

GOVERNMENT OF  
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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REGULAR PUBLIC MEETING

+ + + + +

THURSDAY

FEBRUARY 26, 2026

+ + + + +

The Public Meeting of the District of Columbia Zoning Commission convened via teleconference, pursuant to notice at 4:10 p.m. EST, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

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

OFFICE OF ZONING STAFF PRESENT:

- PAUL YOUNG, Zoning Data Specialist
- SHARON S. SCHELLIN, Secretary
- ELLA ACKERMAN, Acting Secretary

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

- HILLARY LOVICK, ESQUIRE
- JACOB RITTING, ESQUIRE
- BRIAN LAMPERT, ESQUIRE

ALSO PRESENT:

- KAREN THOMAS, DC Office of Planning

The transcript constitutes the minutes from the Regular Public Meeting held on February 26, 2026.

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(4:10 p.m.)

CHAIRMAN 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, Commissioners Wright, Imamura, and Stidham. We're also joined by the Office of Zoning staff, Ms. Sharon Schellin and Ms. Ella Ackerman, also, and Mr. Paul Young, who will be handling all of our virtual operations, as well as our Office of Zoning Legal Division, Ms. Lovick, Mr. Ritting, and Mr. Lampert. I will ask all others to introduce themselves at the appropriate time, if required.

Also, I want to announce that the Zoning Commission had voted previously to have a closed meeting, and we are -- and we just -- have just come out of that session -- out of our closed meeting, which was voted on on February the 23rd, 2026. While discussions were held, there were no discussions -- decisions made. Upon conclusion of the closed session, the Commission immediately entered into this open meeting that we're here now.

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

1 muted during the meeting. For hearing action items, the only  
2 documents before us this evening are the application, the ANC  
3 setdown report, and the Office of Planning report. All other  
4 documents in the record will be reviewed at the time of the  
5 hearing. We do not take any public testimony at our meetings,  
6 unless the Commission requests someone to come forward.

7 If you experience difficulty accessing Webex or with  
8 your telephone call-in -- phone call-in, please call our OZ  
9 Hotline number at 202-727-0789 for Webex log-in or call-in  
10 instructions. At this time, does the staff have any preliminary  
11 matters?

12 (Brief pause.)

13 MS. SCHELLIN: I'm sorry. You ready for preliminary  
14 matters now?

15 CHAIRMAN HOOD: Yes. Does the staff have any  
16 preliminary matters?

17 MS. SCHELLIN: Okay. I'm sorry. I didn't hear you.  
18 So the first thing you already took care of, the update on the  
19 closed meeting. So the other thing is, per our regulations --  
20 the Zoning Regulations, the -- you are required to vote at your  
21 first meeting in February, but because it had to be moved, it's  
22 on the agenda for today to vote for a Commission Chairman and  
23 Vice Chairman, so I will turn that over to the Commission to move  
24 forward in that fashion.

25 CHAIRMAN HOOD: Okay. Thank you, Ms. Schellin. I will

1 | now declare all seats vacant, and I would ask one of my colleagues  
2 | or whoever would like to -- let's start the nominating process  
3 | and go from there.

4 |           VICE CHAIR MILLER: I would -- thank you, Mr. Chairman.  
5 | I would nominate our previous and longstanding Chairman, Anthony  
6 | Hood, as the Chairman for the next year. Is that what we do?

7 |           CHAIRMAN HOOD: Yeah, the next year, yes.

8 |           VICE CHAIR MILLER: For this year. We're lucky to have  
9 | you, Chairman Hood, and the city is lucky to have you -- fortunate  
10 | to have you for as long as you've been providing all this  
11 | excellent public service to the city, even though -- sometimes  
12 | appreciated by the public, but appreciated by your colleagues for  
13 | sure. So I nominate you -- I nominate Anthony Hood as the  
14 | Chairman for 2026 --

15 |           COMMISSIONER IMAMURA: Second.

16 |           VICE CHAIR MILLER: -- and ask for a second.

17 |           COMMISSIONER IMAMURA: Second.

18 |           CHAIRMAN HOOD: Okay. It's been -- thank you. It's  
19 | been moved and properly seconded. Any further discussion?

20 |           (No response.)

21 |           CHAIRMAN HOOD: Not hearing any, Ms. Schellin, would  
22 | you do a roll call vote please?

23 |           MS. SCHELLIN: Yes, sir. Commissioner Miller.

24 |           VICE CHAIR MILLER: Yes.

25 |           MS. SCHELLIN: Commissioner Imamura.

1 COMMISSIONER IMAMURA: Yes.

2 MS. SCHELLIN: Commissioner Wright.

3 COMMISSIONER WRIGHT: Yes.

4 MS. SCHELLIN: Commissioner Stidham.

5 COMMISSIONER STIDHAM: Yes.

6 MS. SCHELLIN: And last, but not least, Commissioner  
7 Hood.

8 CHAIRMAN HOOD: Yes.

9 MS. SCHELLIN: Okay.

10 CHAIRMAN HOOD: I guess I should vote for myself, right?

11 MS. SCHELLIN: Of course. The vote carries five to  
12 zero to zero for Chairman Hood to continue as Chairman for the  
13 '26 through February '26. Thank you.

14 CHAIRMAN HOOD: Okay. Thank you. So we'll go to Vice  
15 Chair.

16 MS. SCHELLIN: Yes.

17 CHAIRMAN HOOD: I think, Commissioner Wright, -- I saw  
18 your hand the first time (indiscernible). Commissioner Wright,  
19 Vice Chair.

20 COMMISSIONER WRIGHT: Yes. Thank you. I would be very  
21 honored to nominate, as Vice Chair, Rob Miller, who has been  
22 serving ably in that role. He is very, very knowledgeable and  
23 always is -- always offers very important information and  
24 perspectives to every case and is an excellent Vice Chair, so I  
25 would like to nominate him, and I ask for a second.

1 COMMISSIONER STIDHAM: Second.

2 COMMISSIONER IMAMURA: Second.

3 CHAIRMAN HOOD: Okay. It's been moved and properly  
4 seconded on Commissioner Miller to be the Vice Chair. Any further  
5 discussion?

6 VICE CHAIR MILLER: Thank you, Commission Wright, for  
7 your comments.

8 CHAIRMAN HOOD: Any further discussion?

9 (No response.)

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

12 MS. SCHELLIN: Yes. Commissioner Wright.

13 COMMISSIONER WRIGHT: Yes.

14 MS. SCHELLIN: Commissioner Stidham.

15 COMMISSIONER STIDHAM: Yes.

16 MS. SCHELLIN: Commissioner Hood.

17 CHAIRMAN HOOD: Yes.

18 MS. SCHELLIN: Commissioner Imamura.

19 COMMISSIONER IMAMURA: Yes.

20 MS. SCHELLIN: And, of course, Commissioner Miller.

21 VICE CHAIR MILLER: Yes.

22 MS. SCHELLIN: The vote carries five to zero to zero  
23 for Vice Chairman Miller to continue as Vice Chair for 2026  
24 through February 2027. Thank you.

25 CHAIRMAN HOOD: I, too, just want to say I really

1 appreciate the comments from Vice Chair Miller and, also, the  
2 support of affirmation from my colleagues. We'll continue to  
3 work together. We -- I think we all do -- you know, like,  
4 sometimes it's not appreciated, but some -- but I think the city's  
5 better because of everyone on here -- not just Anthony Hood and  
6 Rob Miller, but every Commissioner on here. We grapple with  
7 stuff and we come up with good conclusions. Like I said at the  
8 Council the other day, sometimes the five of us don't always  
9 agree, but when we disagree -- and I say this all the time -- we  
10 find a way to come back together and make it work for the best  
11 interest of the city and we come up with a better outcome. So I  
12 appreciate all of your expertise that you bring to these  
13 conversations and looking forward to continue to work in that  
14 process, and, again, thank you for your confidence for me and  
15 Vice Chair Miller, so thank you.

16 All right. Let's go right into the agenda. Final  
17 action, Zoning Commission Case Number 25-04 - Ed Villard, map  
18 amendment at Square 5341. Ms. Schellin.

19 MS. SCHELLIN: Yes, sir. At the conclusion of the  
20 hearing, if you'll recall, the Commission took proposed action  
21 to approve this map amendment, and so it was referred to NCPC  
22 for a 30-day comment period. That referral is at Exhibit 22.  
23 And, at Exhibit 24, you have the NCPC report -- or letter, rather,  
24 responding, stating that this project -- or this case was exempt  
25 from their review. The applicant did provide a draft order at

1 Exhibit 23. And so I will turn this over for the Commission to  
2 consider final action. Thank you.

3 CHAIRMAN HOOD: Thank you, Ms. Schellin. I believe  
4 that we have fleshed a lot of this out. As stated, we held it  
5 open for the ANC letter, which we did not receive. We also dealt  
6 with the covenant issue, which we had legal counsel, and we talked  
7 about that. We also mentioned -- we stated that the -- that we  
8 agreed that IZ Plus should not apply, and I think we have  
9 discussed a lot of this. And I think one of my colleagues asked  
10 about the tenant displacement. We got, I think, a good response  
11 to that. And I think that the -- for me, the merits of this case  
12 are ready to move forward. So, before I ask for discussion, I  
13 would move that we approve Zoning Commission Case 25-04, and ask  
14 for a second.

15 COMMISSIONER STIDHAM: Second.

16 COMMISSIONER IMAMURA: Second.

17 CHAIRMAN HOOD: Okay. It's been moved and properly  
18 seconded. Any further discussion?

19 VICE CHAIR MILLER: I would just say -- add what we've  
20 said previously at the proposed action. This is much more --  
21 this zoning is much more consistent with the Comprehensive Plan  
22 than the current zoning.

23 CHAIRMAN HOOD: Okay. Any additional discussion?

24 (No response.)

25 CHAIRMAN HOOD: Okay. Thank you. Not hearing any, Ms.

1 Schellin, would you do a roll call vote please?

2 MS. SCHELLIN: Yes, sir. Commissioner Hood.

3 CHAIRMAN HOOD: Yes.

4 MS. SCHELLIN: Commissioner Stidham.

5 COMMISSIONER STIDHAM: Yes.

6 MS. SCHELLIN: Commissioner Miller.

7 VICE CHAIR MILLER: Yes.

8 MS. SCHELLIN: Commissioner Wright.

9 COMMISSIONER WRIGHT: Yes.

10 MS. SCHELLIN: And Commissioner Imamura.

11 COMMISSIONER IMAMURA: Yes.

12 MS. SCHELLIN: And the vote is five to zero to zero to  
13 approve final action in Zoning Commission Case Number 25-04.

14 Thank you, Chairman.

15 CHAIRMAN HOOD: Okay. Let's go to the next case.  
16 Zoning Commission Case Number 25-10, Alturas, LLC, text amendment  
17 to Subtitle U, Section 514.3 at Square 2257, Lot 800. Ms.  
18 Schellin.

19 MS. SCHELLIN: At -- again, on this case, at Exhibit  
20 25, NCPC filed a report stating that the text amendment would not  
21 be inconsistent with the Comp Plan, nor the National Capital, nor  
22 would it adversely affect any identified federal interests. So  
23 I believe that this case is ready for the Commission to consider  
24 action. Thank you.

25 CHAIRMAN HOOD: Okay. Thank you, Ms. Schellin. Again,

1 while we're doing final action, just to review some of what was  
2 mentioned. As we know, there was the Single-Member District 1C01  
3 Commissioner Daniel Horowitz -- hopefully, I didn't  
4 mispronounce -- who's also the Chair of the ANC and  
5 Transportation Committee, had attended the virtual meetings.  
6 Again, the displacement; the Petitioner states that no residents  
7 would be displaced, as there is no residential use at the property  
8 at the time. The Petitioner will note that no commercial  
9 displacement or indirect displacement should occur, as most of  
10 the existing building is vacant. And, again, I don't know how  
11 much more we have to add on this. Let me see -- hear from my  
12 colleagues. Anybody else want to add anything to this? I'm  
13 looking. I'm looking.

14 (No response.)

15 CHAIRMAN HOOD: Not seeing any. All right. So let  
16 me -- let me just do this. I would move Zoning Commission Case  
17 Number -- oh, let me just also mention, Commissioner Stidham did  
18 not hear this, so she will not be participating on this -- Zoning  
19 Commission Case Number 25-10 approval, Alturas, LLC, text  
20 amendment to Subtitle U, Section 514.3 at Square 25-57 and Lot  
21 800, and ask for a second.

22 COMMISSIONER WRIGHT: Second.

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

25 (No response.)

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

3 MS. SCHELLIN: Sure. Commissioner Hood.

4 CHAIRMAN HOOD: Yes.

5 MS. SCHELLIN: Commissioner Wright.

6 COMMISSIONER WRIGHT: Yes.

7 MS. SCHELLIN: Commissioner Miller.

8 VICE CHAIR MILLER: Yes.

9 MS. SCHELLIN: Commissioner Imamura.

10 COMMISSIONER IMAMURA: Yes.

11 MS. SCHELLIN: And Commissioner Stidham is not voting,  
12 so we have a vote of four to zero to one to approve final action  
13 in Zoning Commission Case Number 25-10, the -- as I stated, minus  
14 one being Commissioner Stidham, not voting, having not  
15 participated.

16 CHAIRMAN HOOD: Okay. Thank you. I'm going to ask  
17 Commissioner Wright to take the lead on the first time extension  
18 and Commissioner Stidham to take the lead on the second time  
19 extension, but, anyway, let me read into it. Time extensions.  
20 Zoning Commission Case Number 22-16A, the three -- I don't know  
21 what that -- 3000 M Street, LLC, one-year PUD time extension at  
22 Square 1197. Ms. Schellin.

23 MS. SCHELLIN: Yes, sir. So, on this one -- let me  
24 move my notes along -- this was Case Number 22-16A. This was a  
25 request for -- or is a request for a one-year extension through

1 March 3, 2027 to start construction. So they did get their --  
2 they filed their building permit application on time, within the  
3 timeframe that the PUD order required. And they are -- their  
4 justification is because of, as a lot of the others, obtaining  
5 financing to start the construction's been delayed and the high  
6 and complex development design standards, of course, the costs  
7 of everything these days in the construction field. So I'll turn  
8 it over to you. Oh, wait a second. OP provided their report  
9 recommending approval at Exhibit 4. And, as of today, no report  
10 for 2E. Thank you. Sorry for the noise. My dogs got excited  
11 because DHL made a showing.

12 CHAIRMAN HOOD: Oh, I thought they got excited because  
13 of the case. Okay. So let me ask Commissioner Wright to take  
14 the lead on this one.

15 COMMISSIONER WRIGHT: Sure. I think that this is pretty  
16 straightforward. This is a project that was a PUD approval, and  
17 it was originally -- the original order was effective March 3rd,  
18 2023, And they have been working to try to move the project  
19 forward.

20 They did file a building permit application, as Ms.  
21 Schellin mentioned, within the time limits of the original PUD  
22 approval, but they have not been able to move forward, I think,  
23 because of the situations that many applicants have brought up  
24 of difficulty in obtaining financing and rising costs. And  
25 unfortunate as that is, I think it makes sense still to allow

1 for a one-year PUD time extension. So, actually, to move things  
2 along, I think I'll just make a motion and see if anyone wants  
3 to second it, and then we can have discussion after that. I move  
4 that we approve Zoning Commission Case Number 22-16A, which is  
5 Thor 3000 M Street, LLC for a one-year PUD time extension at  
6 Square 1197, and I ask for a second.

7 CHAIRMAN HOOD: I'll second it. Okay. It's been moved  
8 and properly seconded -- thank you, Commissioner Wright -- moved  
9 and properly seconded. Any further discussion?

10 VICE CHAIR MILLER: Yeah, I would just agree that good  
11 cause has been shown about the financing challenges in the current  
12 District commercial market for this longstanding proposal to  
13 have -- to replace -- to modernize a 97-unit hotel in Georgetown,  
14 as I understand it, so I'm supportive of the time extension.

15 CHAIRMAN HOOD: All right. Any further discussion?  
16 Thank you. Any further discussion?

17 (No response.)

18 CHAIRMAN HOOD: Not hearing any, Ms. Schellin, would  
19 you do a roll call vote please?

20 MS. SCHELLIN: I'm hitting the wrong buttons here.  
21 Commissioner Wright.

22 COMMISSIONER WRIGHT: Yes.

23 MS. SCHELLIN: Commissioner Hood.

24 CHAIRMAN HOOD: Yes.

25 MS. SCHELLIN: Commissioner Miller.

1 VICE CHAIR MILLER: Yes.

2 MS. SCHELLIN: Commissioner Stidham.

3 COMMISSIONER STIDHAM: Yes.

4 MS. SCHELLIN: And Commissioner Imamura.

5 COMMISSIONER IMAMURA: Yes.

6 MS. SCHELLIN: The case -- the final action is approved  
7 in Case Number 22-16A by a vote of five to zero to zero. Thank  
8 you.

9 CHAIRMAN HOOD: One second. Okay. Next, Zoning  
10 Commission Number Case Number 23-15A. Brookland Plaza Owner, LLC,  
11 two-year design review time extension at Square 3822. Ms.  
12 Schellin.

13 MS. SCHELLIN: Okay. So for this, this is a two-year  
14 extension for Order Number 23-15 to file their building permit  
15 by March 15th, 2028. And their justification is, despite their  
16 significant investment to move the project forward, a total of  
17 1.3 million dollars in architectural, landscape, public space,  
18 and other costs, the impacts, as discussed in the prior case and  
19 the other cases, the commercial real estate market in the District  
20 is -- and elevated costs, they've resulted in the applicant's  
21 inability to get construction financing in order to move forward.  
22 That's their biggest issue, I believe, and -- but you have the  
23 record before you. And you have an OP report at Exhibit 4  
24 recommending approval. As of 2/24, we had not heard from ANC  
25 5B, but I'll turn this over to the Commission to move forward,

1 | if it chooses to do so. Thank you.

2 |           CHAIRMAN HOOD: Thank you, Ms. Schellin. We'll ask  
3 | Commissioner Stidham to take the lead on this one please.

4 |           COMMISSIONER STIDHAM: Sure. Absolutely. Ms. Schellin  
5 | did a great job of giving the overview. And, like many cases  
6 | for the time extensions that we've looked at, you know, the market  
7 | is just in need of additional time because of the financial  
8 | resources and the increase in costs and availability.

9 |           So, with that, I would like to make a motion for Zoning  
10 | Case Number 23-15A, Brookland Plaza Owner, LLC, two-year design  
11 | review time extension at Square 3822, for approval for a time  
12 | extension for two years, and ask for a second.

13 |           COMMISSIONER IMAMURA: Second.

14 |           CHAIRMAN HOOD: It's been moved and properly seconded.  
15 | Any further discussion?

16 |           VICE CHAIR MILLER: Again, I would just echo that good  
17 | cause has been shown for the financing and time extension. Just  
18 | to -- for the benefit of the public, this is the Brookland  
19 | Lanes -- Brookland Plaza project at 3700 10th Street Northeast,  
20 | which, if it ever gets the financing, would develop, per our  
21 | previous approval, 337 residential units, as well as 30,000  
22 | square feet of retail. So I support this time extension.

23 |           CHAIRMAN HOOD: Okay. Thank you. Any further  
24 | discussion?

25 |           (No response.)

1 CHAIRMAN HOOD: Not hearing any, Ms. Schellin, would  
2 you do a roll call vote please? You're on mute I think, Ms.  
3 Schellin.

4 (No response.)

5 CHAIRMAN HOOD: Ms. Schellin, are you talking to us?  
6 You're on mute. Could you do a roll call vote please?

7 MS. SCHELLIN: Yes. Let me get back to my -- to the  
8 case number here. This is -- I'm sorry. I missed the vote.  
9 Who -- I'm sorry. Who called -- I was reading the next case.  
10 Could you repeat who made the motion?

11 COMMISSIONER STIDHAM: I made the motion.

12 CHAIRMAN HOOD: Commissioner Stidham made the motion,  
13 and Commissioner Imamura seconded.

14 MS. SCHELLIN: That's okay. That's what I thought, but  
15 I wanted to make sure I heard correctly when they were talking  
16 about. Commissioner Stidham.

17 COMMISSIONER STIDHAM: Yes.

18 MS. SCHELLIN: Commissioner Imamura.

19 COMMISSIONER IMAMURA: Yes.

20 MS. SCHELLIN: Commissioner Hood.

21 CHAIRMAN HOOD: Yes.

22 MS. SCHELLIN: Commissioner Miller.

23 VICE CHAIR MILLER: Yes.

24 MS. SCHELLIN: And Commissioner Wright.

25 COMMISSIONER WRIGHT: Yes.

1 MS. SCHELLIN: The vote is five to zero to zero to  
2 approve final action in Zoning Commission Case 23-15A. That's  
3 it.

4 CHAIRMAN HOOD: Okay. Our next -- thank you, Ms.  
5 Schellin. Our next case is proposed action; Zoning Commission  
6 Case Number 24-11, Jemal's Schaeffer, LLC and Jemal's Bumper  
7 George, LLC, consolidated PUD and related map amendment at Square  
8 4268. Ms. Schellin.

9 MS. SCHELLIN: Yes. So, on this one, which is where I  
10 was, this case kept getting, I think, put on the agenda back in  
11 December, and then we had to ask Commissioner Imamura to read the  
12 record or review the record, and I believe he has done that and  
13 will be participating today. So we have, at Exhibit 151, the  
14 applicant's third post-hearing submission, and I think that  
15 actually goes through 151-A4. ANC 5C and 5D provided responses  
16 at 152 through 153. And then the applicant provided a  
17 supplemental filing at Exhibit 154. And it is ready for the  
18 Commission to consider. Thank you.

19 CHAIRMAN HOOD: Thank you. And I want to start off  
20 with this. We have talked about this case quite a bit, and I  
21 really especially -- and I think I've done this previously, but  
22 I want to do it again, because I think it's noteworthy. I want  
23 to thank Commissioner Imamura. I know that the shutdown was  
24 going on with him and Commissioner Stidham, and we needed somebody  
25 to come in, and he stepped up, and I'm sure Commissioner Stidham

1 | would too as well, but I want to thank him for taking the time --  
2 | because we had done -- put a lot of work in -- to go back through  
3 | this and read. So, when we came back the previous time, he was  
4 | not afforded the opportunity to ask questions, so we had to afford  
5 | him the opportunity to ask questions about the case, so he really  
6 | did a lot of the legwork after the fact. And I want to thank  
7 | him for his time that he put into this and helping us to be able  
8 | to make a vote or, at least, get us closer to making a vote, but  
9 | let's see how this goes. But, again, I want to just publicly  
10 | thank Commissioner Imamura.

11 |           And, with that, I'd like to start, because I know that  
12 | he brought a lot of added value to what we had already picked  
13 | apart and looked at and tried to work with. And I think some of  
14 | the things he did was some additional improvements as well, but  
15 | let me go to Commissioner Imamura, if he can start us off.

16 |           COMMISSIONER IMAMURA: All right. Thank you, Mr.  
17 | Chairman. I appreciate the kind words and the opportunity to  
18 | weigh in on this particular PUD. As Ms. Schellin stated, at  
19 | December 18th -- the December 18th meeting, that's where I was  
20 | able to participate and asked a list of -- long list of questions  
21 | that we can -- I'll skip here, because it might take a while,  
22 | but we can -- I'll certainly address them in deliberation.  
23 | Suffice to say that we had this planned and considered proposed  
24 | action for the January 29th public meeting, but that was postponed  
25 | again for a decision to the February 12th public meeting, which

1 was then cancelled and now moved to the agenda for tonight's  
2 meeting on February 26th. So there are some new exhibits in the  
3 record. The applicant had submitted its third post-hearing  
4 submission with new plans on January 16th. ANC 5C responded on  
5 January 23rd, as did 5D also responded.

6 And then the applicant supplemented its third post-  
7 hearing submission on February 2nd. With that, there were some  
8 changes that -- and updates that were made, primarily to the New  
9 York Avenue facade, expanding the palette of materials - textured  
10 metal panels - EFIS - glazing of various dimensions for the New  
11 York Avenue facade that include brick masonry, textured metal  
12 panels, two variations of splitface CMU differing in colors,  
13 EFIS, and glazing of various dimensions, complimented by a metal  
14 canopy feature. There are a number of other changes that were  
15 made, too, with the intent to break down the visual continuity  
16 and enhance the pedestrian scale and experience along New York  
17 Avenue.

18 Some other changes that were made, in terms of the  
19 sustainable design elements include the installation of solar  
20 panels that account or attribute to 12 percent of the total roof  
21 area. They did highlight the fact that there's a green roof that  
22 covers about 49 percent of the total roof area. They did include  
23 a bioretention area within the site and provided some sections  
24 in the landscape plans. They attempted to address the interface  
25 between the PUD and the future residential development site,

1 primarily at -- with an overall site section at Exhibit 105,  
2 really which demonstrates a 40-ft wide green area on the south  
3 side of the property, which is where the bioretention area is  
4 located. It did address, I think, much better here, in that  
5 there's a grade change between the south part of the site that  
6 sits at 64 feet in elevation versus the PUD site that's at 50  
7 feet, so there is a significant grade change there separating the  
8 two.

9           What else? They did provide some aerial views or  
10 illustrations at Exhibit 108, 109, 110, and 112 of the plans,  
11 which were helpful to see. They are asking -- and I did -- I  
12 asked this earlier about the loading bays. The applicant's  
13 seeking flexibility to permit up to 12 loading bays for the PUD,  
14 based on the requirements of building tenants. And it's also  
15 worth noting, ANC 5C and 5D felt that the applicant didn't address  
16 the chemical storage and distribution use. The applicant did  
17 later come back and say that they would include a prohibition on  
18 any use where chemical storage or distribution is a primary or  
19 accessory element of the business operations.

20           So that brings us to where we are at, in terms of  
21 deliberation, with some of the changes that have been made. From  
22 my point of view, I just want to acknowledge a couple things. If  
23 you'll allow me, Mr. Chairman, I'll kick us off, in terms of the  
24 deliberation part and some of these changes.

25           In terms of the New York Avenue facade and the pallet

1 of materials, essentially, they haven't really changed the form  
2 of the building. In essence, they just changed sort of the  
3 elevations and the facade of it, the use of the materials to  
4 create a wider variation to break up the facade. I'm not sure  
5 that it is entirely successful, but it does -- you know, I think  
6 the intent was to break it into three elements, but, again, the  
7 form still remains the same, and I'm not entirely convinced that  
8 they've actually addressed one of the questions that I had about  
9 why is there so much PDR use for this particular building.

10 I couldn't -- I really wrestled with -- I think there  
11 was originally 17 loading bays. They went down to 12. I'm trying  
12 to understand a bit more on why they need 12. And to compare  
13 this -- well, forgive me for making the comparison, but, in terms  
14 of square footage, this is really the size of a Super Walmart,  
15 and a Super Walmart does not include 12 loading bays. While I  
16 understand that Walmart is really receiving goods and not  
17 distributing goods, I still wrestle with why this particular  
18 proposal needs up to 12 loading bays for distribution, when we  
19 don't really know what sort of -- what the tenants will be or  
20 the proposed tenants will be. I understand they're still trying  
21 to work that out, but 12 loading bays seems pretty significant  
22 to me. So the use of -- circling back to the use of materials,  
23 I'm a little underwhelmed by that. I understand that, again,  
24 they're just trying to break that up. I can bend on that and  
25 say, okay, I understand the intent. In terms of the sustainable

1 design elements shown in the new plans, the solar panels and the  
2 green roof and the bioretention I'd like to focus on. The  
3 bioretention area and where it was located, it was just sort of  
4 an application of this is where it will go, because this is really  
5 the only green space that we have separating the south part of  
6 the site versus this part of the PUD. And whether or not it  
7 makes the most sense, it's really the only area that -- I think  
8 there's some additional areas where they might be able to consider  
9 the bioretention area, you know, the parking lots, but this is  
10 really the largest area for bioretention to go.

11           The green roof was certainly just applied to the south  
12 part of the roof, and they were very intentional in mentioning  
13 that the solar panels were on the north edge of the building,  
14 really, along New York Avenue. But what's funny -- what's --  
15 well, what I thought was interesting in the illustrations was  
16 that they had the solar panels facing north. So that made me  
17 wonder, really, how much thought had gone into this, other than  
18 just the application that we'll put solar panels here on,  
19 essentially, whatever it was -- I think whatever the percentage  
20 was that I called out -- 12 percent of the total green roof --  
21 of the total roof area and almost 49 percent as green space or  
22 as that green roof. Say, okay, well, that was just an omission  
23 or an error in the rendering of it and we'll change that, so that  
24 the solar panels were facing south. All right. At least the  
25 effort was made to include, I think, a little bit more about

1 sustainability here.

2           In terms of the interface between the PUD and the future  
3 residential development shown in the new plans, I recognize and  
4 appreciate the differential, in terms of the grade at 50 feet and  
5 64 feet, and, I think, the deciduous trees that they're planning  
6 to locate in the bioretention area will, at least, provide some  
7 visual barrier at full growth, depending on what those trees are.

8           The loading bays, I'm still unsettled about that. Up  
9 to 12; I wish the applicant would have looked at that. They also  
10 didn't address why they had located it at the center of the  
11 building; whereas, I had asked why not towards the periphery  
12 of -- or the edge of the building with easier access.

13           So that is where we are at, Mr. Chairman. I'm not  
14 entirely convinced that -- I recognize the changes or the attempt  
15 to make improvements here, but I'm interested to also hear  
16 comments by Vice Chair Miller, by you, Chairman Hood, and by  
17 Commissioner Wright, and know that this, again, has been, again,  
18 a very longstanding vacant site that really needs development to  
19 take place. So, with that, I yield back.

20           CHAIRMAN HOOD: Thank you, Commissioner Imamura. You  
21 really examined this and did a lot of discovery and came up with  
22 some great points, especially with the loading bays. I was --  
23 that was -- that triggered me, and I started looking at the  
24 loading bays; I started trying to figure out why they put them  
25 in the center, as opposed to the edge. And I'm not the expert.

1 I'm not going to try to prove the plan, but I think I know why  
2 they did that, but I'll leave that alone for now. But I do want  
3 to hear from others, because I think Commissioner Imamura has  
4 definitely touched on a number of issues, and I know we talked  
5 about this. The other three of us have talked about this, at  
6 least, three other times, so let's try it again. We don't have  
7 to go -- I mean, I know kind of where we all are. That's why we  
8 needed Commissioner Imamura. But we don't have to go  
9 exhaustively, but if you want to touch on it, you can. And I'll  
10 just ask Commissioner Wright if she wants to touch on it a little  
11 more. I don't know how much more we can get out of this, but if  
12 you want to touch on it.

13 COMMISSIONER WRIGHT: Yeah. Thank you. Yeah, my  
14 position on this project really hasn't changed. I appreciate the  
15 additional information. And, in fact, just as a reminder, one  
16 thing we probably need to do is to formally accept the additional  
17 communication from the applicant about the -- unless we've  
18 already done that -- about them agreeing that there won't be a  
19 chemical distribution use in the building. I think they sent  
20 that in early February, in response to some of the ANC concerns.

21 You know, I am not a fan of this project. I think that  
22 if this was land that was simply zoned PDR or if the Comprehensive  
23 Plan showed it simply as PDR, I would be more aligned with it,  
24 but it doesn't show that. It shows a stripe of PDR and  
25 residential. I think by having zero residential, that it is not

1 consistent with the intent of the Comprehensive Plan and the  
2 Future Land Use Map. I think that, as a PUD, typically, a PUD  
3 is required to provide significant amenities above and beyond  
4 what would be done through by-right development. I know that  
5 this applicant has said that the act of doing a PUD to get the  
6 PDR zoning is an amenity, in and of itself. I don't agree with  
7 that. I think that the streetscape improvements are minimal. I  
8 think the landscaping improvements are minimal. And I don't  
9 really see the enhanced public benefit to the community, other  
10 than building speculative warehouse space on a property that has  
11 not been able to go through development for quite a while and  
12 has had other projects proposed that didn't move forward. So I'm  
13 going to just leave it there and basically say that, as I have  
14 stated when this project was discussed previously, I will -- I  
15 will -- I'm not able to support it. So that's my comment.

16 CHAIRMAN HOOD: All right. Thank you. Vice Chair  
17 Miller.

18 VICE CHAIR MILLER: Thank you, Mr. Chairman, and thank  
19 you to each of my colleagues who have spoken. And I share some  
20 of the concerns that each of you have expressed, but I appreciate  
21 the applicant's, I think, good faith efforts throughout this  
22 case. Like many cases, it has evolved. We just accepted the  
23 fourth post-hearing submission, in response to concerns about the  
24 chemical storage and distribution use, which ANC 5C and 5D had  
25 expressed, and I shared those concerns as well at the hearing.

1 So they've added that use to the list of, I think, dozens -- was  
2 it 41 already prohibited uses, which the PUD has allowed for that  
3 type of evolution.

4           They could have done a map amendment -- just a map  
5 amendment from MU-5B, which is what the current zoning is, but  
6 the -- to PDR, which would have been not inconsistent with the  
7 Comprehensive Plan. It has three stripes; mixed-use high  
8 residential, as Commissioner Wright said, high-density  
9 commercial, and PDR. The PDR striping, I believe, was added by  
10 the Council to this portion -- New York Avenue portion of the  
11 Montana Triangle site at the last Comprehensive Plan amendment  
12 cycle. So I think I've previously stated that I would prefer if  
13 we and the -- in conjunction with the Office of Planning and the  
14 community, could develop -- had developed a zoning category which  
15 will allow for PDR uses and residential uses to be both allowed.

16           And I share the concern that just the PDR zoning  
17 designation will now prohibit -- will now prohibit residential  
18 use on this portion of the Montana Triangle site, but this Montana  
19 Triangle site, as has been pointed out, has been vacant for a  
20 very long time. There have been a lot of hopes and dreams and  
21 visions for this site by the community and by the city, and we  
22 have a developer who has tried and demonstrated in other areas  
23 that they do quality mixed-use development. And, as the former  
24 Deputy Director of the Office of Planning said, if there was a  
25 market for residential at this New York Avenue site, it would

1 have been developed with residential, particularly by this  
2 developer. So they did the PUD that did allow -- I think at  
3 the -- I don't know if that was at the request of the Office of  
4 Planning or the community -- that allowed for the public input  
5 and the evolution and the changes to design, which were not  
6 satisfactory to everybody, but were improvements, and this will  
7 facilitate development of this long vacant and neglected site.

8           So I appreciate the applicant's efforts. I understand  
9 the concerns that have been raised. I think there has been  
10 responsiveness throughout the process, and we have a different  
11 project than originally. I would have preferred to -- if we had  
12 a zoning category that would not preclude residential development  
13 on this portion of the Montana Triangle site in the future, and  
14 I guess unless we change the zoning in the future -- but we don't  
15 at this point, and I don't think we should wait for that long  
16 zoning process to happen. So I'm ready to support this project  
17 at this time. Thank you, Mr. Chairman.

18           CHAIRMAN HOOD: Thank you. I'm going to start off like  
19 this. I want to really thank -- I want to thank all my  
20 colleagues, whether you're pro or con, and I'll tell you why.  
21 I've watched this -- as the Vice Chair just mentioned, I've  
22 watched this evolve. And I'm glad Commissioner Imamura got  
23 involved, because I watched some of the changes they've made, and  
24 I think -- I think -- again, as I've always said, I think we have  
25 a better outcome. Some of the things that we may not have brought

1 up prior. I think he put the cap on it, and I am fine with it.

2           And I don't believe that -- I do -- I don't think the  
3 loading zones -- I think, the way I read the last submissions,  
4 that the loading zones were -- they asked for flexibility. Now,  
5 I strongly encouraged him to figure out how to do less, and I  
6 think they asked for that flexibility. I believe that's what  
7 they asked for, but, if not, I'm mentioning it now, because I  
8 think, while Commissioner Imamura, who's the design expert --  
9 and, again, I always joke and say that I'm still looking for my  
10 credentials -- on the end -- I could see, in that area, why I  
11 wouldn't put it on the end, depending upon what comes in there,  
12 but, you know, we're working on some things in the blind here,  
13 so -- and I would agree probably putting it maybe in the middle --  
14 Commissioner Imamura, I'm just having a discussion with you right  
15 quick. You had -- have all the credentials; I don't. Maybe it's  
16 in the middle because they can maneuver better. I don't know,  
17 so that's my two cents worth.

18           But, either way, I would ask the -- because I, too,  
19 support this project, along with Vice Chair Miller. And I'm not  
20 sure where everybody exactly is, except for Commissioner Wright,  
21 but, I, too, support it. I think that, as was said, they have  
22 been very responsive. And my concerns -- and I agree with the  
23 ANC 5C and ANC 5D, as having living around there and dealing with  
24 chemical issues and dealing with the automobiles. And who else  
25 comes in front of us and has a zoning which allows something and

1 takes it off the table? That's unheard of. That's -- I have  
2 not seen that done a whole lot, but they've -- they're taking  
3 uses off the table to make sure that they have predictability and  
4 commitment to the community. I mean, to me, that stands -- that  
5 speaks volumes -- volumes. And, as we've said before, I'm still  
6 waiting for the bowling alley to come down there; I'm still  
7 waiting for the Harris Teeter to show up; I'm still waiting for  
8 the Walmart to show up, so, you know -- and that's over 30-some-  
9 odd years and counting. And now this neighborhood has something  
10 to help jump start it, because, as I mentioned in the last  
11 hearing, across the street, I shouldn't say this, but it's -- it  
12 needs some help over there and, hopefully, this will help jump  
13 start this area and help clean up that area and the gateway to  
14 the city.

15           When I look at the design, it's not really bad. I  
16 looked at some other sites in other jurisdictions, as my wife and  
17 I rolled through, and -- it really doesn't look bad; you know,  
18 that doesn't look bad. It's more -- it looks better than what's  
19 down there now, and I'll leave it at that, but, again, for me,  
20 it was about the uses.

21           And I appreciate this applicant for being responsive  
22 to the ANC 5C and 5 -- I think 5D. It might not have gotten  
23 everything, but because of their stick-to-it-iveness and living  
24 in that area, I think they've taken some things off the table  
25 that have basically -- that we feel, in Ward 5, that has really

1 hurt Ward 5 and our residents with what some of those uses were,  
2 and this applicant took them off the table. So I agree; at least,  
3 we're going to try to jumpstart that.

4 I will be voting in support of this application. I  
5 don't know how much more I can say on it, and I appreciate the  
6 responsiveness of both the ANCs, as well as the community, as  
7 well as the applicant. Did we get everything we wanted -- that  
8 they wanted -- anybody wanted? No. But did we come up with, at  
9 least, making it better, especially with the help from my  
10 colleague, Commissioner Imamura? Yes. So, with that, I don't  
11 have anything. Anybody have any second go-rounds, anything else  
12 to add?

13 COMMISSIONER IMAMURA: (Raises hand.)

14 CHAIRMAN HOOD: Commissioner Imamura.

15 COMMISSIONER IMAMURA: Thank you, Mr. Chairman, for the  
16 second go-round. Yeah, I don't know. It sounds like we may try  
17 to take proposed action, and, as you said, we have a sense of  
18 where maybe these votes are, but it may be -- might take one to  
19 pull it across the finish line. I just want to make a comment  
20 that I agree with Commissioner Wright in that, in terms of the  
21 architecture and the landscape architecture is flat. However,  
22 to Vice Chair Miller's point, that if this -- in commenting on  
23 what the Deputy Director had said, if there was a market for  
24 residential, that would have already been done by now.

25 I think, as an architect, I am an eternal optimist, and

1 | so I certainly hope that if this is approved, that it can be a  
2 | catalyst for the neighborhood there. So regardless of whether  
3 | the architecture or landscape design is flat, that just the  
4 | development will spur and spawn and help improve the surrounding  
5 | neighborhood. So that's all that I wanted to share. Thank you,  
6 | Mr. Chairman, for your indulgence.

7 |           CHAIRMAN HOOD: Thank you. Somebody like to make a  
8 | motion? Vice Chair Miller, or I'll make it.

9 |           VICE CHAIR MILLER: Okay. I will make a motion. Let  
10 | me get the case number in front of me. I would move that the --  
11 | not know knowing whether we even have the votes, I would move  
12 | that the Zoning Commission take proposed action on Case Number  
13 | 24-11, Jemal's Schaeffer, LLC and Jemal's Bumper George, LLC --  
14 | they always have funny names for their projects -- consolidated  
15 | PUD and related map amendment at Square 4268, and ask for a  
16 | second.

17 |           CHAIRMAN HOOD: I'll second it. It's been moved and  
18 | properly seconded. Any further discussion? And let me just say  
19 | that this is proposed. If there's something else before final  
20 | we want to look at maybe, I don't know if you want to push a  
21 | little more on the loading docks, Commissioner Imamura, because  
22 | I know that's -- that was standing -- one of the things that was  
23 | standing out. If you want to push on something, let's do it now.  
24 | Commissioner Imamura.

25 |           CHAIRMAN HOOD: Thank you, Mr. Chairman. I certainly

1 support and agree with your comment, that the applicant should  
2 take another look at fewer loading docks. What I was asking for  
3 was an explanation of their design thought process, their design  
4 thinking on whether they considered that and why they didn't go  
5 with that, so I wasn't directing them or recommending. I just  
6 wanted a better answer -- a clearer answer is all, and agree that  
7 there should be fewer loading docks.

8 CHAIRMAN HOOD: Okay. So let's put that in the caveat  
9 and ask for that before we do final, if we get to final. Anything  
10 else? It's been moved and properly seconded. Anything further  
11 discussion?

12 (No response.)

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

15 MS. SCHELLIN: Yes, sir. And right after that, could  
16 we set a date for that document, since they're -- the party could  
17 respond, so the ANC will have a date to respond also, and the  
18 applicant can reach out to them if they want to provide a  
19 response?

20 CHAIRMAN HOOD: So let's get the vote first. We might  
21 not need any.

22 MS. SCHELLIN: That's what I mean, afterwards can we  
23 set that?

24 CHAIRMAN HOOD: Yeah, we'll do that, we'll do that.

25 MS. SCHELLIN: So -- okay. So Commissioner Miller.

1 VICE CHAIR MILLER: Yes.

2 MS. SCHELLIN: Commissioner Hood.

3 CHAIRMAN HOOD: Yes.

4 MS. SCHELLIN: Okay. Commissioner Wright.

5 COMMISSIONER WRIGHT: No.

6 MS. SCHELLIN: Okay. Commissioner Imamura.

7 COMMISSIONER IMAMURA: I'll allow for a dramatic pause  
8 and say yes.

9 MS. SCHELLIN: Okay. And I know that Commissioner  
10 Stidham is not on, because she did not participate. So the vote  
11 would be three to one to one to approve proposed action in Zoning  
12 Commission Case Number 24-11. We have Commissioners Miller,  
13 Hood, and Imamura in support; Commissioner opposed; and  
14 Commissioner Stidham not voting, having not participated. Thank  
15 you.

16 CHAIRMAN HOOD: Okay. Now, Ms. Schellin, you were  
17 talking about some dates.

18 MS. SCHELLIN: Yes. Since you want them to submit  
19 something to the record, we need to announce to -- in order to  
20 open the record for that.

21 CHAIRMAN HOOD: Yes. I'd like to open the record for  
22 what Commissioner Imamura and I have been discussing about  
23 loading docks. Now, you mentioned about the -- Commissioner  
24 Imamura, the flat -- what was it, the design, the landscape?

25 COMMISSIONER IMAMURA: Oh, yes, sir. The solar panels,

1 | if they could fix that in the rendering, that would be -- it's a  
2 | little embarrassing, so they need to shift that so that it's  
3 | facing south. And I think that's really all that I request.

4 |           CHAIRMAN HOOD: Okay. Okay. Good. I like for us to  
5 | have a comfort level moving forward. Okay. So we've asked for  
6 | those things, Ms. Schellin, and that's what we will open the  
7 | record for.

8 |           MS. SCHELLIN: Okay. So this --

9 |           CHAIRMAN HOOD: Other than that, they can respond on  
10 | that, because I don't want nobody thinking we closed the record  
11 | and don't hear from nobody else. They can respond on what --  
12 | the things that we've asked for.

13 |           MS. SCHELLIN: Okay. And so we'll give the applicant  
14 | then until -- since this won't come back up until the first  
15 | meeting in April, we can give the applicant until March 19th,  
16 | three o'clock p.m. to provide that, and if they would work with  
17 | the ANC. If they choose to provide a response, then they would  
18 | have until March 26th to do that. And, also, the applicant to  
19 | provide a draft order by the 26th to -- actually, I think they've  
20 | already done that, because we left the record open before for  
21 | that, so -- but, if not, they should do that by the 26th also.  
22 | And then we can put this on for April 9th.

23 |           CHAIRMAN HOOD: Commissioner -- I mean -- I was getting  
24 | ready to say Commissioner Ritting. Good gracious. Mr. Ritting.

25 |           MR. RITTING: Yeah. I just wanted to note on the record

1 | that because this is proposed action, that the applicant's  
2 | proffers and conditions are due within seven days, and then --  
3 | and then there's some subsequent dates that are set forth in the  
4 | regulations, and I just want to make sure that they were aware  
5 | of that. Thank you.

6 | MS. SCHELLIN: Yeah. We pretty much don't mention  
7 | those since they're in the regs now --

8 | CHAIRMAN HOOD: Okay. Thank you.

9 | MS. SCHELLIN: -- but yeah. Thanks.

10 | CHAIRMAN HOOD: Thank you, Ms. Schellin. What I want  
11 | to make sure that we do is when we're closing records and -- I  
12 | want to make sure that the public -- and, actually, the Chairman  
13 | has asked us to make sure that people understand, when we close  
14 | the records and we open the records -- like, for example, in some  
15 | cases we have, we close the record at the end of the case, stuff  
16 | that we've asked for -- without me getting into that, I want to  
17 | make sure that we articulate that very well. I'm not talking  
18 | about just you, Ms. Schellin; I'm talking about all of us, because  
19 | we don't shut anybody out of the process, and that seemed to have  
20 | been the theme from a few, and I've tried to correct that too  
21 | last week. So, anyway, a sidenote. All right. I'm sorry I got  
22 | off. All right. Let's -- and because we don't shut nobody off.  
23 | All right. Let me go to -- what's next? I think -- is it hearing  
24 | actions? Oh, no, no, no. I lost my page. One second. There  
25 | we go. Okay. Is this -- are we on Zoning Commission Case 25-

1 08?

2 MS. SCHELLIN: (Nods head affirmatively.)

3 CHAIRMAN HOOD: Okay. Zoning Commission -- thank you.  
4 Zoning Commission Case Number 25-08, Office of Planning text  
5 amendment to update the Residential Apartment, RA-1. Ms.  
6 Schellin.

7 MS. SCHELLIN: Yes, sir. At the conclusion of the  
8 January 5th hearing, OP -- the Commission asked OP to provide a  
9 supplemental report and to respond to some of the testimony and/or  
10 submissions to the record, and they did that at Exhibit 20. So  
11 this is ready for the Commission to consider proposed action.  
12 Thank you.

13 CHAIRMAN HOOD: Okay. And I think there were four --  
14 I may get them -- I think there were four items that were -- and  
15 I don't know if we -- if others want to have discussion.  
16 Increasing proposed by-right development expansion to more than  
17 the proposed four units, and OP had a response; making additional  
18 changes to the side yard requirements, OP had a response; and  
19 then -- let me -- let me -- and then responding exclusive to  
20 allowance for the penthouse habitable space in RA-1 from proposed  
21 amendments; and then the next one is -- hold on. They had a  
22 response to all. I think those are -- did I -- am I missing one?  
23 I think that's it.

24 All right. Let me go back and see if anyone has any  
25 additional information. We have Exhibit 20, which proposed text

1 | accordingly. We can see Exhibit 20, if we have additional  
2 | comments. Increase proposed by-right development expansions to  
3 | more than the proposed four units. Office of Planning responded,  
4 | as we noted, but let me open it up for any questions or comments  
5 | on that or any concerns? Are we fine with what OP has --

6 |           VICE CHAIR MILLER: Yes, I appreciate that OP, in  
7 | response to comments that we've gotten to the public -- at the  
8 | public hearing, that they've increased the by-right development  
9 | expansion in the RA-1 zone. I think it was originally four units.  
10 | It's now six units, so I appreciate that.

11 |           CHAIRMAN HOOD: And I am looking for my notes.

12 |           VICE CHAIR MILLER: Well, as Vice Chair, I can take up  
13 | a --

14 |           CHAIRMAN HOOD: Go right -- go right ahead, because I  
15 | got some notes.

16 |           VICE CHAIR MILLER: That's other duties, as assigned.  
17 | They -- so the changes -- the revisions that they made in the  
18 | original text have evolved, like a lot of our cases, as a result  
19 | of the public comments that we've received and that we've given  
20 | to the applicant in this case, Office of Planning.

21 |           So, in addition to increasing the proposed by-right  
22 | development in the RA-1 zone to six units, they reduced the  
23 | minimum side yard to five feet for buildings with six units or  
24 | less. They've -- they have not included allowance of penthouse  
25 | habitable space in the RA-1 zone as part of these amendments.

1 They said they would be reviewing that as maybe a broader text  
2 amendment that would be looking at penthouse habitable space  
3 generally, even though we got testimony from at least one party  
4 about that. They will continue to require a shadow study and  
5 stormwater management plan as requirements for special exception  
6 relief, but will allow for supplemental representation to  
7 demonstrate those shadow impacts. So I appreciate all of those  
8 revisions that were made that I think were responsive to some of  
9 our questions and those of the public that testified.

10 CHAIRMAN HOOD: Thank you, Vice Chair for taking that  
11 for me. But I was looking for my notes, because some of what --  
12 I'm looking at the Committee of 100 and their response about the  
13 input and the side yard, and this is the way it was expelled  
14 recently. It's the -- some of the citizens are concerned that  
15 when we do matter of right, that we -- they call it a matter of  
16 right push -- that we eliminate all input. And if you notice in  
17 the first one -- is that the first one -- in the one making  
18 additional changes to side yard requirements, if you notice, the  
19 Committee of 100 talks about that. Is that the one? No. Well,  
20 anyway, they talk about -- again, I keep seeing "eliminating  
21 input", and that's what seems to be the rising theme that I'm  
22 seeing, and they actually mention it again here under one of our  
23 bullet points where it talks about adding a special -- which the  
24 Office of Planning did not support -- but it talks about having  
25 a mechanism for people to give input, and I'm starting to hear

1 that over and over again, and that's starting to raise a flag  
2 with me to make sure that we are not doing that. So, I mean,  
3 not necessarily germane to this, but just anything. And I see  
4 here where they still talk about taking away input. So, anyway,  
5 I don't know if anybody else, if it strikes a nerve with them,  
6 but it does with me, because that's not our -- that's not our  
7 objective, and that has never been our goal. All right. Any  
8 other questions on these? Anybody have any other issues on these?  
9 I think they're pretty straightforward. The Office of Planning  
10 and I think the Vice Chair has went through that thoroughly,  
11 unless we have any other comments or questions.

12 (No response.)

13 CHAIRMAN HOOD: All right. So would somebody like to  
14 make a motion? Vice Chair, since you so eloquently took care of  
15 the Vice Chair piece of it and took care of it.

16 VICE CHAIR MILLER: Two in a row. I'll move that the  
17 Zoning Commission -- are we at proposed -- we're at proposed  
18 action, right?

19 CHAIRMAN HOOD: Yeah, proposed, yes.

20 VICE CHAIR MILLER: Okay. I would move that the Zoning  
21 Commission take proposed action on Case Number 25-08, the Office  
22 of Planning's proposed text amendment to update the Residential  
23 Apartment RA-1 zone, and ask for a second.

24 COMMISSIONER STIDHAM: Second.

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

1 seconded. Any further discussion?

2 (No response.)

3 CHAIRMAN HOOD: Not hearing any, Ms. Schellin, are you  
4 back, because I was getting ready to do other duties --

5 MS. SCHELLIN: I am back.

6 CHAIRMAN HOOD: Okay.

7 MS. SCHELLIN: I got off and back on before you got to  
8 the vote.

9 CHAIRMAN HOOD: All right. Ms. Schellin, could you do  
10 a roll call vote please?

11 MS. SCHELLIN: I had to shut down and do an update.  
12 Commissioner Miller.

13 CHAIRMAN HOOD: Hold on one second. Ms. Lovick --  
14 before we do that, Ms. Lovick, you want to add something?

15 MS. LOVICK: Hi. I just wanted to confirm, you're  
16 taking proposed action on the language that's in the OP supplement  
17 report, correct, at Exhibit 20? I just want to clarify that you  
18 are agreeing with everything that --

19 VICE CHAIR MILLER: That was what I -- thank you, Ms.  
20 Lovick. That is what I intended, and I should have said that,  
21 so thank you for clarifying that.

22 MS. LOVICK: Thank you.

23 VICE CHAIR MILLER: And I think the seconder probably  
24 would agree with that?

25 COMMISSIONER STIDHAM: Yes. Yes.

1 CHAIRMAN HOOD: Okay. Let's try it again, Ms. Schellin.  
2 MS. SCHELLIN: Okay. Commissioner Miller.  
3 VICE CHAIR MILLER: Yes.  
4 MS. SCHELLIN: Commissioner Stidham.  
5 COMMISSIONER STIDHAM: Yes.  
6 MS. SCHELLIN: Commissioner Hood.  
7 CHAIRMAN HOOD: Yes.  
8 MS. SCHELLIN: Commissioner Wright.  
9 COMMISSIONER WRIGHT: Yes.  
10 MS. SCHELLIN: Commissioner Imamura.  
11 COMMISSIONER IMAMURA: Yes.  
12 MS. SCHELLIN: The vote is five to zero to zero to  
13 approve proposed action on Zoning Commission Case Number 25-08.  
14 Thank you.  
15 CHAIRMAN HOOD: Okay. All right. Let's go to hearing  
16 action; Zoning Commission Case Number 2515, Florida and Q Street,  
17 LLC, map amendment at Square 3100. I want to ask the Office of  
18 Planning to come give us a brief, and then, Vice Chair, I'm going  
19 to ask you to start off with this one. Ms. Thomas.  
20 MS. THOMAS: Yes. Good evening, Mr. Chair, members of  
21 the Commission. The Office of Planning is recommending that the  
22 Zoning Commission set down the application before you regarding  
23 the Florida and Q Street, LLC, the map amendment from the MU-4  
24 to the MU-7B to permit medium-density residential and moderate-  
25 density commercial. We set this down in October of 2025, and we

1 presented before you. It -- our report is in the record.

2           The issue here, you asked for some information from  
3 DMPED regarding whether the property was under eminent domain.  
4 DMPED responded to OP. I think it's Exhibit -- it's Exhibit 10  
5 in the record or -- I don't have that right now, but the response  
6 is in your record. And, typically, it just states that they  
7 would like the Commission to set down the application for a public  
8 hearing. We -- DMPED responded to us several times that eminent  
9 domain -- the issue of eminent domain is not really our concern  
10 or the Commission's concerns.

11           I would say the key benefits for setting down this  
12 application and the map amendment would be the increased  
13 development capacity to allow for an expanded IZ Plus on this  
14 development on the site, increasing the building height from 50  
15 to 65 feet. It would enhance the housing opportunities, including  
16 affordable units, through the application of IZ Plus, as stated.

17           It aligns with racial equity goals by expanding housing  
18 access in a high-opportunity corridor and helping to counter  
19 displacement trends in the Mid-City Planning Area. Applying IZ  
20 plus would be one tool to help counter that trend and expand  
21 housing access for underserved groups, again, aligning with the  
22 Comp Plan's equity goals, encouraging choice and not  
23 displacement. So we find -- we found that the proposed MU-7B  
24 zone would not be inconsistent with the Comprehensive Plan, and  
25 we recommend that this Commission set this down for a public

1 hearing with IZ Plus applied. Thank you.

2 CHAIRMAN HOOD: Thank you, Ms. Thomas. Let's see if  
3 we have any questions or comments or discussion. Vice Chair  
4 Miller, would you start us off on this?

5 VICE CHAIR MILLER: I'm not sure I'm really the right  
6 person to start us off, because I'm conflicted about whether to  
7 set this down, even though the proposed map amendment from MU-4  
8 to MU-7B -- yeah -- would be more -- probably more consistent  
9 with the FLUM -- Future Land Use Map Comp Plan designation of  
10 medium-residential/moderate-commercial, because the MU-4 is  
11 strictly moderate, so it would allow, as Ms. Thomas stated -- and  
12 thank you, Ms. Thomas for your report, both this time and back  
13 in October -- would allow for more development capacity. But,  
14 as pointed out by at least one of my colleagues and myself at  
15 that setdown hearing, the proposed zoning would likely increase  
16 the value of this property, and we know that an eminent domain  
17 proceeding has been specifically authorized by the Council in the  
18 Budget Support Act that was enacted in last year's budget cycle.

19 No funding has been provided yet for that eminent  
20 domain proceeding. We did get an opaque response from DMPED  
21 through OP. I appreciate OP making the effort to get that  
22 response, which said that no proceedings had been initiated. I  
23 kind of doubt that they ever really intend to do any eminent  
24 domain here or have the -- have the funds to do it. We're about  
25 to enter -- the Mayor's about to send her budget to the Council,

1 and it was in the last Budget Support Act that the eminent domain  
2 was authorized. Even though, I mean, the Council did that  
3 specific authorization, even though the Mayor has that inherent  
4 authority for municipal purposes to exercise eminent domain and  
5 has -- it has been exercised for municipal purposes, which is  
6 generally very broadly defined, as -- and held up by the Courts  
7 in the past, and the city has done that in many cases where they  
8 wanted to see certain development happen that wasn't happening.

9           So I am going to still think about this, as my  
10 colleagues talk, whether I will vote to set this down. Maybe if  
11 we had a hearing, I could then -- we could have DMPED come before  
12 us and maybe give a more forthright answer of what their  
13 intentions -- what the city's intentions are with this property,  
14 but I just don't -- I -- personally, I have a concern that me  
15 being part of anything that might hurt the District's finances  
16 by increasing the cost of having to acquire the property, and  
17 this proposed zoning will do that, which, as I said, it -- if we  
18 didn't know about the eminent domain, but the ANC has -- is  
19 opposed, as -- on the -- opposed to the -- to the setdown. Is  
20 it 5E, Mr. Chairman?

21           CHAIRMAN HOOD: (Nods head affirmatively.)

22           VICE CHAIR MILLER: Yeah. So they're opposed, because  
23 they want -- they don't trust this particular developer, who has  
24 promised a lot of things for this site in the past and hasn't  
25 delivered. So that's where -- I'm conflicted, and I'll look

1 forward to hearing from you and my other colleagues on this  
2 subject.

3 CHAIRMAN HOOD: Okay. Thank you. Let's go to  
4 Commissioner Wright, and then we'll go to Commissioner Imamura  
5 and Commissioner Stidham, and then I'll come in with my conflicted  
6 response.

7 COMMISSIONER WRIGHT: Yeah, I agree with a lot of what  
8 Vice Chair Miller just said. I'm also conflicted -- if it is  
9 really going to move forward, if there's a chance of it moving  
10 forward, in terms of eminent domain, we are increasing the value  
11 of the land and, thus, increasing the number of DC taxpayer  
12 dollars that will need to be spent on that eminent domain. And  
13 I don't think that's a good thing, but, again, I can only reflect  
14 what we have heard from DMPED, which is there is no pending  
15 eminent domain case at this time, and they requested --  
16 specifically requested that the Commission proceed with  
17 considering the map amendment application. And so, given that,  
18 I think we probably should set it down. You know, they have  
19 requested us to proceed. I think that that may be a signal that  
20 the likelihood of really having this become an eminent domain  
21 case is very small.

22 I think, as Vice Chair Miller mentioned, it will --  
23 every eminent domain case is very expensive, and this will make  
24 it more expensive if we upzone the property, but, you know, the  
25 realities are that the District may be facing a lot of economic

1 challenges in the coming years for a variety of reasons, you  
2 know, some not of their own making. And, you know, so, basically,  
3 I think we should probably go ahead and proceed. I think that  
4 we should set it down. We should consider whether this upzoning  
5 is consistent with the Comp Plan and the Future Land Use Map  
6 amendment, and, if it is, you know, who knows what may come of  
7 that. There may be a project built or it may sit unbuilt, as it  
8 has for many, many more years. Hard to know.

9           Again, just because you do a map amendment does not  
10 mean a project is -- a, yeah, map amendment does not mean a  
11 project is immediately in the offing. It just affects what's  
12 potentially doable from a piece of property, and it does affect  
13 the assessed value of the property. So, I guess, at this point,  
14 given what we've heard from DMPED, I would say we probably should  
15 set it down. They asked us to. So that's, I guess, my position.

16           CHAIRMAN HOOD:     Okay.     Thank you.     Commissioner  
17 Imamura.

18           COMMISSIONER IMAMURA:   Thank you, Mr. Chairman.   And  
19 thank you to Commissioner Wright and Vice Chair Miller. I think  
20 both of you laid out some very good points. Nothing more that I  
21 can add to that, other than to say that I agree with Commissioner  
22 Wright, and I think, by setting it down, it will give us an  
23 opportunity to have more information to make an informed  
24 decision, and that does not necessarily mean that the project  
25 may -- or the proposal will get approved, so I'm in support of

1 setting it down.

2 CHAIRMAN HOOD: Thank you. Commissioner Stidham.

3 COMMISSIONER STIDHAM: Thank you. I totally agree with  
4 Commissioner Wright - set this down and see where it goes from  
5 here

6 CHAIRMAN HOOD: agree with everything - this gives  
7 pause - good stewards of the taxpayer's dollar - that's not what  
8 our role is - that's what we should be doing - here's the other  
9 thing

10 COMMISSIONER STIDHAM: Thank you. I tend to agree with  
11 Commissioner Wright. However, I will note that ANC Commission  
12 5E is opposed, so just to -- for awareness, but I say we set this  
13 down and see where it goes from here.

14 CHAIRMAN HOOD: Okay. I would agree with everything.  
15 This gives pause, but, as has already been mentioned, they're  
16 asking us to set it down, and I know that DMPED is supposed to  
17 be good stewards of the taxpayer dollars, so -- and I get it,  
18 and we don't want to do something just to benefit someone. That's  
19 not what our role is, but our role is to do the zoning part, and  
20 I think that's where we're going -- I mean, that's what we should  
21 be doing and focus on, and that's what's in front of us. And  
22 here's the other thing, as I think I already mentioned. At least  
23 we can -- we have another Commissioner (indiscernible) -- let me  
24 pause.

25 COMMISSIONER STIDHAM: Go. (Brief interruption.)

1 CHAIRMAN HOOD: Turn the camera back. We want to see.

2 (Laughter.)

3 CHAIRMAN HOOD: That's funny. All right. So, see, I  
4 got sidetracked. Now I don't know what I'm talking about. Turn  
5 the camera back. We wanted to see that. You're on mute. You're  
6 on mute.

7 MS. SCHELLIN: I'm so, so sorry. It's dinnertime. My  
8 husband's not home. She's like -- she's going ape. Apologies.

9 CHAIRMAN HOOD: That was funny. No, that was funny.  
10 We wanted to see the show. That was good. I enjoyed the little  
11 bit I was able to see. So, again, the key is though, we can  
12 also -- and I think Commissioner Imamura, while he might not have  
13 said it like I'm getting ready to say it, but he was alluding to  
14 it -- if we get them in front of us, and we can have a hearing,  
15 but it doesn't mean we need to approve it, if we -- you know,  
16 depending on what the outcomes are and what's being told to us.  
17 And I'm hoping that -- I'm sure -- and I'm going to request that  
18 DMPED comes to that hearing. I'm going to request that now, that  
19 they show up at the hearing, and we'll leave it at that. So I  
20 agree, let's set it down. Let's see what the hearing -- how  
21 to -- let's follow our process and see how far it goes. So does  
22 anybody want to make a motion to set it down?

23 COMMISSIONER STIDHAM: I can do it. So I would like  
24 to make a motion to set down Zoning Case Number 25-15, Florida  
25 and Q Street, LLC, map amendment at Square 3100, and ask for a

1 second.

2 CHAIRMAN HOOD: I'll second it. It's been moved and  
3 properly seconded. Any further discussion?

4 (No response.)

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

7 MS. SCHELLIN: Commissioner Stidham.

8 COMMISSIONER STIDHAM: Yes.

9 MS. SCHELLIN: Commissioner (indiscernible) --

10 CHAIRMAN HOOD: You went on mute. Did you call me?

11 MS. SCHELLIN: Did he say yes? I'm sorry.

12 CHAIRMAN HOOD: Did you call me?

13 MS. SCHELLIN: No, I called Commissioner Imamura. Did  
14 he say yes?

15 COMMISSIONER IMAMURA: Yes. I'm sorry. I didn't hear  
16 that. Yes.

17 MS. SCHELLIN: Okay. Commissioner Hood.

18 CHAIRMAN HOOD: Yes.

19 MS. SCHELLIN: Commissioner Wright.

20 COMMISSIONER WRIGHT: Yes.

21 MS. SCHELLIN: And Commissioner Miller.

22 VICE CHAIR MILLER: Just to reflect the pause and  
23 because there are four votes for it, I will vote no.

24 MS. SCHELLIN: Okay. The vote is four to zero to one  
25 to set down Zoning Commission Case Number 25-15 as a contested

1 case. Thank you.

2 CHAIRMAN HOOD: Okay. Thank you. Is there anything  
3 else, Ms. Schellin, before us?

4 MS. SCHELLIN: No.

5 CHAIRMAN HOOD: So I'm going to ask Ms. Ackerman to  
6 inform you of a concern that was brought earlier, and I'd like  
7 for you to work with Commissioner Wright, if you all can do that,  
8 I appreciate it. Also, the Commission will meet again on March  
9 the 2nd, and it's Case -- Zoning Commission Case Number 09-031,  
10 I believe, Skyland Holdings, LLC, and we'll be on these same  
11 platforms. I want to thank my colleagues for all the work that  
12 they've put in, and especially the ones who worked yesterday all  
13 day, and all the work that you always put in. So, with that,  
14 this meeting is adjourned. Good night, everyone.

15 (Whereupon, the above-entitled public meeting was  
16 adjourned at 5:31 p.m.)

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C E R T I F I C A T I O N

This is to certify that the foregoing transcript

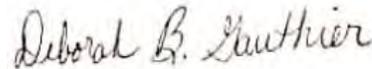
In the matter of: Public Meeting

Before: DC Zoning Commission

Date: 02-26-26

Place: Webex Videoconference

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



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Deborah B. Gauthier