

GOVERNMENT OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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REGULAR PUBLIC HEARING

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THURSDAY

NOVEMBER 20, 2025

+ + + + +

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

ZONING COMMISSION MEMBERS PRESENT:

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

OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN, Secretary
MIKE SAKINEJAD, A/V OPERATIONS

OFFICE OF ZONING LEGAL DIVISION:

JACOB RITTING, Esquire
BRIAN LAMPERTON, Esquire
HILLARY LOVICK, Esquire

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OFFICE OF PLANNING STAFF PRESENT:

MAXINE BROWN-ROBERTS
JOEL LAWSON

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

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

(4:00 p.m.)

CHAIRPERSON HOOD: Good afternoon, ladies and gentlemen. We are convening and broadcasting this public meeting by videoconferencing. My name is Anthony Hood, and I'm joined by Vice Chair Miller, Commissioner Wright, and Commissioner Stidham. We're glad to have Commissioner Stidham back with us. We are also joined by the Office of Zoning staff, Ms. Sharon Schellin and Mr. Mike Sakinejad will be handling all of our virtual operations this evening, as well as our Office of Zoning Legal Division, Mr. Brian Lampert, Mr. Jacob Ritting, and Ms. Hillary Lovick. I'll ask all others to introduce themselves at the appropriate time.

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

We're hearing action items. The only documents before us this evening are the application, the ANC setdown report, and the Office of Planning report. All other documents in the record will be reviewed at the time of the hearing. We do not take any public testimony in our meetings unless the Commission requests

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1 someone to speak. If you experience difficulty accessing Webex
2 or with your phone call-in, then please call our OZ hotline number
3 202-727-0789 for Webex login or call-in instructions.

4 I will say that we again want to welcome Commissioner
5 Stidham back. We know there's some things she will participate
6 in today and some that she won't, and we'll do that when we get
7 to those cases.

8 So does the staff have any preliminary matters?

9 MS. SCHELLIN: No, sir.

10 CHAIRPERSON HOOD: Okay. No preliminary matters.
11 We'll go right along with the agenda. Okay. One second. All
12 right.

13 Modifications without hearings. Zoning Commission Case
14 No. 20-31C, American University, modification without hearing for
15 an approved campus plan at Square 1,600.

16 Ms. Schellin?

17 MS. SCHELLIN: Yes. So in this case, they are asking
18 for modification of a campus plan for the processing approval
19 from 20-31B. That was the multipurpose facility, the Meltzer
20 Center and the Sports Center Annex, where they do different sports
21 and musical activities. And so when they were doing the
22 construction, they realized they -- or determined they could do
23 a better layout of that space and so they have now come before
24 the Commission asking for a modification of that for the
25 processing case so that they can add to it. It's all internal

1 to the Sports Center building to include demolishing an existing
2 second floor mezzanine and area with the open space to the first
3 floor, and that will allow them to provide some additional space
4 for the students' well-being, and some clinical office space.

5 The Office of Planning provided a report at Exhibit 4.
6 They do not object to this modification without hearing. ANC 3D
7 provided their report at Exhibit 2E in support, 7 to zero to
8 zero. As of the writing, ANC 3E, 3A and Neighbors for Livable
9 Community, the other three parties have not provided a response.
10 However, the requisite time period has passed and the Commission
11 can move forward if it chooses to do so.

12 Thank you.

13 CHAIRPERSON HOOD: Thank you, Ms. Schellin.

14 I'll update. We do have a report from ANC 3E.
15 Chairperson Bender has submitted a report, which is in support.
16 I think the count was 5 to 0. I don't have it open, trying to
17 go off the top of my head which is dangerous. But anyway,
18 whatever it was, it was no opposition to them.

19 VICE CHAIRPERSON MILLER: It's 5 to 0. You were right.

20 CHAIRPERSON HOOD: Oh, okay. All right. Good. I'm
21 I'm getting younger.

22 So with that, Ms. Schellin has teed it up very good for
23 us. I don't think I need to elaborate. Again, you know, there's
24 some modest increase, 2,955 square feet, and basically it's
25 internal and that's what was submitted by Office of Planning as

1 well as the ANCs that have reviewed this application, and I think
2 it warrants our approval. I think it's very modest. But what I
3 would do, and I'm going to do it this way, and then we can have
4 discussion. I'm going to do it this way because of the way it
5 is.

6 I'm going to move that we approve Zoning Commission
7 Case No. -- first of all, does anyone believe that this should
8 not be a modification without a hearing? Let me do that first.
9 Okay. So no objections. So let me move, and I don't think
10 Commissioner Stidham is going to be sitting on this one, or are
11 you? Yes. You probably are on this one. Yes, you were on this.
12 I'm sorry.

13 So let me move approval of Zoning Commission Case No.
14 20-31C, and ask for a second.

15 VICE CHAIRPERSON MILLER: I'll second it and note that
16 we also do have a, I think, an email from the American University
17 Neighborhood Partnership in support by William Clarkson.

18 CHAIRPERSON HOOD: Okay. That was going to be part of
19 my discussion. So it's been moved and properly seconded. The
20 Vice Chair jumped ahead of me a little bit. Any other discussion?
21 Thank you, Vice Chair, but any other discussion?

22 (No response.)

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

25 MS. SCHELLIN: Commissioner Hood?

1 CHAIRPERSON HOOD: Yes.

2 MS. SCHELLIN: Commissioner Miller?

3 VICE CHAIRPERSON MILLER: Yes.

4 MS. SCHELLIN: Commissioner Stidham?

5 COMMISSIONER STIDHAM: Yes.

6 MS. SCHELLIN: And Commissioner Wright?

7 COMMISSIONER WRIGHT: Yes.

8 MS. SCHELLIN: The vote is 4 to 0 to 1 to approve final
9 action on Zoning Commission Case No. 20-31C, the minus 1 being
10 Commissioner Imamura, not present, not voting.

11 CHAIRPERSON HOOD: Okay.

12 Let's move on to final action, and I won't be doing
13 this one that way or the rest of them, I don't believe. Zoning
14 Commission Case No. 24-24, D.C. Department of General Services,
15 consolidated PUD and related map amendment and Square PAR, PAR
16 129.

17 Ms. Schellin?

18 MS. SCHELLIN: Yes, sir.

19 On this one, the hearing was held on September 29th and
20 since then the record was left open to allow for two parties that
21 I believe testified that evening to submit their written
22 testimony in Exhibits 25, 25A, and 26. The case was referred to
23 NCPC. I had not -- when the report was sent to me they had not
24 received a report back. I'll check after I turn this over to
25 you to see if they have submitted anything since.

1 The Applicant's post-hearing submission is at Exhibits
2 29 and a DGS Director's letter is at 29A. The Applicant provided
3 their letter in draft order at Exhibit 30, and their proffers and
4 conditions at Exhibit 31. And this is ready for the Commission
5 to take over, and I'll look very quickly to see if NCPC did
6 provide a report on this one.

7 CHAIRPERSON HOOD: Great. Thank you, Ms. Schellin.

8 Again, colleagues, as we all know this was a case where
9 we are moving and rehabbing the men's shelter of the design.
10 It's definitely an improvement from what I believe a lot of the
11 residents are living in now, and it's down the street. I do
12 understand the concerns of how the City feel like they're the
13 dumping ground. Ward 5 has always felt like a dumping ground.
14 But I think this is improvement to what already exists, and it
15 is enhancing what some of the residents are living in now.

16 The men's shelter on Minnesota Avenue were not -- some
17 of the issues where they believe there's adverse impacts in the
18 surrounding community: exacerbating high level of open drug use,
19 loitering, public intoxication. But as I read this for me, and
20 I'll turn it over to others, but as I started reviewing this
21 case, I started looking at the pros versus the cons, and I believe
22 that everyone should have decent, affordable living arrangements
23 and I think that's what we're doing.

24 It's definitely improvement from what we have. I know
25 that's one of the things that was considered. I'm basically

1 responding to Ivy City, and I appreciate Commissioner Rhodes, and
2 then I think at the end of the day they should continue to keep
3 raising these concerns. And I think that a lot of what the
4 upgrade and what they're trying to do, I think a lot of this will
5 be, I'm hoping and I'm pressing a lot of this will be mitigated.
6 It does have a bus route.

7 I think we have a stretch when we talk about going to
8 the NoMa Metro Station. I think that's a stretch from that site,
9 but I think it's an improvement. I do know that there is public
10 transportation, and I'm hoping and -- my colleagues can help me
11 remember -- I'm hoping that there are ways that the residents
12 will be able to get to that public transport. Walking is not
13 necessarily the easiest way because it's not like right around
14 the corner. So I don't want to de minimize what was in the record
15 from the Applicant about the NoMa Station because that is not
16 right around the corner.

17 So let me open it up to others and hear what others
18 have to say, but I would be in support of this PUD related map
19 amendment. Let me start off with Commissioner Wright.

20 COMMISSIONER WRIGHT: Thank you.

21 I apologize in advance. I still have some laryngitis
22 that I'm dealing with. But I agree with everything that you
23 said, Chair Hood. I think one of the things that really struck
24 me was the response or the notation that this is not introducing
25 a new use to the neighborhood, you know, and dumping a new

1 unfavorable use on the neighborhood. This is actually taking an
2 existing use that is there today and making it significantly
3 better and solving some of the problems that the community, I
4 think, has raised by actually creating some spaces for the
5 residents to have places to be during the day and some outdoor
6 spaces that are incorporated into the project, sort of courtyards
7 where people can sit rather than sitting out on a curb or in the
8 neighborhood.

9 And I think it's a good design. I think it definitely
10 will enhance the New York Avenue corridor, and we're going to be
11 talking about the New York Avenue corridor throughout this
12 meeting. And I think it is a, again, good improvement of an
13 existing public facility that is in Ivy City today, and that
14 makes that public facility better for Ivy City. So I also will
15 be supporting this application.

16 CHAIRPERSON HOOD: And Commissioner Stidham. I don't
17 think you read into the record, or did you?

18 COMMISSIONER STIDHAM: No, I was. I was at the hearing.

19 CHAIRPERSON HOOD: Oh, you were? I'm sorry.

20 COMMISSIONER STIDHAM: Yes, yes. I know I've been out
21 a long time. It feels like forever.

22 I agree with everything that has already been said.
23 And, you know, just to say homelessness is something every city
24 is struggling with right now and there is really a need to look
25 at this in a very humanized way. And I think this particular

1 structure that is being considered does that in a way that will
2 help overall with the City and I know that across the City we're
3 looking for similar situations to help with the homeless
4 population.

5 So that to be said, I'm very much in support of the
6 project. I think it will be an enhancement to Ivy City and to
7 the District as a whole.

8 CHAIRPERSON HOOD: Thank you.

9 Vice Chair Miller?

10 VICE CHAIRPERSON MILLER: Thank you, Mr. Chairman.

11 Yes, I too agree with everything that each of my
12 colleagues has said about this application. It is a replacement
13 of a outmoded and never really built for men's shelter along New
14 York Avenue, a block down I think, a ways down. And yes, it will
15 have -- I mean, it has state-of-the-art programming including
16 recreational space outdoors that is secured by fencing and other
17 space outdoors that we secured by fencing. So people won't be
18 wandering throughout the neighborhood, at least as much as they
19 are now, I guess, and there's programming space inside, clinical
20 health services, computer labs, job training information. It
21 will definitely be an improvement and a replacement of the sad
22 shelter that's there today, and it is very attractively designed
23 especially for a shelter. So I'm ready to support it.

24 CHAIRPERSON HOOD: Yes. I will continue to ask the
25 Applicant -- you know, it looks like we're going to be approving

1 this, if they will continue to work with the community as this
2 thing takes shape and form when it comes to compliance, continue
3 to listen to the views of the neighborhood and the community as
4 they continue to move forward. So it could be a win-win or try
5 to achieve a win-win for everybody. All right.

6 So I'm going to ask Commissioner Wright, if she doesn't
7 mind, if she can make a motion, please.

8 COMMISSIONER WRIGHT: I would be glad to. I just have
9 to get to my agenda, which is right here. So I'm going to --

10 VICE CHAIRPERSON MILLER: And I would just add to Mr.,
11 I'm sorry, I didn't mean to interrupt.

12 To piggyback on your comment, Mr. Chairman, to ongoing
13 work with the community. I mean, it seems like such a good
14 facility. It's important that it be managed well and that's up
15 to the District, Human Services, I guess, mostly in DGS for the
16 property aspects of it. You're right. Ongoing, that's very
17 important.

18 COMMISSIONER WRIGHT: Yes. I agree with that also.

19 I move that the Commission approves Zoning Commission
20 Case No. 24-24, D.C. Department of General Services consolidated
21 PUD and related map amendment at PAR 129, and with the discussion
22 that we've had today about our ongoing work with the community.

23 COMMISSIONER STIDHAM: Second.

24 CHAIRPERSON HOOD: Great. It's been moved and properly
25 seconded by Commissioner Stidham. Any further discussion?

1 (No response.)

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

4 MS. SCHELLIN: Sure.

5 Commissioner Wright?

6 COMMISSIONER WRIGHT: Yes.

7 MS. SCHELLIN: And Commissioner Stidham?

8 COMMISSIONER STIDHAM: Yes.

9 MS. SCHELLIN: Commissioner Hood?

10 CHAIRPERSON HOOD: Yes.

11 MS. SCHELLIN: And Commissioner Miller?

12 VICE CHAIRPERSON MILLER: Yes.

13 MS. SCHELLIN: The vote is 4 to 0 to 1 to approve --
14 let's see, where are we with this one? Got to get back to my
15 final action. In Zoning Commission Case No. 24-24, the minus 1
16 being Commissioner Imamura, not present, not voting. And that's
17 a 4 to 0 to 1 vote.

18 Thank you.

19 CHAIRPERSON HOOD: Thank you.

20 Okay. Let's go to, I believe time extension is next
21 unless I went too far ahead. Time extensions. Zoning Commission
22 Case No. 22-06B, 801 Maine Avenue NBL Owner LLC, one-year PUD
23 time extension at Square 390.

24 Ms. Schellin?

25 MS. SCHELLIN: Yes, sir.

1 As you stated, it is a request for a one-year time
2 extension of the consolidated PUD that was approved and this
3 would extend them getting their building permit to March 5, 2027.
4 And then they would commence construction by March 5, 2028. And
5 not too long ago, because the order has not been published yet,
6 the Commission approved a modification without hearing. And so
7 what the Applicant has found is that there is a challenge with
8 obtaining financing due to the high interest rates, the same
9 thing that you've heard from others recently. The high interest
10 rates and construction costs and the inability to secure maybe
11 another equity partner.

12 So they are coming to the Commission asking for this
13 one-year time extension and all requisite time periods have
14 passed for reports from parties. OP has submitted their report
15 at Exhibit 5 approving the request from their standpoint, Exhibit
16 6D and Capital Square Homeowners Association. Again, 6D may have
17 submitted something, but as of the time of the report, there was
18 nothing in the record. But again, I will check while you guys
19 are discussing.

20 CHAIRPERSON HOOD: Okay.

21 I understand the request and I know that it was appealed
22 in the court. It's the first order, Zoning Commission Order 22-
23 06, and then we got down to, as Ms. Schellin mentioned, 22-06A
24 which is not in the order. But, you know, when I think about
25 this, when I hear about the financing issue, because when I first

1 got on the Commission years ago sometime when they would come and
2 say they were having problems financing, to me, at that time, it
3 was a stretch. But nowadays, it ain't no stretch. It's very
4 straightforward. It's very clear.

5 I don't even have to sit there and agonize with it. I
6 believe that. I know what's going on in the high interest rates.
7 I definitely believe that. So I think that the Applicant has
8 made its case for what they've asked for and I think what they've
9 asked was very modest when I think what this particular case has
10 been through.

11 Let me ask Commissioner Stidham to start us on this one
12 if you don't mind, then I'll go to Commissioner Wright and Vice
13 Chair Miller.

14 COMMISSIONER STIDHAM: Sure. Thank you.

15 I totally agree what you've already said. You know, I
16 think I am in support about this time extension. There is no
17 substantive change. They satisfied the need to show why they're
18 asking for it. I think we're hearing them a lot from folks that
19 they need this time and I am supportive in giving them the time
20 extension that they asked requested.

21 CHAIRPERSON HOOD: And Commissioner Wright?

22 COMMISSIONER WRIGHT: I agree. They've, you know, gone
23 through the appeal process. They're dealing with the, as we all
24 know, difficult financial situation that many projects are in and
25 I think a short extension is completely appropriate.

1 CHAIRPERSON HOOD: Okay. And Vice Chair Miller.

2 VICE CHAIRPERSON MILLER: Yes. I agree that good cause
3 has been demonstrated for this extension which, you know, we're
4 all anxious for it to proceed. It had nearly 500 residential
5 units including 75 inclusionary zoning units. But for the reason
6 my colleagues have stated, I support the extension.

7 CHAIRPERSON HOOD: All right.

8 Commissioner Stidham, we're glad to have you back. So
9 would you like to make a motion?

10 COMMISSIONER STIDHAM: Absolutely. And of course I
11 scrolled down. One sec. Okay.

12 So I propose, let's see. I've totally forgotten how
13 to do this. I propose approval of Zoning -- the time extension
14 for Zoning Case No. 22-6B at 801 Maine Avenue NBL Owner LLC for
15 a one-year PUD time extension at Square 390, and ask for a second.

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

18 (No response.)

19 CHAIRPERSON HOOD: Not hearing any, Ms. Schellin, would
20 you do a roll call vote, please.

21 MS. SCHELLIN: Yes, sir.

22 Commissioner Stidham?

23 COMMISSIONER STIDHAM: Yes.

24 MS. SCHELLIN: Commissioner Hood?

25 CHAIRPERSON HOOD: Yes.

1 MS. SCHELLIN: Commissioner Miller?

2 VICE CHAIRPERSON MILLER: Yes.

3 MS. SCHELLIN: Commissioner Wright?

4 COMMISSIONER WRIGHT: Yes.

5 MS. SCHELLIN: The vote is 4 to 0 to 1 to take final
6 action to approve the one-year time extension as discussed in
7 Zoning Commission Case No. 22-06B, minus 1 being Commissioner
8 Imamura, not present not voting.

9 Thank you.

10 CHAIRPERSON HOOD: So, Commissioner Stidham, I'm going
11 to stop saying we're glad that you're back. But you have to
12 forgive me because even my co-workers, my wife, my job, they
13 always say, Anthony, you're repeating yourself. That's just a
14 habit I have. So maybe by next week, I'll stop saying it.

15 COMMISSIONER STIDHAM: No worries. No worries at all.
16 I'm glad to be back at work. Thank you.

17 CHAIRPERSON HOOD: Okay. All right.

18 Let's go to proposed action. Zoning Commission Case
19 No. 24-11, Jemal Schaeffer, LLC and Jemal's Bumper George, LLC
20 Consolidated PUD and Related Map Amendment at Square 4268 and
21 Parcel 153. Before I go to you, Ms. Schellin, Commissioner
22 Stidham, did you read into this?

23 COMMISSIONER STIDHAM: No. I was just about to say
24 that I am not read into the record nor did I participate in the
25 hearing, so I will not be voting.

1 CHAIRPERSON HOOD: Okay.

2 So let me look at the agenda because we may just do
3 this last. That way, if you want to, you can enjoy the rest of
4 your evening. Let me see here. I think we have a hearing action.
5 So why don't we put that in the parking lot? Just, dang, because
6 that parking lot's getting full. Let's go -- let's go to hearing
7 action. Let's go to hearing action first since Commissioner
8 Stidham -- that way we can do hearing action and then if you
9 choose, Commissioner Stidham, you can leave and enjoy your
10 evening or you can stay with us. It's up to you. I wanted to
11 give you that option.

12 MS. SCHELLIN: Well, Chairman Hood, may I say
13 something?

14 CHAIRPERSON HOOD: Yes.

15 MS. SCHELLIN: OP is going to do a presentation on the
16 Wisconsin, I believe it was the Wisconsin Avenue. It was a case,
17 but they're going to do an update.

18 CHAIRPERSON HOOD: Oh.

19 MS. SCHELLIN: So I don't know if she wants to leave.

20 CHAIRPERSON HOOD: No. Commissioner Stidham, I tried
21 but I think --

22 MS. SCHELLIN: She could take a break for a drink maybe,
23 you know, go get a soda, glass of milk.

24 CHAIRPERSON HOOD: I tried. I was trying. Okay.

25 COMMISSIONER STIDHAM: All right. No worries.

1 CHAIRPERSON HOOD: All right. I've already called the
2 case.

3 Ms. Schellin?

4 MS. SCHELLIN: They're going to do a hearing action
5 first. Is that what they're going to go ahead and do that?

6 CHAIRPERSON HOOD: No. We're going to go ahead and do
7 the final action as it was called.

8 MS. SCHELLIN: Okay.

9 CHAIRPERSON HOOD: Do you want me to call it again?

10 MS. SCHELLIN: No. I will get my case back up here.
11 Okay.

12 So going back to proposed action, the Jemal Schaeffer,
13 as you called it, 24-11. So since the October 20th hearing, new
14 exhibits at Exhibit 138. You have a supplemental report from
15 DDOT, and the Applicant submitted their post-hearing submission
16 and draft orders. At Exhibits -- you'll find those at 139 through
17 139A7, and 139B, and C, and then again, 141 through 149A.

18 There's an OP supplemental report at 140 with regard
19 to the legislative history regarding the PPR in the area of the
20 property. Fort Lincoln Civic Association submitted their
21 submission at 142. The record was left open so they could do
22 that after testifying. The ANC 5C responded to the Applicant's
23 post-hearing submission at 143 and 5D, ANC 5D's response is at
24 144A1 and A2. And I'll turn this over to the Commission.

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

1 One of the things for me, colleagues -- I'm not going
2 to (indiscernible) I've been involved around this area for a long
3 time -- one of the things that concern me, I have a few concerns,
4 especially with the designation that the council did, which I
5 believe the stripe, and I think it reads very well here from the
6 legislative history. I'm just going to read this.

7 "The legislative issue shows that the PDR stripe was
8 added to the subject property in the Mayor's Comprehensive Plan
9 at page 268. As explained in the Applicant's November 3rd, 2025,
10 post-hearing submission and reviewing the draft comprehensive
11 plan, the Council was concerned about ensuring the District had
12 enough PDR land. Although the Council made dozens of changes to
13 the FLUM in the Mayor's Comprehensive Plan draft, see Act No. 24-
14 0110 at pages 2 through 7, it approved the PDR stripe on the
15 property."

16 So I was around when a lot of this was going on, when
17 Ward 5 was losing, when the City was losing a lot of PDR, and
18 when it came to Ward 5, it always became a concern. But as I
19 said, ten years ago, we were 30 years behind in zoning and other
20 wards were ahead of us in dealing with their PDR and their
21 industrial land, and now we face the fact of coming here.

22 But I think this is a modest request to a point. I
23 still have issues with some of the uses and I thought that, and
24 I would have to coincide with the community about being scheduled
25 for some use, but also I'm aware of this Act and I agree with

1 the City about the harmful uses in some of the bus garage. That's
2 what we used to do in Ward 5, garages and all and, you know, so
3 I get it. I get that. I want to hear from others, but right
4 now I think my direction is to try to see how we can navigate
5 some of the issues if we can do it because it seems like that
6 there are still some outstanding issues.

7 And I know that this Applicant has always done, is a
8 model of what he's doing around the City, but I just have some
9 of those uses I would love for them to take off the table, and I
10 get why I think 5D is saying what they're saying because of what
11 they've experienced and what they are experiencing now with the
12 chemical plants.

13 One the things I do disagree with is requiring to do a
14 air, I forgot what it was, what they call it, but I'll come up
15 with it when I get through as we talk about it. But that's under
16 another setting, DOEE. I don't think that's in front of the
17 Commission. It's like we can't ask for different types of
18 surveys. There are other facets in which some of the stuff is
19 looked at and analyzed, and when you talk about open air emittance
20 and all that, I would agree with the community on that. But that
21 started another level outside, I think, of permitting outside of
22 the Zoning Commission's purview, I believe.

23 Anyway, let me open it up. I'll hear from others and
24 we can have this deliberation and discussion, but that's kind of
25 where I am. Even though I don't sound like I know where I'm at,

1 but I think I know how I'd to proceed. But let me hear from
2 others because maybe I need some help. Let me do that.

3 Commissioner Wright?

4 COMMISSIONER WRIGHT: Thank you.

5 I'm the one who had really pushed to ask for the
6 legislative history, and I appreciate the information that has
7 been shared. Clearly, there was a discussion about the important
8 need to retain industrial land and to not give up on having land
9 to build warehouses and other industrial uses and I absolutely
10 get that.

11 There was also, though, a number of things including
12 in the Future Land Use Map and in the New York Avenue Vision Plan
13 that I think were really pointing towards a more nuanced solution,
14 not simply creating a large swath 200 feet deep along one of the
15 major entry points into the City to create a giant, really giant
16 warehouse. This is a, you know, the Applicant's architect did
17 provide additional images which I looked at carefully and I just
18 have to reiterate this is an enormous building.

19 Even in my work in the suburbs in Montgomery County, I
20 don't know that I ever saw a warehouse building this size. I
21 mean, it's enormous. And, you know, I think that the goal was
22 certainly to preserve existing industrial uses to allow for some
23 new industrial development, but to have perhaps a more nuanced
24 approach where that industrial development could also be mixed
25 in with commercial uses, residential uses, so that as you drive

1 up New York Avenue into the City you have the sense of a, you
2 know, an attractive boulevard leading you into the City.

3 That was one of the reasons when we talked about the
4 shelter that we just approved that I thought it was actually an
5 asset to Ivy City, even though it is a shelter which some people
6 consider, you know, not a great public use to have in a community.
7 It's done in a way that is, I think, going to make it an asset,
8 and it's going to be an attractive landmark as you drive along
9 New York Avenue.

10 This building, although I know the architect has tried
11 hard by creating some indentations and showing a mural and, you
12 know, a few other architectural strategies, I don't mean this
13 facetiously, you can't hide an elephant. I mean, it's a enormous
14 building, and it will kill any pedestrian activity along that
15 portion of New York Avenue forever after and I, you know, I'm,
16 again, not opposed to the idea of a portion of that stretch of
17 New York Avenue going to the R zoning and being, you know, a
18 warehouse building, but I think what's being proposed is just too
19 big and dominant a use and will not achieve the vision for New
20 York Avenue as an entry into the City that we, as a government,
21 have adopted.

22 So I am not inclined to vote in favor. I also agree,
23 you know, any industrial use in that area, the actual uses need
24 to be carefully considered. But I'm more concerned particularly
25 because this is a PUD and a PUD, you know, it's not simply a

1 rezoning, a new balancing test with a PUD, and the balance is,
2 you know, is this going to provide an asset to the community that
3 it wouldn't have gotten otherwise, and I just don't think that's
4 the case here.

5 So those are my initial thoughts but, you know, I'm
6 open to talking more and, you know, seeing if there are other
7 ways to approach the project.

8 CHAIRPERSON HOOD: All right. So, yes. And I think
9 we're going to have a second round, couple of rounds, actually.

10 Vice Chair Miller?

11 VICE CHAIRPERSON MILLER: Thank you, Mr. Chairman.

12 And I share a lot of the concerns that, well, I share
13 the concerns that you raised, some of the concerns you raised
14 about particular uses, Mr. Chairman. I share some of the
15 concerns, many of the concerns that Commissioner Wright has
16 raised. Although, yes, I think we do all appreciate the effort
17 to respond to the hearing testimony and our own comments at the
18 hearing by breaking up the massing in a revised architectural
19 design so it looks like three buildings connected, making a very
20 large building, as Commissioner Wright said. But breaking it up
21 in the use of color, I mean, that was an improvement.

22 And we appreciate the Applicant having taken off the
23 table some of the PDR voluntarily off of some of the PDR uses
24 that would be permitted in a PDR-1 zone, some of the more
25 offensive uses, but I, although I don't know why a metro station

1 is an offensive use, I think that might be a helpful thing along
2 New York Avenue. But some of the other, the ANC's 5C and D each
3 expressed concern about automotive repair and self-storage and
4 the chemical, I forget what the category what's called chemical
5 distribution or, I mean, the name itself sounds a little scary
6 if you're a residential community. So that's where they got into
7 the air monitoring request. But they did take a lot of uses,
8 the more adversely impacting on a residential neighborhood uses,
9 PDR uses off the table and I appreciate that.

10 I think I'd like to, this ANC letter which was more
11 detailed than their original letter of opposition, I think I'd
12 like to get to -- I'm not ready to vote today -- but I think I
13 want to have the Applicant respond to specifically to the ANC 5C
14 and D recommendations about the uses. Maybe you have some uses
15 in addition, Mr. Chairman. The trash waste station that you're
16 very familiar with or the bus depot garage situation, so those
17 weren't on the ANC list, but they might be one you might want to
18 put on a list, and I don't think that's going to go in a warehouse,
19 which is what is the project before us, but there's parking behind
20 it.

21 So I'd like the Applicant to have, I'd appreciate the
22 Applicant responding specifically to the ANC 5C recommendations.
23 They also had community benefit, public benefit recommendations,
24 and I realize that the Applicant has proposed public benefits as
25 part of its PUD application, but the ANC 5C has come up with very

1 specific, much more substantial financial commitment by the
2 Applicant to other very worthy neighborhood projects. So I would
3 like to hear a response from the Applicant on that, so I'd like
4 to give some time for the Applicant to respond to that.

5 On the comp plan consistency, the PDR stripe was added
6 four or five years ago by the Mayor and Council to the Future
7 Land Use Map. They retain the Mixed Use Residential and
8 Commercial designation there. So there are three designations
9 there, Residential, Commercial, and PDR, and while I don't think
10 we need to wait for the Office of Planning to create a new zone
11 that might provide the nuance that Commissioner Wright was
12 referring to in terms of allowing compatible very low intensity
13 industrial uses, maybe maker-type uses next to residential, I
14 don't think we have to wait for that to proceed with this case
15 because I think you could make a case that it's because they
16 bifurcated the parcel, only part of it, half of it, only maybe
17 slightly under half of it will be PDR-1 and the rest will remain
18 as MU-5B.

19 But there are competing, we acknowledge that just the
20 fact that there's three uses there and we're only going to permit
21 one of them and preclude because of the way the PDR zone reads,
22 precluding residential use there, any residential use there ever
23 until someone comes forward to change the zone in the future
24 because our current PDR-1 zone, the lowest intensity PDR zone
25 still does not allow residential.

1 So I think there does need to be a new zone, which I
2 think I had a little dialogue with the Office of Planning at the
3 hearing. But I don't think we need to wait for that because
4 there are a lot of policies calling for retention of industrial
5 uses. Although this is not retention of industrial, it's adding
6 a new industrial use and taking away the Residential and
7 Commercial that's permitted there currently under zoning and is
8 still permitted under the Comprehensive Plan. So it precludes
9 that in the future. But I don't think we need to necessarily
10 wait for that new zone to be created although I think the ANCs
11 have endorsed that as well. I think it might have been in one
12 of those small area plans for the New York Avenue Vision Plan as
13 well.

14 And so I don't have necessarily a problem though with
15 proceeding with the, my personally, take away with the proposal
16 on an evaluation of all the Comprehensive Plan policies because
17 I think you can see how it would fit in. But, so I don't think
18 I personally don't need to wait for a new zone to be created.
19 But I do think the uses that you've identified, Mr. Chairman, and
20 that the ANC identified, I'd like to hear a response from the
21 Applicant about taking those off the table so that they don't
22 have to be the dumping ground for those uses that they have been
23 although, yes, they don't have to be. I mean, this site has been
24 waiting for Mixed-Use development for a long time and there've
25 been a lot of proposals over the time and they didn't work out,

1 and I know that this Applicant tried to pursue the Mixed-Use
2 development as well, Residential and Commercial. But I am a
3 little concerned about precluding, doing a zoning that precludes
4 any residential development going forward.

5 So those are my comments currently. I want to hear
6 more from the Applicant and direct response to 5A ANC and 5C.
7 But I'm open to being persuaded one way or the other by you and
8 anybody else.

9 CHAIRPERSON HOOD: Thank you, Vice Chair.

10 I think you and I are closer than I am with -- I think
11 you and I are more closely in line than Commissioner Wright. So
12 I may have to go to Commissioner Stidham to read the record.
13 Because here's the thing. I was trying to figure out how many
14 viewings of things I've seen planned for them and sketching. So
15 I think it's been seven different projects, and the place down
16 there is still where it is now, even with the housing temporary
17 buses, and I get what the community is saying. I get it because
18 I was there. I lived there. The whole property, so I get that.
19 The problem is this staff can bring in money to the table to try
20 to do something. That's my issue. You know, it'd be good if
21 the community, we could all get together and put some money and
22 come up with this. I would love that, and then we could, you
23 know, we could become good sustaining developers ourselves in the
24 community.

25 But that's been, you know, I go back to the bowling

1 alley, and I keep talking about that, which was not a permitted
2 use at the time. I go back to the Harris Teeters. You know,
3 all that stuff, the Walmart, all that stuff is supposed to be
4 down there and here we are all these years later. Here's what
5 I'm going to say to my colleagues. I don't want this to be the
6 new, I probably shouldn't jinx myself, I don't want this to be
7 the new McMillan. We don't want that. And here we have an
8 Applicant who's ready to come forward and do this.

9 I do have a few concerns about some of the air quality
10 issues, and I agree with Commissioner Rhodes about the external
11 effects. But I know external effects should be handled in another
12 setting with the DOEE, and the City handles the external effects,
13 which has always been an issue. And I do understand about the,
14 like I said earlier, about the gas stations and the greasy
15 automobile shops. It's time to do something now.

16 Now where I kind of differ with my great colleague,
17 which I do like the way Commissioner Wright puts it, is that that
18 building to me, Commissioner Wright, and maybe at least what I
19 saw, and maybe they could chop it up a little bit and do
20 something, a different design, it's better than what we have now.
21 When you you come in, it reminds me of Making Times (phonetic)
22 recycling place and years ago what we had Ward 5 and the people
23 that live in that area know we have a lot of clubs, and we have
24 a lot of trash transfer stations over there.

25 And at least the one in Ward 4, Making Times, did tried

1 to make it look presentable even though it was industrial use.
2 You look on the outside, you would have thought it was a office
3 building. On the inside, it was a recycling center. Over there,
4 you could tell it's recycling center, trash transfer all the way
5 around. And in this case, I'm not sure of the uses that are
6 planning here. I'm thinking maybe Amazon. Who knows what's
7 going to happen? And I think that's some of the concerns too
8 from the community.

9 But at least the design I saw, and I know that's the
10 gateway to the City, is a lot better than what's down there now.
11 And I don't know if anybody else, and they haven't come in 30
12 years, I don't know if they're coming anytime soon other than the
13 Taco Bell, which didn't last that long, and the guy that was
14 selling Mercedes and the tire shop and the gas station on that
15 end, the Kentucky Fried Chicken, all that.

16 So I'm just saying, here we have an Applicant, and
17 we've had experience with this Applicant. They have excelled in
18 this city. They have worked very well with the community. I
19 just take a few more little tweaks. Let's get some of those
20 concerns about what we hear from Commissioner Rhodes and Ivy
21 City, especially with the chemical thing that's going on over
22 there now. Let's assure them, let's give them some predictability
23 is what I'm asking for, and I think 5C is asking for the same
24 thing about some of those things. Let's rule some of those things
25 out and give people an easy setting. Now I don't know how we

1 actually achieve what Commissioner Wright was saying. Maybe they
2 can go back and take another look at it. But I would like for
3 them to at least answer some of those issues and hear what our
4 discussion is here back to what the ANC has mentioned about some
5 things.

6 But again, here we have an Applicant that's putting
7 money up, is ready to go down there. At least try to do something,
8 which has been seven times and it hasn't gotten done and in this
9 climate, I don't see anything getting done anytime soon. That's
10 why one of the questions I asked during the hearing was, do you
11 think this will get done? And they at least tried. I still
12 don't think it will. I still think that all these ANCs that we
13 have now in our communities will be gone, and we'll be gone, and
14 there'll be another group still talking about it. So we have
15 something in front of us. I think we need to deal with it and
16 make it work. I'm not ready to take this off the shelf, and I'm
17 not ready to vote no on it. I want to try to see if we can work
18 out a few issues and see where the votes are and see how things
19 line up. That's just mine.

20 Any other questions, comments, Commissioner Wright?
21 Vice Chair, any other questions?

22 COMMISSIONER WRIGHT: Well, you know, my question would
23 be again. So first of all, let me just say I really do understand
24 the frustration that Chairman Hood and that members of the
25 community do express about a property that has been vacant for a

1 long time and has had many ideas, but none those ideas have
2 actually succeeded or have moved forward, and I really do
3 understand that frustration. But I think if this was in a less
4 prominent and visible location, I would feel more inclined
5 towards the project if this was even in the middle of this site
6 rather than right along New York Avenue, I would feel more
7 inclined towards this because you could have an industrial use
8 that could be integrated into the streetscape with other
9 buildings.

10 So it's just, I think about the vision for the City's
11 future, and we've been so successful in taking areas that sat
12 dormant for years and years and years and have turned them into
13 incredible assets. I know that that's been the goal here. It
14 hasn't happened yet. But if this building does move forward, it
15 will never happen because this building is a, I hate to use this
16 word, but it's a community killer. It will create an incredible
17 gap along New York Avenue where there will be no pedestrian
18 activity and there will be, even if they plant trees and try to
19 make a nice streetscape, it will be a dead zone for foreseeable
20 future.

21 And, you know, again, if there was some way to put the
22 building farther in the site and line the frontage with, you
23 know, lower scale residential, maybe the, you know, maybe the
24 goal with residential, maybe it's been too ambitious to build
25 large multi-family buildings. Maybe there needs to be, you know,

1 some lower level residential use along the street with this use
2 with a good buffer behind it.

3 You know, I mean, I think there is a creative solution
4 to achieving something really good here that is that nuance of a
5 mix of Residential, Industrial, and Commercial, but I don't think
6 we're there yet. I've worked with the Jemal companies since the
7 late 1980s. I met Doug Jemal when he came to Silver Spring to
8 put The Wiz in the old Silver Spring post office and, you know,
9 I mean, I definitely know the company. I know that, you know,
10 they do amazing work. I just think this needs a more nuanced
11 solution.

12 So I am sort of stuck with that. If this, you know,
13 had been literally just a rezoning, I probably wouldn't have as
14 much of a leg to stand on. But it is a PUD. It's not just a
15 rezoning, and so that's why I feel it should be really held to a
16 higher standard, so.

17 CHAIRPERSON HOOD: So, Commissioner Wright, I'm glad
18 you said that. Let's talk about that for a minute. And I think
19 I know what we're going to do. We're going to send it back and
20 see what we come back with. Hope it's not worse than what we
21 have, I'm sure it won't be.

22 One of the things that the City, I think Office of
23 Planning, if you all remember the hearing, said it was just a
24 rezoning. This Applicant tried to do a rezoning, at least when
25 we were told in the hearing, and the City had them come back and

1 do it as a PUD so we can do exactly what we're doing here now.
2 That's what they tried to do, a rezoning, and I think through
3 this process it gave more of an opportunity for the community to
4 weigh in and everything. So basically they, I'm not going to
5 say they put themselves in the line of fire, they put themselves
6 open for more scrutiny. And we know a lot of applicants, most
7 of them ain't putting themselves out there for scrutiny. They
8 will push back and go ahead.

9 One of the things that concerns me, and I don't know
10 if this actually will do it, because, again, I'm not following
11 you with the moving things around because the designations are
12 where they were from the Council. That's the way I look at it.
13 But the issue is, that's what our clear direction is as far as
14 the consistency issue. So we know that they added the PDR. They
15 put stripe in. They didn't say consider it. They said you have
16 to have it and that's basically, and I've talked to our legal
17 counsel about that, they said you have to have it there. So we
18 know that we have to have PDR. We know we have to have all this.
19 Some of those things that the community is looking for can
20 actually still go there.

21 So you called it a community killer and I thought about
22 that as you were saying it. Now across the street, for me this
23 project, the way it looks now, it will jumpstart the rest of it
24 because across street ain't no better. I shouldn't say that
25 about the Salvation Army and all that, but it ain't no better.

1 It can get better. For me, if I come down and see something like
2 that, okay, maybe this will jump start over here. And I'm not
3 in planning. I feel it's not for the planning, I feel it's
4 zoning. But I think some of those use issues, concerns that I've
5 had and some of the experiences, people react of how their
6 experiences are and that's why we got -- what we got from 5B,
7 and that's what we got from ANC 5C.

8 I'm going to be frankly honest, and I'm saying this
9 hopefully for me. I'm trying to understand, and everybody has a
10 way to opine, I'm trying to understand the nexus to Fort Lincoln.
11 Fort Lincoln is down the road a little bit. I would like to say,
12 I'll put it like this. Now at my age, I wouldn't walk from there
13 down to Fort Lincoln. But when I was young, now I may take a
14 bike or a scooter, and some of the young people may walk, but I
15 wouldn't do that. I don't think it's that appearable (phonetic)
16 to them, but maybe when they come on and off South Dakota and
17 make that right they see that. So I was trying to understand
18 the nexus of weighing in and other than using the name of a
19 community group, the weigh in.

20 This is nothing new. This has been going on for a long
21 time, and some of the people who are involved with it now were
22 not around when we were dealing with it previously, and I just
23 saw it, I'm in another position at this time. So I get the
24 issues. I share, I think the Vice Chair and I are pretty much
25 on the same pattern about that, but if the Applicant wants to go

1 back and relook at it, that part of it, the size and where it
2 is, and that's a different story. But I'm not that -- I too
3 share the same as the Vice Chair. I would like to see more of
4 some of those uses taken off the table that are maybe detrimental
5 to, especially the external effects.

6 So, you know, that's where I'm at. And Vice Chair, I
7 hope that I didn't misquote you, but I'm going to come to you.
8 I've seen you reaching for your your computer, so maybe I
9 misquoted you.

10 VICE CHAIRPERSON MILLER: No, and I wasn't reaching for
11 my computer. If you were misquoting me, I would have, but as
12 long as you called on me, yes, I would like a response to the
13 uses, the particular uses issues both those that the community
14 and what you have identified that maybe should be taken off the
15 table because of their external effects and too much
16 concentration of those uses in this particular community.

17 But I also wanted maybe put back on the table the Metro
18 Station. I didn't understand why that got voluntarily taken off.
19 That might help jumpstart a lot of development as it has around
20 the City. I mean, it's taken a long time in some places rather
21 than others, but we know that that's an important component of
22 Mixed-Use development to have that transit nearby and as you
23 pointed out -- no, it wasn't this case, it was the shelter case --
24 that NoMa was a mile away. I'm not sure, well, where the closest
25 Metro Station is here. Maybe you know, but I want the Applicant

1 to respond. It was late testimony. We had the earlier position
2 from the ANCs, but the one that came in in the last few days was
3 very specific, and I think the Applicant should respond to that,
4 those uses issue and the public benefits issue and all the
5 comments that have been made by us here today, including yours
6 and Commissioner Wright's. I think they are capable of responding
7 and I'd like to hear the response without having another hearing.
8 Just I'd like them to submit something and have time to do that.
9 I'm sure they could do that relatively quickly.

10 CHAIRPERSON HOOD: Okay.

11 I would agree with both of my colleagues with the
12 exception of what we've already stated. I hate to do this to
13 Commissioner Stidham, but I think we're going to need her and
14 then we may also need Commissioner Imamura.

15 You know, when the Chair used to always ask me to read
16 into the record, I used to frown about it. So I don't know,
17 Commissioner Stidham, if we get to that point, would you be
18 willing?

19 COMMISSIONER STIDHAM: Yes. Sure. Absolutely.

20 CHAIRPERSON HOOD: That's what I like about you. Always
21 willing. All right. So we may have to do that, but I think
22 we're going to all work together. We're bring this thing a close
23 and to a win-win for the City and for the residents.

24 But one of the things I will say is the government
25 should be predictable. This Applicant operated on what was

1 predicted. And also, the community has to understand the
2 government should be predictable, and the advocates should be
3 predictable. We should have some predictability as we enter into
4 a process. We can't change the game rules in the middle after
5 halftime. I even know sometime when I watch my team play I would
6 love to change the rules so we can win, but we can't always change
7 the rules. So I'll just leave it at that.

8 COMMISSIONER WRIGHT: So --

9 CHAIRPERSON HOOD: Yes. Commissioner Wright?

10 COMMISSIONER WRIGHT: I need to just respond to that
11 because I don't think there's any changing of the rules going on.
12 I think that, you know, exactly as Vice Chair Miller said, this
13 area is shown as a striped area, is not shown as only a PDR area.
14 And basically, by doing only PDR, you are taking away the
15 possibility of doing any of the other recommended uses. So it's,
16 you know, it's an all or nothing. If this was an area that had
17 been shown as only being a PDR area in the Future Land Use Map,
18 in the Comprehensive Plan, in the New York Avenue Vision Document,
19 I would agree that we would be having a different discussion.
20 But that is not what was messaged through the Future Land Use
21 Map, the Comp Plan, or the New York Avenue Vision Plan. What
22 was messaged was some retention of Industrial uses and some mix
23 of Residential, Commercial, and Industrial and, you know, and I
24 think that's a great goal to try to accomplish in this area.

25 So I do want to just be clear. I don't think by asking

1 for a more nuanced solution that we are, you know, pulling the
2 rug out from under the Applicant or not, you know, not letting
3 them rely on the documents. I mean, we have a document that
4 calls for a striped set of uses, not just one use, and what we're
5 getting is just one use. So you know, I'm a really great believer
6 in predictability. I'm a great believer in that property owners
7 and developers need to be able to look at public documents and
8 predict what they, you know, what they apply for is either in
9 accord with or not in accord with, and I do want to just emphasize
10 that because I really think that what we're talking about is not
11 a change in what was discussed.

12 What I'm talking about, I should say, is not a change
13 in what was discussed and envisioned which was something that was
14 a little more nuanced than what this application proposes. So I
15 just have to say I'm a fan of predictability. I'm definitely a
16 fan.

17 CHAIRPERSON HOOD: So, and let's have this discussion
18 because what I'm understanding -- maybe I'm not understanding
19 you, and that's fine. That's part of the process. That's why
20 it's supposed to be five of us. That's why it's four or five of
21 us here so we can work through and ask through these issues, and
22 I'm not taking it personally, and I know you're not, we're going
23 to have this discussion. We're going to have it again because
24 what I'm hearing from you is changing the scope of what's here.
25 And I, what I need though, and maybe I'm misunderstanding or

1 maybe I'm not, I just don't see what we're asking to do now and
2 stripe, and basically as the way that I understand it, it says
3 you have to have PDR use or some PDR use. So we agreed to that.

4 Now there's some other area in there where they can do
5 some, I think, on the backside, I'm not sure what the plan is.
6 But there are some other zones with MU-5 and something else. So
7 this piece is only on the front part, which was striped, I
8 believe, correct? Am I --

9 COMMISSIONER WRIGHT: The only striped area.

10 CHAIRPERSON HOOD: Right.

11 COMMISSIONER WRIGHT: The other area is the other zone.

12 CHAIRPERSON HOOD: Well, some of those other nuances
13 that you're speaking of can be done there. But you're saying
14 because of that, that that kills the rest of them?

15 COMMISSIONER WRIGHT: No. What I think is, you know,
16 what does a stripe mean? A stripe to me means you don't pick
17 one of the things that's part of the striped use and say, I'm
18 only going to do that. To me, a stripe means that you want some
19 mixture of the PDR, the Residential, and the Commercial. What
20 that mixture is, you know, what we're all wrestling with, the
21 area to the back is absolutely Residential, and that can develop
22 as Residential, and that's, you know, that's all well and good.
23 But what I guess I'm just trying to say is if the Council had
24 really wanted this to simply be an Industrial corridor, they
25 wouldn't have put a stripe. They would have just zoned it PDR.

1 They wanted something beyond just PDR.

2 CHAIRPERSON HOOD: So, and I have to find out where it
3 is, and I'll do that after we get back, there is a something that
4 says you have to have PDR on here, right?

5 COMMISSIONER WRIGHT: Yes. Which you could do.

6 CHAIRPERSON HOOD: So we have that.

7 COMMISSIONER WRIGHT: Yes.

8 CHAIRPERSON HOOD: Right, right. So maybe we're
9 talking past each other, but I'm not necessarily there. And what
10 I would like to do is possibly, I'm going to do it today. Before
11 we do deal with this, we'll see what comes in. We will do a
12 closed meeting. If I have to do an emergency closed meeting, I
13 want to make sure I do that right. At least get something right.
14 So, and then we can have a discussion to make sure we understand
15 that we're not, get our lawyers to help us to make sure we're
16 not talking past each other because I may be talking past you or
17 or you and I may be saying the same thing. It's just different
18 ways of saying it, so.

19 COMMISSIONER WRIGHT: Yes. I just think, you know,
20 again, it could be in that 200-foot deep stretch. You could have
21 a warehouse building. Right now, it's broken up at, like, three
22 buildings with little notches. You could have it such that one
23 of those could be a warehouse building, another could be a
24 residential building, and the third one could be a commercial
25 building. I'm not talking about what's marketable right now, but

1 I'm saying in terms of just land use, if you had a industrial
2 building, a residential building, and a commercial building, to
3 me, that would absolutely fulfill the goal of the stripe. I
4 think if they did 100 percent residential, I would be equally
5 concerned because that would not fulfill the goal of the stripe.
6 If someone came in with an application to do 100 percent
7 residential in that 200-foot swath, I think we would have to say
8 that isn't what the Future Land Use Map shows. So I'm just saying
9 that when I say a nuanced solution, I mean something that might
10 be some different kind of a mix.

11 CHAIRPERSON HOOD: Okay. All right.

12 We could talk about this, and I'm sure we could probably
13 discuss this for the next hour or two hours. But I think we can,
14 let's just see what comes back as the Vice Chair has mentioned.
15 Commissioner Stidham, if you would like to read into it, I was
16 going to say hold off and let's see where we are afterwards, but
17 you might need to come on board now. And it's not that
18 Commissioner Wright isn't going to vote for it or against, or I'm
19 going to vote for it against it, it's just that it's always better
20 to have because three, we can't really if one of us have goes
21 another way or two of us, we can't. Four is better. Five is
22 better. But right now, we only have four, so.

23 VICE CHAIRPERSON MILLER: When is Commissioner Imamura
24 coming back?

25 CHAIRPERSON HOOD: He will be back, I think, next week.

1 Next week? Yes, next week. All right.

2 So let's continue, and the Applicant has heard what
3 we've said and where we are, and where we're lining up. But
4 let's continue to have discussion because my goal is to try to --
5 I would like to do this before the first of the year. I know
6 that sounds crazy, but I'd like to have this complete and done
7 by the first of the year. Up or down, however we're going to do
8 it. But I will be frankly honest, if they fix those few things,
9 I'm more inclined to be up.

10 But here's another thing, though, Commissioner Wright.
11 I'd better seize (phonetic) on it while I'm thinking about it.
12 So you're saying if they had Industrial, Residential, and another
13 use but, you know -- well let me say that. We can talk about
14 that later. Let me say that. I'm trying, let me think about
15 that. Let me think about that, because what's in front of us is
16 in front of us. I'm not used to planning, so I'm not planning
17 the operation. It's already there. This is from a zoning
18 perspective. I can't plan it. So that's something we can
19 continue to have discussion.

20 Any more comments? We know where we are. Anything
21 else we need to do?

22 MS. SCHELLIN: Dates.

23 CHAIRPERSON HOOD: All right. I think this is, one
24 thing they cannot say about us is that we deliberate in private,
25 because we don't.

1 MS. SCHELLIN: Could I set some dates for them?

2 CHAIRPERSON HOOD: Yes.

3 MS. SCHELLIN: Okay.

4 CHAIRPERSON HOOD: No, for us. Oh, for them. Yes,
5 yes. Set some dates.

6 MS. SCHELLIN: Yes. So we have one more meeting in
7 this year. You said you'd like to try and get it done. So we
8 have, working backwards from our December 18th meeting, if we
9 could get the Applicant, they've heard you loud and clear, I
10 think, of what you guys would like to see and this will allow
11 Commissioner Stidham an opportunity to read the record, give her
12 enough time with the holiday in there. If we could have the
13 Applicant, I think that was the only person you asked to submit
14 anything, if they could submit that what you guys asked for by 3
15 o'clock p.m., December 1st, and the parties have until 3 o'clock
16 p.m., December 8th to provide a response, if they choose to do
17 so, and then we can put this on for December 18th at 4 o'clock
18 p.m.

19 Commissioner Stidham, that give you enough time to
20 review the record in?

21 COMMISSIONER STIDHAM: Yes, it should.

22 MS. SCHELLIN: Okay. Great. Thank you.

23 CHAIRPERSON HOOD: Commissioner Stidham, I'm messing
24 with you now. Don't watch the recording and don't watch it after
25 9:00 at night. All right.

1 Let's move on. Thank you all, and thank you,
2 Commissioner Stidham, for reading into the record. Okay. One
3 second. Let me see where we are. Okay.

4 Hearing action. Zoning Commission Case No. 12-08E,
5 Office of Planning Text Amendment, Subtitle K-605.1, St.
6 Elizabeths East. Who do we have? Ms. Brown-Roberts.

7 MS. BROWN-ROBERTS: Okay. Good evening, Mr. Chairman,
8 and members of the Commission. Maxine Brown-Roberts for the
9 Office of Planning on Zoning Commission Case 12-08E. Next slide.

10 So on behalf of DCPL, we are requesting a text amendment
11 to Subtitle K, Section 605.1 to delete the requirement for a 10-
12 foot setback from the property line along 13th Street in the St.
13 E-18 zone. In addition, the Office of Planning recommends taking
14 emergency action to adopt the proposed text amendment, setting
15 down the petition for a public hearing and authorizing an
16 immediate publication of the proposed rulemaking for the
17 petition. Next slide.

18 The referenced properties within St. Elizabeths East
19 campus, and that's Parcel 18 at the intersection of 13th Street
20 and Alabama Avenue, Southeast, which is the location of the
21 Congress Heights Metro Station. DCPL is proposing to build a
22 library above the Metro Station and has filed the plans for
23 permitting with the Department of Building. During plan review,
24 it was found that the plans did not take into account a 10-foot
25 setback requirement from the lot line and zoning. From review

1 of the St. Elizabeths' Master Plan and the zoning regulation, no
2 specific reason was stated for the required setback, but it seems
3 to have been in keeping with the designation of 13th Street as a
4 retail street with a cafe zone. Next slide.

5 In building above the Metro, the design team was faced
6 with providing a design that takes into consideration friction
7 points due to the Metro tunnel, vent shaft, escalators, and
8 pedestrian ways. These restrictions all place significant limits
9 on the building location, design, and footprint. The design team
10 also focus on aligning the zoning and community goals on this
11 complex site resulting in a layout that promotes pedestrian flow
12 around and through the building and easy access to metro. Next
13 slide.

14 The FLUM recommends Mixed Use, Medium Density
15 Residential, And Medium Density Commercial while the Generalized
16 Policy Map recommends a mix of neighborhood enhancement area,
17 multi-neighborhood center, future planning analysis area, and
18 land use change area. The proposed text amendment would not be
19 inconsistent with these or with the community services and public
20 facilities elements, which has several policies related to the
21 construction of a funded and designed new library that would
22 contribute and support the revitalization of the St. Elizabeths
23 East campus and would provide services to an underserved area.
24 The library would support services, would support equity goals
25 by serving residents of all ages, intellectual development,

1 economic background, and would be tailored to meet the needs of
2 the neighborhood. Next slide.

3 DCPL has had meetings, presentations, and involvement
4 with the design of the library from a cross-section of persons
5 and organizations within the neighborhood all supportive of the
6 library and its new location. Emergency action is being requested
7 to allow the permitting process to proceed. The new library is
8 funded, fully designed, and is in permitting stage and would be
9 replacing one that is considered operationally deficient.
10 Construction is anticipated to begin at the end of 2025 to allow
11 the neighbors to get their new and expanded library by the first
12 quarter of 2027.

13 Thank you, Mr. Chairman, and I'm available for
14 questions.

15 CHAIRPERSON HOOD: Thank you, Ms. Brown-Roberts.

16 I'm going to close-up and open back up a little bit.
17 I'm trying to remember. Is the Office of Planning to ask us to
18 do emergency action on this?

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

20 CHAIRPERSON HOOD: Okay. All right. Okay. Thank you.

21 Let me see if my colleagues have any questions or
22 comments. Commissioner Wright? Oh, there it is. Opening now.
23 All right.

24 Go ahead, Commissioner Wright.

25 COMMISSIONER WRIGHT: I don't really have any questions

1 except, you know, a general concern that I want to just put in
2 there which is when we work to put form-based restrictions in a
3 zone about, you know, 10-foot back or in other zones, you know,
4 the stepping at the rear of a building that's adjacent to lower
5 density uses. I really, really feel pretty strongly that we
6 should stick to those kinds of requirements because, again, we
7 may not have the whole history of why the requirement was put in
8 there, but they were probably put in there for good reasons and
9 that there was a design intent in terms of the community, in
10 terms of why that 10 feet, you know, was there.

11 In this particular case, it seems to me like you have
12 a creative design or a new library. It is on a portion of the
13 site that is, you know, a distant corner in a way from the rest
14 of the St. E's parcels. It is right at the Metro where, you
15 know, frequently you do want to maximize the footprint of a
16 building. So I'm happy to support this particular request. I
17 would just say, you know, generally as we're going through future
18 zones, I know we're going to be talking about, you know, some
19 new zones in other parts of the City. The rules that get put in
20 there are really important, and they're put in for a reason and
21 we have to really all advocate to stick to those rules as much
22 as we can.

23 Again, I think there's a case here about making, you
24 know, for every good rule, there's an exception to the rule. I
25 think there's a case for an exception. But I am just saying I

1 have a general concern and hope when we put in these kinds of
2 form-based setbacks and design aspects of zones that we figure
3 out a way to not have to work around them or change them. I
4 think it's very important. But I'm happy to support this because,
5 again, I think it's a somewhat unique property. That's my only
6 comment.

7 Thanks.

8 CHAIRPERSON HOOD: Thank you.

9 Commissioner Stidham?

10 COMMISSIONER STIDHAM: I tend to agree that it's a
11 unique property and am in support of this emergency action.

12 CHAIRPERSON HOOD: Okay.

13 And Vice Chair Miller?

14 VICE CHAIRPERSON MILLER: Thank you, Mr. Chairman.

15 Yes. I think the case has been made for a library
16 which has been fully designed and ready to pull permits in a new
17 state-of-the-art library for the Congress Heights neighborhood.
18 The community worked on, and Ms. Maxine Brown-Roberts, you said
19 the community was fully on board. I mean, they were engaged
20 throughout the library development process and they supported
21 what was proposed and, is that the case that they -- I don't know
22 if they took formal votes or they just were engaged and supportive
23 of the process throughout and the end result?

24 MS. BROWN-ROBERTS: Yes, Mr. Chairman -- not Mr.
25 Chairman, Mr. Vice Chair. As I said in the report and as noted

1 in the report, the DCPL has had a number of, you know, design
2 charrettes and that sort of thing with the residents and this
3 was, you know, this is a design they supported. You know, it is
4 unfortunate that they didn't meet this requirement. But yes, it
5 has been thoroughly vetted.

6 VICE CHAIRPERSON MILLER: And you said that, I think
7 in your report, that the 10-foot setback, or maybe you just said
8 it today as well, would constrain -- might interfere with Metro
9 or it would constrain the size. It would have to --

10 MS. BROWN-ROBERTS: Yes.

11 VICE CHAIRPERSON MILLER: -- be smaller.

12 MS. BROWN-ROBERTS: Of the -- yes, it would constrain
13 the size of the building and some of the services that they would
14 have to provide. It's a small library. It's a one-story library.
15 So, you know, it's not a very large library. And then with the
16 the Metro constraints, that sort of, you know, those are the
17 things that sort of worked against the design also.

18 VICE CHAIRPERSON MILLER: Yes. And I support this
19 going forward both as an emergency and setting it down for a
20 public hearing on the permanent. But, and I should have just
21 looked it up myself, I would have liked to, and we'll see it at
22 a public hearing, I would love to have seen a rendering as part
23 of this report that everybody's sought into. Is WMATA aware of
24 this particular --

25 MS. BROWN-ROBERTS: Oh, yes. Yes. They've been working

1 with --

2 VICE CHAIRPERSON MILLER: Yes.

3 MS. BROWN-ROBERTS: -- they've been working with WMATA,
4 yes.

5 VICE CHAIRPERSON MILLER: No. But they're aware of
6 this application for the --

7 MS. BROWN-ROBERTS: I don't know. I haven't been
8 working with WMATA, so I'd have to ask the DCPL about that.

9 VICE CHAIRPERSON MILLER: Okay. Well, I would ask
10 you --

11 MS. BROWN-ROBERTS: Yes.

12 VICE CHAIRPERSON MILLER: -- to bring that at the public
13 hearing.

14 MS. BROWN-ROBERTS: Yes.

15 VICE CHAIRPERSON MILLER: And, or WMATA, just to say
16 that they they're supportive of this thing that's going to be
17 right there at their station, which I'm sure they, because of the
18 engagement, are supportive. It just would be good to have that
19 confirmation record at a public hearing.

20 So I'm ready to move forward. And I do understand what
21 Commissioner Wright was saying. I think, you know, the D.C.
22 government does set by example and if we make exception for
23 ourselves, others are going to come in and ask for an exception
24 for whatever maybe perfectly good reason just as this is a good
25 reason. So, but I understand that concern. So I'm ready to move

1 forward, Mr. Chairman.

2 CHAIRPERSON HOOD: Thank you.

3 I don't have any questions. I think it's been
4 exhausted. I appreciate all the questions my colleagues have
5 already asked. Ms. Brown-Roberts, unless my colleagues have any
6 follow-up questions? Ms. Brown-Roberts, thank you. We always
7 appreciate you and your report.

8 MS. BROWN-ROBERTS: Thank you.

9 CHAIRPERSON HOOD: All right.

10 Vice Chair, would you like to make a motion? And if
11 you can include the emergency action in as well, I believe we
12 all agree with that.

13 VICE CHAIRPERSON MILLER: Yes. Sure.

14 I would move that the Zoning Commission take three
15 actions. I'll make it all in one motion. Set down the petition
16 to amend the zoning regulations in Case 12-08E, Office of Planning
17 Text Amendment to Subtitle K-605.1 St. Elizabeth East for the
18 library. So set down the petition to amend the zoning regulations
19 in that case. Take emergency action to adopt the proposed text
20 and authorize immediate publication of the proposed rulemaking
21 notice, and ask for a second.

22 COMMISSIONER WRIGHT: Second.

23 COMMISSIONER STIDHAM: Second.

24 COMMISSIONER WRIGHT: We both seconded.

25 CHAIRPERSON HOOD: Okay. It's been moved and properly

1 seconded. Any further discussion?

2 (No response.)

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

5 MS. SCHELLIN: Yes.

6 Commissioner Miller?

7 VICE CHAIRPERSON MILLER: Yes.

8 MS. SCHELLIN: And I heard Commissioner Wright first.

9 COMMISSIONER WRIGHT: Yes.

10 MS. SCHELLIN: Commissioner Hood?

11 CHAIRPERSON HOOD: Yes.

12 MS. SCHELLIN: Commissioner Stidham?

13 COMMISSIONER STIDHAM: Yes.

14 MS. SCHELLIN: The vote is 4 to 0 to 1 to approve
15 setdown as a rulemaking case -- I'm sorry, for Case No. 12-08E
16 as an emergency -- taking emergency action, setting it down as a
17 rulemaking case, and also authorizing the immediate publication
18 of the proposed rulemaking. And the minus 1, of course, being
19 Commissioner Imamura, not present, not voting.

20 CHAIRPERSON HOOD: Okay.

21 I think we have finished everything on our agenda. I
22 think we're going to go over to Mr. Lawson now, right?

23 MS. SCHELLIN: Yes.

24 CHAIRPERSON HOOD: Mr. Lawson?

25 MS. SCHELLIN: Or someone from his --

1 CHAIRPERSON HOOD: Or someone from the Office.

2 MS. SCHELLIN: --department, yes.

3 CHAIRPERSON HOOD: Do we know how long the presentation
4 is?

5 MS. SCHELLIN: Ten, fifteen minutes, I believe, he
6 said.

7 CHAIRPERSON HOOD: Or was it an hour?

8 MS. SCHELLIN: I'm not positive. He'll confirm that.

9 CHAIRPERSON HOOD: Okay. Thank you.

10 MR. LAWSON: Hi. Good evening. Joel Lawson with the
11 Office of Planning. If she's not in already, if you could please
12 admit Maxine back into the meeting. She's going to be doing the
13 presentation, and she can give you a sense of the time. I think
14 it's probably -- well, she'll give you a sense of the time. It's
15 not very long.

16 But this is in response to an earlier request from you
17 all, from members of the Zoning Commission asking for a bit of a
18 background discussion about the two plans that have been approved
19 for the two areas that are before you now for a zoning map and
20 text amendment portions of Connecticut Avenue, and portions of
21 Wisconsin Avenue. And with that, I'll turn it over to Maxine.

22 Thank you.

23 MS. BROWN-ROBERTS: Okay. Again, good evening, Mr.
24 Chairman and members of the Commission. And I'm here with my
25 colleagues Karen Thomas and Joel Lawson, of course. We also have

1 or we'll be having Heba ElGawish from OP who was a project manager
2 for the Connecticut Avenue development guidelines and also
3 assisted on the Wisconsin Avenue development framework plan.

4 So as Joel said at the Zoning Commission's July 30th,
5 2025, meeting, when OP presented proposals for new zoning for the
6 Wisconsin Avenue corridor, you requested that OP provide a
7 briefing on the process and community input on both the
8 Connecticut Avenue development guidelines and the Wisconsin
9 Avenue development framework prior to the public hearing. Okay.
10 The details of the plans and how they will be implemented through
11 the zoning proposals will be provided at the scheduled public
12 hearing. Next slide.

13 The planning process consists of three processes which
14 build on each other. It begins with the Council-adopted
15 Comprehensive Plan which includes city-wide and area elements of
16 the maps. Based on the recommendations of the Comprehensive
17 Plan, OP prepared more detailed neighborhood or area plans, and
18 in this case, the Connecticut Avenue development guidelines and
19 the Wisconsin Avenue development framework. Based on the
20 recommendation outlined in these plans, zoning is proposed to
21 implement the Comprehensive Plan and the specifics of the
22 neighborhood plans which is approved by the Zoning Commission.
23 Next slide.

24 The background for these plans began with the housing
25 equity report in 2019, and this supported Mayor Bowser's vision

1 for creating 36,000 new housing units by 2025. The housing equity
2 report provides goals for the equitable distribution of
3 affordable housing in the District. The report studied
4 affordable housing distribution across the City, recommended
5 production goals for each planning area, and generated
6 recommendations to increase housing affordability and opportunity
7 for all residents.

8 Rock Creek West was identified as the area with the
9 lowest affordable housing supply. The housing equity report
10 review and study was a multi-agency effort including the Office
11 of the Mayor, OP, DMPED, various housing agencies, and DOB.
12 Extensive community engagement was also part of the study
13 engaging thousands of residents at 24 public events across all
14 eight wards. The engagement included city-wide events,
15 neighborhood focused events such as the Far Southeast
16 Collaborative, Ward 8, Faith Leaders Breakfast, and Meet the
17 Street events hosted by MPD.

18 At these events, residents completed a survey regarding
19 the current distribution of affordable housing. The survey was
20 made available online and promoted extensively through agency
21 Listservs, social media channels, ANC, and community networks.
22 Outcomes of the survey were shared and discussed at a city-wide
23 meeting on housing in which more than 2,700 residents
24 participated. The housing equity report recommended targets for
25 housing and affordable housing for each planning area. Next

1 slide.

2 Based on the housing equity report and in particular
3 recommendation to increase affordable housing in the Rock Creek
4 West area and other studies, OP, DMPED, and DHCD undertook a
5 study of the Rock Creek West planning area to develop strategies
6 on how to produce an additional 2,000 affordable units in that
7 area. The road map identified several near-term opportunities
8 to increase the supply of affordable housing and tools that can
9 be used to realize these opportunities. Next slide.

10 The Connecticut Avenue and Wisconsin Avenue areas were
11 identified as priority areas in Rock Creek West to produce housing
12 and affordable housing supported by vibrant public spaces,
13 retail, and other amenities. The road map recommends that
14 planning in Rock Creek West should include the possibility of
15 mixed income housing, especially for the lowest income household
16 to support the District housing goals. Neighborhood planning
17 should engage community in establishing the vision and goals for
18 redevelopment that can integrate a mix of housing options, high
19 quality design, public space, and community serving amenities.

20 In Rock Creek West, OP neighborhood planning efforts
21 are to implement the Comprehensive Plan, particularly where land
22 use changes have been made on Wisconsin Avenue and Connecticut
23 Avenue that increase opportunities for residential development.
24 These land use changes are important for Rock Creek West to
25 support an equitable share of the District's growth, specifically

1 providing for more dedicated, affordable, and moderate income
2 housing. The plan notes that along Connecticut and Wisconsin
3 Avenue, the Comp Plan's Future Land Use Map adopted new land use
4 designation that support more market rate and affordable housing,
5 and that the new designations added or increased allowing the
6 residential density, which could permit additional housing units
7 pending changes in zoning.

8 Further, the plan noted that the Comprehensive Plan
9 Generalized Policy Map identified Connecticut and Wisconsin
10 Avenues as future planning analysis areas, and the District's
11 2021 and 2022 budget included three neighborhood planning efforts
12 in Rock Creek West for OP to begin this analysis. These
13 neighborhood plans are an opportunity to advance the District
14 housing goals in the planning area with the least affordable
15 housing. Next slide.

16 The 2021 comprehensive plan took into consideration the
17 recommendations of the housing equity report and Rock Creek West
18 Road map, and as seen on the Comp Plan map, the density along
19 both corridors were increased. The Connecticut Avenue areas were
20 recommended as Main Street Mixed-Use Corridors, while Wisconsin
21 Avenue, the areas were recommended for regional centered
22 Friendship Heights, multi-neighborhood center Tenleytown, and
23 Main Street Mixed Use Corridors in between those nodes. Both
24 areas were also recommended as future planning areas, while the
25 FLUM recommended mixed use with moderate to high density uses.

1 Based on these recommendations of the Comprehensive Plan map and
2 policies, and in particular, the recommendation for further
3 analysis to be undertaken, the neighborhood planning efforts to
4 implement the comprehensive plan was undertaken. Next slide.

5 For both plans, a community engagement strategy was
6 developed, which included designing and implementing creative and
7 meaningful ways to invite and encourage residents' participation
8 in the planning process, ensure that a diverse audience is engaged
9 in the process and amplify underrepresented voices, to solicit
10 ideas for creating expanding housing opportunities for current
11 and future residents across broad demographic lines, and increase
12 access to the corridor's rich amenities. Next slide.

13 The Connecticut Avenue development guidelines focus on
14 the Cleveland Park and Woodley Park neighborhoods. Again, the
15 development guidelines were developed to support the need for
16 additional housing, particularly affordable housing near transit
17 while allowing for development that is compatible in character
18 with established historic districts. To achieve these goals, a
19 range of in-person and online activities were designed that were
20 both open to broad public or targeted to specific groups. To
21 expand outreach, opportunities were provided to participate
22 online, participate in focus groups, conversations with targeted
23 groups, and pop-ups at neighborhood events and door-to-door
24 discussions with local business owners were utilized. These
25 events offered opportunities for public feedback while informed

1 the development guidelines. A record of all outputs were shared
2 and were posted to the project website for the duration of the
3 planning process. Next slide.

4 The planning process included multiple check-ins with
5 the ANC, community organizations, civic groups, business
6 organizations, and business owners. Some of the groups also
7 partnered with OP in developing and promoting engagement
8 activities for guidelines. In some cases, other District
9 agencies such as DDOT were also involved. In-person community
10 design conversation offered participants different design
11 approaches for incorporating larger developments into the
12 neighborhood. OP was assisted by consultants who, based on
13 feedback and recommendation, provided design options for what the
14 ideas would look like, and changes were made to reflect some of
15 these. Next slide.

16 The draft document was released for public comment for
17 approximately a month. During that time, seven community events
18 were also held and ANC 3C voted in support of the plan. Finally,
19 the plan was presented to HPRB, and public testimony was taken
20 and stated. HPRB in their comments, stated that the plan does
21 not override the historic preservation review process and that
22 each case will continue to be reviewed on its own merits for
23 compatibility and consistency with the preservation law. Next
24 slide.

25 The Wisconsin Avenue Development framework has four

1 guiding principles. Prioritizing housing, especially affordable
2 housing with active retail, restaurants, and cultural and
3 entertainment uses, design of public space to encourage
4 walkability, connectivity, and access to transit, design building
5 masses and height to complement neighborhood context and
6 emphasize local landmarks, and also to design buildings to
7 maximize availability, variety, flexibility, and sustainability
8 of housing and retail. Next slide.

9 Opportunities to participate included online focus
10 group conversations with targeted groups, pop-ups, and
11 neighborhood events, door-to-door discussions with local business
12 owners, which resulted in input from a cross-section of the
13 community. A record of all outputs were shared and feedback
14 received were posted to the project website for the duration of
15 the planning area. The planning process included multiple check-
16 in with the ANC 3E, local advocacy group focused on housing and
17 development as well as to place management organization.

18 These groups also assisted in promoting engagement
19 activities and provided all opportunities for community dialogue.
20 The project team also coordinated with DDOT, WMATA, as well as
21 with the Montgomery County Planning Department, which is across
22 the line. The draft development framework was released for public
23 review and comment, and during that time presentations were made
24 to ANC 3A and 3E as well as being at the Friendship Heights
25 holiday market. Based on feedback and comments, revisions were

1 made prior to the release of the final Wisconsin Avenue
2 development framework. Next slide.

3 In summary, the planning process and exercise for the
4 creation of both plans had a wide variety and a wide cross-
5 section of community participation and the recommendations with
6 guidance from the housing equity report, the Rock Creek West Road
7 Plan, and the comprehensive plan. The next step in implementing
8 the plans will be the proposed zoning that has been set down for
9 public hearings next month.

10 Thank you, Mr. Chairman, and I'm available for
11 questions.

12 CHAIRPERSON HOOD: Thank you, Ms. Brown-Roberts.

13 Let me just ask, and I know my colleagues may have some
14 other questions. The pop-ups, how do the pop-ups work? Do you
15 go to something that's already -- a meeting that's already
16 existing and planned and you just show up and you start working
17 on the (indiscernible)?

18 MS. BROWN-ROBERTS: Yes. They work like that.
19 Sometimes it's where we set up a table at an event and people
20 will come and we'll talk to them.

21 CHAIRPERSON HOOD: Okay. Interesting. All right.

22 I see a lot of pop-ups. Maybe Zoning Commissions ought
23 to have pop-ups. Anyway, all right. Let's see if we have any
24 questions or comments.

25 Commissioner Wright?

1 COMMISSIONER WRIGHT: Thank you for the presentation,
2 and I want to make sure that I understand the relationship between
3 these two studies and the zoning proposals that we're going to
4 be having some hearings on. These studies make certain
5 suggestions, you know, like we just talked about with St.
6 Elizabeths with the idea that there should be a 10-foot setback
7 from the property line. That was, I guess, in the St. Elizabeths
8 special zone that was created, if I'm not mistaken.

9 MS. BROWN-ROBERTS: You're correct.

10 COMMISSIONER WRIGHT: So when we're creating these new
11 special zones for whether it be Connecticut Avenue or Wisconsin
12 Avenue, will they just literally reference the guidelines, or
13 will they go into the guidelines? And let's say the, I'm just
14 picking something out of the air, the guidelines say new buildings
15 should be set X number of feet back from historic façade, whatever
16 that number is. I don't even know at this point what that number
17 is. Will this zone actually have language that says, based on
18 the guidelines, new buildings should be set X number of feedback
19 from historic façade?

20 MS. BROWN-ROBERTS: That's correct.

21 COMMISSIONER WRIGHT: And so the zones will get to that
22 level of detail. They won't simply reference the guidelines. I
23 guess my question is is there a general, like, overall statement
24 in the new zone saying everything should be consistent with the
25 adopted guidelines?

1 MS. BROWN-ROBERTS: Well, we do --

2 COMMISSIONER WRIGHT: Or we just be going through,
3 excuse me. Sorry. I'm having such bad laryngitis. We go point-
4 by-point from the guidelines and write those actual dimensions
5 and numbers into the zone?

6 MS. BROWN-ROBERTS: That's correct. And we do say in,
7 you know, we do reference that the zoning is based on, you know,
8 the Comp Plan and the development guidelines that were in those
9 plans, and this is the third phase where we are putting those
10 recommendations into zoning.

11 COMMISSIONER WRIGHT: You're on mute, Joel.

12 MR. LAWSON: I'm sorry. So there's a purpose and intent
13 statement at the beginning of the zones which talks about where
14 the zones come from, that, you know, it's based on, you know,
15 the guidance from these plans. And then Maxine's absolutely
16 right. Then we simply wrote those in as requirements of the
17 zoning itself. So just like any other setback, just like any
18 height limitation, there's simply requirements of the zoning that
19 a developer would have to meet.

20 Now, just one nuance because you mentioned the historic
21 facade in the Cleveland historic and Woodley Park areas, which
22 are both historic districts. It's not a historic district on
23 Wisconsin Avenue, but on Connecticut Avenue. There are
24 guidelines which are really more for HPRV, the Historic
25 Preservation Review Board, and then for the Zoning Commission.

1 And we work very closely with our counterparts over in the
2 Historic Preservation office to make sure that what we put into
3 zoning won't potentially conflict with the HPRV review of the
4 building, you know, massing and setback.

5 So we'll get into that obviously in much more detail
6 at the hearings, but what we were able to do is to incorporate
7 into the zoning itself the guidelines that were related to use
8 in building form. There are a number of other guidelines that
9 are not relevant to zoning as we'll talk about, you know, at the
10 hearing. Those will be administered by HPRB or by the Public
11 Space Committee that but we incorporated as many as we could
12 right into the zoning as it required.

13 COMMISSIONER WRIGHT: Right. How would you say, we've
14 all heard the term form-based codes, and that was a very big
15 thing in zoning practice. How would you say your proposed zones
16 are in relation to? Could they be described as form-based codes?

17 MR. LAWSON: I'll let Maxine respond as well. I'm
18 going to say that there are certainly form-based elements to the
19 code that we're bringing forward. Form-based zoning wasn't
20 really anticipated through the planning process. It wasn't
21 discussed through the planning process itself and certainly our
22 understanding is that most form-based codes are based on a
23 planning exercise that was anticipating a form-based code. At
24 this point, we don't want to redo the planning for these sites.
25 So what we did was to, as I said, kind of incorporate elements

1 in, you know, many of which are very form-based and some of them
2 are, you know, very similar to other kind of form-related
3 regulations in other zones in the District and some of them are
4 new, and they would apply only in these areas. So I wouldn't
5 call it a form-based code because the District doesn't have, you
6 know, a form-based code, and the planning for these sites didn't
7 anticipate a true form-based code, but it certainly incorporates
8 many aspects of it.

9 The other critical thing is that we're proposing by-
10 right zoning in these two areas, and form-based codes often
11 involve some kind of review of every development proposal by some
12 other body. Now that's a little bit more difficult in the
13 District than in some jurisdictions. But, you know, in our case,
14 other than Historic Preservation Review Board, in your review or
15 BZA review of any discretionary proposal to vary regulations in
16 some way, it would be by-right development.

17 COMMISSIONER WRIGHT: That's very helpful. And, you
18 know, it would be helpful to me for the two areas along
19 Connecticut Avenue that are historic districts to at least have
20 some either memo from historic district PR Board staff or invite
21 them to participate in the hearing and the discussions that we
22 have because I do think we want to be clear in understanding the
23 relationship between the review they do and any by-right review
24 that would be done using the new zones. So that would be really
25 helpful as well. And that's all. Thank you for the presentation.

1 MR. LAWSON: Thank you. And I hope you're feeling
2 better.

3 But also this, you know, the plan itself was,
4 especially for the Connecticut Avenue and Woodley Park area, HPRB
5 or, sorry, the HP staff were very much involved in the process
6 of developing that plan. And then as I think Maxine noted, the
7 guidelines were actually adopted by Historic Preservation Review
8 Board itself as being consistent with the historic district
9 guidelines. So we'll definitely talk HPR report, setdown report
10 and our hearing report, we'll talk about that a little bit, but
11 it would be helpful if we could see if HP staff could attend,
12 that hearing as well.

13 CHAIRPERSON HOOD: All right. Thank you.

14 Commissioner Stidham, you have any questions or
15 comments on this?

16 COMMISSIONER STIDHAM: Thank you for the presentation.
17 As I often work with OP on some of these plans or if Park Service
18 properties are engaged, so full disclosure there. I am very
19 familiar with the process and how it applies to zoning. But I
20 really do appreciate the overview as we move into these hearings
21 related to these cases. So thank you.

22 CHAIRPERSON HOOD: Thank you.

23 Vice Chair Miller, do you have any questions or
24 comments?

25 VICE CHAIRPERSON MILLER: Thank you, Mr. Chairman.

1 I have no questions. I just want to also thank the
2 Office of Planning for all your work on the development guidelines
3 for Connecticut Avenue and Wisconsin Avenue and the predecessor
4 housing equity report, the Comp Plan, all the policies that are
5 there for these areas and look forward to your report and
6 testimony from you and the public at our hearings in December.

7 So thank you very much for this. I know it's a lot of
8 work. It's been a lot of work and a lot of community engagement
9 and that's commendable. Thank you.

10 MR. LAWSON: Thanks. Thank you, Commissioner Miller,
11 and I can't stop myself from taking the opportunity of just
12 agreeing with you that it is an incredible amount of work. You
13 would think that translating the planning into zoning, which is
14 what we're doing through this, would be fairly straightforward,
15 and in some respects, it was. But it was also a tremendous amount
16 of work on the part of Maxine and Karen who've attended so many
17 meetings on this and have had so many conversations, so much time
18 drafting reports and draft text. So just on behalf of OP, I
19 would like to thank Maxine and Karen for all of their efforts on
20 both of these --

21 MS. BROWN-ROBERTS: Thanks.

22 MR. LAWSON: -- both of these initiatives. Okay.

23 CHAIRPERSON HOOD: Okay. I want to thank -- I too want
24 to join all of my colleagues in thanking the Office of Planning
25 for all your hard work, not just in this case, but all cases

1 because I know it's not easy. So thank you all. Looking forward
2 to it. I would ask though that when we get to that point, can
3 we put the PowerPoint so I can refresh my memory as we go through
4 that? Can we put that in the record too?

5 MS. BROWN-ROBERTS: Yes. I will, yes.

6 CHAIRPERSON HOOD: Yes. That would be very, very
7 helpful.

8 VICE CHAIRPERSON MILLER: And what is the project
9 website on your Office of Planning website? Is there or it's
10 very obvious if you go to OP's homepage. It's --

11 MS. BROWN-ROBERTS: Yes. If you go to the homepage,
12 you'll see.

13 VICE CHAIRPERSON MILLER: So it's obvious?

14 MS. BROWN-ROBERTS: Yes.

15 VICE CHAIRPERSON MILLER: Okay. Thanks.

16 CHAIRPERSON HOOD: All right.

17 So any follow-up questions?

18 (No response.)

19 CHAIRPERSON HOOD: I'm not seeing any. All right.
20 Well, thank you, OP. We appreciate all the work that you all
21 do.

22 MS. BROWN-ROBERTS: Thank you. Have a good night.

23 CHAIRPERSON HOOD: All right. You all have a nice
24 evening.

25 Ms. Schellin, do we have anything else on the agenda

1 tonight?

2 MS. SCHELLIN: Nothing else.

3 CHAIRPERSON HOOD: Okay.

4 So the Zoning Commission will meet again. Wait one
5 second. So we don't have a meeting. We meet on the 24th. We
6 meet on the 24th and the 25th? I've already announced the
7 meeting, you know, the meeting for the 25th, the special, the
8 omnibus bill. I've already announced the special closed meeting
9 for that day. We meet on the 24th. I think those cases are
10 pretty straightforward, I think.

11 MS. SCHELLIN: At 3 o'clock. Starting at 3 o'clock.
12 You're correct.

13 CHAIRPERSON HOOD: Which one starts, on the 24th?

14 MS. SCHELLIN: Twenty fourth at 3 o'clock, 15-28A. And
15 then at 4 o'clock, 23-08A.

16 CHAIRPERSON HOOD: So we need to send a reminder because
17 I would've showed up at 4.

18 MS. SCHELLIN: I will remind you.

19 CHAIRPERSON HOOD: Send a reminder out of that.

20 MS. SCHELLIN: I will.

21 CHAIRPERSON HOOD: All right. Do we meet on the 27th.
22 Seem like we're meeting every other day, so we might as well just
23 meet.

24 MS. SCHELLIN: No. I'm going to let you stay home with
25 your family. That's on Thanksgiving. I will not call you here.

1 CHAIRPERSON HOOD: Well, for those who won't be joining
2 us next week, I hope you all have a happy Thanksgiving and enjoy
3 your family as Ms. Schellin, and remember to root for whatever
4 team you like or whatever you do. Enjoy your family. Have a
5 good time.

6 So with that, I want to thank everyone for your
7 participation tonight and colleagues, I'll see you all again next
8 week. Thanks everybody for everything.

9 MS. SCHELLIN: Thank you.

10 CHAIRPERSON HOOD: This meeting is adjourned.

11 (Whereupon, the above-entitled matter went off the
12 record at 4:55 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 Hearing

Before: DC OZ

Date: 11-20-25

Place: Via Videoconferencing

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

A handwritten signature in cursive script, reading "Deborah B. Gauthier", written in dark ink on a light background.

Deborah Gauthier