

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission

Public Hearing

Case No. 11-15E [Howard University - Interim
University Use of 1851 9th Street, N.W., Square 394,
Lot 874.]

7:07 p.m. to 7:21 p.m.
Thursday, February 16, 2017

Jerrily R. Kress Memorial Hearing Room
441 4th Street, N.W., Suite 220 South
Washington, D.C. 20001

1 Board Members:

2 ANTHONY HOOD, Chairman

3 ROBERT MILLER, Vice Chair

4 PETER MAY, Commissioner

5 MICHAEL TURNBULL, Commissioner

6 PETER SHAPIRO, Commissioner

7

8 Office of Zoning:

9 SHARON SCHELLIN, Secretary

10

11

12 Office of Planning:

13 JOEL LAWSON

14 MAXINE BROWN-ROBERTS

15

16 Department of Transportation:

17 JONATHAN ROGERS

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

P R O C E E D I N G S

CHAIRPERSON HOOD: Good evening, ladies and gentlemen. This is a public hearing of the Zoning Commission for the District of Columbia. Today's date is February 16th, 2017. And the time now is approximate 7:07.

And again, I want to thank the real HU for being patient with us as we dealt with another issue.

My name is Anthony Hood. Joining me are Vice Chair Miller, Commissioner Shapiro, Commissioner May, and Commissioner Turnbull. We're also joined by the Office of Zoning staff, Ms. Sharon Schellin, Office of Planning Staff, Mr. Lawson and Ms. Brown-Roberts. As well as the District Department of Transportation, Mr. Rogers.

This proceeding is being recorded by a court reporter and it's also webcast live. Accordingly, we must ask you to refrain from any disruptive noises or actions in the hearing room, including the display of any signs or objects. Notice of today's hearing was published in the D.C. Register, and copies of that announcement are available to my left on the wall near the door.

The hearing will be conducted in accordance with provisions of 11 DCMR, Chapter 4 as follows,

1 preliminary matters, applicant's case, report of the
2 Office of Planning, report of other government
3 agencies, report of the ANC, organizations and
4 persons in support, organizations and persons in
5 opposition, rebuttal and closing by the applicant.

6 The following time constraints will be
7 maintained in this meeting. The applicant has up to
8 60 minutes but I think this record is complete. So,
9 really, you can stand on the record or you can do an
10 introduction, or whatever you see fit.

11 Organizations, five minutes. Individuals, three
12 minutes.

13 The staff will be available throughout the
14 hearing to discuss procedural questions. Please turn
15 off all electronic devices at this time so not to
16 disrupt these proceedings.

17 Would all individuals wishing to testify
18 please rise to take the oath?

19 Ms. Schellin, would you --

20 MS. SCHELLIN: Please raise your right hand.

21 [Oath administered to the participants.]

22 CHAIRPERSON HOOD: Ms. Schellin, do we have
23 any preliminary matters?

24 MS. SCHELLIN: No preliminary matters.

25 CHAIRPERSON HOOD: Is there anyone who is

1 here in opposition to this case?

2 [No audible response.]

3 CHAIRPERSON HOOD: Okay. Okay. Ms.
4 Giordano.

5 MS. GIORDANO: We're willing to stand on the
6 record, but since we're all here I thought we could
7 at least introduce the representatives from Howard.

8 CHAIRPERSON HOOD: Okay.

9 MR. FREEMAN: Good evening, Chairman Hood and
10 members of the committee. My name is Anthony
11 Freeman. I head up real estate for Howard
12 University.

13 MR. NIEC-WILLIAMS: Good evening. My name is
14 Derek Niec-Williams and I am the Executive Director
15 for Campus Planning, Architecture, and Development,
16 and my alma mater, Howard University.

17 MS. BENNETT: Good evening, Mr. Chair and
18 members of the Commission. My name is Maybelle
19 Taylor Bennett. I'm Director of the Howard
20 University Community Association.

21 CHAIRPERSON HOOD: Okay. So, Ms. Giordano.

22 MS. GIORDANO: And we're more than willing to
23 answer any questions, or of the Commission feels they
24 need additional information we can certainly respond.

25 CHAIRPERSON HOOD: Okay. I see that there's

1 quite a bit of support, and I didn't see any
2 opposition in the filings. So, I'm going to start
3 calling these cases the Maybelle Bennett cases
4 because I been saying that for a while and I've sent
5 quite a few universities over to you. Hopefully
6 they're adhering to that advice. But anyway, they
7 assured me that they were.

8 But let me open it up. Any questions or
9 comments on this? Anybody?

10 MR. TURNBULL: Mr. Chair, I'm good to go with
11 this case.

12 CHAIRPERSON HOOD: Okay. It's good when you
13 come back to what we just went through. Okay. Is
14 the ANC present?

15 [No audible response.]

16 CHAIRPERSON HOOD: Okay. You're just here.
17 Yeah. I think, you're individual? Okay. We'll get
18 to that.

19 Let's go to the Office of Planning and
20 District Department of Transportation.

21 MS. BROWN-ROBERTS: Good evening, Mr.
22 Chairman and members of the Commission. For the
23 record, Maxine Brown-Roberts from the Office of
24 Planning, and we too will stand on the record in
25 recommending approval of the interim use for the

1 university.

2 I also wanted to just note that we also had a
3 condition there that the interim use would expire at
4 the -- or conclude with the time of the campus plan.
5 Thank you, Mr. Chairman.

6 CHAIRPERSON HOOD: Okay. Thank you. And I'm
7 sure we're all in agreeance with that.

8 MS. GIORDANO: I have a brief comment on
9 that. We asked -- we did reduce the amount of time
10 that we asked for, from 15 years to 10. But in the
11 event that we come in earlier with the campus plan,
12 we'd like it to be a straight 10 years, and that
13 might actually happen. The university has a new
14 president, and in fact we are going to bring some
15 amendments to the campus plan to the Commission
16 shortly.

17 CHAIRPERSON HOOD: So, the issue is, we'll
18 just make sure they coincide. Okay? Will that solve
19 the problem without a long --

20 MS. GIORDANO: Right. Well, 10 years -- I
21 guess we could extend it in the -- it's not going to
22 be in the campus plan boundaries. So, we were
23 looking for 10 years, and we can update the
24 Commission if we come back before with the campus
25 plan, before 10 years is what I'm saying.

1 CHAIRPERSON HOOD: Oh, yes, Ms. Brown-
2 Roberts, you have any issues with that, or that's
3 good?

4 MS. BROWN-ROBERTS: No, I have no issues with
5 that. We are aware of what's going on.

6 CHAIRPERSON HOOD: Okay. Commissioner
7 Shapiro.

8 MR. SHAPIRO: Thank you, Mr. Chair. This may
9 just be from my understanding, but how does the
10 university address other facilities that are or
11 aren't part of the campus plan, but are still Howard
12 University facilities?

13 MS. BROWN-ROBERTS: They're just treated as
14 private property.

15 MR. SHAPIRO: Okay. So, essentially, you're
16 asking for that kind of treatment for this piece?

17 MS. GIORDANO: Yes, for 10 years.

18 CHAIRPERSON HOOD: Okay. Any other questions
19 up here? Office of Planning?

20 Okay, Mr. Rogers?

21 MR. ROGERS: Good evening, Mr. Chairman and
22 members of the Commission. For the record, Jonathan
23 Rogers with the District Department of
24 Transportation.

25 Just one minor note that I wanted to make.

1 DDOT did have a condition to provide for bicycle --
2 or, excuse me, to provide bicycle parking spaces in
3 the building at a level that is appropriate for the
4 size and the use. And via e-mail the applicant
5 confirmed that they were providing four spaces, which
6 DDOT appreciates. I just wanted to make sure that
7 was included as part of the record.

8 And with that, I'm happy to answer any
9 questions you may have.

10 CHAIRPERSON HOOD: Okay. Thank you, Mr.
11 Rogers. Colleagues, any questions?

12 Okay, not seeing any. ANC report. Let's go
13 to the ANC. The Commission has no issues with this
14 request. So, noted from ANC 1B.

15 Any other government reports that are -- oh,
16 we do have some letters of support. The West
17 Minister Neighborhood Association. That letter is in
18 the record. Am I missing any letters of support? I
19 don't have my -- okay.

20 Let's go to organizations and persons who are
21 here in opposition. I mean, in support.
22 Organizations and persons who are here in support, if
23 you could come forward at this time?

24 MR. NELSON: Good evening, Chairman Hood and
25 members of the Commission. My name is Patrick Nelson

1 and I am the current Chair of the ANC 1B Zoning
2 Preservation and Development Committee, and a 24-year
3 neighbor along Georgia Avenue of Howard University.

4 The ZPD Committee reviewed Howard
5 University's request and recommended the ANC support,
6 which occurred in their February meeting, and your
7 record should show that.

8 I am here to show my support of the
9 university's request and to ask the Commission to
10 support a request in granting this special exemption
11 review approval permit for the interim use of 1851
12 9th Street, Square 394, Lot 874.

13 Howard owns a number of properties along
14 Georgia Avenue that are and have been for some time,
15 vacant, ignored properties. This would add another
16 one, as we have been working hard -- excuse me, to
17 have the other ones secured and maintained, and it's
18 an ongoing project.

19 I ask that if you vote to approve this
20 special exemption in your order they be required to
21 secure the Howard Center Building in order to deter
22 squatters from entering and causing additional damage
23 to the building.

24 The building was originally a hotel and has -
25 - excuse me, large full windows that have blinds. I

1 ask that they make sure that all the window blinds
2 are pulled down and closed, and anything removed from
3 the windows so anyone coming up or down the avenue
4 will see a uniform look and not know that the
5 building is empty. My hope is that there will be
6 something done to reuse or redevelop the site as soon
7 as possible, and that it does not become another
8 long-term problem like the others.

9 I have some photos that I will give -- enter
10 into the record, of some of the property issues that
11 I'm speaking about. They're well aware of and I've
12 brought to their attention. But I have some photos
13 that I will give you to enter into the record.

14 With that, I appreciate your opportunity to
15 speak.

16 CHAIRPERSON HOOD: Commissioner, let me just
17 ask you, what was the response you got from Howard
18 University on the issues that you raised?

19 MR. NELSON: As I noted in my comments, we
20 are still working on that. There's a number of
21 buildings that they own along Georgia Avenue now.
22 One is currently the Howard Town Center which is in
23 litigation and there's been problems with that, and
24 then there's another building that she mentioned
25 they're going to be trying to take out of their

1 campus plan that is directly across from my house,
2 actually.

3 CHAIRPERSON HOOD: Okay. But you don't have
4 any objections to what's before us tonight?

5 MR. NELSON: No, I don't. I just want to
6 take this opportunity to --

7 CHAIRPERSON HOOD: Seize the moment. Seize
8 the moment, I understand. I understand. We get a
9 lot of these. Seize the moment while you have a
10 chance. Okay.

11 Any other questions up here? Okay, and if
12 you can provide that to us, we appreciate it. Thank
13 you very much.

14 Does the applicant have any cross?

15 MS. GIORDANO: No.

16 CHAIRPERSON HOOD: Okay. Thank you very
17 much, Commissioner. We appreciate it.

18 Any other organizations or persons here in
19 support?

20 [No audible response.]

21 CHAIRPERSON HOOD: Any organizations or
22 persons who are here in opposition?

23 [No audible response.]

24 CHAIRPERSON HOOD: Ms. Giordano, you have any
25 rebuttal or closing?

1 MS. GIORDANO: Just in closing. We are
2 working with the ANC. We've identified a number of
3 properties that the University is actually -- that
4 are vacant, the University doesn't have any plans to
5 redevelop and the University is going to be coming to
6 the Zoning Commission to amend the campus plan to
7 take some of these properties out of the campus plan
8 boundaries so that they can be developed privately.
9 And I think the community has been very open to that.
10 So, that will be coming to you soon.

11 CHAIRPERSON HOOD: Okay. Looking forward to
12 it.

13 MR. TURNBULL: Would that be developed by the
14 University, or would they be selling them off, or --

15 MS. GIORDANO: It will be a mixture.

16 MR. TURNBULL: A mixture.

17 MS. GIORDANO: There might be some public
18 private partnerships and some that will be sold.
19 But, University, fortunately is in a very good
20 position now where the real estate market has really,
21 you know, come up at their doorstep. So, that really
22 furthers a lot of these objectives.

23 MR. TURNBULL: So, if perhaps a few joint
24 ventures on things?

25 MS. GIORDANO: Possibly.

1 MR. FREEMAN: Yes. And just wanted to
2 clarify, the University appreciates its portfolio and
3 we will be doing long-term ground leases rather than
4 sales. Just want to make that clear for the record,
5 and we will be looking at other public partner
6 ventures for the University. And we're proud to
7 announce that we just completed a significant deal to
8 completely renovate Howard Towers, our largest upper-
9 class dorms. You may have seen it in the press and
10 we're hopeful that the students will appreciate a new
11 live/learn environment. So, we're excited about
12 animating the campus in new and innovative ways.

13 CHAIRPERSON HOOD: Okay. Any questions? How
14 long is Dr. -- Dr. Fredericks, right? How long has
15 he been there?

16 MR. FREEMAN: That's correct. He's been just
17 over two years. Two years and a quarter.

18 CHAIRPERSON HOOD: He's a mover and shaker I
19 see.

20 MR. FREEMAN: Yes, we are --

21 CHAIRPERSON HOOD: All right.

22 MR. FREEMAN: -- advancing the program.

23 CHAIRPERSON HOOD: Okay. Anything else, Ms.
24 Giordano?

25 MS. GIORDANO: No. That concludes our

1 presentation.

2 CHAIRPERSON HOOD: Thank you. Colleagues, I
3 think this record is complete and I think we can move
4 forward with it unless there's any objections.
5 Again, the work has been done and we appreciate a lot
6 of the work and a lot of interaction has been done.
7 It makes our jobs a lot easier.

8 Let's open it up. Any questions or comments
9 or further discussion on us? If not, I accept the
10 motion.

11 MR. MILLER: Thank you, Mr. Chairman. I
12 would move that the Zoning Commission take action on
13 Zoning Commission Case No. 11-15E, Howard University
14 Interim University Use at 1851 9th Street Northwest,
15 and ask for a second.

16 MR. TURNBULL: Second.

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

19 [Vote taken.]

20 CHAIRPERSON HOOD: Ms. Schellin, would you
21 record the vote?

22 MS. SCHELLIN: Yes. Staff records the vote
23 five, to zero, to zero to approve final action in
24 Zoning Commission Case No. 11-15E, Commissioner
25 Miller moving, Commissioner Turnbull seconding,

1 Commissioners Hood, Shapiro, and May in support.

2 CHAIRPERSON HOOD: Okay. Ms. Schellin, do we
3 have anything else before us?

4 MS. SCHELLIN: Just ask the applicant to
5 provide a draft order within the next two weeks.
6 Nothing else.

7 CHAIRPERSON HOOD: Okay. All right. I want
8 to thank everyone for their participation tonight and
9 this hearing is adjourned.

10 [Whereupon, the public hearing adjourned at
11 7:21 p.m.]

12

13

14

15

16

17

18

19

20

21

22

23

24

25