

GOVERNMENT OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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REGULAR PUBLIC HEARING

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THURSDAY

SEPTEMBER 7, 2023

+ + + + +

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

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY HOOD, Chairperson
ROBERT MILLER, Vice Chairperson
TAMMY STIDHAM, Commissioner
JOSEPH S. IMAMURA, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN, Secretary
PAUL YOUNG, Data Specialist

OFFICE OF ZONING LEGAL COUNSEL:

JACOB RITTING, Esquire

The transcript constitutes the minutes from the Regular Public Hearing held on September 7, 2023.

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T-A-B-L-E O-F C-O-N-T-E-N-T-S

Case No. 22-37

Walter Reed Gateway, LLC 5

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

(4 p.m.)

CHAIRPERSON HOOD: Good afternoon, ladies and gentlemen. Today's date is September the 7th, 2023. We are convening and broadcasting this public hearing by video conferencing. My name is Anthony Hood and I am joined by Vice Chair Miller, Commissioner -- our new Commissioner, Commissioner Stidham and Commissioner Imamura. We're also joined by the Office of Zoning Staff Ms. Sharon Schellin, and Mr. Paul Young who will handling all of our virtual operations, and also our attorney, Mr. Jacob Ritting.

But let me put a pin there and stop there as well. Let me make sure that I acknowledge Mr. Paul Young who is a newlywed and we want to congratulate him and his wife on being newly married and staying on their honeymoon as long as all of us who are married have been, and that's for years. So stay on that honeymoon trail. So congratulations again, Paul.

MR. YOUNG: Thank you. Appreciate it.

CHAIRPERSON HOOD: All right. I will ask others to introduce themselves at the appropriate time. The virtual public hearing notice is available on the Office of Zoning's website. This proceeding is being recorded by a court reporter. Platforms used are WebEx and YouTube Live. The video will be available on the Office of Zoning's website after the meeting. All persons planning to testify should have signed up in advance and will be

1 called by name at the appropriate time. At the time of sign-up
2 all participants will complete the Oath or Affirmation required
3 by Subtitle Z 408.7. Accordingly, all those listening on Webex
4 or by phone will be muted during the hearing and only those who
5 have signed up to participate or testify will be unmuted at the
6 appropriate time.

7 When called, please state your name before providing
8 your testimony. When you are finished speaking please mute your
9 audio. IF you experience difficulty accessing Webex or with your
10 telephone call-in or have not signed up then please call our OZ
11 hotline number at 202-727-0789. If you wish to file written
12 testimony or additional supporting documents during the hearing,
13 then please be prepared to describe and discuss it at the time
14 of your testimony.

15 The hearing will be conducted in accordance with
16 provisions of 11-Z DCMR Chapter 4 as follows: preliminary
17 matters, applicant's case. The Applicant has up to 60 minutes,
18 I think they requested 20 or 25 and I think we possibly could
19 hear shorter than that, collectively with the parties, if there
20 are any parties, I don't believe we have any in this case, in
21 support and we'll hear from them after the ANC report and I don't
22 think we have to go through that part of it. Report of other
23 government agencies, report of the Department of Transportation
24 and the Office of Planning, report of the ANC, in this case it's
25 ANC 4A, and then we'll have testimony of organizations, five

1 minutes, and individuals, three minutes and we will hear in the
2 following order from those who are in support, opposition and
3 undeclared. Then we will have rebuttal and closing by the
4 Applicant.

5 The subject of this evening's case is Zoning Commission
6 case No. 22-37. This is a Walter Reed Gateway, LLC map amendment
7 at Square 2947, Lots 808, 815, 6634 and 6640 Georgia Avenue, N.W.
8 Again, today's date is September the 7th, 2023. Just a second.
9 Again, the Office of Zoning hotline number is 202-727-0789 for
10 any concerns during thee proceedings.

11 At this time the Commission will consider any
12 preliminary matters. Does the staff have any preliminary
13 matters?

14 MS. SCHELLIN: Just to state that as of this week the
15 Applicant did not have any proffered expert witnesses and as you
16 stated there were no party status requests. The Applicant is
17 being represented by Marty Sullivan and as you stated, they have
18 indicated that they will take approximately 25 minute for their
19 presentation. It will just be Mr. Sullivan and the Applicant,
20 Mr. Thomas.

21 I show that there are two ANC's, the ANC 4B and 4A.
22 Their reports are at Exhibit 14C and Exhibit 29 respectively.
23 The OP hearing report is at Exhibit 33. Mr. Lawson will give
24 that report, and then there is a DDOT report at Exhibit 32. I'm
25 not sure who's going to give that report, if someone is here or

1 not for that. They may sign in later, and other than that staff
2 has nothing further to give. Ready to go.

3 CHAIRPERSON HOOD: Thank you, Ms. Schellin, and thank
4 you for reminding me that ANC 4B was on the boundary line, so
5 those are some of my friends too, so forgive me ANC 4B.

6 Let's bring up Mr. Sullivan and those who want to
7 testify so we can get started. All right. Mr. Sullivan, when
8 your team gets ready, you may begin.

9 MR. SULLIVAN: Thank you, Mr. Chair and Commissioners.
10 Marty Sullivan with Sullivan & Barros here on behalf of the
11 Applicant. Mr. Young, if you could please go to the PowerPoint.

12 This is for 6634 and 6640 Georgia Avenue, N.W. Proposal
13 for a map amendment from RA-2 to RA3. Next slide, please.

14 The property is located on Georgia Avenue near the
15 Walter Reed Campus. It's a block below it. Currently zoned RA-
16 2. The Applicant's proposing to change the zone to RA-3 as is
17 consistent with the FLU map designation as medium density
18 residential and it's located in a neighborhood conservation area.
19 The map amendment will allow for additional density and will
20 increase the number of affordable units available on the subject
21 property.

22 ANC 4B is in support unanimously as is ANC 4A and we
23 also have a letter of support from the Brightwood Community
24 Association and the residential tenants and commercial tenants
25 support the application. The residential tenants, as we'll

1 discuss later, have an agreement with the contract purchaser and
2 the contract purchaser has been working closely with the daycare
3 in relocating their use and he's available, Mr. Thomas, Colin
4 Thomas, the contract purchaser is here to answer any questions
5 about that. The Office of Planning has recommended approval and
6 has determined that it is not inconsistent with the comprehensive
7 plan and DDOT has no objections.

8 Next slide, please. So here's the photo of the
9 property. These are residential apartments in the three
10 buildings at 6634 and then at 6640 on the right is the daycare
11 center, or child development center.

12 Next slide, please. And here's a view headed north
13 from the next intersection above the block where this property
14 is on. That's a view of the Walter Reed Campus.

15 Next slide, please. And this is across the street from
16 the subject property looking at the Battleground National
17 Cemetery on Georgia Avenue.

18 Next slide. We've included some 3D pictures of
19 potential massing of what could be developed in the RA-3 zone.
20 It could be five stories at 60 feet maximum height and 75 percent
21 lot occupancy.

22 Next slide, please. Future land use map designation
23 is medium density residential. This designation is used to define
24 neighborhoods or areas generally but not exclusively suited for
25 mid-rise apartment buildings and the medium density residential

1 designation also applies to taller residential buildings
2 surrounded by larger areas of permanent open space. Pockets of
3 low and moderate density housing may exist within these areas.
4 Density typically ranges from 1.8 to 4.0 although greater density
5 may be possible when complying with IZ or when approved through
6 a PUD. The RA-3 zone is consistent with medium density
7 residential category. It's a 3.0 FAR, IZ 3.6 and this is an IZ
8 Plus application.

9 Next slide, please. The property is located in a
10 neighborhood conservation area. The proposed amendment is not
11 inconsistent with the generalized policy map as neighborhood
12 conservation areas still allow for limited redevelopment
13 opportunities. Both the guiding philosophy and neighborhood
14 conservation areas is to conserve and enhance established
15 neighborhoods. Limited and redevelopment opportunities do exist
16 within these areas but they are small in scale and the diversity
17 of land use is in building types in these areas should be
18 maintained and new developments and alterations should be
19 compatible with the existing scale and architectural character
20 of each area.

21 In this case going from RA-2 to RA-3 zone will trigger
22 a 100 percent increase in the FAR. If the maximum permitted FAR
23 is utilized, the change in percentage will be enough to trigger
24 a 20 percent set aside requirement per Chapter C on the zoning
25 regulations. The upper Georgia small area plan states that

1 revitalization of this zone is a lively neighborhood center with
2 increased day, evening and weekend usage will be spurred by the
3 redevelopment of opportunity sites and the implementation of
4 planned street scape improvements. With incremental improvements
5 to the public realm, this zone could be transformed from today's
6 under-dominated intersection into a pedestrian dominated retail
7 and office location.

8 Next slide, please. Here's the chart comparing the
9 zoning elements for RA-2 and RA-3, the development standards.
10 The use doesn't change. FAR goes from 2.16 with IZ to a 3.6
11 height from 50 to 60 feet. Lot occupancy goes from 60 percent
12 to 75 percent. See a rear yard side yard and the GAR goes down
13 to 0.3.

14 Next slide, please. Going through the racial equity
15 analysis tool is in four parts starting with Part I.

16 Next slide, please. Here's a list of the guidance
17 regarding the comprehensive plan and sites in sections of the
18 comp plan including the Rock Creek East element, land use element
19 and transportation element and the housing elements. These are
20 all provided in detail in the record and the statement in support
21 and in the supplemental statement as well.

22 Next slide, please. Comp plan policies, the land use
23 element. This proposal encourages new housing and new affordable
24 housing. Subject property fronts on Georgia Avenue which is a
25 priority corridor for the District and this would encourage

1 growth along that corridor. It will create more opportunities
2 for individuals and families who cannot afford a single family
3 home in this area to live in this area fostering growth and equity
4 and the additional density will also help foster growth of the
5 neighborhood commercial center half a block south as well as the
6 main street mixed use corridor a few blocks to the south in the
7 600 to 6300 blocks.

8 Also some other policies within the element.
9 Development along corridors. Transit oriented development
10 boundaries and zoning around transit are enhanced by this
11 application. Transportation element. The proposal allows for
12 transit oriented development around the bus priority corridor.
13 Housing element, the proposal encourages new and affordable and
14 market rate housing. This will help meet the need for higher
15 density and affordable housing in the area. It will also aid in
16 Advancing the goal of achieving more affordable units in the area
17 as described in more detail in the IZ Plus analysis. Private
18 sector support of balanced growth housing quality, other elements
19 within the housing elements addressed by this application as
20 well.

21 Also as shown as the Rock Creek Element, the proposal
22 balances the goals and policies of the Rock Creek East area
23 element and more specifically the upper Georgia Avenue Walter
24 Reed policy focus area by providing new high quality market rate
25 and affordable multi-family housing on Georgia Avenue. This

1 creates more housing choices and in the area that has the lower
2 overall housing stock and multi-family buildings compared to the
3 District as a whole. It also helps further the specific goals
4 of the upper Georgia Avenue northwest focus area.

5 Next slide, please. Part II of the racial equity tool
6 is community guidance and engagement. The Applicant has engaged
7 with stakeholders, ANC 4A, 4B, Brightwood Civic Association, the
8 tenants and commercial tenant and neighbors. ANC 4A is in
9 support. ANC 4B is in support. Brightwood Civic Association
10 signed a letter of support in the case and the tenants, the
11 existing tenants, could be potentially burdened. However, the
12 Applicant has done extensive outreach and has the support of the
13 existing residential tenants. The residential tenants have right
14 of return and an agreement has been reached.

15 The owner is assisting commercial daycare tenant and
16 locating -- the contract purchaser is assisting commercial
17 daycare tenant in locating and negotiating a new lease and the
18 Applicant asserts that changing the zoning would be an overall
19 benefit to the community, given the support from the existing
20 tenants and potential for new affordable housing.

21 Next slide, please. In discussions with the ANC and
22 immediately impacted residents, no negative outcomes were
23 associated with the change in zone and the ANC and feedback from
24 the larger surrounding community included continued outreach to
25 the daycare, balance between parking and housing, rights to

1 housing and continued outreach to Brightwood Community
2 Association as any project develops.

3 In terms of a potential project, while a map amendment
4 does not contemplate a specific plan, the goal is to do 100
5 percent affordable project with deeper levels of affordability
6 including units dedicated to permanent supporting of housing.

7 Next slide, please. Regarding past and present racial
8 discrimination, originally the neighborhood was nominally or all
9 white because the homes in this neighborhood had racially
10 restrictive covenants. There were languages in the deeds that
11 forbade the sale or rental to Black people. In 1948 the Supreme
12 Court ruled that these covenants were not legally enforceable.
13 By 1990, 90 percent of the residents of Brightwood Park were
14 Black. The Brightwood area has changed since the 1990s and now
15 has the highest percentage of immigrants of any neighborhood in
16 D.C.

17 The general concerns are related to keeping the
18 existing primarily Black and Brown residents in the neighborhood,
19 given the new changes in the area while the Walter Reed
20 redevelopment will spur redevelopment. According to The
21 Washington Post the changes coming to Brightwood could increase
22 housing costs and this map amendment could address these concerns
23 by increasing density on existing multi-family sites on a major
24 thoroughfare through replacement of market rate units and
25 addition of new market rate and affordable units by keeping multi-

1 family development along Georgia Avenue and can potentially curb
2 or slow the drive to flip or convert existing single family homes
3 and avoid driving out existing residents in those homes.

4 Next slide, please. And Part III, disaggregated data
5 regarding race and ethnicity of housing equity reports, housing
6 goals for the Rock Creek East planning area. Total housing
7 production goal was 1,580 units and affordable housing production
8 goal was 1,500 units, 801 units have been produced and 152 units
9 have been newly covenanted since 2019. Comprehensive plan
10 policies of increasing density and affordable housing and
11 transit, improving retail opportunities and increasing equitable
12 access to transit.

13 Rock Creek East planning and development priorities
14 concerns the need or housing variety, scale of development bear
15 existing neighborhoods, expanded neighborhood-serving commercial
16 facilities and the homeownership rate in Rock Creek East is higher
17 than in the District as a whole.

18 Next slide, please. General Rock Creek East area
19 demographics. Commercial, mixed-use and industrial uses make
20 up under three percent of the planning area. Most of this land
21 consists of retail and service businesses along Georgia Avenue
22 and Kennedy Street and in small commercial districts like Takoma
23 and central 14th Street, N.W.

24 Approximately 59.3 percent of the area's residents were
25 Black in 2017 which is higher than the District-wide total of

1 47.7 percent, but lower than the percentage of Black residents
2 in Rock Creek East in 2000. During this time the number of Black
3 residents in the area declined to 45,694 from 2017 and the number
4 of White residents more than doubled from 6,891 to 17,241 between
5 2000 and 2017 and by 2017 represented 22.4 percent of the Rock
6 Creek East planning area. There was a large increase in the
7 Hispanic/Latino population between 2000 and 2017. Persons of
8 Hispanic/Latino origin now represent 20.3 percent of the area's
9 population, double the average for the District as a whole and
10 the percentage of foreign born residents is also much higher than
11 the District-wide total at 23 percent which also increased from
12 2000 to 2017.

13 So relative to the District as a whole, the area has a
14 higher percentage of children and older adults. About 19.3
15 percent of the residents were under 18 compared to a District-
16 wide total of 17.6 percent. About 14.3 percent were 65 and over
17 compared to the District-wide total of 11.9 percent. The planning
18 area's median household income was \$73,464 in 2017 which is
19 slightly lower than the District-wide median of \$77,649.
20 Approximately 12 percent of the area's residents were below the
21 Federal poverty line. This is below the District-wide total of
22 17.4 percent.

23 Next slide, please. Rock Creek East planning area
24 disaggregated data regarding race and ethnicity. You see the
25 statistics here. I won't read them individually. I'll leave

1 that up for a second.

2 Next slide, please. So Part IV. Evaluating the zoning
3 action through a racial equity lens. The proposed zone change
4 will not cause physical displacement because the residential
5 tenants have a right to return. Indirect displacement of tenants
6 or residents is not expected to occur in the area surrounding
7 this zone change. Cultural displacement is unlikely as the
8 additional housing will help Rock Creek East residents remain in
9 the neighborhood, including the existing tenants, and the
10 Applicant is helping the daycare relocate within the
11 neighborhood.

12 The proposal could increase the availability of
13 housing, specifically affordable housing and preserve the rights
14 of existing tenants. Regarding replacement housing, this action
15 could provide replacement housing if a new project was
16 constructed using the new RA-3 zoning as the tenants have a right
17 to return.

18 Homeownership opportunity. The action could provide
19 homeownership opportunities as it would provide greater potential
20 for multi-family condos not currently supported by the existing
21 density. Any action could alleviate housing burden by allowing
22 the opportunity for multi-family development that is not
23 currently supported by the limited density of the RA-2 zone, and
24 I think that's it.

25 Next slide, please. And again, Mr. Thomas is here if

1 the Board has any questions for him. I know there was a letter
2 or email filed just yesterday regarding the daycare and Mr. Thomas
3 has been working extensively with them and I believe they've
4 identified a site and he's done a lot of work with them on that
5 site, and he can answer any questions about that if the Commission
6 has questions on that.

7 Thank you.

8 CHAIRPERSON HOOD: Thank you, Mr. Sullivan, and we may
9 have some questions for Mr. Thomas as well. So I appreciate your
10 very succinct presentation and let me just say I don't know what's
11 before me, but I appreciate the outreach and I do have some
12 questions but I'm going to let my colleagues go first, and I'm
13 going to ask Vice Chair Miller if he could start us off.

14 VICE CHAIR MILLER: Thank you, Mr. Chairman, and before
15 I begin let me just say welcome to new Commissioner Stidham.
16 It's great to have you here and congratulations to our all around
17 fantastic IT guy Paul Young on your marriage. Wish you all the
18 success in that.

19 So thank you, Marty Sullivan, and Mr. Thomas and the
20 Walter Reed Gateway team for bringing this map amendment forward
21 which is largely a zoning consistency with the comprehensive plan
22 type of case, and the proposed map amendment from RA-2 which the
23 future land use map generally corresponds with moderate density.
24 You're proposing to go to RA-3 and the future land use map
25 designation for this site is medium density and medium density

1 does correspond more closely with RA-3 than RA-2. So that seems
2 all appropriate.

3 The, and I thank the Applicant for all, as the Chairman
4 did, for all of your community outreach and engagement, garnering
5 the support of ANC 4A and 4B which are right there, and the
6 Brightwood Civic Association and the existing residential tenants
7 and the existing child development center tenant. So appreciate
8 all that outreach.

9 I really don't have a lot of questions, maybe a couple.
10 The Office of Planning's setdown report which, Office of Planning
11 is also supporting this application and so is DDOT, but the Office
12 of Planning setdown report noted, as we've requested applicants
13 and Office of Planning to tell us when there are potential
14 inconsistencies so we can address them head on and say how they're
15 being either mitigated or addressed or not really a concern.

16 So the only potential inconsistency I believe that the
17 Office of Planning's setdown report, not their hearing report,
18 their setdown report is Exhibit 15 identified a potential
19 inconsistency because of the Georgia Avenue small area plan I
20 believe, upper Georgia Avenue small area plan, generally calls
21 for ground floor retail to activate the neighborhood. So, and
22 the RA-3 zone that's being proposed I think would preclude, would
23 not allow for that kind of retail development.

24 I wonder if you can just give us a little very brief
25 explanation, Mr. Sullivan, as to why you chose the RA-3 maybe as

1 | opposed to, I don't know, MU-4 zone that might have allowed the
2 | mixed use ground floor retail with the housing, the affordable
3 | housing above that you're proposing for the site or whether you
4 | don't think that there's a problem because the land use map does
5 | say medium density residential. It doesn't have a mixed-use land
6 | use map designation on the comp plan map. So maybe you can just
7 | provide your own explanation as to why the Applicant chose the
8 | RA-3 zone.

9 | MR. SULLIVAN: Sure. Yes. I mean, I think we would
10 | have loved to have been able to apply for MU-4 but because there
11 | is not a commercial designation in the FLU map that would have
12 | precluded any opportunity to do that and so it was just that RA-
13 | 3 was the opportunity for this specific FLU map designation and
14 | we think the only opportunity for this because it's medium density
15 | residential and no -- there's no commercial on the FLU map and
16 | that my understanding precludes any chance at all of trying to
17 | get a mixed-use zone for that.

18 | VICE CHAIR MILLER: How did -- is the daycare facility
19 | a permitted use in the RA-2 or RA-3 zone or how did that get
20 | there, or it pre-existed the zoning or do you know how the daycare
21 | got onto the RA-2 zone site?

22 | MR. SULLIAN: It is a permitted use. I'm not sure how
23 | long it's been there and I'm not sure exactly, but I think it's
24 | a matter-of-right use but I haven looked into that.

25 | VICE CHAIR MILLER: So it's permitted in RA-3 as well?

1 MR. SULLIVAN: Yes.

2 VICE CHAIR MILLER: And is that still a potential site
3 for where the daycare center could go, although I assume they
4 want to remain in operation so you're looking for other sites so
5 they can relocate to a place nearby I guess that's, maybe Mr.
6 Thomas has this information, as to where you are with that. I
7 know we're not talking about a specific project, it's a map
8 amendment that will facilitate greater affordable housing and
9 housing but, and it's not a particular development proposal
10 before us, but the issue of what's going to be there does go to
11 some of the racial equity analysis that we engage in.

12 So maybe you could just tell us what's going on, what's
13 the status of finding a site for the existing child development
14 center that's been there?

15 MR. THOMAS: Right. And just first to address one of
16 your questions. If I recall, Marty, when we actually did look
17 at keeping the daycare on the site as part of the Ra-3 but it is
18 not a by-right use. We each would have to go through another
19 process for that and we didn't -- the daycare based on our
20 conversations their main goal is actually to limit the amount of
21 time between them moving out and then, you know, they want to be
22 able to bring kids in the very next day.

23 So we've been trying to solve that for them. We have
24 identified a site. We've brought, actually yesterday
25 representatives from LIFT, DCRA, the daycare and I was there, and

1 Urban Atlantic and their leasing broker, CBRE, were all out at
2 the site, walking the site, making sure, you know, we noted all
3 the means of egress. We (indiscernible) we maybe put a ramp
4 (phonetic). We're getting pretty detailed. We had our architect
5 do a test bit. We're going to have a meeting hopefully Monday
6 but it hasn't -- it's sort of been floating around. Some people
7 have confirmed, some people haven't but not to get into that
8 detail. But I think the likelihood that that site works out is
9 high in my opinion.

10 VICE CHAIR MILLER: And that site is located on the
11 front of the Walter Reed Campus?

12 MR. THOMAS: Yes. It's a Walter Reed, it's on Walter
13 Reed. It actually opens right up to the Great Lawn. It has
14 outdoor space and actually instead of having to cross Aspen to
15 get to the playground where they take the older kids now, they
16 could just walk through the campus and do their graduation out
17 on the Great Lawn which they were excited about and I think, you
18 know, the site's not perfect. You know, we've got some
19 engineering things we need to work through but, you know, I feel
20 good about it and I think it's also going to give them the
21 opportunity to own their own space because we've had
22 conversations with CityFirst Bank and SBA program that's actually
23 CityFirst Bank brought up to our attention. You know, they can
24 get 90 percent of the loan to cost to build the facility and
25 we're talking about a total cost of roughly \$1.1 million leaving

1 a very manageable gap that we think we'll be able to fill with
2 some sort of sources of funds that way, whether it's -- we've
3 engaged with the Councilmember's office and, you know, other
4 consultants who are working on our application for DHCD financing
5 for the current site to kind of look at that.

6 So I feel pretty confident that things can -- will turn
7 out well. You know, will they be able to open up the very next
8 day after they need to leave? I hope, you know, it's hard to
9 make a promise like that because there's delays in construction
10 but the other thing that could happen is that our construction
11 start, it could get delayed past their opening. So they may very
12 well move in. You know, things can take long but I think we're
13 moving forward. I don't think Urban Atlantic or I think D.C. is
14 actually the seller of the site that we have identified, but I
15 don't think they're marketing it to anyone else. I think it's a
16 pretty, you know, closed discussion.

17 So I think we have time and we are I think doing things
18 free, a contract that you would normally wait the type of
19 diligence that you would do after you typically sign a contract
20 to purchase the space, such as bringing all the licensing groups
21 through and, you know, doing multiple drawings and, you know, I
22 thought we had a very good drawing for them and, you know, I
23 think things are moving along. I understand that there's some
24 anxiety with parents and, you know, where am I going to put my
25 kid, but I think we're going to work out for them.

1 VICE CHAIR MILLER: Well, I appreciate you working with
2 the child development center and with Urban Atlantic and the
3 District on finding that appropriate relocated site. What is
4 the, and this also goes to the racial equity analysis issue of
5 potential displacement for the existing tenants. Well, how many
6 -- there's only 12 units in the existing building and some of
7 them are vacant and how many units are in the existing building
8 and are they market rate and what is the status of the relocation
9 agreement for any cash support that you've provided to the
10 existing tenants?

11 MR. THOMAS: So the tenants are represented by Eric
12 Rome and we've been working on a development agreement for a long
13 time. Actually they have a meeting this evening to ratify the
14 agreement but in that there's a certain package where there's
15 relocation costs, you know, paid for by the developer and then
16 you would come back in and pay your current rent. It's a rent
17 controlled building although I will say given the condition that
18 it's currently in, I don't know that if there was no rent control
19 on it you could lease it for more than what it's currently being
20 rented for. It's not in good shape. That's why there's, you
21 know, there's actually only eight tenants remaining I think.
22 It's not really leasable space. You know, it's not in good shape.

23 So I believe, I don't want to tell you the exact number,
24 but I think we had at least 50 percent of those eight tenants
25 want to come back to the building which we were happy about, and

1 then we were able to get a couple of tenants who, you know, there
2 was a young family in a two bedroom or a one bedroom and now
3 we're getting them a two bedroom when they come back, so we're
4 able to expand them into some larger unit sizes and then there
5 was one family group who we were able to, they've been two
6 families in one unit and so when they come back they're both
7 going to have their separate units. So they get two units upon
8 return.

9 So I think those were some positives to kind of, you
10 know, we spent a lot of time with the tenants there as well. You
11 know, I went there multiple times. They had at first LEDC
12 involved sort of as an organizer and then once Eric took over
13 and started running more of the negotiations, you know, and we
14 went back and forth and had multiple proposals but I think we
15 ended up in a really good spot for everybody and, you know, for
16 those tenants who chose not to come back they got something too.
17 I think it was, like in terms of value I mean I think it was less
18 just because I think the relocation costs package, but we wanted
19 to encourage people to come back because I think that's more of
20 the intent of what we wanted, you know, so we wanted to give
21 people kind of a sweet deal to come back and that way I could
22 sit up here in front of you guys and say we've got everybody
23 coming back. But, of course, not everybody chooses to come back
24 but I think, you know, to have half of the groups coming back
25 is actually pretty good in these types of situations.

1 Vice chair miller: Again, I thank you for -- appreciate
2 your working with the existing tenants on that development
3 agreement, relocation agreement. Perhaps you can put that
4 agreement, provide it, Mr. Sullivan, into the record either in
5 draft form or if its ratified before we get to a final vote on
6 this case, which I believe this is a two vote map amendment case.

7 So finally, the proposal is to a map amendment to RA-
8 3 with the inclusionary plus zoning designation, the higher
9 inclusionary zoning requirement gets triggered in this case which
10 I believe there is something in the record from the Office of
11 Planning. Maybe I'll talk to them about this too. I think it
12 was a total of 18 to 24 units are required and maybe you an
13 confirm that, 18 to 24 IZ units are required. Maybe you can
14 confirm that, Mr. Sullivan, under the IZ Plus.

15 But I think the intent based on the Applicant's
16 statements and the Office of Planning's statements and the ANC's
17 letter is that the intent is to have an all affordable -- the
18 map amendment will facilitate an all affordable project with even
19 deeper levels than the inclusionary zoning requires to run a
20 subsidy and assistance programs that the Feds or the District
21 government provides.

22 So if you could just confirm the numbers on that, what
23 the total -- what you think this map amendment will facilitate
24 in terms of total number of residential units. I think it was
25 around 100 plus or minus and then I think it was around 20 IZ

1 units, but if you can just confirm those numbers and also just
2 confirm that the intent is to have an all affordable building,
3 not just the IZ income levels but deeper affordability levels
4 that would be available to other tax credit and other programs.
5 If you can confirm that, Mr. Sullivan.

6 MR. SULLIVAN: Yes. I would defer to Mr. Thomas on the
7 expected number of total units, but the Office of Planning has
8 estimated 14 to 18 IZ units in an IZ Plus market rate development
9 and Mr. Thomas can talk about it. I know he's been undergoing
10 efforts to --

11 MR. THOMAS: Yes.

12 MR. SULLIVAN: -- funding for a deeper type of
13 situation.

14 MR. THOMAS: Right. So we're planning on using low
15 income housing tax credits to build an affordable project. The
16 number of units? I don't think we're at 100 or really even that
17 close to 100. One thing I will say is we have a lot of family
18 sized units which was sort of a goal which kind of hurts your
19 unit cap but at the same time, you know, I think provides some
20 other benefits. But I think we're somewhere around 60. We had
21 one version where we were closer to 80 and then one version where
22 were closer to 60 and then, you know, we had to get the turn
23 radius for the loading and not to get into too many details but
24 we've also units on the first floor. But, yes, I think we're
25 around 60 units in our latest iteration but, you know, we've --

1 yes.

2 VICE CHAIR MILLER: And so I appreciate that
3 information, and so of the approximate goal of 60 total units,
4 how many will be -- what is your vision for the size of those
5 units and how many larger family sized units will there be?

6 MR. THOMAS: I'm not 100 percent prepared to get too
7 specific (indiscernible).

8 VICE CHAIR MILLER: (Indiscernible) specific but as a
9 general range or if you have it or no, if you don't, that's fine.
10 We're not (indiscernible) with a specific development proposal
11 but there are family sized units in the existing, I think you
12 alluded to, in the existing much smaller building. But, so I
13 was just curious what the units would be in the new building.

14 MR. THOMAS: Yes. I can give you a specific answer if
15 you give me about a --

16 VICE CHAIR MILLER: Okay. Thank you.

17 MR. THOMAS: Let's see. Okay. So the last iteration
18 that I saw we had 26 one bedrooms, 12 two bedrooms and 16 three
19 bedrooms. So it's majority two and three bedrooms and 30 percent
20 of those were permanent supportive housing and the rest were at
21 50 percent of AMI. But I think that's changed a little bit
22 because I saw something where we had 58 units but this PowerPoint
23 was from the ANC presentation I guess about ten days ago. We
24 went to ANC 4B.

25 VICE CHAIR MILLER: And when you refer to permanent

1 supportive housing, you're talking about?

2 MR. THOMAS: It's 30 percent of AMI I believe.

3 VICE CHAIR MILLER: Median income, family income
4 levels. And what -- how many of the 60 or so units do you think
5 are going to be at that low deep affordable level approximately?

6 MR. THOAMS: So we're saying 11 of 54 roughly would be
7 at 30 percent of AMI and 40, the remaining 43 would be at 50
8 percent of AMI.

9 VICE CHAIR MILLER: Okay.

10 MR. THOMAS: So the whole project is a pretty strong
11 affordability level although you'd be surprised what the AMI is
12 even at this neighborhood. I mean, it's like a hundred and, it's
13 over a 100,000 percent.

14 VICE CHAIR MILLER: All right. It's a high number.
15 That's we've got lower percentage income. Thank you for bringing
16 this forward to facilitate new housing, most all affordable
17 housing if you can get the funding and certainly the IZ Plus
18 minimum will be required as part of that. So I appreciate all
19 of the work that's been done to date and wish you luck in your
20 continued engagement with the community and the tenants going
21 forward.

22 Thank you.

23 MR. THOMAS: Thank you.

24 CHAIRPERSON HOOD: All right. Thank you Commissioner
25 Imamura, any questions or comments?

1 COMMISSIONER IMAMURA: Thank you. I have a few comments
2 and maybe a couple of questions.

3 First, welcome Commissioner Stidham. Glad you're here.
4 Also congratulations, Mr. Young.

5 I want to thank Mr. Thomas for your honesty and
6 forthrightness. I really appreciate that. I did have a question
7 about family sized units so I'm glad that you addressed that. I
8 think that's important, particularly to poor multi-generational
9 families. They need support too so I'm glad to hear that there
10 are 16 three bedrooms or at least approximately 16 three bedrooms
11 that are planned.

12 Again, this is just really an interesting map amendment
13 because I think it has the potential to transform the urban design
14 along the street and the key part or piece to this map amendment
15 is really about affordable housing and I think these kind of map
16 amendments can encourage new development that conforms to new and
17 current environmental standards such as green roofs and permeable
18 pavements (phonetic) and things of that nature. So I certainly
19 hope that this might, in a potential development, that that might
20 be considered.

21 I also noted as well on the record I think it's pretty
22 well documented in the community outreach which I think your
23 effort will help you be successful, Mr. Thomas, in this endeavor.
24 I just wanted to acknowledge the support from ANC 4A as well as
25 4B and your extensive outreach with the daycare center. I think

1 I noted somewhere that you've held bi-weekly calls on Friday from
2 July 14th until August 11th, so and worked with them to develop
3 an agreement for their relocation. So I think that's a pretty
4 substantial (indiscernible).

5 I'm generally supportive of increased density where it
6 makes sense and that we're strategic about it. I often ask
7 questions about when it comes up for these kinds of map amendments
8 in a neighborhood conservation areas that, you know, we adhere
9 to sort of a modest development, modest scale, new development
10 that's modest in scale and I think, as Mr. Sullivan pointed out
11 in the presentation here, from RA-2 to RA-3 it's really about
12 just a difference of height in ten feet. But when you consider
13 the lot occupancy of an additional 50 percent, and I appreciate
14 the massing study, I do become a little uncomfortable about
15 whether the potential development might be kind of imposing
16 around the streets there and how to balance that out with the
17 affordable units.

18 I also noted in DDOT's report that really this is a
19 modest uptake in morning and afternoon trips and that they
20 encourage, Mr. Thomas, for you to participate in the public design
21 of any PDRMs and I'm sure that you have or will have participated
22 in those?

23 MR. THOMAS: So we have an other partner who is not on
24 the call who is focused more on the design. So I'm really, I
25 don't know whether he has participated in those calls or not but

1 it's certainly something we can bring up in our next meeting and
2 I'll just sort of confirm that. He's more of a design
3 construction guy and, you know, I sort of start on the front end
4 and he's preparing on the back end and he has more DHCD experience
5 and more affordable experience, and I'm more of a site selection
6 and, you know, I sort of have the vision and I think this place
7 could be great and I, you know, try to make that happen.

8 So I don't -- I can't answer your question right now.
9 But I think if you go to the site and you walk out in front you'll
10 see that the apartment buildings are greater in scale, are
11 significantly greater in scale than what would be developable
12 under RA-2, like immediately adjacent, and then you go across the
13 street and The Vale at Walter Reed is there, and then across the
14 street, if you look across the street there's a very large
15 building there as well and I don't think, you know, we might be
16 a little larger than our adjacent neighbors to the sides but I
17 don't know that we're necessarily going to be taller than the
18 building across the street and it's certainly, I don't know that
19 I agree that it's going to feel that imposing and actually frankly
20 I think capping the light from our lobby because while it was
21 mentioned earlier that, you know, why didn't you try MU-4 and the
22 reason was that wasn't necessarily consistent. We thought that
23 was ore inconsistent than RA-3. But when we did design our RA-
24 3 building we did push retain in the lobby to the front to help
25 light the street and make it more walkable because I think, you

1 know, you sort of lose your -- not necessarily lose your
2 walkability but when it's, you know, kind of dark and you've got
3 nothing around there it doesn't feel as inviting to pedestrians.

4 So I think in some respects, you know, I don't
5 necessarily think that the bulk is going to be that much greater
6 than the adjacent buildings and, Marty, maybe you can pull up
7 that massing again just so they can see what I'm talking about
8 with the adjacent buildings and the buildings across the street
9 because they're pretty significant in terms of their own scale
10 and I think in the previous iteration of whatever the zoning was,
11 obviously it allowed more than the current RA-2 because I don't
12 think you could rebuild any of those buildings under the current
13 zoning, you know, say they were to burn down, I don't think you
14 could rebuild them.

15 MR. SULLIVAN: Yes. The buildings, the three buildings
16 that make up the large portion of the subject property are really
17 the outliers here. There's about 13 or 14 four story apartment
18 buildings that most of them seem to be at 70 percent lot occupancy
19 or greater. That's taking on this side of the block, and they're
20 also, all of those buildings are forward on the property line and
21 these buildings are set back, so it looks like an RA-3 would
22 trigger development that would make the block -- these properties
23 more compatible with the existing buildings than what's there now
24 actually. Maybe a little bit more overall density but the height
25 won't be that much higher and the lot occupancy probably a little

1 less than what all the existing buildings are on that side of
2 the block at this point.

3 COMMISSIONER IMAMURA: All right. Thank you, Mr.
4 Sullivan. I appreciate the response. Likewise Mr. Thomas and
5 in sounds like you have a good arrangement with the
6 (indiscernible). That's one of the things that I was curious
7 about if this might be a catalyst for, you know, future
8 development along Georgia Avenue and what that does, and not only
9 the concerning the urban design but we're here right at the edge
10 of a historic site; right? I'm very familiar with Battleground
11 National Cemetery. I did previously work for the National
12 Cemetery Administration and I have a great appreciation for the
13 superintendent's lodge that's designed by General Meigs. You
14 know, it's a 19th century second empire-style building and so I
15 have some heartburn a little bit about, you know, the full
16 build0outu of the RA-3 zone and kind of wonder, you know, if
17 there's another zone that might be more compatible with the
18 cemetery. That's one sort of question there that we kind of
19 discussed a little bit but I'd like you to elaborate a little
20 bit more.

21 And the other question is a little divergent from that
22 and I'm curious how this map amendment might change the
23 demographics of the area?

24 MR. SULLIVAN: Could you, well I mean I think I would
25 refer to our racial equity analysis that we went through in the

1 Application and submitted especially in the supplemental
2 statement in that regard, and I know, I mean, there's not that
3 many existing tenants now and half of them are returning. But I
4 think -- I don't know how to summarize it but we went into great
5 detail in our presentation and in the supplemental statement on
6 the demographics and it's only a 20,000 square foot site as well.
7 So I think all of the material that we've submitted shows that
8 it would not have a material change on the demographics.

9 COMMISSIONER IMAMURA: So I guess what I'm asking or
10 getting out of that the trends would probably remain pretty
11 consistent?

12 MR. SULLIVAN: Yes. And I think this particular change
13 being in the middle of a block of existing apartment buildings
14 that are of significant size already doesn't seem to me the kind
15 of change that would trigger further redevelopment of the rest
16 of the block. Even if it did go to RA-3 I mean those are pretty
17 close to that -- fairly close to that density anyway with a larger
18 footprint, so.

19 COMMISSIONER IMAMURA: All right. Well, I appreciate
20 your response both of you, and Mr. Sullivan, you have a laudable
21 project. Again, I just have so me concern about whether we're,
22 you know, there's another zone that would be compatible being
23 adjacent to the cemetery here, a historic site and what might
24 take place or transpire down the road if it does spawn additional
25 development.

1 But I'm satisfied with the response, Mr. Sullivan.
2 Thank you, and thank you, Mr. Thomas, and again I appreciate your
3 community outreach efforts and really I think that will help you
4 be successful (indiscernible).

5 That's all that I have.

6 CHAIRPERSON HOOD: Thank you. Commissioner Stidham,
7 do you have any questions or comments?

8 COMMISSIONER STIDHAM: Just one question
9 (indiscernible).

10 CHAIRPERSON HOOD: Let me ask this question first. Is
11 anybody having a problem, Mr. Sullivan and Mr. Thomas, are you
12 all, and Vice Chair, are you all having a problem hearing
13 Commissioner Stidham? Okay. I don't know if you need to lean
14 forward, turn your mike off, but it's kind of going in and out.

15 (Pause.)

16 CHAIRPERSON HOOD: Say something now?

17 COMMISSIONER STIDHAM: Is that better?

18 CHAIRPERSON HOOD: Yes, that's better. Thank you.

19 COMMISSIONER STIDHAM: Okay. It looked like my mike
20 switched from my mike on the counter to the mike on the counter
21 to the mike on my laptop which is like under a bunch of stuff.
22 So that was probably the problem.

23 So you can hear me now. So I realize you've done a
24 lot of coordination and I'm very curious what coordination you've
25 done with the National Park Service since they have a facility

1 that's directly across the street as well as (indiscernible) by
2 the other Commissioner?

3 MR. THOMAS: So I haven't done much outreach to them.
4 I haven't really -- it's something that we can do. We're happy
5 to reach out to them. I don't think we're, you know, it was
6 across the street and we just typically have been focused on
7 outreach to neighborhood groups and, you know, we're here to
8 learn and improve the project so we can reach out to them and
9 hear what their opinion is on it and if they have any input. We
10 have not to date though.

11 COMMISSIONER STIDHAM: Okay. I encourage you to do so
12 since they are across the street. You know, I share the concern
13 about the map amendment and sort of changing the character of
14 this neighborhood. Looking at the other buildings that are
15 adjacent and within that block, they are all of a certain size
16 and character and you are proposing something significantly
17 larger. So that is a concern, and that's really all I have. The
18 concern about the inconsistency for the both setting and for the
19 neighborhood and have a coordination meeting.

20 CHAIRPERSON HOOD: Okay. Does somebody want to respond
21 to Commissioner Stidham's concern? Okay. Well, we'll work
22 through that.

23 What I would suggest, and I would kind of respond.
24 First, let me back up. I want to thank you for the work you've
25 done with the community. I know some of the people who have

1 worked hard in this area 4A, 4B, Brightwood. I know the
2 conversational piece in the coffee shops in this city up in that
3 area. I know that they are talking about Walter Reed and the
4 surrounding area. That's been a big topic. It didn't just start
5 this week. It's been a topic for a while.

6 One of the things that I am very interested in, and I
7 think some of those concerns, those inconsistencies, especially
8 I would agree with the Vice Chair, I think some of those
9 inconsistencies that maybe with the comp plan what you're trying
10 to do as far as massing, I think it offsets with some of the
11 things you're trying to achieve which gets me to my point, my
12 concern.

13 I want to make sure that when we talk about what we're
14 trying to achieve here, and I'm not going to get to a specific
15 project, I want to make sure that when I look at the numbers and
16 the demographics and especially in the Office of Planning report,
17 and I'm wondering if this project -- and I'm not saying that this
18 project is going to cure everything, but I think, Mr. Sullivan,
19 if you and Mr. Thomas are following, I think this project,
20 whatever's being proposed here because you don't have a project
21 in front of us, but whatever's proposed there will help fill some
22 of the gaps and the way I see your project it's intentional and
23 when I say intentional I think it is closing the gaps of disparity
24 which is exactly what we're doing with our racial equity lens and
25 I think that's why you have so much support from residents of

1 the city.

2 Now, I know what you're probably going to say but I'm
3 going to ask you this anyway. Did I capture that? Was that your
4 intentionality and did I capture that correctly, Mr. Thomas?

5 MR. THOMAS: Yes. I think, you know, we looked at this
6 site and we thought we had a great opportunity to build affordable
7 housing in an area that needs it, right south of Walter Reed
8 along Georgia Avenue and we had a chance to do it at a relatively
9 moderate scale. You know, we didn't feel like the ask was too
10 big just to go from RA-2 to RA-3 which was just enough density
11 to move the project forward but, you know, we didn't move it to
12 MU-7 or, you know, so we felt that we were being consistent and
13 looking for opportunities to answer the call from the community
14 where we could and we thought this one was as good of a one as
15 any that we had located and it qualified census tracks which
16 means, you know, it's a high focus area for affordable housing
17 among other indications. But yes, I agree with you.

18 CHAIRPERSON HOOD: All right. Let me ask, and I think
19 the Vice Chairman had asked for this as well, I didn't see, Mr.
20 Sullivan, and I do miss a lot, so if you have a full time job at
21 time and so, I didn't see the, and I think actually you may have
22 asked for this, I didn't see the relocation of the tenants, how
23 that's going to be. I saw where some of them were taking the
24 cash payment or some of them agreed to the cash payment and some
25 of them were, elected to return and I thought there was a third

1 one, but I forget now. But what exhibit is that in or is it in
2 there, because I didn't see?

3 MR. SULLIVAN: We don't have an exhibit with the
4 agreement I don't believe, but there is an exhibit with a letter
5 from the Tenant's Association.

6 CHAIRPERSON HOOD: I got that I saw that.

7 MR. SULLIVAN: We can submit that.

8 CHAIRPERSON HOOD: I appreciate that. I think that
9 would be good because I know, I think the Vice Chairman might
10 have asked for it too so forgive me. But yes, I think that would
11 be very helpful and I know that we do have a letter from, I think
12 it's a young lady, Ms. Guzman.

13 MR. SULLIVAN: Yes.

14 CHAIRPERSON HOOD: Yes. I do remember seeing that.
15 Okay. Again, racial equity. Yes, I think that we're achieving,
16 I'm hoping. This is my goal, I'm hoping. Let me ask Mr. Sullivan
17 this. When do you think we'll start seeing some of those numbers,
18 and this is just like me asking you what the number's going to
19 be for the lottery, but when do you think we're going to start
20 seeing some of those numbers disparities starting to come
21 together in a particular project like this, and I know this is
22 not done yet or not moving forward to a certain point, but when
23 do you expect, in your professional opinion -- you and Mr. Thomas
24 -- when do think we're going to start seeing some of those
25 disparities coming closer together?

1 MR. THOMAS: Yes. I think I agree everything counts.
2 You know, I don't want to say tomorrow but I think we'll be a
3 step closer when we, you know, when we deliver this project and
4 we have families moving back in who, you know, were living in a
5 one bedroom apartment in the current complex and now they, you
6 know, can live with their kids in a larger apartment and we've
7 got, you know, it's much higher quality and, you know, we can
8 improve their lives. I mean, that's part of the project, you
9 know, when you look at the big picture I think it can take your
10 focus off kind of what I'll call blocking and tackling which is,
11 you know, what we try to do every day which is just hit the tasks
12 in front of you and at the end of the day you feel like you didn't
13 make much progress but at the end of a few years you look back
14 and all these little things made more of a difference than they
15 seemed like they were making at the time.

16 So, you know, that's sort of how I view it. I try to
17 keep my head down for the most part and help work through it.
18 You know, people tend to have lots of requests and my job is to
19 field them and put in as much work as I can to try to address
20 those and, you know, that's all I can really do. So, hopefully
21 at the end of the day we'll look back and I can be proud of those
22 efforts. So that's my goal.

23 CHAIRPERSON HOOD: Thank you. I appreciate your
24 answer. I know the answer, it's not a time limit answer, I just
25 wanted your perspective as someone who's out here doing this type

1 of work especially with our racial equity lens which this city
2 is looking at and we're watching.

3 The other housing justice groups have been very
4 critical of this Commission and that's why I know, and looking
5 at this record I know that's your due diligence because unless
6 someone comes up later, to this point right now there's no
7 opposition to this case which to me, and I know some of the
8 characters and some of the people who work hard in this
9 neighborhood and I don't want to call them characters, but people
10 who work hard, especially ANC 4A and 4B and I have a lot of
11 respect for them. So when I see them support, that makes my job
12 easier on this Commission. When I see them coming down with
13 unanimous, unless I missed something, and I see unanimous support
14 I appreciate it because I also had a concern about RA-2 and going
15 to RA-3. I'm always concerned about that.

16 I also had a concern about the massing. I was going
17 to ask you for a different picture for massing but then, you know
18 what? When I looked at all the support where we're trying to
19 (iniscernible) and where we're trying to go, I'll just ease off
20 and leave it at that. So, and I appreciate all the work
21 everybody's done.

22 Let's see if we have any follow-up questions. Any
23 second rounds anybody? All right. Let's go -- Ms. Schellin, do
24 we have anybody from ANC 4A or 4B?

25 MS. SCHELLIN: I did not see anybody but let me double

1 check. I didn't see a name for the person. Mr. Sullivan, who
2 were you guys working with at the ANC? Do you have a name for
3 each of them?

4 MR. SULLIVAN: Colin can probably answer that better
5 but then there's Erin Palmer.

6 MS. SCHELLIN: He's not on.

7 CHAIRPERSON HOOD: Ms. Palmer, Commissioner Palmer.

8 MS. SCHELLIN: Commissioner Palmer is not on.

9 CHAIRPERSON HOOD: Okay. Well, I will tell you all if
10 you all have Commissioner Palmer and her group's support, you all
11 have done your due diligence. I have a lot of respect for her.
12 That's what made it real easy for me to look at this case, and
13 especially 4B as well as 4A. I'm sorry, but I'll read their
14 letters.

15 Anyone else, Ms. Schellin? Anyone else from 4B?

16 MS. SCHELLIN: No, sir.

17 CHAIRPERSON HOOD: Okay. All right. No more questions?
18 All right. Thank you.

19 Let me see. All right. Let's go to other government
20 reports. Ms. Schellin, do we have any -- let me call up the OAG.
21 I have to go back and use the habit of things. A month off
22 sometimes you get out of sync.

23 MS. SCHELLIN: No, sir.

24 CHAIRPERSON HOOD: Nobody from -- okay. What about
25 DDOT? We don't have DDOT --

1 MS. SCHELLIN: I don't see anybody for DDOT. They did
2 provide a report.

3 CHAIRPERSON HOOD: Okay. So, as we know DDOT has
4 provided a report. So let's go to the Office of Planning.

5 MS. SCHELLIN: Okay. That would be Mr. Lawson.

6 MR. LAWSON: Hi. Good afternoon, Mr. Chair and thank
7 you for pulling me in. First of all, we'd also like to extend
8 our welcome to our new Commissioner, Commissioner Stidham.
9 Welcome to the Zoning Commission and we look forward to working
10 with you.

11 The Office of Planning recommends that the Zoning
12 Commission approve this zoning consistency case for the property
13 at 6634 and 6640 Georgia Avenue to go from RA-2 to RA-3. The
14 proposal would be not inconsistent with the comprehensive plan
15 including when viewed through a racial equity lens. OP is of
16 course also recommending that IZ Plus is appropriate for this
17 site.

18 With regard to the comprehensive plan and the racial
19 equity analysis, with the map amendment of course it isn't known
20 how or when the site will be redeveloped, so the racial equity
21 analysis and the comprehensive plan analysis can only include
22 potential development under the proposed zone compared to the
23 existing zone and therefore what the potential implications of
24 the rezoning might be.

25 The OP setdown and hearing reports provided analysis

1 of the comp plan through a racial equity lens including
2 demographic and socioeconomic data for Rock Creek East planning
3 area and a comparison of housing income trends. The proposed map
4 amendment has the potential to increase the total supply of
5 housing units in the planning area with IZ Plus resulting in a
6 higher number of required affordable units than if the property
7 were not rezoned.

8 In this case, as has been noted, there are existing
9 residents on the site but the Applicant has worked with these
10 remaining tenants and the Tenant's Association has indicated
11 support for the rezoning. The provision of new housing options
12 in the neighborhood could alleviate the potential for indirect
13 displacement and help to moderate potential housing cost
14 increases in the area.

15 The new development will also provide new opportunities
16 for services in the area while new residents would help to support
17 local businesses. The site has good transit service providing
18 additional convenient access for the residents to services and
19 employment opportunities. We also of course appreciate the
20 Applicant's efforts in working with the existing daycare facility
21 in their relocation.

22 The proposed zoning map amendment would not be
23 inconsistent with the generalized future land use or generalized
24 policy map designations. The FLUM indicates the site is
25 appropriate for medium density residential, as is the rest of

1 | this block. The RA-3 zone is called out in the comprehensive
2 | plan as being consistent with this zone. The policy map places
3 | the site within the neighborhood conservation area where the
4 | maintenance of existing land uses and community character is
5 | anticipated but where new development is not precluded.

6 | As detailed in our report, the zoning map amendment
7 | would further various policies of the comprehensive plan
8 | including ones for the land use, housing, transportation, and
9 | environmental protection city-wide elements and the Rock Creek
10 | East area element.

11 | In summary, the proposal would increase the opportunity
12 | for the development of new housing including affordable units
13 | helping the District achieve its housing and affordable housing
14 | goals along a major corridor well served by public transportation
15 | at a scale which is consistent with comprehensive plan direction.

16 | Thanks, and with that I'm available for questions.

17 | CHAIRPERSON HOOD: Thank you, Mr. Lawson. I have I
18 | think two questions. I'm going to start with my two questions
19 | and it's not necessarily germane to this case.

20 | You know, we've been doing racial equity now for some
21 | time. Do we have anything in the file or something that we've
22 | done where we can start seeing the gaps -- is there any data out
23 | there that's showing that we're starting to see some of these
24 | gaps close of the disparities?

25 | MR. LAWSON: Not that I'm aware of. We certainly work

1 very closely with the State Data Center which is a part of the
2 Office of Planning and so we're working with them, you know, as
3 new data becomes available obviously for incorporating into our
4 reports.

5 CHAIRPERSON HOOD: Okay. And do you think from your
6 professional opinion -- I'm not really necessarily, I like the
7 way this case is tailored. I think this is going to get, I may
8 be long gone, we will all probably be gone but I think cases like
9 this will help us get to what we're trying to achieve. We never
10 see instant results but I think in the long term hopefully we'll
11 get to where we need to be.

12 What would you say, from your professional opinion,
13 that time frame would be, and I know I'm putting up a really a
14 wide letter with a question on it, but I'm just curious, in your
15 professional opinion?

16 MR. LAWSON: I'm sorry, Mr. Chair. You're talking
17 about the time frame for what?

18 CHAIRPERSON HOOD: In your professional opinion, Mr.
19 Lawson, what would you think? Do you think we should start seeing
20 results that we can really calculate in ten years, five years?
21 I would like one year but I know some of those things, and I'm
22 not talking about this case, I'm talking about in general since
23 we've been dealing with racial equity.

24 MR. LAWSON: I think that's a really interesting
25 question and I'm sorry I don't have an answer for you. I'd be

1 happy to take that back and have further discussions. I think
2 it would depend a lot on the neighborhood and I think it would
3 depend a lot on whether that neighborhood is experiencing a
4 significant amount of change. You know, this site is relatively
5 close, quite close, to the Walter Reed redevelopment which is
6 truly a transformative kind of redevelopment and so how that kind
7 of impacts the neighborhood and how that impacts opportunities
8 for existing residents and for new residents of the District.
9 You know, like you said we'll just have to continue to monitor
10 that and see what the trend of data shows.

11 CHAIRPERSON HOOD: Okay. Thank you. Mr. Lawson, that's
12 my questions. Let's see what you can come back with. The reason
13 I had to ask that is because I've been thinking about that and I
14 don't have the answer myself. So thank you.

15 Let's see if we have any questions or comments. Vice
16 Chair Miller.

17 VICE CHAIR MILLER: Thank you, Mr. Chairman. I agree
18 with, and thank you Mr. Lawson for the Office of Planning's
19 thorough reports and work on this case.

20 Yes. I agree with your comments, Mr. Chairman, and
21 those of Mr. Lawson. I think, and the Applicant, that this map
22 amendment does facilitate potentially a project that will
23 contribute very incrementally but importantly to the closure or
24 the reduction of those gaps of disparity that you're talking
25 about. So that's why I am so supportive of it going forward and

1 I appreciate all the work community engagement that's been done
2 with the ANCs and the Civic Association and the existing
3 residential and daycare tenant.

4 I guess I'll ask Mr. Lawson a question I asked the
5 Applicant. While I agree with you that the RA-3 is called out
6 for as specifically not inconsistent with the medium density
7 future land use map designation for this site. I agree with you
8 on that because RA-3 is more closely aligned with medium density
9 than the RA-2 existing zoning is. But would there have been a
10 different zone that you might have chosen if Office of Planning
11 was proposing a map amendment for this site or the adjacent
12 properties that are across from Walter Reed campus like MU-4 or
13 do you think the RA-3 is because there is no commercial stripe
14 on the future land use map that this is the appropriate
15 consistency designation?

16 MR. LAWSON: Yes. Thanks for the question. No, I
17 don't think there's another zone that we would recommend,
18 particularly as part of a map amendment. If this was a PUD there
19 might be a bit more flexibility for an applicant, but we'd also
20 have to look back to -- this designation has existed for some
21 time now.

22 This designation is not a new one. It's been there for
23 at least a decade and so we'd have to look back to the Georgia
24 Avenue plan which would have provided direction for where mixed
25 use development was being most encouraged and where it was not

1 being encouraged and my suspicion is that there were other parts
2 of Georgia Avenue that were being more targeted for mixed-use
3 development to allow some of that retail and service use to be
4 kind of consolidated rather than stretched out along the entire
5 corridor and that this block was called out for being more
6 residential development. As a residential development, you know,
7 RA-3 is the zone which is consistent with the comp plan
8 designation so this is what we would have suggested.

9 VICE CHAIR MILLER: Thank you. Thank you for that
10 response with which I happen to agree. So thank you. Thank
11 you, Mr. Chairman. I have no further questions.

12 CHAIRPERSON HOOD: Thank you. Commissioner Imamura?

13 COMMISSIONER IMAMURA: Thank you. Mr. Lawson, I just
14 wanted give a little more air time to a statement that you made
15 and while Mr. Thomas had made a comment that he anticipates from
16 this map amendment that it might facilitate a project of about
17 60 units whereas the full build out of RA-3 might be somewhere
18 in the ballpark of a little over 100 units. That all builds to
19 a statement that you made that the RA-3, this map amendment here
20 to RA-3 would help achieve or move the Rock Creek East closer to
21 its affordable housing goal.

22 MR. LAWSON: Well, that's certainly our opinion. When
23 you go from RA-2 to RA-3, you know, additional density is allowed.
24 A little bit of additional height as well although not much. The
25 difference in height between RA-2 and RA-3 is pretty minimal but

1 | there is some additional density involved and more importantly
2 | the provision of IZ Plus through the map amendment results in a
3 | higher required number of units. Now, an applicant can certainly
4 | provide more affordable units than what the zoning requires but
5 | they can't provide less.

6 | So, and like the Applicant stated, the exact number of
7 | units will depend on the unit size that they want to promote.
8 | Certainly with larger sized units, with more larger sized units,
9 | you'll see a fewer number of units within the same density.
10 | However, the square footage devoted to affordable units under IZ
11 | Plus would be the same. So we would see more larger sized IZ
12 | units which is also a benefit.

13 | So I think we're pretty comfortable in saying that this
14 | map amendment would almost certainly lead to more housing and
15 | more affordable housing than if the map amendment did not go
16 | forward.

17 | COMMISSIONER IMAMURA: Thank you, Mr. Lawson. I always
18 | appreciate your explanations. All right. Those are all the
19 | questions that I have.

20 | CHAIRPERSON HOOD: Okay. Commissioner Stidham, do you
21 | have any questions or comments of the Office of Planning?

22 | COMMISSIONER STIDHAM: No. No questions at this time.

23 | CHAIRPERSON HOOD: Okay. Mr. Sullivan, or Mr. Thomas,
24 | do you have any cross of the Office of Planning?

25 | MR. SULLIVAN: No. No, thank you.

1 MR. THOMAS: No. No, thanks.

2 CHAIRPERSON HOOD: Thank you, Mr. Lawson. Always a
3 great job. Thank you.

4 MR. LAWSON: Thank you.

5 CHAIRPERSON HOOD: Ms. Schellin, do we have anyone here
6 from the ANC, either.

7 MS. SCHELLIN: No, sir.

8 CHAIRPERSON HOOD: Okay.

9 MS. SCHELLIN: I do not see any ANC (indiscernible).

10 CHAIRPERSON HOOD: Okay. So let me read their report.
11 So I'm going to read 4B since I omitted them in my opening
12 statements, and this is our Exhibit No. 14 and it basically says,
13 and it's signed by Chairperson, well it has a number of people.
14 Sincerely, Chairperson Palmer who's over at the housing justice,
15 Chairperson Brooks, Chairperson Gilligan and Chairperson Yeates
16 who we had seen before, and this is a vote of support. Advisory
17 Neighborhood Commission 4B voted with ten yes, zero nays and zero
18 abstentions to support this application.

19 And then now let me go to 4A, 4A again Chairperson
20 Singleton and Commissioner Hare. Hopefully I pronounced her last
21 name correctly. Again, in this case, "With six of seven
22 Commissioners in attendance with a quorum at a duly noticed public
23 meeting, the Commission approved the following resolution by a
24 vote of 6-0-0" and that is, I'm not going to read the resolution,
25 it's in support and that's in our Exhibit 22-37 and as I already

1 | noted, Commissioner Palmer of Transportation is well in support
2 | of this application.

3 | All right. Now let's go, Ms. Schellin, let's go --
4 | anybody who's here to testify in support, opposition or
5 | undeclared.

6 | MS. SCHELLIN: Let me check the list. I have Michael
7 | Sindram but he did not have an email address, he just had a phone
8 | number and the one call-in user that we have, that number does
9 | not match up with the phone number he listed. So I'm assuming
10 | he is not on.

11 | CHAIRPERSON HOOD: Can we take a moment? I haven't
12 | seen Mr. Sindram in a long time so we take a moment to make sure
13 | he's not there. I don't know how we do that but let's make sure
14 | he's not there.

15 | MR. YOUNG: Two call-in users, Sharon.

16 | MS. SCHELLIN: Is there another one because I don't
17 | --

18 | MR. YOUNG: I have two listed.

19 | MS. SCHELLIN: Let me check (indiscernible).

20 | CHAIRPERSON HOOD: Let's make sure we cover all our
21 | bases and make sure --

22 | MS. SCHELLIN: 7-2-2. That is not it either. You
23 | could unmute them, Paul, and see who they are, maybe.

24 | MR. YOUNG: I can bring them up as panelists. Do you
25 | want me to do that?

1 MS. SCHELLIN: Yes. To see just to make sure maybe to
2 see if by chance it's someone who's assisting him. See who they
3 are.

4 MR. YOUNG: One of them just logged off so there's only
5 this one, 8-9-8.

6 MS. SCHELLIN: Could the call-in user please state
7 their name, the phone number starting 8-9-8?

8 MR. EUELL: Ms. Schellin, this is Gary Euell, the court
9 reporter. This is my back-up audio.

10 MS. SCHELLIN: Okay. Thank you, Gary.

11 MR. EUELL: Okay.

12 MS. SCHELLIN: Okay. So no, sir, he is not on.

13 CHAIRPERSON HOOD: Okay. So we're (indiscernible)?

14 MS. SCHELLIN: And we have no others.

15 MR. EUELL: Okay. Thank you all. Well, that was our
16 court reporter. Good to hear from you, Gary. Good to hear your
17 voice. We don't -- you're always in the background and we never
18 thank you as well, but thank you for all you do. It's good when
19 we can always be in the room but I want to make sure I always
20 give proper thanks where it's due, so thank you for all the great
21 work you do too, Gary.

22 Let's, okay. So, Mr. Sullivan, do you have any rebuttal
23 or closing? I don't think you have any rebuttal but do you have
24 any closing?

25 MR. SULLIVAN: No. Just thank the Commission for your

1 time and input and respectfully request that the Commission
2 approve the map application. Thank you.

3 CHAIRPERSON HOOD: Okay. Any final comments from my
4 colleagues? All right. Let's go to deliberations. I think,
5 unless somebody objects to us proceeding tonight because I know
6 we have a lot on our plate, unless you all need more time. If
7 you do, let me know now. Okay.

8 So I will just simply say I think the record speaks for
9 itself. I know there were some concerns about the RA-2 versus
10 the RA-3. I get that but I think there's some other mitigating
11 factors that offset it and I think as long as you all approve
12 it, especially the Office of Planning, DDOT, and especially the
13 public, some things that have greater intensity especially when
14 it comes to racial equity which we're mandated now by law to make
15 sure that we deal with it and I think this is a prime case of
16 dealing with some of the racial equity. Regardless of how de
17 minimis we may think, we're still dealing with racial equity.

18 So I'm ready to move forward. I'll be willing to favor
19 this case. Vice Chair Miller?

20 VICE CHAR MILLER: Thank you, Mr. Chairman. I agree
21 with your comments and ready to move forward with a first proposed
22 action this evening and as we've requested, if they could provide
23 a copy of whatever agreement they have with the existing tenants
24 for the record that would help in our analysis of the racial
25 equity analysis displacement issue, and I think another

1 Commissioner, Stidham or Imamura, maybe both, asked for some kind
2 of outreach to the historic site across the street. If I got
3 that right? I shouldn't have probably stated somebody else's
4 request, so I'll let them restate it.

5 So I'm ready to move forward tonight with the proposed
6 action, Mr. Chairman. I think this is an appropriate map
7 amendment.

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

10 COMMISSIONER IMAMURA: Thank you. To Vice Chair
11 Miller's comment, the outreach to the National Park Service was
12 by Commissioner Stidham.

13 I think on the face of it this is pretty
14 straightforward. I do still have, you know, some concern about
15 the massing of it, how that might impact sort of the character
16 appeal urban design along that street with the historic site
17 (indiscernible) design beats historic preservation in a way.

18 But I think this certainly furthers the city's goals
19 for greater affordable housing and deeper affordability. So 30,
20 50 and 60 percent I think is what I recall, so and family sized
21 units which I think is critically important too.

22 So I'm prepared to support. That's all I have.

23 CHAIRPERSON HOOD: Commissioner Stidham, questions or
24 comments on this?

25 COMMISSIONER STIDHAM: No, no questions or comments.

1 I agree with the other Commissioners' comments and am prepared
2 to move forward as well.

3 CHAIRPERSON HOOD: Okay. Without further ado, I move
4 that we approve as proposed action, thank you, Vice Chair, for
5 reminding this it's proposed, Zoning Commission case No. 22-37
6 as captioned and as for a second.

7 VICE CHAIR MILLER: Second.

8 CHAIRPERSON HOOD: Moved and properly second. Any
9 further discussion? Not hearing any, Ms. Schellin, would you do
10 a roll call vote, please?

11 MS. SCHELLIN: Commissioner Hood?

12 CHAIRPERSON HOOD: Yes.

13 MS. SCHELLIN: Commissioner Miller?

14 VICE CHAIR MILLER: Yes.

15 MS. SCHELLIN: Commissioner Imamura?

16 COMMISSIONER IMAMURA: Yes.

17 MS. SCHELLIN: Commissioner Stidham?

18 COMMISSIONER STIDHAM: Yes.

19 MS. SCHELLIN: The vote is four to zero to one to
20 approve proposed action Zoning Commission case No. 22-37 and I
21 believe that there were a couple of items that the Commission
22 asked the Applicant to supply. If they could do that in two
23 weeks which would be September 21st.

24 Mr. Sullivan, is that going to work for you guys? Oh,
25 he's left or he's off. I'm going to assume two weeks is enough

1 time since we're not talking a PUD with plans and then the ANC
2 would have until 9/28 to respond if they choose to do so. All
3 submissions due by 3 o'clock p.m., and if the Applicant could
4 provide drafts, findings of facts, inclusions of law by September
5 28th also, that would be great and once the 30 day comment period
6 is up after the referral to NCPC, then we'll put it on for final
7 action which will probably be the October 12th public meeting.

8 That's it.

9 CHAIRPERSON HOOD: Okay. Thank you, Ms. Schellin. We
10 don't have anything else for this case; right?

11 MS. SCHELLIN: No, sir.

12 CHAIRPERSON HOOD: Okay. Again, the Zoning Commission
13 will meet again on September 11th, 2023. We have two cases,
14 Wesley Theological Seminary of the United Methodist Church 23-08
15 and Wesley Theological Seminary of the United Methodist Church
16 23-08-1.

17 With that, I want to thank everyone for their
18 participation in this case tonight and I want to thank all the
19 -- everybody who worked with this case, I won't go into names,
20 but everybody who worked on it to make this case move like it
21 did tonight and looking forward to those results that we
22 mentioned, and again, I want to congratulate Mr. Young and again,
23 welcome Commissioner Stidham to the Zoning Commission.

24 So with that, we'll see you all on Monday. Have a
25 great weekend and good night, and this hearing is adjourned.

1 Thank you.

2 (Whereupon, the above-entitled hearing, at 5:34 p.m.,
3 was adjourned.)

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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: ZC

Date: 09-07-2023

Place: Teleconference

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

GARY EUELL