to
22 Commissioner -- Vice Chair Miller, because when I saw balconies,
23 I thought about you first thing, so let me go to Vice Chair
24 Miller.

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

1 that did jump out at me as well. However, Juliet balconies aren't
2 really a functional balcony, and they're going to have fully
3 functioning windows in place of that. And I think the passive
4 certification that Commissioner Imamura referenced and that the
5 applicant is requesting, the passive housing certification,
6 is -- are important. It's an important certification. And I
7 think the -- Commissioner Imamura would know more about this, but
8 I think the EIFS technology has gotten a little bit better maybe
9 since we first expressed our strong preference for stucco over
10 that. I think it was a fellow Commissioner who's no longer with
11 us who especially was opposed to the EIFS. So, yeah, I'm fully
12 in support of this modification, as recommended by the Office of
13 Planning. Thank you, Mr. Chairman.

14 CHAIRPERSON HOOD: Thank you. Commissioner Wright.

15 COMMISSIONER WRIGHT: I support the proposal. I will
16 tell you, I am not a fan of EIFS. I think it is a material that
17 generally -- that I generally would not recommend. It gives a
18 sort of lower quality look to a project. But I am, again, on
19 balance with the idea of them getting the passive housing
20 certification. I think it's worth it.

21 One thing I would really appreciate is that -- I don't
22 know if we can document this, but when they get the passive
23 housing certification, I'd actually like to see it or I'd like
24 to be notified that they actually were able to obtain the passive
25 housing certification, because this issue may come up again in

1 the future, and, you know, I want to learn about that particular
2 program. I don't know a lot about it, and it would be great to
3 know that they have received it and to understand, if future
4 applicants may go after it in the future or if we may even
5 recommend applicants to go after it in the future. So that's my
6 only comment. And, otherwise, I think that this is a modification
7 that I can support.

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

10 COMMISSIONER STIDHAM: So, first of all, they should
11 be commended on seeking a sustainability certification. It is a
12 higher level. It is a good thing to do for the environment.
13 However, I think some of the moves, with respect to my fellow
14 Commissioners, I think they reduce the livability. While Juliet
15 balconies are not a -- you know, a balcony, it does give you
16 more -- it gives the user more connection to the outside than a
17 functioning window. So I think that it is a change for worse.
18 And I also am not a fan of EIFS. I don't think it wears well.
19 I think it looks cheap on the exterior. I think the finish is
20 not as rich as the finish of stucco. So I understand the
21 interest. I don't think that's a good move. I was a little
22 concerned about the removal of the porch setting, until I
23 understood better that the seating on the penthouse was going to
24 be improved. I'm just hoping they are of equal availability --
25 capacity, so that they can -- you know, it's usable space with

1 | these great views that are indicated. So, overall, I am in
2 | support, but I am saddened by the changes -- the design changes
3 | that I think lessen the project.

4 | CHAIRPERSON HOOD: Okay. Thank you, Commissioner
5 | Stidham. And I hope that the applicant is listening and hearing
6 | some of the comments, even though this will probably be approved.
7 | I'm not going to belabor it or hold it up or push to hold it up.
8 | I do want to say that Commissioner Wright asked about it. It
9 | didn't go over my head. She asked about a response from
10 | (indiscernible due to delay in audio) passive housing. I know
11 | there's a way that they can respond to this Commission, whoever's
12 | here at the time, so we would like to -- and I forgot how we used
13 | to do reports, but in the spirit of what Commissioner Wright was
14 | saying, so we want to make sure it's noted, and I'm going to talk
15 | to the staff and the powers that be to make sure that we know
16 | that this has been successful and is moving forward at some point
17 | in time. Whenever it happens, the Commissioner would like to be
18 | notified. All right. So, again, I don't necessarily have any
19 | major issues. I did try to do my research on EIFS, but I'll just
20 | leave it at that, because I heard from the colleagues who are
21 | the experts, because my research didn't turn out too well, so
22 | I'll just leave it at that. So, with that, Commissioner Imamura,
23 | would you like to make a motion?

24 | COMMISSIONER IMAMURA: Gladly, Mr. Chairman. And if I
25 | may add one more additional point to Commissioner Stidham's

1 comment and Commissioner Wright's, who just spoke about the EIFS.
2 I think, in general, a lot of people -- practitioners share that
3 point of view about the Juliet balconies and the additional light
4 that is lost.

5 Certified passive house design, as the Zoning
6 Commission here, this is a balanced design decision in order to
7 achieve this certification about window to wall ratios. And so,
8 again, while aesthetics play a factor in sort of the urban design
9 and design solution for some of these projects, it is also --
10 there's also a formula behind some of these architectural moves.
11 And so while I agree with Commissioner Stidham and Commissioner
12 Wright, I'm also sensitive to the fact that these were design
13 moves made in order to achieve the certification, which is a
14 benefit -- a superior benefit here to the neighborhood and
15 community at large. So, with that, Mr. Chairman, I gladly move
16 that the Zoning Commission approve Zoning Case 22-21A, 2229 M
17 Street, LLC, modification without a hearing at Square
18 4465, Lots 36 and 39 -- rather, Lot 34 -- my apologies -- and ask
19 for a second.

20 CHAIRPERSON HOOD: I'll second it. It's been moved and
21 properly seconded. Any further discussion?

22 (No response.)

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

25 MS. SCHELLIN: Commissioner Imamura.

1 COMMISSIONER IMAMURA: Yes.
2 MS. SCHELLIN: Commissioner Hood.
3 CHAIRPERSON HOOD: Yes.
4 MS. SCHELLIN: Commissioner Miller.
5 VICE CHAIR MILLER: Yes.
6 MS. SCHELLIN: Commissioner Stidham.
7 COMMISSIONER STIDHAM: Yes.
8 MS. SCHELLIN: Commissioner Wright.
9 COMMISSIONER WRIGHT: Yes.
10 MS. SCHELLIN: The vote is five to zero to zero to
11 approve 22-21A for final action. And we could ask the applicant
12 to provide a draft order -- work with OZLD, possibly a summary
13 order working with OZLD on that. Thank you.
14 CHAIRPERSON HOOD: Okay. Thank you. Let's keep moving.
15 Let's go to final action, Zoning Commission Case Number 08-06R,
16 Office of Planning technical corrections to 11-DCMR. Ms.
17 Schellin.
18 MS. SCHELLIN: Okay. On this one, we had the Notice
19 of Proposed Rulemaking published in the DC Register on June 20th,
20 and we had NCPC -- actually, I don't think we had any comments
21 on this one, so I take that back. No, yes we did. Exhibit
22 4 -- sorry, I can't -- I didn't put any spaces between my own
23 writing. NCPC filed a report at Exhibit 4, stating that the
24 technical corrections are not inconsistent with the Comp Plan and
25 for the National Capital and it would not adversely impact any

1 other identified federal interest. And, again, it was published
2 in the DC Register, June 6th 2025, and no comments from the
3 public, so it's ready for the Commission to take final action.
4 Thank you.

5 CHAIRPERSON HOOD: Thank you, Ms. Schellin. I think
6 these were pretty straightforward, a lot of them with no
7 substantive changes, as noted. As we went through, some of them
8 were corrections, clarifications, and also some cross-reference
9 of some things that were in ZR-58 versus ZR-16. I don't think
10 there's -- I don't have any more discussion on this, but let me
11 hear if others have any. Commissioner Stidham.

12 COMMISSIONER STIDHAM: No. I -- no comments and no
13 questions. I'm prepared to support.

14 CHAIRPERSON HOOD: Okay. Commissioner Wright.

15 COMMISSIONER WRIGHT: I just echo Commissioner Stidham.
16 I think this is pretty straightforward, and I'm prepared to
17 support as well.

18 CHAIRPERSON HOOD: Okay. And Commissioner Imamura.

19 COMMISSIONER IMAMURA: I'm in agreement with
20 Commissioner Stidham and Commissioner Wright. Any chance we get
21 to provide some clarification for our regulations, I think, is a
22 good thing, so I'm prepared to vote in support.

23 CHAIRPERSON HOOD: And Vice Chair Miller.

24 VICE CHAIR MILLER: Yeah, I concur with you and my
25 colleagues, Mr. Chairman.

1 CHAIRPERSON HOOD: Okay. Thank you. So, with that,
2 Commissioner Stidham, would you make a motion please?

3 COMMISSIONER STIDHAM: Sure. I had scrolled down
4 already. Hang on. I move to take final take final action on
5 Zoning Case Number 08-06R, Office of Planning technical
6 corrections to 11-DCMR, and ask for a second.

7 COMMISSIONER IMAMURA: Second.

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

10 (No response.)

11 CHAIRPERSON HOOD: Not seeing any, Ms. Schellin, would
12 you do a roll call vote please?

13 MS. SCHELLIN: Commissioner Stidham.

14 COMMISSIONER STIDHAM: Yes.

15 MS. SCHELLIN: Commissioner Imamura.

16 COMMISSIONER IMAMURA: Yes.

17 MS. SCHELLIN: Commissioner Hood.

18 CHAIRPERSON HOOD: Yes.

19 MS. SCHELLIN: Commissioner Miller.

20 VICE CHAIR MILLER: Yes.

21 MS. SCHELLIN: And Commissioner Wright.

22 COMMISSIONER WRIGHT: Yes.

23 MS. SCHELLIN: The Case 08-06R final action is approved
24 by a vote of five to zero to zero. Thank you.

25 CHAIRPERSON HOOD: Next, Zoning Commission Case Number

1 23-08(1), Wesley Theological Seminary of the United Methodist
2 Church, 2025 through 2035 Campus Plan at Square 1600. Ms.
3 Schellin.

4 MS. SCHELLIN: Yes. Since the public meeting held on
5 June 12th -- it was a limited scope hearing -- you have some
6 exhibits that have come in: Exhibits 110 through 110J, the
7 applicant's Comprehensive Transportation Review, their cover
8 letter, and some additional submissions; the applicant's
9 PowerPoint presentation at Exhibit 111; testimony in opposition
10 from Blaine Carter and Tom Smith for NLC and Spring Valley Wesley
11 Heights Citizens Association at Exhibit 112.

12 Then there was also a request that came up during the
13 hearing that wasn't caught in time, and so we -- I reached out
14 to the parties and asked the applicant to make a submission so
15 that the opposition could also respond, if they chose to do so.
16 The Commission asked for the total campus trip generation data
17 for the entire campus. The applicant provided that at Exhibit
18 114, and the party in opposition replied at Exhibit 115. So
19 those exhibits have been placed in the record for the Commission
20 to review, and in addition to the full record, and we'd ask --
21 turn this over for your consideration of final action this
22 evening. Thank you.

23 CHAIRPERSON HOOD: Thank you. And, colleagues, I
24 appreciate everyone's patience on this. We have -- from my
25 standpoint, we have examined Wesley Theological Seminary's case.

1 I mean, we have really examined this case and to the point
2 where -- I'll be frankly honest. I've looked at all of the
3 comments, and I know there's some things we need to address. For
4 example, let me just start off, the CTR update, I guess I want
5 to know from my colleagues -- I don't believe so, but do we --
6 do we need to have an updated CTR that was given to us? You
7 know, I think the applicant used 2022, and I think this came up
8 in the hearing. Does anybody think that we require or need an
9 updated 2022 of current data, which I think -- I don't think it's
10 needed, but let me hear from others. Commissioner -- let me go
11 to Vice Chair Miller first.

12 VICE CHAIR MILLER: Thank you, Mr. Chairman. I'll get
13 to your question in a second. Just to reiterate what you just
14 said in the lead in, this case has been around in at least two
15 different forms previously for over three years I believe. First,
16 Campus Plan; then it was a PUD. So we're here, and we had many,
17 many hours of public hearing testimony, and we reopened the record
18 to hear more information about the -- about the Comprehensive
19 Transportation Review -- is that the right thing that "CTR"
20 stands for -- because the applicant (sic) had raised -- the
21 opposition party had raised that we didn't have the CTR in the
22 record, which it was in a previous record of a previous related
23 case. It was referred to repeatedly in DDOT's exchange of updated
24 comments between the applicant and DDOT, but -- so the CTR from
25 2022 was submitted, along with all the updated comments that had

1 | gone back and forth, as well as additional mitigations --
2 | including additional mitigations, including the Performance
3 | Management Plan, the TMP as well; that was all placed in one
4 | place in the record, so that the opposition could concentrate on
5 | that at our additional hearing that we had I believe six weeks
6 | ago or so.

7 | So does a CT -- do we need an updated CTR? I mean,
8 | DDOT, the District Department of Transportation, said no, that
9 | the information that they've provided both in that CTR and
10 | subsequently does not need to be updated because the -- since
11 | there's been no recent developments within the study area, they
12 | say, and because a proposed university housing building has been
13 | modified since originally proposed to reduce the number of beds
14 | and eliminate a previously proposed retail space, thereby
15 | reducing the amount of vehicle trips that were expected under the
16 | CTR, Wesley's expert asserted that the total Campus Plan trip
17 | generation data showed that the total Campus Plan will result in
18 | limited new trip generation, no impacts to nearby intersections
19 | below DDOT's threshold for requiring a full traffic study, so,
20 | no, I don't -- I agree with the applicant and the Department --
21 | District Department of Transportation that the CTR does not need
22 | to be updated; the Transportation Management Plan and Performance
23 | Monitoring Plan that is in place and that will be a condition of
24 | this Campus Plan are sufficient to meet the concerns about traffic
25 | and parking that have been raised in our public hearing record.

1 That's how I would answer your question, Mr. Chairman.

2 CHAIRPERSON HOOD: Okay. Thank you. Commissioner
3 Imamura, you have anything to add or change of mind or something?

4 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. No,
5 I'm in agreement with Vice Chair Miller, and specifically just
6 about updating the CTR with 2025 data versus the 2022 data. And
7 I'm interested to hear what my fellow Commissioners think about
8 this as well, but, you know, COVID certainly turned things on its
9 side, and so, in terms of just rebaselining -- the need to
10 rebaseline some of our assumptions with traffic studies and
11 trends, and so I'm of the opinion that we do not need an updated
12 CTR in this particular case, given some of the facts, and, as
13 Vice Chair Miller stated too, testimony from DDOT, who are the
14 transportation professionals, so -- otherwise, than it's just
15 conjecture from those who are just opining on transportation.
16 So, with that, I'm in agreement with Vice Chair Miller.

17 CHAIRPERSON HOOD: Okay. Thank you. Commissioner
18 Wright.

19 COMMISSIONER WRIGHT: Thank you. I am in agreement
20 regarding the transportation comments that have been made and the
21 rationale for not doing another CTR at this point. I had
22 mentioned that I'd like to sort of reiterate that I think we
23 should include a condition that suggests that the applicant work
24 with its students and encourage them not to park illegally in the
25 surrounding neighborhood, and maybe the applicant could work with

1 the Office of Zoning Legal Division to craft such a condition in
2 the final order. I also did want to note and I just want to make
3 sure we're clear that all of the comments about this being
4 analogous to the Durant case, I don't find those comments to be
5 at all persuasive, especially given the recent text amendment
6 that went into effect on July 25th, and I just do not believe
7 that the two situations are at all analogous. And so, with that,
8 I am ready to move forward and support the current application.

9 CHAIRPERSON HOOD: Okay. Thank you. Commissioner
10 Stidham.

11 CHAIRPERSON HOOD: I think the current question at hand
12 is related to is there a need for a new CTR, correct?

13 CHAIRPERSON HOOD: That was the question, but
14 Commissioner Wright went all the way, so I don't know
15 whether -- I'm going to still go through those other things.

16 COMMISSIONER STIDHAM: Okay. I'm still at the CTR.
17 While I agree that there doesn't need to be a new CTR done and
18 somewhat building off of Commissioner Imamura's comments related
19 to just the traffic unpredictability, and, frankly, data from
20 2022 is probably more reliable than a new dataset of 2025, that
21 would really just give you a new baseline and it's not the way
22 traffic is moving and the changes that are taking place. It's
23 just too unpredictable. It would not shed any additional light
24 on any mitigations that might be necessary. It just -- it would
25 be inconclusive, it would take more time, and it would be

1 expensive, and it would not give us a different result. So
2 I -- to answer your question, I do not think we need another
3 CTR. I did go through the record and look at all of the back
4 and forth with DDOT and never in the several months and maybe
5 even over a year of the back and forth with the applicant, it
6 was never suggested. So I think we can -- as they are the
7 experts, I think that they are right; we do not need another CTR.

8 CHAIRPERSON HOOD: I want to thank all of my colleagues.
9 I would agree with everything I've heard. Even I'll just throw
10 in, Commissioner Imamura and others, that they are the experts,
11 but they also have informed me, when I disagree with them, that
12 they are an award-winning department, even though I still will
13 probably disagree with them from time to time, but -- so we will
14 credit that to the expert part of the government and also with
15 our discovery that we have come up with. All right. So I'm
16 going to ask a couple more questions, just try to make sure we
17 completely satisfy some of the opposition, as well as the
18 applicant's response. But let me ask this. Maybe I'll ask Ms.
19 Lovick this. Did we decide about the condition? Commissioner
20 Wright, you said you wanted a condition in the order?

21 COMMISSIONER WRIGHT: (Nods head affirmatively.)

22 VICE CHAIR MILLER: I support Commissioner Wright's
23 suggestion on that point. I think it's a good suggestion. I
24 think that is already a requirement, as I recall, in the American
25 University Campus Plan as a condition. So their students, who

1 are largely going to be occupying this university housing, are
2 supposed to be monitored about their parking habits in the
3 neighborhood, so I think it's appropriate that it apply to Wesley
4 students as well.

5 CHAIRPERSON HOOD: Okay. All right. So the next
6 question -- you know, we talked about the intersection --
7 determine whether Wesley needs to provide any further mitigation
8 measures to address the Massachusetts and Wesley Circle
9 intersections. And I think the applicant stated that the
10 situation already exists, but let's see if we think that Wesley
11 needs to do more. Commissioner Wright.

12 COMMISSIONER WRIGHT: Yeah. I mean, I think that's
13 inherent in the CTR. The CTR does not call for any additional
14 mitigation of those intersections. They are failing
15 intersections. They will be failing intersections even if this
16 project never moves forward, and even if we were asked -- or even
17 if we asked for mitigation, I don't think any of us want to see
18 lanes added or roads widened, so I don't know what kind of
19 mitigation would even be possible to try to make these
20 intersections function better. So, again, based on the CTR, I
21 don't think we have any basis for asking for additional
22 mitigation.

23 CHAIRPERSON HOOD: Okay. So let me kind of cut to the
24 chase. And thank you, Commissioner Wright. So unless my other
25 colleagues want to respond -- sorry.

1 VICE CHAIR MILLER: I would just say -- I would just
2 reiterate that the Performance Monitoring Plan that's required
3 as a condition is supposed to monitor all the intersections and
4 if there needs to be a further mitigation, whether it's a light
5 that -- or -- that was all discussed at our public hearing, and
6 that will be monitored, and the applicant is prepared to comply
7 with any future mitigations that are required by DDOT.

8 CHAIRPERSON HOOD: So is it -- and I'm asking -- is this
9 a fair assessment to say that all the transportation issues we
10 believe have been resolved, mitigated, or have been addressed by
11 the applicant? Any objections?

12 COMMISSIONER STIDHAM: I think so, or that there's a
13 process in place for future mitigation or analysis to indicate a
14 need for additional change.

15 CHAIRPERSON HOOD: Okay. All right. I have a couple
16 more questions, and we can probably come to a conclusion. Let's
17 talk about the Campus Plan evaluation. Do we believe that they
18 have met -- the Campus Plan evaluation criteria has been met?
19 Any objections or anybody disagree with that?

20 (No response.)

21 CHAIRPERSON HOOD: Okay. Do we believe that this Campus
22 Plan -- I think Commissioner Wright has alluded to some of this.
23 Do we believe the Campus Plan is not inconsistent with the
24 Comprehensive Plan?

25 (No response.)

1 CHAIRPERSON HOOD: Okay. We're not going to talk about
2 the Durant. I think Commissioner Wright has already addressed
3 that. And commercial issue, I don't think we need to talk about
4 that. We've already addressed that with a text amendment. We've
5 done that. We've been over that a lot. The tree -- I forgot --
6 excuse me. There was a response about the tree replacement ratio.
7 I'm not sure. Did the applicant -- do we believe that the
8 applicant has addressed the -- in its submissions adequately
9 addressed the Commission's questions about the tree replacement?
10 I'm not sure who asked that. It probably was Commissioner
11 Imamura.

12 COMMISSIONER IMAMURA: (Nods head affirmatively.)

13 CHAIRPERSON HOOD: Okay.

14 COMMISSIONER IMAMURA: It was, Mr. Chairman, and I'm
15 satisfied, and I believe that they've addressed that.

16 CHAIRPERSON HOOD: And the last question I have, do we
17 believe that the security plan is sufficient? Any objections to
18 that?

19 (No response.)

20 CHAIRPERSON HOOD: Okay. All right. I think -- I
21 don't know what else we can get out of this case. I think we
22 have examined and exhausted -- I know I'm exhausted in getting
23 here. And I appreciate all the participation, whether pro or
24 con. I think it got us to a point where I think we have a better
25 solution here. So who went first? Oh, Vice Chair Miller, you

1 want to make a motion or you have a comment?

2 VICE CHAIR MILLER: Sure. Well, I'll make a comment
3 and make a motion, and if anyone wants to comment on my comment,
4 they can comment, even though you said you didn't want to
5 discuss -- well, the text amendment that Commissioner Wright did
6 point out clarified the -- one of the main sticking points that
7 had been the sticking point in this case and the previously --
8 previous cases, it clarified that the proposed university housing
9 building is not to be construed as subject to a commercial use --
10 subject to commercial use activity restrictions of the Campus
11 Plan regulation, if approved as part of a Campus Plan. That text
12 amendment is in effect, and so I think that consistency
13 argument -- this is university housing on a University. And
14 although the majority of the -- of the -- of the occupants of
15 this university housing will be American University students,
16 faculty, or staff, some will be Wesley. AU is right next door --
17 literally right next door. I don't think there's anything even
18 separating it. There might be a gate -- a fence there that some
19 people wanted taken down or a gate put there so that can get back
20 and forth more easily without going into the neighborhood.
21 Anyway, this is -- this proposal will facilitate Wesley's
22 desire -- longstanding desire to thrive in place as a seminary
23 for -- and an institutional use, which has been there for many,
24 many decades.

25 So, with that, I would move that we -- the Zoning

1 Commission take, finally, final action on Zoning Commission Case
2 23-08(1), Wesley Theological Seminary of the United Methodist
3 Church, 2025 to 2035 Campus Plan at Square 1600, and ask for a
4 second.

5 COMMISSIONER WRIGHT: Second.

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

8 (No response.)

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

11 MS. SCHELLIN: Commissioner Miller.

12 VICE CHAIR MILLER: Yes.

13 MS. SCHELLIN: Commissioner Wright.

14 COMMISSIONER WRIGHT: Yes.

15 MS. SCHELLIN: Commissioner Hood.

16 CHAIRPERSON HOOD: Yes.

17 MS. SCHELLIN: Commissioner Imamura.

18 COMMISSIONER IMAMURA: Yes.

19 MS. SCHELLIN: Commissioner Stidham.

20 COMMISSIONER STIDHAM: Yes.

21 MS. SCHELLIN: The vote is five to zero to zero to
22 approve final action in Zoning Commission Case Number 23-08(1).
23 That's it for this case.

24 CHAIRPERSON HOOD: Okay. Let's go to our next case,
25 which is Zoning Commission Case Number 13-14E, McMillan Parcel 2

1 Owner, LLC and McMillan Parcel 4 Owner, LLC, modification with
2 hearing of consolidated first-stage and second-stage PUDs at
3 Square 3128. Ms. Schellin.

4 MS. SCHELLIN: Yes, sir. So on this one, you have some
5 new exhibits. I do want to say that just for -- so that it's
6 made clear, so everybody knows, the record was reopened. There
7 were two requests to reopen the record. At Exhibit 36, the
8 applicant asked to reopen the record to consider a further
9 modification to the retail and grocery commitment. That's at
10 Exhibit 36 and, I believe, 36A -- 36, which was approved, so then
11 they submitted that at 36A. Then there was a request to reopen
12 the record at Exhibit 38 from Kevin Rapp to respond -- to make a
13 submission with regard to testimony he gave and also to respond
14 to a submission that the applicant submitted in relation to his
15 prior testimony and the grocery store size, so -- but that was
16 denied.

17 So, moving on, the applicant's post-hearing statement
18 at Exhibits 35 and 35A; the updated retail and grocery commitment,
19 again, at Exhibit 36A; OAG provided a supplemental statement
20 still supporting the application with a condition at Exhibit 37;
21 and then a letter in support or, rather, an e-mail asserting that
22 ANC 5E remains in support of the PUD modification from Alice
23 Thompson, and she is the SMD for 5E05, at Exhibit 39. So this
24 is ready for the Commission to consider final action. Thank you.

25 CHAIRPERSON HOOD: Okay. Thank you, Ms. Schellin. Let

1 me just respond to what we opened up. One of the things that we
2 opened up from the applicant is something that the Commission
3 asked for in dealing with the retail and the grocery store. The
4 other thing is, I do want to -- I denied Mr. -- I think former
5 Commissioner or Commissioner Rapp is because we can't -- the
6 regulations state that the applicant has the last word and to go
7 back and forth, and then the applicant would have had to answer
8 back to what he sends us, and we're ready to deliberate. I think
9 also at the hearing I want -- I want the record to reflect and
10 the record will show that we let Mr. Rapp and all those who
11 testified go way over their time and we were very patient in
12 that, because the time is only three minutes. So I just wanted
13 to make sure for the record that that's put out there.

14 So I'm going to read a history, and I want to thank --
15 I want to thank our legal counsel, even for the previous case
16 than this one, for helping us recap, because we have a lot of
17 things that we have -- a lot of moving parts, a lot of things
18 going on. Oftentimes, we need to be reminded. It's going to
19 take me a moment, so I ask my colleagues to indulge me.

20 The case -- this case has a long history. The
21 Commissioner originally approved the PUD in 2015. Who was here
22 in 2015?

23 VICE CHAIR MILLER: (Raises hand.)

24 CHAIRPERSON HOOD: Was everybody -- I know Commissioner
25 Wright wasn't here.

1 COMMISSIONER WRIGHT: (Shakes head no.)

2 CHAIRPERSON HOOD: Commissioner Imamura, you weren't
3 here in '15?

4 COMMISSIONER IMAMURA: (Shakes head no.)

5 CHAIRPERSON HOOD: And Commissioner Stidham, you
6 weren't here in '15?

7 COMMISSIONER STIDHAM: (Shakes head no.)

8 CHAIRPERSON HOOD: Okay. So, anyway, the case was
9 approved in 2015. This included approval of the site and the
10 development plans and the public benefits package. The approved
11 site and development plans included open space, rec center,
12 public space, preservation of historic elements, and the
13 restoration of the fountain, all of which are public benefits of
14 the PUD. This predated the public plaza element requirement that
15 was added to the MU-10 regulations. The applicant is obligated
16 to provide the public open spaces of the approved PUD, but has
17 no obligation to provide an additional public plaza, because the
18 regulations were changed after the PUD was approved. The approved
19 PUD also included a significant affordable housing proffer and a
20 requirement that the project include a 55,000 square foot grocery
21 store.

22 The approved PUD was involved in extensive litigation,
23 which delayed its construction for many years. The applicant has
24 begun construction and completed several aspects, including the
25 construction of the recreation center, which everybody's

1 marveling about -- I haven't had the opportunity to go over there,
2 but I'm hearing a lot about the rec center -- and several of the
3 associated public spaces and preserved historic elements. The
4 applicant now seeks to modify several elements, including the
5 size of the grocery store requirement, location of affordable
6 units, change to the retail space requirements, and other
7 changes. Excuse me. The Commission's -- the Commission decision
8 will come down to whether the Commission believes that -- excuse
9 me again -- the modified PUD continues to meet the PUD balancing
10 test and warrants approval. The Commission will not be
11 reconsidering all the aspects of the PUD approval. Let me read
12 this again, because I think there's a misnomer that we're
13 revisiting everything. The Commission will not be reconsidering
14 all aspects of the PUD approval. I wanted to note these things,
15 because the Commission received several comments after the record
16 was closed that assumed that the Commission was revisiting all
17 the aspects of the approved PUD.

18 So at our July the 17th hearing, the Commission heard
19 the following testimony. The applicant stated the full-size
20 grocery store had backed out of the project and could not one to
21 replace it. Market conditions had changed to favor smaller-
22 format grocery stores. They stated they had signed a lease with
23 a 22,500 square foot grocery store, asked for modification to
24 allow it to reduce the size and the required grocery store on
25 Parcel 4 from 55,000 feet to 22,500 square feet and to allow it

1 to reduce the size of the grocery to 10,000 feet in the event a
2 lease falls through on the 22,500 square feet -- again, another
3 example of how the Zoning Commission does not just rubber stamp,
4 so I'm just going to leave it at that -- requested other
5 modifications, including reducing the amount of the retail space
6 within the Parcel 2 building and allow flexibility for
7 conversions of retail space to residential units; removing the
8 pedestrian walkway/bridge between portions of Parcel 2 -- the
9 Parcel 2 building; increasing the total number of units in the
10 Parcel 2 building to a total of 267 units; reducing the number
11 of parking spaces in the Parcel 2 building to approximately 122
12 spaces; consolidating the affordable senior units entirely to the
13 Parcel 2 East building for a total of 142 affordable senior units;
14 allowing the Parcel 2 West building to be devoted entirely to
15 lodging use for a total of 205 lodging units; increasing the
16 total number of units in Parcel 4 to 324 units; allowing
17 flexibility for up to 20 percent of the residential units in
18 Parcel 4 to be used for lodging; reducing the number of parking
19 spaces in Parcel 4 to approximately 311 spaces; modifying the
20 loading facilities for Parcel 4.

21 In response, the Commission stated it believed that
22 market forces, not zoning requirements, would determine the
23 presence of particular retail options, and it seemed likely that
24 if the Commission continued to require 55,000 square feet, the
25 result could be an empty space, stating that the Commissioners

1 | were -- we were concerned about the relief, but were persuaded
2 | by the testimony about the market situation; stated it believed
3 | removal of the pedestrian bridge was an important -- was an
4 | improvement to the project.

5 | OP testified in support of the modification
6 | application. Office of Attorney General -- and I want to thank
7 | them for doing a little homework assignment; I'm glad they came
8 | to an agreement with how to move forward with the --
9 | simultaneously of dealing with the senior and affordable
10 | units -- testified in support of the modification application
11 | with the proposed condition that the Commission approve the
12 | request, lodging flexibility of only five years, and required the
13 | affordable units to be delivered at the same time as the market
14 | rate units. Again, I believe they have come up with a resolution
15 | agreeable -- agreement.

16 | The opponents, concerned that flexibility for retail
17 | and grocery is greater than the applicant is representing, stated
18 | that they would prefer that the modifications were changed to a
19 | grocery store minimized size of 20,000 square feet, guaranteed
20 | 21,000 additional retail on Parcel 4, maintain 14,000 retail on
21 | Parcel 2, and retain MU-10 Plaza requirement.

22 | At the conclusion of the hearing, the Commission asked
23 | for the following post-hearing submissions. And Commissioner
24 | Wright, I'm going to turn it over to you shortly. The applicant
25 | responded to the proposed conditions regarding affordable housing

1 timing; considering a 15,000 lower limit on the size of the
2 grocery store; respond to Court questions about whether the
3 affordable housing is preserved in perpetuity or for the life of
4 the project; respond to issues raised by Mr. Rapp's testimony;
5 and draft conditions. And then we had OAG to respond to
6 affordable housing issues, which have been resolved according to
7 the template. So what I'd like to do now is -- I know one of --
8 Commissioner Wright had really mentioned on the retail component.
9 We know now we have some later developments, but I want to turn
10 it over to Commissioner Wright. And I thank you all for listening
11 to all that recap, but I want to turn it over to Commissioner
12 Wright, if she has any follow-up questions or comments.

13 COMMISSIONER WRIGHT: No, but -- so I do want to verify,
14 and staff can confirm this, that the applicant has come up with
15 an alternative proposal and that is that, based on what is in
16 Exhibit 36A, the applicant's further modification to the retail
17 and grocery commitment, is that, one, the Parcel 4 building will
18 include 43,500 to 59,000 square feet of floor area devoted to
19 retail of which a minimum of 22,500 square feet will be for a
20 grocery store; and, two, that Parcel 2 will include a total of
21 15,000 to 17,000 square feet of floor area devoted to retail,
22 which may be located entirely in the west building or spread
23 among the west and east buildings. So I think that's great news.

24 I think we should take yes for an answer, which is,
25 essentially, that the applicant has said they will not reduce the

1 | grocery store commitment below 22,500 square feet, which is, I
2 | think, an adequate size for a good full-service grocery store.
3 | I know that they have had conversations with the Office of the
4 | Attorney General and explained some of the financing issues
5 | related to when the affordable building will come on line, and
6 | some of that is dictated by the timing and process that the
7 | District has for some of the financing. But they are committed
8 | to making sure that the construction of both Parcel 2 and Parcel
9 | 4 are completed within 12 years. And I believe the Office of
10 | the Attorney General has agreed that that is a satisfactory
11 | condition or a satisfactory solution.

12 | And then the final issue was about whether the language
13 | about the affordable units should be in perpetuity, which was
14 | what one person who testified proposed, or if the language should
15 | be so long as the project is in existence. And the language "so
16 | long as the project is in existence" is the same language used
17 | with IZ housing units, and it, I think, is consistent with how
18 | other affordable units around the city are treated, and we should
19 | probably not introduce new language, but use the language that
20 | is already part of the IZ program.

21 | And, you know, with that, I think that a lot of the
22 | issues that had been raised at the public hearing have been --
23 | have been covered. You know, I think, again, we did not seem to
24 | hear a lot of testimony in opposition to the number of units,
25 | the way the units are split between the two -- between the

1 different buildings, the removal of the bridge. You know, there
2 seemed to be a lot of agreement on most of the aspects of this
3 modification that's being requested. The grocery store was the
4 biggest sticking point I think, and it sounds like the applicant
5 has agreed to maintain the level at 22,500, which is, again, in
6 my judgment and in my professional experience, the size of a
7 good-sized full-service urban grocery store. So, with that, I
8 think a lot of the issues have been tied up.

9 CHAIRPERSON HOOD: Okay. Thank you. Commissioner
10 Imamura, anything to add?

11 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I'm
12 not sure that I dare add anything more. Commissioner Wright
13 covered it quite well, in addition to your summary, Mr. Chairman.
14 I'm prepared to vote in support.

15 CHAIRPERSON HOOD: Thank you. Commissioner Stidham.

16 COMMISSIONER STIDHAM: I agree. Commissioner Wright
17 covered it all. I'm prepared to support as well.

18 CHAIRPERSON HOOD: And Vice Chair Miller.

19 VICE CHAIR MILLER: Yes, I also agree. I thank you,
20 Mr. Chairman, for recapping what's happened with this case, which
21 has been almost unacceptably delayed by the litigation that --
22 despite most in the community and all elected officials
23 supporting this development going forward for over ten years. So
24 we -- I think we were -- there was a lot of support for the
25 modifications. There was concern about the flexibility to go

1 below the 22,500 square foot for the grocery store. They have
2 a -- according to their testimony -- the applicant's testimony,
3 they have a lease for such a grocery store. They used to have a
4 lease about ten years ago for a 55,000 square foot grocery store,
5 and that was long lost with those years of litigation delay. But
6 I agree that 22-5 is sufficient for a full-service grocery store,
7 and I thank the applicant for its responsiveness to both the
8 Commission's concerns and the community -- and the continued
9 community engagement that they've had with the Bloomingdale ANC
10 representative particularly, but also all of the community. So
11 I'm prepared to move forward. Thank you.

12 CHAIRPERSON HOOD: Okay. So I thank all my colleagues.
13 So, again, I'll just reiterate, it sounds like we're all satisfied
14 with the applicant's response to the issues raised by the
15 Commission, and it sounds like we're good with the revised grocery
16 and retail commitments that have been modified for the public and
17 continue to be sufficient to approve the modified PUD. So, with
18 that, unless anyone disagrees with anything, we're going to go
19 ahead and move forward, and I will ask Commissioner Wright if she
20 would make a motion.

21 COMMISSIONER WRIGHT: Yes. I move that we approve
22 Zoning Commission Case Number 13-14E, McMillan Parcel 2 Owner,
23 LLC and McMillan Parcel 4 Owner, LLC, modification with hearing
24 of consolidated first-stage and second-stage PUDs at Square 3128
25 with the amended conditions that we have discussed this evening.

1 VICE CHAIR MILLER: Second.
2 CHAIRPERSON HOOD: Okay. It's been moved and properly
3 seconded. Any further discussion?
4 (No response.)
5 CHAIRPERSON HOOD: Not hearing any, Ms. Schellin, would
6 you do a roll call vote please?
7 MS. SCHELLIN: Commissioner Wright.
8 COMMISSIONER WRIGHT: Yes.
9 MS. SCHELLIN: Commissioner Miller.
10 VICE CHAIR MILLER: Yes.
11 MS. SCHELLIN: Commissioner Hood.
12 CHAIRPERSON HOOD: Yes.
13 MS. SCHELLIN: Commissioner Imamura.
14 COMMISSIONER IMAMURA: Yes.
15 MS. SCHELLIN: Commissioner Stidham.
16 COMMISSIONER STIDHAM: Yes.
17 MS. SCHELLIN: Staff records the vote five to zero to
18 zero to approve final action in Zoning Commission Case Number 13-
19 14E. Thank you.
20 CHAIRPERSON HOOD: Okay. Thank you, Ms. Schellin.
21 Let's now go to time extensions. Is there more than one
22 extension? I thought it was -- okay. Time extension -- I'm
23 sorry -- Zoning Commission Case Number 22-08A, NRP Properties,
24 LLC, two-year design review time extension at Square 5085. Ms.
25 Schellin.

1 MS. SCHELLIN: Yes, sir. This is, as you stated, a
2 two-year time extension request to extend the approved design
3 review to begin construction by August 26th, 2027. The
4 applicant's justification states that the extension meets the
5 criteria of Subtitle Z, Section 705.2, because they -- you know,
6 nothing has changed; there's no reason for a hearing. And they
7 stated that they -- the applicant has provided a -- an affidavit
8 to support their argument and show their continued commitment,
9 because they have finalized their construction drawings. They
10 filed a building permit application in February 2024. They
11 anticipate their building permit to be issued by the third quarter
12 of 2025. They've secured a 45 million dollar -- 45 million
13 dollars in tax-exempt bonds from DCHFA, and they're in
14 underwriting -- in the underwriting pipeline for DHCD, their HPTF
15 loan, and they have spent over three million dollars in design,
16 permitting, financing, and other related efforts, and so they are
17 very committed and need this extension in order to move forward.

18 At Exhibit 4, OP has provided a report recommending
19 approval. And as of just a little bit ago, ANC 7F had not
20 provided a report, but the time -- requisite time period has
21 passed and allows the Commission to move forward, if they choose
22 to do so. Thank you.

23 CHAIRPERSON HOOD: Okay. I'm going to try this a little
24 different way. I always like to try something new and my
25 colleagues will stop me if I don't. I would move that we approve

1 Zoning Commission Case Number 22-08A, and the rationale is
2 because of the -- the extension is needed, because, as already
3 mentioned, it's been in the record of the financing, and also
4 having to deal with the addition of the issues with the
5 surrounding property, and also having to collaborate and deal
6 with multiple government agencies that have created considerable
7 administrative and permitting challenges, to August the 26th,
8 2027. And that's my motion, and I'll ask for a second.

9 COMMISSIONER STIDHAM: Second.

10 CHAIRPERSON HOOD: It's been moved and properly
11 seconded. Now, any discussion?

12 VICE CHAIR MILLER: I would just say that this is --
13 they have -- I think good cause has been shown for this time
14 extension for this 10-unit all-affordable housing project, which
15 has deeply affordable and family-sized units as well. And so
16 there are -- there have been a number of incumbrances and
17 regulatory and financing issues which have justified this first
18 time extension. So I'm ready to move forward, too, Mr. Chairman.

19 CHAIRPERSON HOOD: Thank you. Any other discussion?

20 (No response.)

21 CHAIRPERSON HOOD: Okay. Not seeing any, and it's been
22 moved and properly seconded, Ms. Schellin, would you do a roll
23 call vote please?

24 MS. SCHELLIN: Commissioner Hood.

25 CHAIRPERSON HOOD: Yes.

1 MS. SCHELLIN: Commissioner Stidham.

2 COMMISSIONER STIDHAM: Yes.

3 MS. SCHELLIN: Commissioner Wright.

4 COMMISSIONER WRIGHT: Yes.

5 MS. SCHELLIN: Commissioner Miller.

6 VICE CHAIR MILLER: Yes.

7 MS. SCHELLIN: Commissioner Imamura.

8 COMMISSIONER IMAMURA: Yes.

9 MS. SCHELLIN: The vote is five to zero to zero to
10 approve final action in Zoning Commission Case Number 22-08A.
11 And if I may ask the applicant to provide a draft order within
12 two weeks. They can work with OZLD, whether it can be a summary
13 order or not, if the Commission is okay with that. Okay. Thank
14 you.

15 CHAIRPERSON HOOD: All right. Thank you. Let's go to
16 hearing action, Zoning Commission Case Number 11-03N, Wharf Phase
17 3 -- I don't even understand what "REIT" means; somebody tell
18 me -- Leaseholder, LLC, PUD modification with a hearing on
19 second-street (sic) PUD -- what did I say, second street --
20 hearing of second PUD -- I'm sorry -- of second-stage PUD at
21 Square 473. Mr. Jesick, tell me what "REIT" stands for please.

22 MR. JESICK: Good evening, Mr. Chairman and members of
23 the Commission. I believe "REIT" is Real Estate Investment Trust,
24 but I could be wrong on that.

25 MS. SCHELLIN: (Indicating thumbs up.)

1 MR. JESICK: But thank you again. The Office of
2 Planning recommends that the Commission set down this proposed
3 PUD modification. The application is a request to modify Case
4 11-03J to permit an already constructed building within M Street
5 Landing, the part near the southern end of the Wharf. The
6 application is for the building only, as the cafe use has already
7 been fully permitted by DOB.

8 Next slide please, Mr. Young. The Office of Planning
9 reviewed the modification against the policies of the
10 Comprehensive Plan and against the design and intent of the
11 original PUD approval. OP finds that the application is not
12 inconsistent with the general policy guidance of the
13 Comprehensive Plan or the general intent of the original PUD
14 approval, both of which seek to create an active mixed-use
15 Southwest Waterfront with open spaces and eating and drinking
16 establishments.

17 OP finds the degree of consistency sufficient for
18 setdown and therefore recommends that the Commission set down the
19 application for a public hearing. Prior to a hearing on this
20 case, OP will provide a more detailed analysis of the specific
21 policy guidance impacting this exact location, as well as the
22 specific design intent of the PUD, as it envisioned M Street
23 Landing. That concludes my testimony, and I'm happy to take any
24 questions. Thank you.

25 CHAIRPERSON HOOD: Thank you, Mr. Jesick, and, also,

1 | thank you to Ms. Lovick for letting me know that it's the Real
2 | Estate Investment Trust; and you were correct, Mr. Jesick, that's
3 | what it is, and I'm sure I probably read that and just forgot
4 | it, but thank you all for refreshing me or explaining to me what
5 | that was. I was going call it Rita (phonetic). Anyway, let's
6 | see if we have any questions or comments. Commissioner Wright,
7 | you have any questions or comments?

8 | COMMISSIONER WRIGHT: No, I don't have any questions.
9 | I think this is definitely ready to set down and to hear from
10 | the public on this proposal.

11 | CHAIRPERSON HOOD: Commissioner Imamura.

12 | COMMISSIONER IMAMURA: I'm in agreement, Mr. Chairman.
13 | I think this is ready for set down, and I'm interested to hear
14 | more at the hearing. So thank you, Mr. Jesick.

15 | CHAIRPERSON HOOD: Commissioner Stidham.

16 | COMMISSIONER STIDHAM: I agree this is ready for set
17 | down. I just -- the other pavilion, I remembered there was
18 | some -- and I may be remembering this completely wrong -- that
19 | there was some opposition to the other pavilion that we looked
20 | at in this general area, and just am curious if you're hearing
21 | any opposition on this particular pavilion.

22 | MR. JESICK: I think -- well, last time the Commission
23 | considered this building, it was Case 11-03M, which was a request
24 | for a modification without hearing. And I think at that time
25 | there may have been some opposition. I'd have to go back and

1 | check the record, but the Commission did direct the applicant to
2 | come back as a modification with hearing, so we can all, you
3 | know, hear from the public directly through a public hearing
4 | process.

5 | COMMISSIONER STIDHAM: Thank you. So it's the same
6 | pavilion. I got it all mixed up in looking at the case, so great.
7 | Look forward to hearing it.

8 | CHAIRPERSON HOOD: Okay. Commissioner Stidham, we only
9 | have one case a year. No, I'm just playing. All right. Vice
10 | Chair Miller.

11 | VICE CHAIR MILLER: Thank you, Mr. Chairman. Yeah, I
12 | support -- I also support setting this case down as a public
13 | hearing, and appreciate the applicant's engagement with ANC 6D
14 | throughout the process. I think -- I don't know if it was after
15 | our initial consideration of this last year or not, but they
16 | did enter into a cooperative agreement with the applicant and the
17 | ABC Board related case that would govern issues relating to hours
18 | of operation, noise, and visual impact even. So I encourage the
19 | applicant to continue their engagement with that ANC and look
20 | forward to the hearing.

21 | CHAIRPERSON HOOD: Thank you again, Mr. Jesick, for
22 | your report. I'm looking forward to the hearing as well.
23 | Commissioner Imamura, could you make a motion please?

24 | COMMISSIONER IMAMURA: Gladly. Thank you, Mr.
25 | Chairman. I move that the Zoning Commission set down for a

1 | limited scope hearing specifically on the pavilion here for
2 | Zoning Case 11-03N, Wharf Phase 3 REIT Leaseholder, LLC, PUD
3 | modification with hearing of second-stage PUD at 635 Wharf Street
4 | Southwest at Square 473 -- again, a limited scope hearing
5 | specific to the pavilion, and ask for a second.

6 | COMMISSIONER WRIGHT: Second.

7 | CHAIRPERSON HOOD: Okay. It's been moved and properly
8 | seconded. Any further discussion?

9 | (No response.)

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

12 | MS. SCHELLIN: Sure. Commissioner Imamura.

13 | COMMISSIONER IMAMURA: Yes.

14 | MS. SCHELLIN: Commissioner Wright.

15 | COMMISSIONER WRIGHT: Yes.

16 | MS. SCHELLIN: Commissioner Hood.

17 | CHAIRPERSON HOOD: Yes.

18 | MS. SCHELLIN: Commissioner Miller.

19 | VICE CHAIR MILLER: Yes.

20 | MS. SCHELLIN: Commissioner Stidham.

21 | COMMISSIONER STIDHAM: Yes.

22 | MS. SCHELLIN: And the vote is five to zero to zero to
23 | set down Zoning Commission Case Number 11-03N, as in Nancy, as a
24 | contested case. Thank you.

25 | CHAIRPERSON HOOD: Next we have Zoning Commission Case

1 Number 25-10, Alturas, LLC, text amendment to Subtitle U-514.3,
2 prohibited uses in Reed-Cooke Overlay. Mr. Jurkovich.

3 MR. JURKOVIC: Good evening, Chairman and members of
4 the Commission. The Office of Planning recommends the Zoning
5 Commission set down the proposed text amendment to Subtitle U,
6 Section 514.3, by Alturas, LLC. The applicant-driven amendment
7 would allow the following uses by right at their property:
8 restaurants and food establishments, off-premise beer and wine
9 sales, and veterinary hospitals. OP examined the proposal, as
10 it relates to the Comprehensive Plan policies and as viewed
11 through the racial equity lens. From this, we believe the project
12 would not be inconsistent with the Plan's goals regarding equity.
13 Additionally, the application would be consistent with the goals
14 of the Adams Morgan Vision Framework, which calls for
15 opportunities to reduce vacancy rates. The additional uses
16 should increase the number of potential tenants and is consistent
17 with the types of businesses the Framework imagines at this
18 intersection. Our full analysis can be found in our report. In
19 summary, when evaluated through a racial equity lens, the
20 applicant's request would not be inconsistent with the
21 Comprehensive Plan and OP recommends the application be set down.
22 Thank you. That concludes my testimony, and I'm here to answer
23 any questions.

24 CHAIRPERSON HOOD: Thank you, Mr. Jurkovic. We
25 appreciate your report. I want to start off on this one, because

1 I -- so we're talking about the Reed-Cooke Overlay. When we did
2 ZR-16, we were doing away with overlays. Explain to me why
3 this -- I think we're removing -- the way I look at this, are we
4 removing things out of this overlay and does the general overlay
5 that went across the city -- and maybe I have this wrong; Ms.
6 Steingasser may be able to correct me, because I know we've had
7 this discussion. First of all, why does the general overlays not
8 apply to this? What makes this one different than the other
9 overlays, like the Langston Overlay in the neighborhood I used
10 to live in; why does that make this different? Why are we doing
11 something special for this overlay as opposed to all the general
12 overlays that we said that we were no longer going to -- we were
13 going to make them universal across the city. That may not be a
14 question for you, Mr. Jurkovic. I'm not sure if you were around
15 then, but Ms. Steingasser -- if Ms. Steingasser's listening, she
16 can help me -- help understand that.

17 MR. JURKOVIC: I'll definitely echo that question back
18 to Ms. Steingasser and get back to you.

19 CHAIRPERSON HOOD: Okay. I don't need an answer
20 tonight. I'll get it at a later time. All right. My colleagues
21 have any other questions or comments? Seeing any? Okay.

22 COMMISSIONER WRIGHT: (Raises hand.)

23 CHAIRPERSON HOOD: Commissioner Wright.

24 COMMISSIONER WRIGHT: A quick question. When you come
25 back and when this comes to hearing, it would interesting to

1 understand why some of these uses were not included in the
2 original overlay zone, you know, like restaurants. That sort of
3 surprises me that that wasn't a use that was included in the
4 original overlay zone. So a little history or, you know, a little
5 chronology of how this zone came to be what it is today and, you
6 know, if there was discussion when the overlay zone was created
7 about some of these uses, what was that discussion? That would
8 be helpful to have as background.

9 CHAIRPERSON HOOD: And let me add to that, because the
10 way I understood it, overlays were going away. That's what we
11 did in ZR-16. So now here I am looking at an overlay.

12 VICE CHAIR MILLER: Mr. Chairman --

13 CHAIRPERSON HOOD: Yes.

14 VICE CHAIR MILLER: I'll try to give my --

15 CHAIRPERSON HOOD: Thank you.

16 VICE CHAIR MILLER: -- recollection of it. The
17 overlays, as overlays, did go away, but a lot of their provisions
18 were incorporated in neighborhood mixed-use zones -- specific
19 neighborhood mixed-use zones, which had -- some of which had
20 universal standards, as you said, and some of them had
21 neighborhood-specific standards. So the Reed-Cooke neighborhood
22 mixed-use zone, as I understand it, still exists, like the --
23 like the Cleveland Park neighborhood mixed-use zone and others,
24 but some universal standards applied to all the neighborhood
25 mixed-use zones, and then there are neighborhood-specific ones

1 | that are there in our zoning regulations. But this case -- I
2 | support setting this down. This is an -- this is just one part --
3 | one small part on the edge of the Reed-Cooke neighborhood mixed-
4 | use zone that is vacant, as Mr. Jurkovic said. Thank you for
5 | your report. I agree with your recommendations. I think the
6 | history of the Reed-Cooke and a little -- would be helpful at the
7 | hearing, but this is just one part of the -- of that neighborhood
8 | mixed-use zone where this -- adjacent to the U Street Corridor,
9 | where there are a lot of restaurants, but the history, I think,
10 | would be helpful at the hearing, and I appreciate the report,
11 | appreciate my colleagues' comments. Thank you, Mr. Chairman.

12 | CHAIRPERSON HOOD: Thank you, Vice Chair, for trying
13 | to help me understand that, but I still need Ms. Steingasser, so
14 | I can have a conversation with her about this, because I thought
15 | it was all going away. And I get it. We're trying to take
16 | something out of -- I'm not -- I'm not against setting it down.
17 | I just want to make sure I understand it, because if we're doing
18 | it over here, we need to be doing it over here. That's kind of
19 | where -- oh, there she is. Okay. I knew it wouldn't be long.
20 | Okay. Ms. Steingasser, help me understand, because you remember
21 | these conversations we had about overlays.

22 | MS. STEINGASSER: I do. I do. I absolutely do. I've
23 | devoted it seems like decades of my life to these overlays. Yes,
24 | the Langston Overlay was relative to the industrial adjacency
25 | between residential and industrial uses, and so that became a

1 citywide issue, so we -- it still applies in Langston, but it
2 applies citywide, just because that land use relationship is as
3 vulnerable in one area as it is in another.

4 Mr. Miller had it correct when he was talking about
5 some, however, remain geographically focused, and the Reed-Cooke
6 was one of those that remained geographically focused, and we
7 brought them back in 2016 with -- as part of that -- the -- kind
8 of the reorganization that we did, we brought a lot of those kind
9 of overlay-type issues back, so they do exist. So you'll see
10 the MU4/RC, MU4/CP for Cleveland Park. They -- so they do --
11 they do exist as part of the neighborhood commercial mixed use.

12 And, in this case, as Mr. Miller was pointing out, it
13 is a -- just a small piece of the Reed-Cooke Overlay that kind
14 of hangs down south on its own, and that's why we thought it has
15 been suffering from its kind of isolation from the rest. And
16 what Reed-Cooke was trying to do was to recognize its proximity
17 to Columbia Heights and all the uses that were around it that
18 were heavily food and drink oriented and trying to keep it more
19 towards an office and residential and more retail type of mixed
20 use. However, you know, through the 30 years, 35 years that
21 Reed-Cooke has existed, things have changed, as we know, and so
22 they -- it had a lot of problems with getting the space leased.

23 We did not want to just take the -- change the uses or
24 remove the overlay completely, because it's one of the original
25 affordable housing overlays. It had a -- it has the first

1 provision that required if you got -- you got the additional 10
2 feet of height if you did affordable dwelling units, and we wanted
3 to make sure that we kept that housing component in there, so we
4 did kind of a focus amendment. But, yes, those overlays, as part
5 of the reorg in 2016, we kind of brought those -- that
6 nomenclature back, and so some of them are -- and I'm waiting to
7 see your head bob or shake -- so some of them -- Langston was --
8 you know, it was -- it was a very good policy and a set of
9 regulations that talked to the adjacency between industrial and
10 residential uses, and because those exist throughout the city,
11 we went ahead and made that a universal requirement in zoning.
12 It's not like it was removed from there; it was broadened.

13 CHAIRPERSON HOOD: Okay. So the Langston Overlay was
14 applicable across the city, which made it unique --

15 MS. STEINGASSER: Yes.

16 CHAIRPERSON HOOD: -- as opposed to the Reed-Cooke.
17 Now, Reed-Cooke won't show up down in Union Market, because it
18 doesn't apply to the uses in Union Market.

19 MS. STEINGASSER: Right. Yes, sir, that's exactly
20 correct.

21 CHAIRPERSON HOOD: All right. I'm sorry to take up
22 that time, and thank you, Ms. Steingasser. I needed to get there,
23 so thank you. Appreciate that. All right. Thank you, Mr.
24 Jurkovic, as well. All right. Any other questions or comments
25 anybody?

1 (No response.)

2 CHAIRPERSON HOOD: And thank you, Vice Chair Miller for
3 trying to help me understand that. It'll probably come up again
4 though. All right. Would somebody like to make a motion to set
5 this down? Thank you, Ms. Steingasser.

6 VICE CHAIR MILLER: I'll make a motion, Mr. Chairman,
7 that the Zoning Commission set down for a public hearing Zoning
8 Commission Case Number 25-10, Alturas, LLC, text amendment to
9 Subtitle U, Section 514.3, amending the prohibited uses in the
10 Reed-Cooke Overlay, and ask for a second.

11 COMMISSIONER STIDHAM: Second.

12 COMMISSIONER IMAMURA: Second.

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

15 (No response.)

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

18 MS. SCHELLIN: Commissioner Miller.

19 VICE CHAIR MILLER: Yes.

20 MS. SCHELLIN: Commissioner Stidham.

21 COMMISSIONER STIDHAM: Yes.

22 MS. SCHELLIN: Commissioner Hood.

23 CHAIRPERSON HOOD: Yes.

24 MS. SCHELLIN: Commissioner Wright.

25 COMMISSIONER WRIGHT: Yes.

1 MS. SCHELLIN: Commissioner Imamura.

2 COMMISSIONER IMAMURA: Yes.

3 MS. SCHELLIN: The vote is five to zero to zero to set
4 down Zoning Commission Case Number 25-10 as a rulemaking case.
5 Thank you.

6 CHAIRPERSON HOOD: Okay. Thank you. Let's move right
7 along. Zoning Commission Case Number 25-04, Ed Villard, map
8 amendment at Square 5341. I think we're going to Mr. -- either
9 Joel or Mr. Mitchum.

10 MR. MITCHUM: Yes. Good evening, Mr. Chairman and
11 members of the Commission. I'm Joshua Mitchum with the Office
12 of Planning, and I'll be presenting Zoning Commission application
13 25-04. So the applicant, Ed Villard, has filed an application
14 requesting a map amendment to rezone 5045 Hanna Place Southeast
15 from the R-2 zone to the MU-4 zone. The map amendment is intended
16 to implement the policies and strategies recommended by the
17 Comprehensive Plan.

18 Next slide please. The property is located south of
19 Hanna Place Southeast and to the west of Benning Park. It is
20 comprised of a- single lot, Lot 34, with frontage on Hanna Place
21 Southeast and 51st Street Southeast, with an access to an alley
22 at the rear of the lot. The lot is currently improved with a
23 four-unit two-story multifamily building. Next slide please.
24 The Future Land Use Map designates the property for residential
25 moderate-density and commercial moderate-density uses. The

1 Generalized Policy Map designates the property as a Neighborhood
2 Conservation Area. The proposed MU-4 rezoning will not be
3 inconsistent with the FLUM and GPM designations, as the MU-4 zone
4 would allow for more density and, subsequently, the potential to
5 produce more affordable housing units, which would be consistent
6 with the planning and development strategy of the surrounding
7 area.

8 Next slide please. When viewed through a racial equity
9 lens, the proposal, on balance, would not be inconsistent with
10 the Comprehensive Plan policies of the Far Northeast/Southeast
11 Planning Area element. According to 2019 to 2023 disaggregated
12 ACS data, the Planning Area is majority Black and has a higher
13 percentage of cost-burdened households, compared to the
14 Districtwide average. Excuse me for a second. The -- therefore,
15 OP is not recommending IZ Plus standards to be applied to the
16 subject application, due to the amount of existing affordable
17 housing already available.

18 Next slide please. In conclusion, the Office of
19 Planning again recommends that the proposed map amendment be set
20 down for public hearing, Thank you, Mr. Chairman and members of
21 the Commission, and I am happy to answer any questions you may
22 have.

23 CHAIRPERSON HOOD: Okay. Mr. Mitchum, I will tell you
24 what -- looking at this, I was wondering if this was right to be
25 set down. There's some things -- some information that's needed,

1 but let me -- I'll wait to see what others think. And I was
2 wondering, if we set it down, would some of this stuff be flushed
3 at the hearing, but I could go either way, but let me see what
4 my colleagues say. So thank you, Mr. Mitchum, for your report.
5 Commissioner Wright, you have any questions or comments?

6 COMMISSIONER WRIGHT: Yes. This is a case that -- it
7 sort of makes me curious about the overall vision for the whole
8 block. I understand, you know, this is one house on a corner in
9 a block with other single-family detached houses, if I -- if I
10 understand it correctly. And, I mean, do you know if -- I read
11 in the report that the applicant has been reaching out to the
12 ANC and so forth, but do you know if there's any opposition to
13 this application?

14 MR. MITCHUM: Yes. Thank you for your question. At
15 this time, OP is not aware of any opposition to the application.

16 COMMISSIONER WRIGHT: Okay. I mean, I guess I don't
17 mind the idea of setting it down, but I do find it, you know, to
18 be not sort of part of a bigger picture. That makes me a little
19 bit concerned.

20 CHAIRPERSON HOOD: Okay. Commissioner Imamura.

21 COMMISSIONER IMAMURA: Thank you, Mr. Chairman, and
22 thank you, Mr. Mitchum for your report. I think that we should
23 probably set this down, but -- and should we decide to do that
24 as a Commission, I think that it's important to have a more
25 detailed Comp Plan consistency analysis before the hearing, and

1 | so I'd like to see, you know, a more wholesome discussion of the
2 | property's designation on the GPM and a discussion of the citywide
3 | elements, in addition to potential Comp Plan inconsistencies and
4 | perhaps a discussion on how displacement of the existing tenants
5 | will be mitigated. So I'm curious -- and forgive me if you've
6 | already addressed this -- I'm just curious if there's any
7 | opposition to the proposed map amendment that you're aware of.

8 | MR. MITCHUM: No, we're not aware of any opposition to
9 | the application at this time. The applicant has -- in his burden
10 | of proof statement has provided a detailed kind of summary of the
11 | steps he's taken to talk about -- talk to the community and local
12 | groups as well.

13 | COMMISSIONER IMAMURA: Great. So those are the --
14 | thank you, Mr. Mitchum, for your response. Those are the things
15 | that I'd like to hear more about from the applicant.

16 | CHAIRPERSON HOOD: All right. Sorry about that. My
17 | space bar -- I meant to call Mr. Turnbull. Commissioner Stidham,
18 | you have any questions or comments?

19 | COMMISSIONER STIDHAM: The only question I have is I
20 | would like to understand more about the displacement and what is
21 | going to be put in place to mitigate that. There's not much in
22 | the record, other than this is a four-unit -- it's currently four
23 | units, and what will be done to make it -- to mitigate that
24 | displacement. I think Commissioner Imamura already asked for
25 | that, but just to echo that need and to really understand the

1 | Comp Plan inconsistencies, but I'm in support of setting it down,
2 | as long as they come back prepared to address the things that we
3 | have mentioned here.

4 | CHAIRPERSON HOOD: Oh, I must have been on mute. Did
5 | you all hear me say "Vice Chair Miller"?

6 | VICE CHAIR MILLER: I missed that.

7 | CHAIRPERSON HOOD: No, I was on mute. I was on mute.
8 | Vice Chair Miller. I must be getting tired.

9 | VICE CHAIR MILLER: Okay. Thank you, Mr. Mitchum, for
10 | your report. Yeah, I support setting this down for a public
11 | hearing, but I do -- I agree with the comments of my colleagues
12 | thus far. This -- requesting more information about this. This
13 | is most -- this is a map amendment, so it's a zoning consistency
14 | case with the Comp Plan, and the Comp Plan does call for moderate
15 | mixed-use -- the Land Use Map calls for moderate mixed-use
16 | residential and commercial, and the R-2 doesn't allow for any
17 | commercial. But I think the applicant's statement might have
18 | indicated that the -- they had reached out to ANC 7E and that
19 | there was some concern about retail being on the -- we're not
20 | talking about a project, because it's a map amendment, but we
21 | know that there are -- from your own report, that there were --
22 | there will be tenants who are -- who will be displaced and may
23 | have an opportunity to return. I think we do need more
24 | information about that -- as others have said, about the
25 | mitigation for -- how many tenants are there and are there

1 relocation plans being made for them and a right to return and
2 all of that, that we need to consider for our racial equity
3 analysis I think, part of the Comprehensive Plan evaluation,
4 so -- and I realize the report does say that you reached out to
5 the applicant to try to extend it -- extend -- work with their
6 neighboring property to see if they would also join the applicant
7 in this application, because as Commissioner Wright -- can you
8 hear me, Mr. Chairman?

9 CHAIRPERSON HOOD: Yes, I can hear you.

10 VICE CHAIR MILLER: Okay. The -- I'd be curious to
11 know why, given that reaching out by the Office of Planning, why
12 didn't -- why isn't the Office of Planning coming back with a
13 zoning consistency case for the entire block and working with the
14 neighboring properties on that and maybe addressing the concern
15 about retail by ANC 7E with a different zone. I just -- so I
16 would want all that -- more information on that and the community
17 engagement aspect of it at the public hearing, and the consistency
18 analysis and the mitigation of the project that is not really
19 before us, but we know that it will facilitate a project. So,
20 with all of that -- those concerns that my colleagues have stated
21 as well, I still support setting it down and hearing more
22 information at the public hearing.

23 CHAIRPERSON HOOD: I, too, will go ahead and set it
24 down. I'm just going to ask the Office of Planning to assist
25 this applicant in making sure that we don't spend a lot of time

1 basically helping him with his case, as Commissioner Imamura has
2 asked for a few things and all my colleagues have asked him to
3 bring those things and come ready, so we can move forward and
4 not have to design the case or deal with the case and put it
5 together while we're doing it, so -- and we may not do this all
6 the time, but it would be great to reach out and help him. I
7 think you all are doing that already, Mr. Mitchum, but you all
8 can continue to do that and get him ready for the hearing, and I
9 think the Commission would be greatly appreciative of that. All
10 right. So, with that, Commissioner Imamura -- who -- can you
11 make a motion or did I call on you --

12 COMMISSIONER IMAMURA: Yeah, I'm happy to do that for
13 you, Mr. Chairman.

14 CHAIRPERSON HOOD: Thank you.

15 COMMISSIONER IMAMURA: I move that the Zoning
16 Commission set down Case Number 25-04, Ed Villard, map amendment
17 from R-2 to MU-4 at 5045 Hanna Place Southeast, Square 5341, Lot
18 34, and ask for a second.

19 COMMISSIONER WRIGHT: Second.

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

22 (No response.)

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

25 MS. SCHELLIN: Commissioner Imamura.

1 COMMISSIONER IMAMURA: Yes.
2 MS. SCHELLIN: Commissioner Wright.
3 COMMISSIONER WRIGHT: Yes.
4 MS. SCHELLIN: Commissioner Hood.
5 CHAIRPERSON HOOD: Yes.
6 MS. SCHELLIN: Commissioner Miller.
7 VICE CHAIR MILLER: Yes.
8 MS. SCHELLIN: And Commissioner Stidham.
9 COMMISSIONER STIDHAM: Yes.
10 MS. SCHELLIN: So we'll record this as five to zero to
11 zero to take action to approve setdown in Zoning Commission Case
12 Number 25-04, and this is being set down as a contested case.
13 Thank you.
14 CHAIRPERSON HOOD: Thank you. Let's go to Zoning
15 Commission Case Number 25-13, and once we get the review from Ms.
16 Thomas, Commissioner Wright, I'm going to come to you first.
17 MS. THOMAS: Good afternoon, Mr. Chairman and members
18 of the Commission. I'm Karen Thomas with the Office of Planning
19 on the proposed text and map amendment for the Wisconsin Avenue
20 Corridor, Zoning Case -- Zoning Commission Case 25-13. Maxine
21 Brown-Roberts, the lead for this important map and text
22 amendment, is not able to be here tonight, but I am joined by
23 Joel Lawson and Ms. Steingasser from our office.
24 Next slide. OP's petition is for text amendments to
25 create three new mixed-use zones and to map the zones for

1 | properties fronting on Wisconsin Avenue Northwest between Western
2 | Avenue to the north and Rodman Street to the south and including
3 | four identified areas along this corridor, that being the
4 | Friendship Heights Metro area shown here to the north as the dark
5 | blue area, the Friendship Heights transition area shown in
6 | yellow -- the yellow small areas on both sides of the corridor
7 | and to the -- I don't think you can see it closely here -- next
8 | to the blue, the Tenleytown Metro area to -- the blue in the
9 | middle, and the Wisconsin Avenue Corridor, the red or pink areas
10 | shown on the map.

11 | Discussions on revitalization of this corridor began
12 | during the 2021 update of the Comprehensive Plan, which placed
13 | stronger emphasis on the provision of new housing with affordable
14 | housing opportunities, particularly in areas such as the Rock
15 | Creek West Planning Area, where data indicated a lack of dedicated
16 | affordable housing. The corridor was highlighted as one of those
17 | areas, and this led to changes to the Generalized Policy Map and
18 | the Future Land Use Map.

19 | Next slide. As with any zoning map and text amendment,
20 | the policy level direction comes from the Comprehensive Plan and
21 | the Wisconsin Avenue Development Framework and provides
22 | additional guidance on how to craft this zoning. We are now in
23 | the zoning implementation phase, which means translating that
24 | policy direction and guidance into zoning.

25 | Next slide. The Generalized Policy Map designates the

1 | corridor for a Regional Center at Friendship Heights, a Multi-
2 | Neighborhood Center at Tenleytown, Main Street Mixed-Use Corridor
3 | between Friendship Heights and Tenleytown and south of
4 | Tenleytown. This corridor is also within a Future Planning
5 | Analysis Area, and that planning analysis has taken place and
6 | resulted in the Wisconsin Avenue Development Framework in
7 | February 2024.

8 | Next Slide. The Future Land Use Map also indicates a
9 | variety of designations. Friendship Heights is a mix of high-
10 | density residential and commercial and local public facilities.
11 | The Transition Area is shown as moderate-density residential.
12 | Tenleytown would be within a high-density residential/medium-
13 | density commercial designation. And the remainder of the
14 | Wisconsin Avenue Corridor would be a mix of medium-density
15 | residential and commercial. As stated in our report, the proposed
16 | zones are not inconsistent with the maps, as they would allow the
17 | building form, density, and mix of uses, particularly commercial
18 | uses and upper floor residential uses with affordable housing,
19 | as anticipated by these designations.

20 | Next slide. Based on the Comp Plan recommendations,
21 | the Wisconsin Avenue Development Framework was developed with
22 | dedicated community engagement and input, providing guidance to
23 | supplement the Comp Plan's direction regarding density and use
24 | mix for new zoning for the area, as well as direction for the
25 | revitalization of public spaces and compatibility to adjacent

1 lower-density residential uses.

2 Next slide. The Framework presents four guiding
3 principles for the corridor, which prioritizes housing,
4 especially affordable housing, the design for public spaces to
5 encourage walkability and connectivity, the designing of building
6 massing and height to compliment neighborhood context, and the
7 designing of buildings to maximize sustainability of housing and
8 retail. And not all the guidelines associated with these
9 principles are achievable through zoning, but the Framework
10 directs OP to work with the guidelines and implement them into
11 zoning text, where possible, while public space improvements and
12 other recommendations will be addressed through other approval
13 processes.

14 Three new zones are proposed for future development
15 along the corridor, and the RA-2 is proposed for the selected
16 Transition Areas. Again, I'd like to stress that, based on the
17 policy guidance of the Comp Plan and additional recommendations
18 of the Wisconsin Avenue Development Framework, these new zones
19 would apply to MU-10 and MU-8 as their base, along with the FAR
20 height and lot occupancy recommendations of the Framework, as we
21 will show next.

22 Next slide. This shows the Friendship Heights Metro
23 area closer up and it includes properties generally bounded by
24 Wisconsin Avenue, Western Avenue, Harrison Street, and it is
25 bisected by 45th and Jennifer Streets. The area currently has

1 three mixed-use zones and the RA-2 zone, and the proposal here
2 is to rezone the entire area to the new Friendship Heights Mixed-
3 Use Metro zone, MU-10/FHM.

4 Next slide. Based on the Comp Plan's recommendation
5 for high-density residential and high-density commercial, the
6 Framework recommends 7.8 with IZ FAR and a height of 130 feet,
7 with other upper level -- I'm sorry -- upper-level setbacks
8 adjacent to buildings in the low-density R-2 zone and -- next
9 slide -- and also to buildings adjacent to properties in the RA-
10 2 zone. It also recommends predominantly retail along Wisconsin
11 Avenue, with retail and other commercial uses along Jennifer and
12 44th Streets. Pedestrian connections are also included in
13 identified areas along the corridor to break up large blocks,
14 provide connectivity between streets, and open public spaces. In
15 this area, a pedestrian corridor is proposed between Wisconsin
16 Avenue and 45th Street, and there are design requirements for
17 these areas as well. I'd just like to point out that these
18 illustrations, as we go on to other slides as well, show -- that
19 are shown are not reflective of any particular project and they
20 are all copied from the Wisconsin Avenue Development Framework.

21 Next slide. The Friendship Heights Transition Area
22 is shown as three smaller areas to provide protection to lower-
23 density residential uses from higher-density development, and
24 these are large portions of properties along 45th Street and
25 between Harrison and Garrison Streets to the east and west of

1 Wisconsin Avenue. They are currently zoned R-2, which is low
2 density, but is designated on the Comp Plan FLUM for moderate-
3 density residential, and we are proposing the RA-2 zone as a -
4 transition zone.

5 Next slide. The standard RA-2 zone would allow 2.16
6 FAR with IZ Plus at a maximum height of 50 feet to provide that
7 transition, as well as to generate additional housing and
8 affordable housing. Next slide. The Tenleytown Metro Area refers
9 to properties generally fronting on Wisconsin Avenue between
10 Chesapeake Street, 40th Street, and Albermarle Street.

11 Next slide. This zone is mapped as MU-10 and is based
12 on the policy direction of the Comp Plan for high-density
13 residential and medium-density commercial with the Framework
14 recommending a 7.2 FAR with IZ at a maximum height of 110 feet
15 for buildings along Wisconsin Avenue and 40th Street. Here we
16 also have an east-west pedestrian corridor recommended between
17 Wisconsin and 40th Street to break up building massing and to
18 provide mid-block connection between the Avenue and residences
19 east of 40th Street, and this has been included in the zoning
20 requirements.

21 Next slide. The Wisconsin Avenue mixed-use zone
22 proposed as MU-8A is to be mapped on property generally between
23 Friendship Heights and Tenleytown high-density zones and south
24 of Tenleytown for infill development along the corridor.

25 Next slide. The density proposed for this zone is 5.4

1 FAR with IZ at a height of 75 feet and 80 percent lot occupancy.
2 Where new developments abut low-density residential areas,
3 including the R and the RF zones, 12 feet rear yard is required
4 with upper level setbacks. Here, again, we have a pedestrian
5 connection recommended by the WADF between Wisconsin and 42nd
6 Street on Square 1733, and this has been incorporated into the
7 proposed zoning.

8 Next slide. So, where relevant, OP has incorporated
9 the Framework's recommended design requirements for the three new
10 zones. I won't go through all of them here, but they're listed
11 here for your reference. And that would include lot occupancy
12 to provide public open space, recreation areas, transition and
13 compatibility requirements adjacent to lower-density residential
14 properties, front facade articulations, requirements for
15 individual entrances to commercial spaces, new retail spaces to
16 have 50 percent transparency, and parking and loading access
17 requirements from side streets or alleys.

18 Next slide. Specific design requirements are also
19 proposed for the pedestrian connections through especially large
20 blocks. So we have a minimum 25-foot width being uncovered for
21 a minimum of 75 percent of its length, and these areas should
22 not be used for loading, parking, or vehicular access or trash
23 storage.

24 Next slide. So to be clear, at the time the WADF was
25 completed, it was not envisioned that all the guidelines would

1 be incorporated into the zoning as requirements and that a
2 discretionary process like design review would be needed to
3 insure their implementation. However, OP has been able to
4 incorporate into the zoning and not recommend a design review
5 process for by-right development. However, a review by the Zoning
6 Commission of any PUD or by the BZA of any relief from regulations
7 would remain possible. Next slide. Our report and framework
8 details the extensive outreach and meetings, including public
9 community walks, focus group meetings, webinars, design
10 conversations, and public comment periods for the plan. And we
11 continued that outreach prior to this filing, including meetings
12 with both ANC A, 3A, and 3E, meetings with Ward 3 WIN and Ward 3
13 Vision, and with the Friendship Heights Alliance.

14 Next slide. A detailed equity analysis is provided in
15 our report and I would highlight here that the Rock Creek West
16 roadmap, the ACS data, and -- for the planning area, and the
17 Mayor's housing equity goals shows that there remains great
18 disparity in median income, unemployment rates, and owner
19 occupancy among the races, particularly between those identified
20 as White alone or Black or African American in the population.
21 The proposed text and map amendment would advance many of the
22 policies related to racial equity through provisions of
23 affordable housing, job creation, advancement of arts and
24 culture, and a revitalization of an underserved area.

25 Next slide. So we are recommending that the Commission

1 set down this application as a rulemaking for public hearing.
2 And, in summary, on balance, the proposed text amendment is not
3 inconsistent with the 2021 Comprehensive Plan and with the
4 guidelines and prescriptions within the Wisconsin Avenue
5 Development Framework. That proposal would -- the proposal,
6 rather, would provide housing and affordable housing, retail, and
7 service uses at a high level of density close to the Metro
8 stations and at lower heights and densities elsewhere, with
9 design guidelines to insure an active streetscape along the
10 Avenue and to lessen potential impacts on adjacent residential
11 uses. And, with that, Mr. Chair, I'd like to thank you, and I
12 hope you have a happy August, and I'm available for any questions.

13 CHAIRPERSON HOOD: Thank you, Ms. Thomas, and I hope
14 you have a happy August too. I would say "time off", but I know
15 you all continue to work through August, but I hope you have a
16 great -- we all hope you have a great time and the Office of
17 Planning as well, the whole entire staff. I know I have a few
18 questions, but let me start off, Commissioner Wright.

19 COMMISSIONER WRIGHT: Thank you. So, at the outset,
20 let me just say that I am fully in support of the Comp Plan's
21 goal of increasing density along major corridors, including
22 Connecticut Avenue and Wisconsin Avenue, particularly near Metro
23 stations like Tenleytown and Friendship Heights. One of the
24 things that I think is important, however, for this Commission
25 is to sort of be brought along on what the thinking and the work

1 has been subsequent to the approval of the Comp Plan.

2 So, in this case, several references are made to the
3 Wisconsin Avenue Development Framework, which was released by OP
4 in February of 2024. When we talked about the Cleveland Park
5 text amendment several weeks ago, we also talked about the fact
6 that there were Connecticut Avenue Development Guidelines that
7 also had been developed by the Office of Planning. And in both
8 cases there was community outreach and a lot of good work done.

9 One of the things that I think would be very helpful
10 would be prior to -- I think we should set this for a public
11 hearing -- I'm definitely in favor of that -- but prior to the
12 public hearing, I think there should be a briefing by the Office
13 of Planning in open session during a regular Zoning Commission
14 meeting that goes into detail about the Connecticut Avenue
15 Development Guidelines and the Wisconsin Avenue Development
16 Framework, because, although it has been completed by the Office
17 of Planning, I -- my understanding is that there hasn't been a
18 presentation to this body about those two finalized documents.
19 Is that accurate? Maybe -- Joel, maybe you know. Has there been
20 a presentation?

21 MR. LAWSON: Hi, everybody. Joel Lawson with the Office
22 of Planning. Not that I'm aware of. Yeah, once again, you know,
23 that's kind of what we're doing right now; we're presenting the
24 zoning, which is responding to those documents, but we'd
25 certainly be happy to go over those documents in more

1 | information -- in more detail.

2 | COMMISSIONER WRIGHT: That would be really helpful. I
3 | really think that a briefing on those documents, which, indeed,
4 | are the basis for the text amendments, would be very, very
5 | helpful, so that we can really be brought along and understand
6 | that interim step that has taken place in developing these text
7 | amendments.

8 | The other aspect of it is, there are a lot of guidelines
9 | that were included in both the Framework and in the Connecticut
10 | Avenue Development Guidelines. I would like to understand a
11 | presentation on how you feel these text amendments are, for lack
12 | of a better word, sort of like form-based codes, really trying
13 | to take the physical guidelines in the Framework and in the
14 | Guidelines -- Connecticut Avenue Development Guidelines and
15 | Wisconsin Avenue Development Framework and how you're trying to
16 | implement these building form goals through the text amendments,
17 | and whether you have analyzed whether the portions of the text
18 | amendments that talk about guidelines for setbacks, for example,
19 | how doable are those, given different types of building forms.
20 | So, for example, in a stick-built project on top of, you know, a
21 | base -- a concrete base, there may be more abilities to do
22 | stepback or less ability to do stepback, given the actual
23 | construction type. In some of these, where you're recommending
24 | higher heights, like 110 feet, you may be talking about a
25 | different construction type. It may be concrete or steel, in

1 | which case there may be additional ways of doing setbacks that
2 | are -- you know, are more nuanced. I think the folks in the
3 | urban design staff of the Office of Planning should, you know,
4 | be able to give us a sort analysis of in the Framework, in the
5 | Guidelines, when there's a discussion about setbacks and
6 | stepbacks, how will that work with different construction types,
7 | because we may recommend certain setbacks and then the project
8 | will come forward, or maybe not even come forward to us; it'll
9 | be a by-right project and they will say, "Well, we can't do that,
10 | because of the construction type".

11 | And so I want to just understand a little bit more
12 | about how -- as these text amendments go forward, you know, how
13 | they are or are not sort of like form-based codes and, you know,
14 | an analysis of that. I mean, there certainly are elements of
15 | what you've presented that are like form-based codes, no question
16 | about it, but I think there needs to be a more detailed and sort
17 | of nuanced discussion. And in order to do that, I think, first,
18 | at least for me, I really need to understand the Wisconsin Avenue
19 | Development Framework that was created by OZ with lots of good
20 | community outreach. You know, I know -- I know that was the
21 | case. And the -- and the same thing is true for the Connecticut
22 | Avenue Development Guidelines, you know, just to understand
23 | better that interim step that has taken place and that has
24 | informed the text amendments that we will be considering. So
25 | those are my comments. Again, I absolutely, absolutely support

1 the idea of increasing density along these two development
2 corridors; I support, especially around Metro stations, having
3 additional density, and I think that those are important goals
4 of the Comp Plan that need to be implemented as part of the zoning
5 code, no question. I just want to make sure we are fully
6 understanding each sort of step that is informing these text
7 amendments.

8 That's my comment. Otherwise, I -- again, I support
9 setting this down, but I feel like I need more information,
10 preferably prior to the public hearing.

11 CHAIRPERSON HOOD: Okay. Thank you. Commissioner
12 Imamura, any questions or comments?

13 COMMISSIONER IMAMURA: Well, thank you, Mr. Chairman.
14 Ms. Thomas, thank you for stepping in and helping your colleague,
15 Ms. Brown-Roberts on this very complex text and map amendment.
16 There's, obviously, a lot to unpack here. I'm supportive of
17 setdown and interested to hear more as this unfolds. So that's
18 all I have, Mr. Chairman. Thank you.

19 CHAIRPERSON HOOD: Let me do this. Mr. Ritting, did
20 you have something you wanted to say? Mr. Ritting, when you
21 turned your camera on, I figured you wanted to say something, so
22 that's -- okay. That was the policy, but I see that's changed.
23 All right. All right. Commissioner Stidham.

24 MR. RITTING: It was an accident. I'm sorry. I didn't
25 realize I was even on camera.

1 CHAIRPERSON HOOD: Oh, you've been on camera for a long
2 time.

3 MR. RITTING: Sorry.

4 CHAIRPERSON HOOD: All right. Commissioner Stidham.

5 COMMISSIONER STIDHAM: I have no comments or questions,
6 other than to thank you for the report. I am supportive of
7 setdown and look forward to walking through this during a hearing.

8 CHAIRPERSON HOOD: All right. And Vice Chair Miller.

9 VICE CHAIR MILLER: Thank you, Mr. Chairman, and thank
10 you, Karen Thomas and Joel Lawson, for your presentation and
11 answers to questions. I support -- I also support setting this
12 down for a public hearing. I think I need to understand --
13 whether it's a briefing, if we get this briefing that Commissioner
14 Wright has requested prior to having a public hearing, or at
15 the -- at a public hearing, I think I need to understand more --
16 you don't necessarily have to answer today, unless you have a
17 quick answer -- understand what the housing requirement is and
18 the affordable housing requirement is.

19 You have all these text amendments; you have -- you
20 have map amendments for a lot of squares. The map amendments
21 increase height and density in these squares from current zoning.
22 Is the 20 percent inclusionary zoning going to apply to these map
23 amendments, or is it some higher amounts? Is the whole purpose
24 of this is to encourage more housing, including especially
25 affordable housing in these particular corridors? So I don't

1 know if you have a brief answer. I just -- I don't know -- I
2 just need to understand what the affordable -- what the housing
3 requirement will be. Will there be a housing requirement? Could
4 somebody do an office building, if it's -- instead of -- not that
5 that's -- there's a market for that these days. But is there a
6 housing requirement; is there an affordable housing requirement
7 in any of these mixed-use specific neighborhood zones along each
8 corridor? Well, we're talking about the Wisconsin Avenue
9 Corridor right now, so that's where I wanted to ask. And I think
10 if -- the slides that you presented, Ms. Thomas, that had the
11 conceptual renderings that showed the design setbacks for each
12 of the different zones was helpful. I guess I need to go back
13 and read the Wisconsin Avenue Development Framework, which we may
14 get a briefing on, to see if there are illustrative renderings
15 as well that just show the relationship and the context and the
16 perspectives of these much denser, taller buildings adjacent to
17 the lower-density, and how, with what you're proposing, will
18 be -- there will be this transition to the lower-density
19 residential neighborhoods that exist currently. So that's really
20 the only comment. I appreciate all the work that's been done on
21 this development plan, both -- along both corridors, and the
22 Comprehensive Plan changes before that, and in this report that
23 we have before us, this 78-page report, so -- but -- so I support
24 setdown. If you had any comment you wanted to make in response
25 to my comment, Mr. Lawson or Ms. Thomas, feel free to say

1 anything.

2 MR. LAWSON: I'll just -- very briefly, with regards
3 to housing, certainly, all of the zoning allows housing and all
4 of the zoning incentivizes housing. In other words, you can do
5 more development if it's housing than if it's non-residential.
6 We're proposing IZ Plus apply to all four of these zone districts,
7 so that would mean, you know, certainly, the highest level of
8 affordable housing requirement that we have in zoning. Now that,
9 of course, doesn't mean that a developer or an owner of a
10 particular property is going to maximize the density or decide
11 to maximize the density by doing residential even. You're
12 correct. But we're certainly seeing in the zoning, which is
13 consistent with both the Comprehensive Plan and the Wisconsin
14 Avenue Development Plan, that the provision of housing and
15 affordable housing is a major policy focus for this corridor.
16 Oh, sorry. With regards to the plan, yes, the plan does have
17 additional diagrams, including some massing diagrams, so it is
18 a -- it is a really interesting document. I would highly
19 recommend it to everybody. I don't think it's on the bestseller
20 list yet, but maybe it will be after this meeting tonight, but
21 it's available free on our website. You don't actually have to
22 buy it, so --

23 VICE CHAIR MILLER: Thank you very much for that
24 response. Well, I look forward to rereading it. I think I
25 perused it when it first came out, but I certainly need to review

1 | it at this point, so we look forward to your -- the public hearing
2 | and any briefing that may be had -- additional briefing that may
3 | be had on the Wisconsin Avenue or Connecticut Avenue Development
4 | Framework as well. So thank you, Mr. Chairman.

5 | CHAIRPERSON HOOD: Thank you. And, again, I'm not
6 | going to ask a lot of questions about this particular case. I
7 | want to know in general. Ms. Thomas, again, I want to thank, as
8 | one of my colleagues already mentioned, for standing in the gap
9 | for Ms. Brown-Roberts, and we appreciate the report. But my
10 | question is going to be more towards -- for Mr. Lawson and Ms.
11 | Steingasser. Mr. Lawson, what does it take to -- I notice a lot
12 | of the text and map amendments creating new zones -- and I know
13 | I'll probably get in trouble for saying this, but it's a fact,
14 | what I see, and you all can correct me -- are always either in
15 | Ward 3 or Georgetown. I'm hearing from other neighbors. Have
16 | we done one in Ward 8, Ward 7, Ward 5, Ward 6? If we have,
17 | forgive me. I just don't remember. I see -- the planning
18 | concentration seems to be -- and, yeah, I'm wondering why we
19 | don't do any of that over there. I do know of one area that's
20 | looking forward to a special creative zone. And what does it
21 | take to get that done? Do you all have a pipeline? How does
22 | that work? And I know some may have heard me mention this before,
23 | but, I mean, it seems like we're always in one area doing this,
24 | and when we first did the Georgetown, my concern then was to make
25 | sure we spread it across the city. So help me understand why

1 we -- it seems like we concentrate -- I'm not knocking this one.
2 I'm going to set this one down, but what about some of the other
3 areas? Anybody can answer that.

4 MS. STEINGASSER: I'll go ahead and take the first stab
5 at that. When we -- when we Georgetown, Chairman Hood, you
6 remember we also did Anacostia. We were very conscious about the
7 equity appearance of favoring one side of the city versus the
8 other, and so we worked on those two areas together.

9 This -- what we're doing now, Wisconsin Avenue, and the
10 one we previously did on Connecticut Avenue, this was put into
11 the Comprehensive Plan by the Councilmembers, and so it -- and
12 then they put money towards the planning initiatives that they
13 wanted OP to follow up on, so that's why these two particular
14 came through. But we have also done one recently, as in the last
15 two years, Pennsylvania Avenue East; I think that's in Ward 7.
16 That was also the result of a planning initiative followed by a
17 zoning initiative.

18 So the planning initiative usually comes from the Comp
19 Plan. The Comp Plan usually identifies and the Council usually
20 follows up with dedicated funds or direction, and the Small Area
21 Plan or the Framework Plan will identify whether there should be
22 land use changes and whether there should be zoning initiatives.
23 So we did a small area framework analysis in Ivy City, but it
24 did not call for any significant zoning changes, except for along
25 the industrial land, and those are going to be looked at as part

1 of the larger industrial land study that's being completed, and
2 then also part of the New York Avenue Corridor work that's being
3 done. So that particular area overlaps two other major planning
4 initiatives that are looking at that industrial land there.

5 CHAIRPERSON HOOD: Okay.

6 MS. STEINGASSER: But that's how they -- that's how
7 they get there, and that's how the work is assigned to OP, and
8 that's how these two have ended up in front of the Commission.

9 CHAIRPERSON HOOD: Okay. Because I know that -- you
10 mentioned Ivy City. I know that I think there needs to be a plan
11 on New York Avenue. I don't know what the plan is. That's not
12 my expertise. That's more of Commissioner Wright's expertise.
13 And, also, I know that Ivy City has been trying to figure out
14 how to do a plan. I'm just asking that the Office of Planning,
15 or however this is done, maybe explain how they can get some of
16 these new zones, and we might not be all the way up to par with
17 everyone else, but I think at some point in time, we need to
18 listen to the -- because that's how you -- we got here. Didn't
19 we -- as you mentioned, Ms. Steingasser, the community talked to,
20 what, the Council or did they talk to the Office of Planning and
21 then they put money behind it; is that how that works?

22 MS. STEINGASSER: Well, in this case, that's how these
23 two studies came to be, the Framework study and the Small Area
24 Plan. They -- the councilmember put them into the Comprehensive
25 Plan and then funded the work.

1 CHAIRPERSON HOOD: Oh, okay. So you start with the
2 Council. And I'm saying this for the record, so people will
3 understand, because I really don't know how this starts. I know
4 that -- I know when I was on the Comp Plan, we -- the community
5 got together, we put something down, and that initiative -- just
6 like our architect, we told the architect -- you tell the
7 architect what you want, they go back and design it; you tell
8 the Office of Planning what you want as a community, they go back
9 and come back with the language to help you get there, and I
10 guess it was approved by the Office of Planning -- I mean, by
11 the City Council to put money behind it to be able to carry out
12 the initiative. Is that a fair assessment?

13 MS. STEINGASSER: That is -- that is one way. I mean,
14 we do -- OP tries to have a broader focus and look at elements
15 of the Comprehensive Plan that apply citywide and make sure that
16 there is more of an equity balance, in terms of our work in
17 general. So we -- like, we've done some work out on Benning
18 Road; we've done some work, obviously, over in Poplar Point;
19 we've -- you know, we are -- we are -- we're citywide, and our
20 focus is one of equitable investment of our time and resources.

21 CHAIRPERSON HOOD: Well, that's all I'm looking for.
22 But, Ms. Schellin, I'm going to ask that you could remind me --
23 and we probably did -- I do remember doing Saint Elizabeth's and
24 I do remember doing some things over there with form codes and
25 all that. I remember that. But I also want what Ms. Steingasser

1 mentioned about Anacostia. I don't remember that one I don't
2 think. I do remember doing some work in Anacostia, but I didn't
3 know if we did a new zone because of the historical nature of
4 it, but I'd like to have a copy of that order. I'd like to read
5 that and -- so I can -- we can pass that on to people who are
6 interested.

7 MS. STEINGASSER: I don't want to -- no, we did not
8 create a special zone for Anacostia. What we -- what we did was
9 we looked at Anacostia in terms of affordable housing and
10 inclusionary zoning, and we gave it -- we gave it a similar
11 analysis of its historic district and ability to provide and
12 balance out its affordable housing requirements. So the Mayor's
13 Equity -- Housing Equity Report, which talks about -- sets goals
14 for different parts of the city, different housing goals,
15 different affordability goals, they also called out the different
16 planning areas of the city.

17 CHAIRPERSON HOOD: Okay. And then my last question is,
18 when people are being notified about this -- it kind of goes
19 along with what Commissioner Wright said -- do we send it to just
20 property owners -- and I think our regulations now -- well, our
21 regulations say that we send it to tenants -- tenant owners as
22 well. Is that -- is that true? Maybe I'll ask my legal counsel
23 about that -- about what is sent to the tenants.

24 MS. STEINGASSER: The planning process is different
25 than the zoning process, right?

1 CHAIRPERSON HOOD: Right.

2 MS. STEINGASSER: The planning -- you know, we don't
3 have a Planning Commission, so planning is done through the
4 Mayor's Office. She's the Chief Planner under the Home Rule Act.

5 CHAIRPERSON HOOD: Right.

6 MS. STEINGASSER: And, through her, the Office of
7 Planning acts as the Executive's planning agency. They
8 immediately contact the ANCs. We have a huge database of civic
9 groups and community organizations. We know -- you know, we know
10 there's groups that are citywide in their focus, so we do -- we
11 do a very broad net to focus on -- you know, depending on where
12 the geography is, on how we notify people. We put -- we -- you
13 know, we do some old-school stuff, you know, little posters in
14 the library, we notify churches; you know, we really -- we really
15 try to do a broad -- I mean, at one point with the Comp Plan, I
16 think they did side panels on the buses. You know, they really
17 try to do a very broad net, in terms of notifying what the
18 planning initiatives are and how the neighborhood planners and
19 the citywide planners are reaching out, and same with our Urban
20 Design Division.

21 CHAIRPERSON HOOD: Okay.

22 MS. STEINGASSER: You know, they work together and try
23 to notify through all kinds of ways.

24 CHAIRPERSON HOOD: Okay. I think my questions have
25 been answered. I know how to proceed when I'm asked. I

1 appreciate the conversation and action, and I'm sorry for taking
2 up everybody's time on this, but I think this is very important,
3 because, as my colleagues know, a lot of times -- and not
4 necessarily germane to a case, but a lot of times people ask us
5 questions, and I like to have the information to be able to
6 respond, to be able to help the residents of the city. So that's
7 where I'm with that, so I don't have any further -- any other
8 questions on this?

9 (No response.)

10 CHAIRPERSON HOOD: All right. Thank you, Ms.
11 Steingasser, Ms. Thomas, and Mr. Lawson. Thank you. All right.
12 Would someone like to set this down? Who -- either one of my
13 friends from Ward 3 want to set this down?

14 COMMISSIONER STIDHAM: I'm happy to set it down,
15 Chairman.

16 CHAIRPERSON HOOD: Okay. Go right ahead.

17 COMMISSIONER STIDHAM: I make a motion to set down
18 Zoning Case Number 25-13, Office of Planning, text and map
19 amendment to create new Wisconsin Avenue mixed-use zones, and ask
20 for a second.

21 COMMISSIONER WRIGHT: Second.

22 VICE CHAIR MILLER: Second. We both seconded it.

23 CHAIRPERSON HOOD: Yeah, yeah. This is --

24 VICE CHAIR MILLER: Did you ask for both or one of us
25 to do it? We both did it.

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

3 (No response.)

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

6 MS. SCHELLIN: Commissioner Stidham.

7 COMMISSIONER STIDHAM: Yes.

8 MS. SCHELLIN: And I heard Commissioner Wright get in
9 there just a smidge before you, Commissioner Miller, so
10 Commissioner Wright.

11 COMMISSIONER WRIGHT: Yes.

12 MS. SCHELLIN: Commissioner Hood.

13 CHAIRPERSON HOOD: Put them both down. It doesn't
14 matter. Yes.

15 MS. SCHELLIN: Commissioner Miller.

16 VICE CHAIR MILLER: Yes.

17 MS. SCHELLIN: Commissioner Imamura.

18 COMMISSIONER IMAMURA: Yes.

19 MS. SCHELLIN: The vote is five to zero to zero to
20 approve setdown for Zoning Commission Case Number 25-13 as a
21 rulemaking case. And that's all I have for this one.

22 CHAIRPERSON HOOD: Okay. Again, I think we don't have
23 anything else, other than the item, which was kind of my question
24 in the last case, the correspondence item. I've asked my
25 colleagues to become familiar with that, because this is one of

1 the groups that has approached me, and we want to make sure we --
2 as Ms. Steingasser said, we want to make sure that we're equitable
3 when we're doing these kind of things, so thank you.

4 MS. SCHELLIN: And they actually -- just to follow up
5 on that, since that e-mail came in, or that letter, they do have
6 a meeting scheduled with OP on August 20th.

7 CHAIRPERSON HOOD: Oh, moving really fast.

8 MS. SCHELLIN: A virtual meeting just so -- so OP has
9 already responded to Ms. Narusi (phonetic).

10 CHAIRPERSON HOOD: Thank you, Office of Planning. You
11 all are on the spot -- on it. Appreciate that, and I'm sure the
12 residents do as well. All right. So we have anything else, Ms.
13 Schellin?

14 MS. SCHELLIN: No, sir.

15 CHAIRPERSON HOOD: I know that the BZA is having an
16 activity, so I'm hoping you all enjoy that, if you're attending.
17 But, also, I want to wish you all a very happy August off. Don't
18 do any zoning, unless you just have to, but enjoy your time off,
19 be safe, enjoy your family, if you're going on vacations, have
20 safe travels. And, with that, I'll -- and I know we got a lot
21 of work coming up the next few months, so let's get ready to
22 buckle down. And I want you to know that I appreciate all of
23 you, all of my colleagues, all of what you all do, all your input
24 and all your expertise. I think -- I've always said this, when
25 you have different values and different opinions, you get a better

1 outcome. And I think we have strived to do that, even though
2 sometimes it's not -- sometimes it's unpopular, but at the end
3 of the day, we try to do what's best and what's right for the
4 residents of the District of Columbia. So thank you all for
5 everything you all do. Enjoy your time off. I also want to
6 thank the staff and all the agencies and all the residents. I
7 want to thank every ladi-dadi and everybody for all you all do.
8 Enjoy your time off, and, with that, this meeting is adjourned.
9 See y'all later. Take care.

10 (Whereupon, the above-entitled public meeting
11 adjourned at 6:31 p.m.)
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C E R T I F I C A T I O N

This is to certify that the foregoing transcript

In the matter of: Public Meeting

Before: DC Zoning Commission

Date: 07-31-25

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