

GOVERNMENT OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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REGULAR PUBLIC HEARING

CASE NO. 24-15

+ + + + +

MONDAY

JULY 7, 2025

+ + + + +

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

ZONING COMMISSION MEMBERS PRESENT:

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

ZONING COMMISSIONER STAFF PRESENT:

ELLA ACKERMAN, Staff
PAUL YOUNG, Data Specialist

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

DENNIS LIU, Esquire

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ON BEHALF OF THE APPLICANT:

PAUL TUMMONDS, ESQUIRE, Goulston & Storrs
SHANE DETTMAN, Goulston & Storrs
ANDREW VINCENT, Horning DC
MAURICE WALTERS, Architect

ALSO PRESENT:

MARTIN WELDON
DALE SCOTT SZPISJAK
BENJAMIN KASPER
RA AMIN, ANC 5B Commissioner
JACK HERMES, ANC 5A04 Commissioner
GORDON CHAFFIN, Friends of the Metropolitan Trail
MICHAEL LAMBRIGHT
STEVE FAROLE
TONY TOMELDEN
DAWN AMORE, President, BNCA
BARBARA KAHLOW, 200 Footers
LILIAN NOYA, Architect
JULIE KURTZ-KELLER, 200 Footers
GUY DURANT, 200 Footers
JAMILA GLEASON, 200 Footers
ALTA BEALS
JOSEPH KELLER
JOHN FREELY

The transcript constitutes the minutes from the Regular
Hearing held on July 7, 2025.

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

2 (4:00 p.m.)

3 CHAIRPERSON HOOD: Good afternoon, ladies and
4 gentlemen. My name is Anthony Hood and tonight's case is a
5 continuation of Zoning Commission case No. 24-15. This is the
6 901 Monroe Street, LLC. I will incorporate the opening comments
7 from our first hearing session into this particular hearing
8 session, and joining me today are Vice Chair Miller, Commissioner
9 Imamura, Commissioner Wright and Commissioner Stidham as well as
10 our Office of Zoning staff, Ms. Ella Ackerman, Mr. Paul Young who
11 will be handling all of our virtual operations and Mr. Dennis
12 Liu. And we have a specific procedure and order that we're going
13 to continue to follow as we continue to plough through this case.

14 Ms. Ackerman, I believe we started with persons in
15 support, but do we have any preliminary matters first?

16 MS. ACKERMAN: No, we do not.

17 CHAIRPERSON HOOD: Okay. So you have the list of the
18 persons who are in support. I understand we have a few names
19 and we'll go through those who are in support.

20 MS. ACKERMAN: Yes. Okay.

21 So, if you're ready now I will call up the first five
22 in support.

23 CHAIRPERSON HOOD: Yeah. Why don't you call up four?

24 MS. ACKERMAN: Four? Okay.

25 CHAIRPERSON HOOD: Yes. Thank you.

1 MS. ACKERMAN: Sounds good.

2 So first, the first four will be Michael Lambright,
3 Tyng Gulick (phonetic), Michelle May and Steven Farole.

4 CHAIRPERSON HOOD: Okay. If we can bring all of those
5 up, names who were called and I will do my best to call the names
6 that I see on my screen when they come up.

7 MR. YOUNG: I did not see any of those four on.

8 CHAIRPERSON HOOD: Okay.

9 MS. ACKERMAN: Okay.

10 CHAIRPERSON HOOD: Let's go to the next four, Ms.
11 Ackerman.

12 MS. ACKERMAN: Got it. Tony Tomelden, Martin Weldon,
13 Dale, I'm going to spell this last name, S-Z-P-I-S-J-A-K, and
14 then Gordon Chaffin. Is that three or four? Let's see. That's
15 three.

16 MR. YOUNG: I only have two of them on out of those.

17 CHAIRPERSON HOOD: Let's call two more until we get
18 four.

19 MS. ACKERMAN: I'll call two more. Benjamin Kasper and
20 then Ndidi Menkiti. See if those two are available.

21 MR. YOUNG: I have one of them.

22 MS. ACKERMAN: Okay. How about Jack Hermes?

23 MR. YOUNG: I do not see him on.

24 CHAIRPERSON HOOD: Okay. Do you have any more, Ms.
25 Ackerman?

1 MS. ACKERMAN: I don't believe so. That's all that I
2 have signed up (indiscernible).

3 CHAIRPERSON HOOD: Okay.

4 Mr. Young, if you could keep an eye on the, and the
5 echo that may be me, but if you could keep an eye -- if everybody
6 else can mute, we would appreciate it. Okay. If you could keep
7 an eye on the attendance, Mr. Young, and see if any of those
8 names come in and we will hear from them in support. Okay?

9 So first let's start off with Mr. Weldon and then we'll
10 go to Ms. [Szip-jak] but I'm sure you'll correct me, and then we
11 will. Let's start off with Mr. Weldon first and then Mr. Scott
12 [Szip-jak]. I know I messed that up.

13 Mr. Weldon, you may begin.

14 MR. WELDON: Can you guys hear me?

15 CHAIRPERSON HOOD: I can't hear you that well. Let me
16 turn my sound up.

17 MR. WELDON: I wasn't able to get my camera on. (Audio
18 interference). All right. It should be starting. Give me one
19 second here.

20 All right. Let me just go ahead, I'm not sure why it's
21 not coming in. My name is Martin Weldon. I'm a lifelong
22 Washingtonian and I'm here to express my support, Mr. Chairman
23 Hood and to the members of the Zoning Committee, in support for
24 the 901 Monroe Street project.

25 While I have a professional relationship working as a

1 realtor with the Menkiti Group, I have actually helped many
2 residents come into the community and they have been looking
3 forward to various components and additional density within our
4 community and they have been in support of it, and I've actually
5 helped some residents create small businesses along our various
6 commercial corridors over time, really over the last 19 years
7 here in this community, and I've lived in this community for the
8 last 20.

9 And it's really about looking at this group as
10 experienced developers and residents who are deeply rooted within
11 our community and they've actually listened to the neighbors.
12 And it's really, what 901 Monroe Street brings is the potential
13 for local hiring small business growth along with long term job
14 creation within our community as we have within our own
15 organization. It just brings additional components to it. And
16 really this is a catalyst for inclusive development that supports
17 workers and empowers entrepreneurs within our community by
18 building a community that is built correctly looking for things
19 that are very intentional and sustainable.

20 And with that said, I just urge this community to move
21 forward with this project of 901 Monroe Street because it's a
22 smart investment, both for the people and the place and also for
23 D.C.'s future.

24 Thank you.

25 CHAIRPERSON HOOD: Thank you, Mr. Weldon. We may have

1 | some questions if you can hold tight for a minute.

2 | Dale Scott, forgive me for messing up your last name,
3 | if you can help us with that and you may begin.

4 | MR. SZPISJAK: Hello everyone. My name is Dale Scott
5 | Szpisjak. Good evening.

6 | I live a few blocks away from the site and I typically
7 | walk by it especially at the Monroe Street side of the block
8 | multiple times per week and ever since I moved to the neighborhood
9 | I've wondered why such a large spot was vacant and even before I
10 | knew about the ongoing attempts to develop the piece of land I
11 | thought it would be a very good site for an apartment building
12 | due to its proximity to the metro and also because of its size,
13 | and I also thought this would be appropriate because that sort
14 | of building would provide a stronger connection between Brookland
15 | and Edgewood.

16 | Currently the vacant site creates what I experience as
17 | an uninviting dead zone which fragments these neighborhoods and
18 | the improvements I think will be especially noticeable at night
19 | as currently that stretch of Monroe Street feels quite deserted
20 | after dark. And my frequent contact with the site has kept this
21 | top of my mind during my time in the area, especially because
22 | how unpleasant the narrow sidewalk with the utility poles is.

23 | And this development would add an attractive building
24 | improving the sidewalks and the pedestrian realm, and then
25 | additional housing will provide a larger customer base for nearby

1 businesses which is something that came up a lot in the previous
2 meeting and I think having the site developed will be a more
3 inviting image for Brookland to present to both current and future
4 residents as well as visitors from the current condition of the
5 site.

6 Thank you.

7 CHAIRPERSON HOOD: Thank you. Also let me just
8 acknowledge, I think I may have done this. Our Office of Zoning
9 Legal Division, Mr. Dennis Liu. I think I did but I want to make
10 sure for the record. All right.

11 Let's go to Mr. Kasper.

12 MR. KASPER: Good afternoon Chairman Hood and members
13 of the Commission. I (indiscernible) feedback. I'll try to turn
14 off my, is that better for everybody?

15 Okay. I am here today to express support for the 901
16 Monroe Street project. I live at 904 Irving Street so I am just
17 a few blocks south of where the project would be. I run every
18 day by the project, where the project will eventually be. As
19 many people have spoken, I would like to add housing density to
20 the area. The loss of two keystone restaurants, Brookland's
21 Finest and Brookland Pint, may not have occurred if this project
22 was already developed as it could have been previously.

23 There was a Washington Post article that directly
24 profiled Brookland's Finest when it closed and one of the key
25 elements that was in that article that was called out was the

1 fact of low density in the proximity to the restaurant. This
2 would have added a lot of more units in housing people that could
3 have gone there.

4 I also would like, now that I've had a week, I kind of
5 like that I got delayed but I wanted to address a few of the
6 previous comments if I'm allowed to do that from last week. One
7 was from you, Commissioner Stidham. Your comment at the end of
8 the cross-examination of the project developer was that the
9 project is too large. I believe that that is contrary to what
10 the desire of ANC 5B is.

11 In addition to the multi hour meeting that we had two
12 weeks ago for this here, I have also attended the six hour meeting
13 for the ANC 5B zoning and then the final ANC 5B meeting where
14 this was voted on and if you look at the resolution that was
15 passed one of the resolution purposes was that, or the
16 stipulations, was that the massing was retained. So we do not
17 believe that the project is too large. There was a lot of
18 compromise that happened. The opposition, you know, obviously
19 believes that it is too large but the community as a whole voted,
20 or the Zoning Committee voted seven to zero in order to move
21 forward to maintain the massing of the building.

22 Also I would like to address Barbara Kahlow, the person
23 representing the 200 Footers. I've been trying to wrap my head
24 around where you live because you've stated multiple times you
25 live in approximately a 50 person unit. I cannot think of

1 anything in my neighborhood that is approximately a 50 person
2 unit, especially within 200 feet of the site and so I'm wondering
3 what your position and purpose is for representing this
4 neighborhood when everybody who has spoken so far understands
5 that only (indiscernible) has gone so far.

6 But the community needs new housing as opposed to at
7 market and affordable rates and it is right next to the metro
8 station. Wider and better lit sidewalks will benefit all, both
9 for walking and running and this project, I mean it's been waiting
10 for 15 years and I know that you shouldn't push something just
11 because of a delay to benefit a single developer. But this isn't
12 just benefiting a single developer, it's benefiting everybody.

13 Thank you.

14 CHAIRPERSON HOOD: Thank you, Mr. Kasper. Ms.
15 Ackerman, is there one other person called? I don't see him.

16 MS. ACKERMAN: Some more people logged on after we
17 began that testimony so I can call them again now if you would
18 like.

19 CHAIRPERSON HOOD: Okay.

20 Well, let's deal with this panel and we'll try again,
21 we'll try one more time to get others who may have missed us. We
22 do try to start on time and let me just say this to begin with.
23 Mr. Kasper mentioned Ms. Kahlow's name. Ms. Kahlow, you can talk
24 offline. This is a zoning hearing, Ms. Kahlow. You've been
25 doing this a long time. He asked a question. I will give you

1 time to respond to maybe answer his questions, or some of the
2 questions that you've heard. But make sure, I was going to ask
3 you not to respond but since you have personal privilege to
4 respond so I would ask you just keep it condensed because I know,
5 you know, I've been working with you a long time, I know that
6 you're going to respond.

7 But let me just say this, Mr. Kasper. I do agree with
8 your, especially about Brookland's Finest. Brookland's Finest
9 didn't just hit Brookland, it hit all of Ward 5 and actually the
10 city. It was a well known establishment. It was a place we'd
11 often go in there and dine and do whatever we have to do. So I
12 appreciate you at least pointing that out. I actually talked
13 about that just two days ago about Brookland's Finest closing
14 down which was a very big setback, not just for Brookland but
15 for Ward 5 and the city also. So I appreciate that and I'm hoping
16 that we can get over those hiccups that caused both fine
17 establishments to have to close. So I'll just leave it at that
18 for now.

19 Let me see if my colleagues have any questions or
20 comments (indiscernible).

21 MR. KASPER: I understand that. I actually forgot just
22 one thing and that was, this is, yeah. I'm very excited, this
23 will be quick. I, this is my first time coming to one of these,
24 first time being affected so personally by this and I did not
25 realize that I needed to submit my comments within 24 hours in

1 advance, so I didn't actually get my comments into the record and
2 so Commissioner Hood, with your permission I would like to submit
3 my comment for the record.

4 CHAIRPERSON HOOD: Sure. Thank you, Mr. Kasper. Make
5 sure we allow Mr. Kasper to submit his comments and anyone else
6 who has not done it, please do it by a certain or a reasonable
7 time but we'll discuss that at the end of it. Yes, we will accept
8 that.

9 All right. Let me see if my colleagues have any
10 questions. Commissioner Wright, any questions of this panel?

11 COMMISSIONER WRIGHT: No, thank you.

12 CHAIRPERSON HOOD: Okay. Commissioner Imamura, any
13 questions of this panel?

14 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. No
15 questions.

16 Just want to remark that I appreciate you all
17 participating in the public process to help shape our decision.

18 CHAIRPERSON HOOD: Okay. Commissioner Stidham, any
19 questions of this panel?

20 COMMISSIONER STIDHAM: No questions for this panel but
21 I (indiscernible) really appreciate everyone's participation and
22 to you, Mr. Kasper, I very much appreciate you pointing out the
23 ANC resolution and the commitment of the broader neighborhood.
24 Thank you for that.

25 CHAIRPERSON HOOD: Thank you. Vice Chair Miller, any

1 | questions of this panel?

2 | VICE CHAIRPERSON MILLER: Thank you, Mr. Chairman.

3 | No, I have no questions but I also want to thank each
4 | of you for your participation and testimony this evening and, as
5 | you can see, we are listening.

6 | CHAIRPERSON HOOD: Okay.

7 | Mr. Tummonds, do you have any cross of this panel? We
8 | might as well bring all the parties up too, Mr. Young.

9 | MR. TUMMONDS: No. No questions.

10 | CHAIRPERSON HOOD: (Indiscernible) no questions. Okay.

11 | Commissioner Ra Amin, any questions of this panel?
12 | Cross?

13 | ANC COMMISSIONER AMIN: Chair Hood, I'm here. Can you
14 | hear me, sir?

15 | CHAIRPERSON HOOD: Yes, we can hear you. Any questions
16 | or cross?

17 | ANC COMMISSIONER AMIN: Okay. Yeah.

18 | I do have a couple of questions, comments. First of
19 | all, I just want to thank this last panel that came through, the
20 | constituents of Ward 5. I know many of them and I know that they
21 | participated in this long process.

22 | I want to start with directing my first question to
23 | Mark. Mark, my first question to you would be when was the last
24 | time that you shopped at the Monroe Street Farmers Market?

25 | (No response.)

1 ANC COMMISSIONER AMIN: Is there Mark there? Did we
2 lose Mark?

3 (No response.)

4 CHAIRPERSON HOOD: Who? Are you talking about Mr.
5 Weldon?

6 ANC COMMISSIONER AMIN: Yeah. Mark Weldon, yeah.

7 MR. WELDON: Oh, Martin. It's Martin Weldon.

8 ANC COMMISSIONER AMIN: Martin, I'm sorry. Sorry,
9 sorry, Martin. Martin, yeah.

10 MR. WELDON: Sure. It was a couple of weeks back but
11 my wife was there this past Saturday. I wasn't able to make it,
12 I had an appointment. They went this past Saturday morning, my
13 family.

14 ANC COMMISSIONER AMIN: The reason why I asked you that
15 question, Martin, is because I wanted to follow up with that. If
16 you could, could you give your opinion on the vibe and the
17 importance of the market to this community.

18 MR. WELDON: Oh, it's a gathering space, a meeting
19 place. Many of my, well, my wife and I as you know, Ra, we come
20 up almost all the time and have been for the last couple of years
21 and I would actually meet several of my past clients and community
22 members there and they would ask me questions and we would engage,
23 not just by purchasing produce but there are also products
24 available for purchase as well from books and clothing and, you
25 know, different small things that people are able to purchase and

1 really utilize. And I see that often, almost every other Saturday
2 when I'm up there.

3 ANC COMMISSIONER AMIN: Right. So it sounds like you
4 agree the market is an important part of our community and needs
5 to be supported?

6 MR. WELDON: Oh, 100 percent.

7 ANC COMMISSIONER AMIN: Great. Thank you for that.

8 I'm going to now direct my questions to Ben. So, Ben,
9 you said that you walk past the, I actually see you walk home
10 from the metro a couple of times. You know, I walk through there
11 all the time with my dogs. I know where you live. You're a few
12 blocks away. You've said all that in your testimony. You said
13 you run by there almost every day.

14 So, Ben, my question to you. Some of the things that
15 we heard throughout the process was that the alley is used for
16 socializing and kids playing in the alley, shooting hoops and
17 riding bikes and all of those things. Have you witnessed any of
18 that?

19 MR. KASPER: I personally have not. I will say in
20 fairness over the last 4th of July I was heading downtown and,
21 you know, walking past the metro and noticed the, some of the
22 people along 10th Street come out on their porch as people would
23 for the 4th of July and I do empathize with the idea that at
24 certain times of the year there will be shadows cast over that
25 alley.

1 However, I have not witnessed this alley used for
2 anything, like the alley itself I've seen people on porches.
3 I've never seen anybody actually in the alley using it for
4 anything else other than coming into their personal parking
5 spaces.

6 ANC COMMISSIONER AMIN: Thank you, Ben.

7 Ben, how would you describe that, I actually ran into
8 you a little ways away. You saw me out there doing a walk audit,
9 me and my dogs. How would you describe that intersection at 9th
10 and Monroe?

11 MR. KASPER: So currently at 9th and Monroe I would say
12 that it is, it's not too, too busy for most of the hours of the
13 day. I definitely think it could handle more traffic than it
14 currently does. One of the things that we'd be looking forward
15 to with this project is potential further development along 9th
16 Street. You know, it's called 911 Monroe but a lot of it is on
17 9th Street. So adding stop signs and all those things along that
18 way.

19 But from a traffic standpoint it's not too busy. The
20 sidewalks are very narrow though and the utility poles which, if
21 the project moves forward, will be moved underground and the
22 sidewalks widened. When I'm going for my runs from a pedestrian
23 standpoint it's not very good and very frequently I will have to
24 go into the bike lane to get around people because if somebody's
25 walking down the Monroe side, there's a utility pole pretty much

1 right there and there's only space for one person to fit through.
2 You know, so it's kind of a little bit of a hazard from a
3 pedestrian standpoint.

4 ANC COMMISSIONER AMIN: Okay.

5 So that particular intersection, that's the side of the
6 metro that basically the buses go in and out, correct?

7 MR. KASPER: That would be the north side of the
8 intersection, correct?

9 ANC COMMISSIONER AMIN: North side of the intersection.
10 So there's more opportunity to create, like, blind spots there,
11 you know, with the heavy traffic. So, I guess, that as we're
12 talking about where we do that ingress and egress, one of the
13 reasons why we supported Lawrence Street was because of that, the
14 community decided that that 9th Street intersection was just
15 more busy than, you know, the 10th Street intersection.

16 MR. KASPER: Oh, I would agree with that entirely. I
17 think that if you were to add traffic coming out right there,
18 like, without, you know, having the 9th Street light to be able
19 to evaluate the situation, it would add a lot of chaos especially
20 for pedestrians trying to get through there.

21 ANC COMMISSIONER AMIN: Yeah. It's like you said, just
22 to expound on what you said. The bicyclists, the runners, the
23 university students, the high school students and the elementary
24 school students all walking through there are around the same
25 time as the busiest parts. It was of deep concern to the

1 community that we had to (audio interference).

2 CHAIRPERSON HOOD: So, Mr. Ra Amin, here's what I really
3 need to do because the lawyers always on me about letting a whole
4 lot of influx. Now's the time to do cross-examination. What
5 you're doing is you're asking a question and Mr. Kasper's giving
6 you the answer and you are then adding on to his answers.

7 ANC COMMISSIONER AMIN: Okay.

8 CHAIRPERSON HOOD: All this is, hold on, hear me out.
9 Ask the question, he's going to give you a response and then ask
10 your other question.

11 ANC COMMISSIONER AMIN: Thank you, sir. Got it. And
12 that's it, Chair.

13 CHAIRPERSON HOOD: All right. Thank you very much.

14 All right. Let's go to Commissioner Henschman. Is
15 Commissioner Henschman here, Mr. Young?

16 MR. YOUNG: I do not see him on.

17 CHAIRPERSON HOOD: Okay.

18 Let's go to President Amore, first. Is Commissioner,
19 I mean President Amore here? Dawn Amore? Do you have any cross
20 for this panel?

21 MS. AMORE: Yes. I just had a quick question. Good
22 afternoon, everybody. I had a quick question for Mr. Kasper.

23 So, Mr. Kasper, do you have, like transportation
24 background or are you a DDOT employee?

25 MR. KASPER: No, ma'am. Just somebody who frequently

1 uses the sidewalks, bicycle paths and cars.

2 MS. AMORE: Okay. All right. Thank you.

3 MR. KASPER: In the immediately vicinity.

4 MS. AMORE: Okay. Thank you. That's all.

5 CHAIRPERSON HOOD: Okay. Thank you.

6 Ms. Kahlow, I think you probably going to have some
7 questions. Would I be right if I said that?

8 MS. KAHLOW: I don't have any questions but I will --

9 CHAIRPERSON HOOD: Okay.

10 MS. KAHLOW: -- respond to the comment about me. If you
11 would indulge me and wait maybe ten minutes or so I can explain
12 who I am in my testimony as a witness. I live in Ward 2 and I
13 was asked to help the 200 Footers but I'll explain that.

14 Thank you.

15 CHAIRPERSON HOOD: Okay. I thought you said you needed
16 ten minutes to explain. Okay. I misheard you. Okay. Thank
17 you. Thank you, Ms. Kahlow. All right. I think, this panel we
18 appreciate you all coming in and giving us your input and we
19 appreciate you taking the time to do that.

20 Ms. Ackerman, do we have any others who joined us
21 afterwards? Can we bring four of them up?

22 MS. ACKERMAN: Yes, we do.

23 CHAIRPERSON HOOD: Yes. Can we bring four of them up,
24 please?

25 MS. ACKERMAN: Yes. Gordon Chaffin, Jack Hermes,

1 Steven Farole and Michael Lambright. Those are the first four.

2 CHAIRPERSON HOOD: Okay.

3 Let's go with, I see we have Commissioner Hermes. Let's
4 go with Commissioner Hermes first and then I will follow suit.
5 Go right ahead. Commissioner Hermes?

6 ANC COMMISSIONER HERMES: Yes. Great. Thank you so
7 much for letting me testify here.

8 I just want to clarify real quick there's no, I'm ANC
9 Commissioner for 5A04 though. There is no ANC 5A resolution,
10 right, so I'm not speaking on behalf of ANC 5A as a whole. But
11 I certainly have had many conversations with all the
12 commissioners on 5A and more importantly with our constituents
13 some of whom, you know, I'm representing the Catholic University
14 of America's campus and the constituents there and literally live
15 within a couple of hundred, maybe a thousand feet of this proposed
16 development.

17 And the big theme that we've had right now is that
18 Catholic University needs housing, right? The constituents need
19 housing and we're having a serious housing shortage which is
20 limiting the university's enrollment and limiting the number of
21 people that can move into by SMD which obviously limits, you
22 know, taxes, et cetera, stuff like that and so we need these
23 projects for students to live on campus to increase the enrollment
24 to increase, you know, people moving to the city.

25 But even further, I think this is really, really

1 | important is they have so many students that want to move back
2 | to Brookland after graduating and when they have the job and they
3 | just don't have any space to do that right now with the
4 | development.

5 | I'll close with this. Again, want to keep it as short
6 | and sweet as I can. But with the Brookland Pint and Brookland's
7 | Finest closing so many students, constituents of mine have
8 | reached out worried about whether or not they're going to be able
9 | to pay their tuition because they rely on this part time work
10 | and I think that this development project (indiscernible)
11 | consensus that it's going to attract new retail, it's going to
12 | attract new opportunities for my constituents to be able to have
13 | jobs, to want to pay their tuition, to stay on their campus and
14 | to stay in D.C., pay taxes and do all the great work that they
15 | do for our community.

16 | So I'll leave it with that. Again, happy to answer any
17 | questions but, again, you know, I'm an ANC that's literally within
18 | a thousand feet and I'm glad to see that pretty every ANC is in
19 | support of this, so I encourage the Board to vote in favor.

20 | Thank you.

21 | CHAIRPERSON HOOD: Thank you. And if you want to stick
22 | around, we may have some questions.

23 | Mr. Chaffin, if you would go next, please.

24 | MR. CHAFFIN: My name is Gordon Chaffin. I'm executive
25 | director of Friends of the Metropolitan Branch Trail.

1 We are a non-profit that supports the trail that is
2 just across the bridge of 8th Street and obviously the Arts Walk
3 is part of the trail literally. We are a CDR organization. We
4 are large advocates of this project. We support trail and transit
5 oriented development. My professional background is in
6 transportation and planning and research, and this project is a
7 slam dunk in terms of the fundamentals of not only the housing,
8 as the gentleman before me mentioned, but housing that limits to
9 the bare minimum, the number of single occupancy vehicle trips
10 that are created by a building like this.

11 In the last ZC meeting that I listened to about this
12 project there was a lot of questions about, well, you're going
13 to have a live-work unit or several of those. How are people
14 going to get there? Well, they're going to walk or they're going
15 to use transit or they're going to ride a bicycle using the
16 protected bike lanes that are, will be improved by this project.

17 So we're very strong supporters of this and obviously
18 happy to take any questions.

19 CHAIRPERSON HOOD: Thank you. Mr. Lambricht.

20 MR. LAMBRIGHT: Hi there. Thank you, Chairman Hood and
21 members of the Commission. First off, I apologize. I made the
22 rookie mistake of clicking on the last meeting and so I joined a
23 little bit late while I was trying to figure that out.

24 My name is Michael Lambricht. I'm a resident of the
25 Brookland neighborhood in SMD 5B04, just a few blocks out of the

1 proposed project. I walk by this project property every time I
2 go to the metro or bus. I've attended numerous neighborhood
3 meetings about the project and I'm happy to support it today.
4 D.C. faces a housing affordability crisis that's driven by a
5 rental supply that does not meet growing demand and has not met
6 it for some time. The District urgently needs to add both
7 affordable and market rate housing, but given both our geographic
8 constraints and our traffic issues it's pretty important for us
9 to allow the land we do have to be put to its most impactful use.

10 This location's proximity to the metro station, to the
11 bus hub, the Capital Bikeshare station and the Metropolitan
12 Branch Trail which, as was just discussed is the best north/south
13 bike infrastructure in the city, makes us an extremely convenient
14 location for people to live. Adding the new grocery store just
15 a short walk across the bridge, and this becomes one of the
16 easiest locations in Northeast for people to live car free lives
17 which would minimize the impact on traffic in the surrounding
18 area.

19 The nearby 12th Street commercial corridor is
20 struggling and there are a number of causes, but adding more
21 residents to our neighborhood is one way to help. Another way
22 is to increase activation and improve pedestrian comfort along
23 Monroe between the metro station and 12th Street. With its
24 expanded sidewalk, additional trees and central store fronts this
25 project represents a significant step in all those efforts.

1 I've been, like I said, to a lot of meetings about this
2 project. The developer has put significant effort and energy
3 into community engagement and from what I've seen has frequently
4 integrated community feedback into their plan. While not
5 everyone got everything they wanted out of this process,
6 reasonable good faith changes have been made throughout. I
7 struggle to imagine a property in the District that would be a
8 better fit to support housing than this one. I personally find
9 the building design to be quite attractive but even if I didn't,
10 it would be hard to argue that this is isn't an improvement over
11 the current fenced-in vacant lot. With our city's urgent needs
12 it's long past time to let people live here.

13 And one further note. Our elected City Council amended
14 the comprehensive plan to address legal deficiencies that were
15 identified in the last time this went through and to allow a
16 project like this to be built. Our elected Advisory Neighborhood
17 Commission then, after extensive public feedback, voted to
18 endorse this project as has the neighboring ANC after a similar
19 process. While some of you might personally believe the project
20 to be too large for a neighborhood, in our city which too often
21 faces a deficit of democracy I'd ask you to give our elected
22 officials great weight in this matter.

23 Thank you for your time.

24 CHAIRPERSON HOOD: Thank you.

25 Mr. Farole, I believe. Hope I pronounced your name

1 | correctly, if not correct me.

2 | MR. FAROLE: You did. Thank you, Chairman Hood, and
3 | thank you Commission members for your time this afternoon.

4 | So my name's Steve Farole. I'm a Brookland resident.
5 | I was previously the vice president and president of the BNCA.
6 | I also served as a delegate filling in for our, filling in in
7 | ANC 5B05 when our ANC Commissioner resigned.

8 | My comments here today are as a private citizen in
9 | support. I would echo a lot of the comments that others have
10 | made about the importance of activating this site, providing
11 | housing, providing more commercial space as well as the steps the
12 | developer has gone to to both limit the traffic impacts as well
13 | as to accommodate the requests of the community.

14 | But I actually want to build on Mr. Kasper's and Mr.
15 | Lambright's comments and really stress that the proposal aligns
16 | with the development vision that our elected representatives have
17 | endorsed for this site for, in fact for over a decade. If you
18 | go back to the small area plan which the Council approved in
19 | 2009, that envisions Monroe Street as a walkable, mixed use
20 | commercial and residential link between 12th Street and Michigan
21 | Avenue.

22 | You know, I think that's precisely the type of
23 | development that Hanover and Menkiti and proposing here today and
24 | while it's true that the small area plan does call for limiting
25 | development east of the train tracks to a maximum of 50 feet, as

1 Mr. Lambright alluded to in 2021 the Council approved provisions
2 to the comp plan and the future land use map to make the 901
3 Monroe Street site, that included making the 901 Monroe Street
4 site medium density residential and I think it's important to
5 look at the map and focus on the fact that that change is very
6 specific and it's very targeted to that site and it's targeted
7 to that site because it's a metro adjacent property. It's
8 consistent with the District's policies to prioritize greater
9 density within walking distance of metro. It's also consistent
10 with the scope and scale of development that the neighborhood has
11 seen on the other side of the bridge through the Monroe Street
12 market development.

13 As Commissioner Amin detailed and as Mr. Lambright also
14 referred to, this has been, this development has been the subject
15 of extensive discussion through the ANC, through community
16 meetings, through the Development Zoning and Land Use Committee
17 as well as, you know, culminating in a resolution that the ANC
18 passed with unanimous support, you know, in support of this, of
19 the development being proposed here. I mean, I think if we look
20 at it in its totality then, for over 15 years our elected
21 representatives, and I would stress the same thing that Mr.
22 Lambright just did, we've gone through democratic processes where
23 our elected representatives have now consistently passed laws and
24 resolutions supporting the type, scope and scale of development
25 that Hanover and Menkiti are proposing for 901 Monroe Street.

1 The addition of mixed use, residential and commercial
2 development is consistent with the vision of the small area plan.
3 The size of the building is consistent with the future land use
4 map and the comprehensive plan and, as I just mentioned, the
5 specific proposal on the table here has the unanimous support of
6 our ANC and I'd like to conclude by asking for your support for
7 this development as well.

8 Thank you.

9 CHAIRPERSON HOOD: Thank you. Thank you all.

10 I really appreciate the comments of this whole panel
11 and I appreciate you all staying on point and giving us your
12 positions, especially pertaining to the comp plan, the FLUM and
13 the law. I appreciate all the testimony I've heard. Let me see
14 if my colleagues have any questions or comments.

15 Commissioner Imamura?

16 COMMISSIONER IMAMURA: No questions. Thank you, Mr.
17 Chairman, again, and for this group. I appreciate your
18 participation in the public process.

19 CHAIRPERSON HOOD: Commissioner Wright?

20 COMMISSIONER WRIGHT: No questions. Thank you.

21 CHAIRPERSON HOOD: Let's see. Okay. I'm looking around
22 for everybody.

23 Commissioner Stidham, you keep moving around.

24 COMMISSIONER STIDHAM: No questions or comments, and
25 thank you all for your participation. It is greatly appreciated.

1 CHAIRPERSON HOOD: And Vice Chair Miller.

2 VICE CHAIRPERSON MILLER: Thank you, Mr. Chairman, and
3 thank you each of your for your testimony.

4 Yes, I would echo your comments, Mr. Chairman, and
5 particularly appreciate Mr. Lambright's and Mr. Farole's comments
6 about the changes in the comp plan by the Mayor and Council in
7 2021 to increase the residential density to medium density to
8 facilitate this type of development.

9 CHAIRPERSON HOOD: Thank you.

10 Let's see if we have any cross-examination. Does the
11 Applicant have any? Mr. Tummonds?

12 MR. TUMMONDS: No question.

13 CHAIRPERSON HOOD: Okay.

14 Commissioner Ra Amin, any cross?

15 ANC COMMISSIONER AMIN: Yes. Thank you, Chair Hood.

16 I'm here, and I would like to, oh, did I lose you?
17 Sorry. I think, I almost logged myself out here. Yeah. Okay.

18 So I'm going to ask, I'm going to start with Mr. Farole,
19 Steve. Steve, are you a member of the BNCA?

20 MR. FAROLE: Yes.

21 ANC COMMISSIONER AMIN: How many, I know you say you've
22 attended a lot of meetings. How many BNCA meetings did you attend
23 on this particular project?

24 MR. FAROLE: So I will admit that I've been in and out
25 of the meetings on this particular project. I know that there

1 | was a meeting back in, I believe it was April or May, I forget
2 | the date but it was to collect some BNCA member feedback,
3 | impressions about what they about the development.

4 | ANC COMMISSIONER AMIN: Okay. Thank you, Steve. And
5 | this is for Mr. Lambright, for Michael.

6 | Michael, are you a member of the BNCA?

7 | MR. LAMBRIGHT: Yes.

8 | ANC COMMISSIONER AMIN: How many BNCA meetings did you
9 | attend on this project?

10 | MR. LAMBRIGHT: BNCA specifically I think, I think
11 | there was one initial presentation and then I think there was one
12 | meeting at which the proponents of the project and the opponents
13 | of the project were sort of given equal time and everyone else
14 | just got to ask questions. I went to both of those. There was
15 | a third meeting which sounded like it was just the opponents
16 | given time and I didn't go to that one.

17 | ANC COMMISSIONER AMIN: Okay. And how many meetings
18 | would you say that you attended overall on this project?

19 | MR. LAMBRIGHT: Somewhere between five and ten,
20 | probably closer to ten.

21 | ANC COMMISSIONER AMIN: Okay. And in those meetings
22 | did everyone in those meetings get, wanted the opportunity to
23 | address the Commission or the community have an opportunity to
24 | do that?

25 | MR. LAMBRIGHT: Certainly.

1 ANC COMMISSIONER AMIN: Okay. All right. Thank you.
2 That's it, Chair. (Indiscernible) the Commission.

3 CHAIRPERSON HOOD: Okay. Thank you, Commissioner.

4 Let's go to Commissioner Henschman. Do you have any
5 cross of this panel?

6 MR. YOUNG: He's not on.

7 CHAIRPERSON HOOD: Oh, he's not on? I thought I saw
8 him earlier. Okay. All right.

9 Ms. Amore, president of Brookland. Do you have any
10 cross of this panel?

11 MS. AMORE: No cross.

12 CHAIRPERSON HOOD: Okay. And Ms. Kahlow, 200 Footers.
13 Do you have any cross of this panel?

14 MS. KAHLOW: I do not. Thank you.

15 CHAIRPERSON HOOD: Thank you very much. Again, thank
16 you panel. We appreciate your input. All right. Let's call
17 the next ones we have, Ms. Ackerman, next four.

18 MS. ACKERMAN: These are the last four people.

19 CHAIRPERSON HOOD: Okay.

20 MS. ACKERMAN: Tyng Gulick, Michele May, Tony Tomelden,
21 and Ndidi Menkiti. Sorry (indiscernible).

22 CHAIRPERSON HOOD: Let's bring everyone up. And I'm
23 going with who I see first. Let's go with Mr. Arthur Tomelden
24 and I'm sure you'll correct, if I mess your name up please just
25 correct me when you come up.

1 MS. ACKERMAN: He may be the only one on (audio
2 interference).

3 CHAIRPERSON HOOD: Oh.

4 MR. TOMELDEN: Yes. People never get my name right.
5 It's all right. It's [Tom-el-den].

6 CHAIRPERSON HOOD: At least you don't tweet, like they
7 normally tweet out Chairman Hood's messing up everybody's name
8 so I'm waiting for another one of those tweets.

9 MR. TOMELDEN: I'm on Twitter all the time but I won't
10 do that.

11 I do want to thank you, Chairman Hood, and all the
12 members of the Committee for giving me the opportunity to speak
13 here. I have to tell you unfortunately I'm having flashbacks of
14 the pretty nasty battle we went through to open Brookland's
15 Finest, so bear with me a little bit.

16 First the boring and annoying details that we always
17 have to go through. I was born in Brookland. My great
18 grandfather moved here in 1912. My dad grew up here. I bought
19 my first house on Kearny Street in 2002 around the corner from
20 this development and I was a regular customer at Colonel Brooks,
21 and in 2014 when we opened Brookland's Finest we actually had a
22 Colonel burger on the menu as a reminder of that fine institution.

23 A little further away now. I'm at 17th and Irving but
24 I'm still a Brookland resident and unfortunately a few months ago
25 after a ten year run we closed the restaurant. The restaurant

1 | was at 12th and Jackson. There were several factors in that
2 | closing but population density would have helped a lot. I support
3 | this development because I tend to lean towards the notion of the
4 | more the merrier. I would love to have more folks move into this
5 | incredible neighborhood that I love.

6 | I am going to add that I really am pleased to see that
7 | the developers and the BNCA and everybody has worked out a way
8 | to include retail in the development. Like the fella said, you
9 | know, the Catholic kids and everybody here, we need jobs in this
10 | neighborhood. I had several Catholic kids and several locals
11 | working at the restaurant. So, again, if we can get more
12 | businesses in the neighborhood the more the merrier.

13 | So I'll keep it there. I give my full support to this
14 | project. I will add that if they get the retail going I'm hoping
15 | that they will keep the rental rates affordable because that's
16 | one of the other factors that tends to lead towards businesses
17 | closing. But, again, our big thing was density population. At
18 | the end of the lockdown we were bringing half of what we did
19 | before the lockdown and if there were more people in the
20 | neighborhood we would have had more customers.

21 | So, again, thank you for the time. You did way better
22 | on my last thing than a lot of people do, so I will get off now.

23 | CHAIRPERSON HOOD: Okay. Thank you. Hold tight, I
24 | want to make sure.

25 | Mr. Tummonds, didn't I call on you to see if you had

1 any cross each time?

2 MR. TUMMONDS: Yeah, you did.

3 CHAIRPERSON HOOD: Okay. Okay. I'm getting a whole
4 lot of good help. Okay. Thank you. All right. So, still keep
5 helping me because I need help. Thank you.

6 So let's see if we have any cross. Colleagues,
7 Commissioner Wright, any cross of Mr. Tomelden?

8 COMMISSIONER WRIGHT: No questions. Thank you.

9 CHAIRPERSON HOOD: Now, how do you pronounce your name,
10 Mr.?

11 MR. TOMELDEN: It's [Tom-el-den].

12 CHAIRPERSON HOOD: Tomelden. Okay. I was almost there.

13 MR. TOMELDEN: I told you you were close.

14 CHAIRPERSON HOOD: I was close. Okay.

15 Commissioner Imamura?

16 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. No
17 questions, Mr. Tomelden. Thank you for your perspective.

18 CHAIRPERSON HOOD: Okay.

19 Commissioner Stidham?

20 COMMISSIONER STIDHAM: No questions. Just thank you
21 for your (indiscernible).

22 CHAIRPERSON HOOD: Vice Chair Miller?

23 VICE CHAIRPERSON MILLER: Thank you, Mr. Chairman. No
24 questions. Thank you for your testimony.

25 CHAIRPERSON HOOD: So I noticed that I've been told

1 that when I'm off mute we hear a lot of echoing but, Mr. Young
2 and Vice Chair Miller, if I go off mute and am not able to get
3 back on, getting stuck, so you can keep going until maybe I get
4 back on, Vice Chair. I just want you to know if I don't come
5 back and you can't hear me, my mute button is sticking. I don't
6 know if it's me or Mr. Young's helping me. All right.

7 Let's see if we have any cross. Mr. Tummonds?

8 MR. TUMMONDS: No cross.

9 CHAIRPERSON HOOD: Okay. Chair Ra Amin?

10 ANC COMMISSIONER AMIN: Yeah. I'm still here, Chair
11 Hood. I, again, and like everyone else I just want to thank Tony
12 Tomelden for, you know, his testimony today but also just wanted
13 to thank him for the commitment to our community as well, and I
14 just want to, really just one thing that he said that made me
15 think about something about hiring people in our community and I
16 want to ask him somewhat of a math question.

17 Tony, can you recall approximately how many local
18 residents you've hired over the last ten years since Brookland's
19 Finest was in the community?

20 MR. TOMELDEN: Again, you know, there's the pre-
21 lockdown and the post-lockdown dynamic. Pre-lockdown we had, I
22 think, probably 15 employees and I would say of that, I'm guessing
23 both pre- and post-lockdown we had almost 50 percent local but
24 counting among those locals Catholic U. kids, so I don't know
25 what, where you draw the line there but I would say that we were

1 | roughly 50/50.

2 | ANC COMMISSIONER AMIN: Right. Thank you. And how did
3 | those, to your knowledge, how did the majority of those employees
4 | get to and from work at Brookland's Finest?

5 | MR. TOMELDEN: I would say it was a combination of
6 | walking and, you know, buses and the subway, you know, and then
7 | when the bikeshare thing came along there was a few kids that
8 | did that. But I think the bulk of them were walking and mass
9 | transit.

10 | And then post-lockdown, again, we're late, you know,
11 | we'd close late and so some of those kids would Uber home but,
12 | you know, it was because it was, you know, one or 2 o'clock in
13 | the morning and I was a little protective of them walking home.

14 | ANC COMMISSIONER AMIN: Thank you, Tony. Thank you,
15 | Chair. Thank you, Commission.

16 | CHAIRPERSON HOOD: Thank you.

17 | Again, I'm going to call his name but I don't think the
18 | Commissioner is on, the Commissioner from 5F, Mr. Henschman. Mr.
19 | Henschman? Okay.

20 | Ms. Amore from Brookland, any cross?

21 | MS. AMORE: No cross. Thank you.

22 | CHAIRPERSON HOOD: Okay. And Ms. Kahlow 200 Footers?

23 | MS. KAHLOW: No cross. Thank you.

24 | CHAIRPERSON HOOD: Okay. Thank you very much. Thank
25 | you, Mr. Tomelden, for providing your testimony.

1 MR. TOMELDEN: Sure.

2 CHAIRPERSON HOOD: Ms. Ackerman, I think that's it for
3 support, right? Okay.

4 So now we can go to the party in opposition, I think
5 that's the correct order and do we know how much time? I'm sure
6 Ms. Kahlow already knows but do we know how much time that they
7 had?

8 MS. ACKERMAN: I believe we (audio interference) last
9 week 45 minutes and then 15 for the second panel. No?

10 MS. KAHLOW: No.

11 CHAIRPERSON HOOD: (Indiscernible).

12 MS. KAHLOW: Ella, it's 50 minutes for the 200 Footers
13 and ten minutes for the BNCA.

14 MS. ACKERMAN: Okay. I didn't realize that had been
15 changed.

16 CHAIRPERSON HOOD: Mr. Tummonds, do you recall? Did
17 you all take 60 minutes?

18 MS. KAHLOW: They took 61 minutes. I timed it.

19 CHAIRPERSON HOOD: Sixty-one minutes. Did you all take
20 61 minutes, Mr. Tummonds?

21 MR. TUMMONDS: I would imagine Ms. Kahlow knew exactly
22 how long we took.

23 MS. KAHLOW: Thank you (audio interference).

24 CHAIRPERSON HOOD: So, okay. So, Ms. Kahlow, I want
25 to make sure that you all have 61 minutes even though once before

1 that one minute didn't make a difference so I want to make sure
2 you all have a minute as well.

3 All right, Ms. Kahlow. Are you going to start?

4 MS. KAHLOW: That would be fine.

5 CHAIRPERSON HOOD: Okay.

6 MS. KAHLOW: Or you can have BNCA and then (audio
7 interference). So which (audio interference).

8 CHAIRPERSON HOOD: Did you all work that out? Have you
9 all worked that out how you all are going to do it?

10 MS. KAHLOW: We did not. Dawn, would you like to go
11 first?

12 MS. AMORE: I can go first if that would make sense for
13 you.

14 CHAIRPERSON HOOD: Okay. Sounds good. Thank you, Ms.
15 Amore and thank you, Ms. Kahlow, for working that out. Ms.
16 Ackerman, could you please keep up with the time, please? Sixty-
17 one minutes total. Thank you.

18 All right, Ms. Amore, you may begin.

19 MS. AMORE: Okay. Great.

20 Today I'm here testifying in my capacity as the
21 Brookland, the president of the Brookland Neighborhood Civic
22 Association, the BNCA.

23 Brookland Civic founded in 1980 provides a forum for
24 considering and advancing the interests of Brookland residents
25 on issues affecting the community. As BNCA president, it is my

1 responsibility to carry out the BNCA mission and to ensure that
2 the members' voices are heard and this critical project, one with
3 the potential to transform our neighborhood, reflects our shared
4 vision for Brookland.

5 For the record, BNCA is not opposed to development. On
6 the contrary, we request further assurances and improvements for
7 this project in alignment with the participant recommendations.
8 The space has been vacant for far too long and we look forward
9 to welcoming more people to our beautiful neighborhood.

10 This testimony reflects the feedback we received from
11 our BNCA member meeting on April 15th, 2025. It was a community
12 listening session and the feedback was reported in Exhibit 44.
13 Approximately 40 Brooklanders including ANC 5B03, 5B04 and 5B05
14 Commissioners attended the standing room only meeting at the
15 historic Brooks Mansion. The 901 Monroe development team kindly
16 attended so that they could hear the community feedback first
17 hand. Concerns raised including those related to scale, safety,
18 security, traffic, and community benefits, some of which are
19 still all outstanding.

20 I provided the items from Exhibit 44 and our
21 understanding of the current disposition of each one. The first
22 item that members had recognized were scale and character.
23 Community members have expressed strong concern regarding the
24 scale and height of the proposed building currently planned at
25 six stories. The primary issue is that the height is inconsistent

1 with the surrounding neighborhood, particularly those affected
2 on the 10th Street corridor due to loss of sunlight and
3 compatibility with the surrounding neighborhood. Neighbors
4 request a reduction in scale with increased setbacks and a design
5 that scales downward closer to adjacent streets to preserve
6 neighborhood character.

7 Disposition of this item. Despite the ANC 5B's
8 Development Zoning and Land Use Committee's draft position paper
9 which cited scale, massing and character as issues, the ANC's
10 resolution, Exhibit 77, states the developer shall retain alley
11 massing. The developer shall create front doors for all units
12 facing Lawrence Street. We support the creation of front doors
13 for all units facing Lawrence Street, as shown in Exhibit 106.
14 We request that the concerns about scale and massing be reviewed
15 by the Zoning Commission.

16 The second item was health and safety. The community
17 highlighted critical concerns regarding vehicular access and
18 traffic management. Currently the proposed sole vehicular entry
19 and exit point via the Lawrence Street alley possesses
20 significant safety risks, particularly given the existing traffic
21 congestion associated with nearby schools. Neighbors strongly
22 advocate relocating the vehicle access to either 9th Street as
23 it was designed and DDOT approved in the previous Monroe Street
24 development or on Monroe Street to alleviate safety concerns and
25 traffic bottlenecks. Additionally, concerns about adequate

1 safety and security including potential issues related to
2 evacuation and vandalism risks were underscored.

3 In terms of its disposition the ANC resolution, Exhibit
4 77, states, "During the schematic design and design development
5 phases, the developer should seek community input regarding the
6 safety, security, and aesthetics aspects of the alley. This
7 should include but not limit it to pole locations, lighting,
8 security barriers at both six townhomes and proposed development
9 (fencing, walls, garage doors, pedestrian doors), cameras,
10 pavement styles, sidewalk design for pedestrian access to the
11 garage, and relocation of drop-off from Monroe to 9th Street."

12 BNCA is concerned that the term seek community input
13 is not strong enough to ensure that these matters are addressed.
14 Further, the Applicant's supplemental statement in Exhibit 56
15 makes no mention of the Applicant's plans to refine its designs
16 as a result of community input, though I will note that there
17 was some testimony earlier in last time's, in the meeting two
18 weeks about this. BNCA requests this process be defined or a
19 process be defined to seek out and report on community input
20 requests along with the process for how requests are accepted or
21 rejected.

22 The third item was Monroe Street life. The development
23 as currently proposed lacks meaningful retail or mixed use
24 components. Community members emphasize the importance of foot
25 traffic to activate Monroe Street, enhance pedestrian safety and

1 support local economic vitality. While the 200 Footers in our
2 meeting did not define a solution for street life, a petition was
3 signed by approximately 120 Brookland residents and nearby
4 neighbors underscores community-wide support for integrating
5 retail ready spaces for the project to allow flexibility for the
6 space to allow retail in the future. Stakeholders urged
7 developers to reserve at least a modest portion, approximately
8 2,000 square feet of ground floor space capable of retail use to
9 meet community needs and enhance street level vibrancy.

10 The disposition is of this item that BNCA is excited
11 by the inclusion of retail ready space and in letter b) of the
12 ANC resolution, Exhibit 77, describes this. BNCA is pleased that
13 the sustained advocacy by individual residents in the community
14 help shape this aspect of the project. It shows that when the
15 community speaks up change is possible. Our association will
16 provide its support to advertise and market space.

17 The fourth item is community amenities. The proposed
18 development's limited green space and lack of sufficient family
19 oriented and ownership opportunities were raised as points of
20 concern. Community members request enhanced provisions for
21 accessible green space including more trees at ground level
22 rather than primarily on upper floors. Additionally, there was
23 strong community interest in increasing the availability of
24 larger family-sized residential units, three to four bedrooms,
25 as well as providing opportunities for partial tenant ownership

1 such as condominiums to support long term community stability.
2 The community was pleased that power lines on Monroe Street would
3 be put underground. Additionally, the community requests
4 prioritizes actual project-related amenities to benefit the
5 immediate neighbors instead of dollar contributions to unrelated
6 non-profit organizations.

7 The disposition of this item is that the inclusion of
8 ten percent more family-sized units, three or four bedrooms, was
9 listed by the ANC as a suggestion in Exhibit 77. BNCA would like
10 this to be a condition. The Applicant's public amenities are
11 primarily, are limited primarily to underground electrical wires
12 on Monroe Street. Amenities are 95,500 in cash contributions
13 provided to non-profit organizations plus \$30,000 for a study to
14 examine activation of the land surrounding Brooks Mansion.

15 Comparing 901 Monroe to the development at 8th and
16 Jackson Streets, the Hanover, which is case 18-21, Exhibit 135,
17 while it's larger than 901 Monroe provided many transit-oriented
18 benefits to its residents such as \$100 smart trip card and
19 bikeshare subscriptions. Additionally, the Hanover has delivered
20 tangible public amenities including a public plaza, a 5,150
21 square feet and associated landscaping, streetscaping and
22 lighting improvements along 8th Street, 20 public bike racks,
23 drinking fountain, additional docks for Capital Bikeshare bikes
24 at 10th and Monroe.

25 These tangible amenities at the Hanover were in

1 addition to 199,000 in donations to charter schools, community
2 and educational programs. BNCA requests that additional tangible
3 public amenities be included.

4 Thank you for your consideration and engagement
5 addressing these critical concerns and we look forward to the
6 ongoing collaboration with the 901 Monroe team.

7 Thank you.

8 CHAIRPERSON HOOD: Okay. Thank you, President Amore.
9 Let's see if we have any questions or comments from my colleagues.

10 Commissioner Wright, any questions or comments?

11 COMMISSIONER WRIGHT: No, although I found your
12 comparison of the amenity package in this project to the amenity
13 package in another recent project in the neighborhood to be very
14 helpful and I would just say as we go down this path if Office
15 of Planning is on this call, I would appreciate them to actually
16 give us a sort of side-by-side comparison of the amenity package
17 in this project with the amenity package in some other recently
18 approved PUDs in the area, and I found that helpful and I'd like
19 to actually get a little more information on that from the Office
20 of Planning.

21 CHAIRPERSON HOOD: Okay. Thank you.

22 Ms. Ackerman, make sure that we take a note of that.
23 That's one of the things, Commissioner Wright, we've asked for.
24 Okay. Anything else, Commissioner Wright?

25 CHAIRPERSON HOOD: Okay. Commissioner Imamura?

1 COMMISSIONER WRIGHT: No.

2 CHAIRPERSON HOOD: Any questions?

3 COMMISSIONER IMAMURA: No questions. Thank you for
4 preparing your testimony for this afternoon and like Commissioner
5 Wright found it very helpful.

6 CHAIRPERSON HOOD: Commissioner Stidham, any questions?

7 COMMISSIONER STIDHAM: No. Thank you for your time
8 today.

9 CHAIRPERSON HOOD: Okay. And Vice Chair Miller, any
10 questions?

11 VICE CHAIRPERSON MILLER: Thank you, Mr. Chairman.
12 Thank you, Ms. Amore, for your community engagement and for your
13 participation and testimony this evening.

14 CHAIRPERSON HOOD: Okay.

15 President Amore, I do have a question. As I'm looking
16 through the case file in this record, it seems like people land
17 in different places and that's natural, it seems like the BNCA --
18 let me ask this. Did you all participate in the comp plan
19 rewrite?

20 MS. AMORE: The BNCA did. That probably pre-dated my
21 term as president.

22 CHAIRPERSON HOOD: Okay. Okay. Okay. I wrote
23 something down here and I can't read my own writing. Hold on,
24 let me see something.

25 So it sounds like there has been a lot of community,

1 okay, I know what it is. You all are asking to be heard, input.
2 Is it that, and this question might not come off right but it's
3 not intended how it's going to come off. Is it that everything
4 just didn't go the way that you all like to see it is why you
5 feel like you're not being heard or the input, or is it that you
6 really feel like you're not getting anything.

7 Because it sounds to me like there's been plenty of
8 vetting, plenty of community input. You all have been right
9 there at the table but some of the things might not have got
10 addressed exactly like you wanted. Could that be why, I think
11 you feel like, unless you didn't but maybe I misheard you. I
12 thought you was saying that there needs to be better input --

13 MS. AMORE: Yeah. We had taken the time to get, I'm
14 sorry, the echo. I'm going to try to speak slowly so the echo
15 doesn't come in. We had taken the time to actually, you know,
16 hold the community listening session, prepare these lists of
17 recommendations which we think many of them fall in line with
18 other developments that happen in the city and that we wanted to
19 see a better project.

20 CHAIRPERSON HOOD: All right. Yeah. I need to find
21 out why, maybe I got too many computers over here, that's why
22 we're getting an echo. And I will say that I really appreciate
23 the submission that you all have submitted and I would agree with
24 Commissioner Wright about looking at other actions that were done
25 in that area because we've done a couple of PUDs.

1 So thank you for all the work that you all have put in
2 and it's never, even though this process, whichever way this
3 process goes, it's never ending time. You can always continue
4 to work with the developer I believe, always.

5 Give me one moment, please. Mr. Tummonds, do you have
6 any cross?

7 MR. TUMMONDS: No cross.

8 CHAIRPERSON HOOD: Okay. Chair Ra Amin, do you have
9 any cross?

10 ANC COMMISSIONER AMIN: No cross, Chair.

11 CHAIRPERSON HOOD: Okay. Again, so far Mr. Henschman
12 has not joined us, Commissioner Henschman. Ms. Kahlow, do you
13 have any cross?

14 MS. KAHLOW: I do not. Thank you so much.

15 CHAIRPERSON HOOD: Okay. Thank you very much, Ms.
16 Amore. We continue to appreciate all the work the BNCA has done,
17 continues to do for the best interests of Brookland and the city.

18 Ms. Ackerman, do we know how much time Ms. Kahlow have?
19 I know she knows but how much time does Ms. Kahlow have?

20 MS. ACKERMAN: Forty-five minutes and 30 seconds left.

21 CHAIRPERSON HOOD: Did you add that one minute?

22 MS. ACKERMAN: Yes, I did.

23 CHAIRPERSON HOOD: Okay. All right, Ms. Kahlow. It's
24 all yours.

25 MS. KAHLOW: Thank you.

1 My statement is long and the other four witnesses are
2 shorter. I, Barbara Kahlow, live in the Foggy Bottom area of
3 Ward 2, as somebody asked, but I'm testifying today at the request
4 of the 200 Footers surrounding 901 Monroe Street on all four
5 sides, 27 co-signers, 15 different addresses have given me the
6 authority to speak today.

7 In December, 2010, almost 15 years ago the Commissioner
8 for this Single Member District asked for my help due to my
9 extensive experience in D.C. in planning and development and
10 requested upzonings. I'll be talking about that at the end of
11 my testimony as well.

12 In January, 2012 the 200 Footers received party status
13 in the prior case 10-28 and that also involved a proposed PUD
14 and upzoning from the current R-2 and C-1 to then C-2-B. After
15 three D.C. Court of Appeals cases in May, 2016 the Appeals Court
16 vacated this Zoning Commission order. The success was largely
17 due to the fact that the proposal was inconsistent with D.C. law,
18 the comprehensive plan and future land use map. We told them
19 that as we were working on this project. They didn't seem to
20 care. The Court did care.

21 In December, 2024, in other words several months ago,
22 the 200 Footers, the new 200 Footers some of which are repeats,
23 asked me to help with the current case 24-15 which also includes
24 a proposed PUD upzoning. The upzoning is from R-2 which is most
25 of the site and MU-3A which are moderate density semi-detached

1 residential and low density mixed use (audio interference). A
2 big jump to MU-5B which is medium density.

3 The project today is taller and larger than the project
4 in 10-28. In the recent comp plan the developer successfully
5 obtained the forum change to commercial moderate residential
6 medium use and one of you asked did anybody testify in the comp
7 plan? Yes, I did. I testified and I testified about this site
8 and all of the other forum changes that were spot zoning. In
9 other words in a sea of area which is low density residential to
10 have one site to be upzoned. That spot zoning is undesirable by
11 all planning people and I testified in opposition to it.

12 In February 8, before the February 13th setdown in this
13 case, I submitted a letter in the hearing record for your
14 consideration and I will be discussing today about the OP report
15 and I'll be discussing today five topics. The first two in detail
16 and the last three in summary since the other witnesses will
17 discuss them in detail.

18 The first is a short history of all the development
19 proposals on 901 Monroe Street. The second is an alternative to
20 the map amendment to MU-5B. The third is various adverse effects
21 and proposed usage of this widened dead end alley. The fourth
22 is insufficient and unfair construction management agreement.
23 The fifth is insufficient inappropriate undesirable amenities
24 package.

25 First, let me get to the history. In my February, 2012

1 testimony in the former case I gave detailed history of what had
2 happened for this square. The first proposed requested upzoning
3 for five lots, residential R-2 lots and in 1989 the Zoning
4 Commission said uh-uh, no. We'll only allow you three of five.
5 The rezoning of the other two lots is inappropriate, would result
6 in commercial encroachment next to lots that are primarily
7 residential in character and would not be beneficial to the
8 surrounding neighborhood.

9 As I just stated, in 2016 the D.C. Court of appeals
10 vacated the last case order as inconsistent with D.C. law denying
11 the developer's desire to upzone to medium density which they
12 want to do now where maximum moderate density was allowed under
13 that current law.

14 Thirdly, and this is really important for everybody to
15 think about, the highest zone east of the railroad tracks -- west
16 of the railroad tracks near Catholic, lots of high rises. That's
17 not what we're talking about here. East of the railroad tracks,
18 south of Monroe Street is primarily residential. MU-4 and MU-3A
19 is the only zone other than the low density R-2 or R-1-B and that
20 is moderate density along the 12th Street commercial corridor.
21 So the requested spot zoning of this site would be precedent
22 setting for the entire area south of Monroe Street, and I'm going
23 to present a alternative for your consideration which
24 Commissioner Miller discussed a little bit in the last hearing,
25 hearing one.

1 In my February 8th letter on the OP setdown report I
2 quoted OP saying "new development should be compatible with
3 existing scale." This clearly is not. Seventy-five feet is not
4 compatible with two or three story rowhouses and single family
5 homes. OP stated the guiding principles of the small area plan
6 include protecting the existing neighborhood character. This
7 clearly does not protect existing residential character. OP
8 stated the language of the small area plan may be allowed up to
9 50 feet maximum to a PUD and has various setback provisions, none
10 of which are being recognized currently. So that also is not
11 consistent.

12 In the February 13th setdown OP added regarding the
13 comprehensive plan the subject site is identified in the general
14 policy map as falling within a neighborhood conservation area.
15 In this discussion Vice Chair Miller stated neighborhood
16 conservation area designating the site also used is the word
17 compatibility. The new development should be compatible with the
18 scale of the surrounding.

19 I want a discussion of that by the Applicant and by OP
20 at the hearing, whether additional setbacks or setdowns would be
21 appropriate given the compatibility language in the neighborhood
22 conservation area and in the upper northeast area element. I'd
23 like a thorough explanation of the setbacks and how it relates
24 to the surrounding or existing context. That's what Commissioner
25 Miller asked. So far and day one and various submissions by both

1 OP, a preliminary report and final report and the Applicant's
2 submissions, they did not address what the Commission asked them
3 to do.

4 Commissioner Imamura asked I'd like a thorough
5 explanation of the sort of setbacks and how they relate to the
6 surrounding and existing context. Commissioner Wright added
7 something already mentioned by Commissioners Miller and Imamura
8 which is setbacks. I'd like to see if some of the tools that
9 were used in the last case, that literally you have a 45 degree
10 plane and a setback in the areas facing the backs of the smaller
11 townhouses is something that can be accomplished. Again,
12 nothing's been discussed. You all mentioned you wanted it in
13 your setdown and I would love for them to please entertain that.

14 Next, second subject. Alternate zone. In the February
15 setdown Commissioner Imamura asked Vice Chair Miller, and I urge
16 the Applicants to illustrate what other zones they had considered
17 and either or why or why not they didn't work, what did you look
18 at and why did it not work. We needed that explanation. Again,
19 on the day one of the hearing both OP and the Applicant did not
20 discuss and answer the questions of the Commissioners.

21 I then prepared to chart because I'm a statistician,
22 that's why I (indiscernible) comparing the current zoning, the
23 zoning from the last case, the alternative zone which I'm
24 suggesting, and the current proposal. Unfortunately everybody
25 who sees my testimony online sees it but I don't have a virtual

1 representation. But my chart shows that the current proposal is
2 larger and taller than the prior proposal 75 feet versus 61 feet
3 and 4.2 density floor ratio versus 3.31. This is big difference.
4 Since the change in the forum was from moderate to medium, the
5 developer could have requested the other medium which is MU-5A
6 map amendment instead of said MU-5B map amendment. MU-5A would
7 have allowed only 70 feet and still the same density, 70 versus
8 75 feet is a big deal.

9 The more big deal is MU-5B that they're suggesting can
10 go up to 50 feet if this is approved as a precedent. That would
11 be an unwelcome precedent in an area south of Monroe street which
12 is absolutely low density everywhere else and so I think it would
13 be good if you could consider 5A. Commissioner Miller did ask
14 them about that and what I understood was that if it was a matter-
15 of-right 5A may be even more inclusionary zoning which would be
16 a good thing, not a bad thing.

17 Third topic. Various adverse effects, especially due
18 to the widened dead end alley. In my letter to the Zoning
19 Commission on the OP setdown, OP said we also find that double
20 (phonetic) the effective width of the alley is a benefit. I
21 stated the current 200 Footers unanimously disagree with widening
22 the small alley worrying about their small children and adverse
23 environmental effects on their air quality and traffic noise.
24 For the transportation element of the comp plan, OP cited minimize
25 off-street parking, excessive off-street parking should be

1 discouraged. The PUD only has 54 spaces for 230 (indiscernible)
2 units. The result would be a huge increase in off-street parking,
3 it's already near saturation. This would have profoundly adverse
4 effect on the neighboring residents and many free standing homes
5 and rowhouses.

6 In the setdown Commissioner Wright stated how the alley
7 would have to be changed. I think it's worth weighing, you might
8 recapture some square footage by not widening the alley which
9 allows you to do the 45 degree incline plane and put the access
10 on one of the other side streets. On May 13th, the 200 Footers
11 had a virtual meeting with the D.C. Department of Transportation
12 in which I participated. DDOT was unable to provide any, zero,
13 examples of development projects with a dead end alley with
14 abutting residences whose back yards abut the alley and where
15 their cars are parked in the driveway abutting the alley. So
16 their little simple formula has no other cases in the city,
17 anywhere in the city.

18 There are clear safety risks to the children who play
19 in the alley. The owner cars that need to be, have easy access
20 for school, work or emergencies and of course the safety risks
21 which Ms. Amore just mentioned, the adverse environmental risks
22 to the seniors and kids from noxious car fumes. In addition,
23 DDOT could not estimate the additional vehicle trips besides for
24 the trash and 55 owner cars for the USPS and package deliveries
25 and FedEx and UPS deliveries. I think everybody was here except

1 for Commissioner Wright when I cross-examined them. In my 51-
2 unit condominium the front desk I asked how many packages arrive
3 day to our condominium, she estimated 100. So for a 233 unit
4 building it would be 500 per day. A dead end alley makes no
5 sense for that many packages.

6 The prior proposal had a curb cut on the 9th Street
7 instead which the 200 Footers unanimously and repeatedly
8 requested for this proposal. What I learned from the first
9 hearing was that the reason that they, probably only five trips
10 a day, five parcel delivery packages is because there's a
11 threshold and because they were only a small number, they didn't
12 need to do a transportation impact analysis which should have
13 been done for a project of this size.

14 Fourth topic. Construction Management Agreement. Guy
15 Durant, former 200 Footer, current 200 Footer, will address that
16 in detail. All I want to state is that ANC 5B conditionally
17 supported, conditionally supported this project if, and only if,
18 they met with, the resolution says the developer shall consider
19 and incorporate the following condition. The CMA should be
20 developed collaboratively between the developer and the affected
21 neighbors. All parties should reach consensus on the agreement
22 using the previously agreed version from the last case as a
23 starting point and updating if you correct any significant
24 changes.

25 There are 17 topics, several of which are very

1 | important which are missing from the developer's mini-CMA. I
2 | think it's, as you remember in my cross-examination I said did
3 | we meet with you on this? No. Are you willing to? Yes. And I
4 | think that remains to be done because the CMA, the mini CMA won't
5 | work.

6 | Last subject is amenities package. Two of our
7 | witnesses will be discussing that but in detail it will be Jamila
8 | Gleason. In my February letter about the OP setdown report, OP
9 | stated additional information is needed about the proffers.
10 | Under PUD valuation standards OP quotes "offer commendable number
11 | or quality of meaningful public benefits." I stated the already
12 | cited letters of opposition in the record recommending a number
13 | of meaningful public benefits, none of which were discussed in
14 | OP's report or considered by the developer and I asked about
15 | that. If you remember in cross-examination they didn't read
16 | them, they didn't consider them yet, yes, they wanted to meet
17 | with us on it. The Applicant's supplemental submission has
18 | dollars to five non-profits related to them, no amenities for the
19 | 200 Footers, zero amenities to mitigate the adverse effects.

20 | So I decided to go back and look at my comp plan
21 | proposals because I had so much experience in PUDs. I offered a
22 | provision in the 1994 comp plan which was the first set of
23 | amendments after the 1984 initial comp plan and it was adopted
24 | and it's been carried forward in every single version. The
25 | current version of it, the first (indiscernible) 1984 was D.C.

1 law 10-103, Section 1200.27. Current comp plan states location
2 of PUD amenities. A substantial part of the amenities proposed
3 in PUDs shall accrue to the community in which the PUD could have
4 an impact. As I just stated there are none and this is D.C. law.
5 It's non-discretionary. They absolutely have to comply with this
6 law and that's what we want.

7 Thank you very much for considering my testimony. Now
8 the others will speak in great detail and they're all there and
9 they're all 200 Footers. Thank you. Next up is --

10 CHAIRPERSON HOOD: If we can stop the clock. I just
11 want to make sure we stop the clock, Mr. Young, while we bring
12 everybody up and Ms. Kahlow, are you going to take the lead on
13 who's going to go next if you (indiscernible)?

14 MS. KAHLOW: It's stated in our statement but I can do
15 that if you want.

16 CHAIRPERSON HOOD: Yeah. If you could kind of help
17 orchestrate that. Yeah.

18 MS. KAHLOW: Okay. So my first witness is Lilian Noya
19 who is our expert witness. Lilian Noya, she's on the bottom of
20 the screen, if you can let her in. That's her. Okay.

21 MS. NOYA: Good afternoon, Commissioners, and I'm glad
22 to be here today. My name is Lilian Noya and I am a licensed
23 architect and I live within 200 feet of the proposed development
24 site. I'm here to express my concerns regarding this project's
25 design and encourage changes to the proposed plan regarding the

1 building's massing, sunlight impact and traffic circulation.

2 I'd like to start by addressing the building's
3 architectural massing which is likely to have a profound effect
4 on the surrounding area and its residents. The current proposal
5 maintains a full 75 foot height along its eastern edge creating
6 a sheer wall effect, a vertical cliff, only a few feet from
7 residential porches. The sixth floor setback in the proposed
8 plan will not alleviate this effect. This will not only disrupt
9 the neighborhood's aesthetic but it will also create an
10 overwhelming presence looming over the nearby residents and even
11 the pedestrians passing by.

12 This fundamental design flaw was also recognized over
13 a decade ago. The 2012 architectural testimony highlighted
14 similar concerns, overwhelming scale and a disregard for
15 Brookland's village-like development pattern. That version of
16 the building was rightly opposed by the 200 Footers in 2012 and
17 today's design actually intensifies those same flaws with more
18 height and fewer concessions.

19 A thoughtful response could have corrected this major
20 flaw. However, you can find examples of a better solution in
21 the surrounding area. For instance, the Applicant would like to
22 compare their proposal to a different building, one of which they
23 stated in their exhibit, Monroe Street Market block E which has
24 close proximity to surrounding two-story homes. That building
25 better handles this massing problem by transitioning down to four

1 stories before reaching the adjacent single family homes. It
2 also uses massing adjustments to reduce visual and physical
3 impact. That's not what's happening in this Applicant's proposed
4 building which maintains its full height among the entirety of
5 the street. At a bare minimum the Applicant must step down some
6 portion of the sheer wall along 10th Street.

7 Next I'd like to address the building's sunlight and
8 solar impacts especially on the two-story rowhouses built on 9th
9 Street and 10th Street. The Applicant's shadow study shows how
10 the project will significantly reduce sunlight to the adjacent
11 homes, particularly during fall and winter when outdoor light is
12 valuable and already limited. However, the Applicant has not
13 provided year round shadow studies which would likely reveal a
14 much larger sunlight impact based on the building's mass. We
15 should assume that the sunlight effects will be much greater than
16 stated.

17 Chairman Hood correctly asked questions about the
18 shadow study last time and I think a lot of people would have a
19 bit of a hard time understanding how it actually works, and today
20 as an example at 6 p.m., a building here would actually be casting
21 a massive shadow on the houses on Lawrence Street themselves. So
22 it's not just us but there will be a lot of impact on those houses
23 as well.

24 This not only affects residents' quality of life but
25 also impacts the environment. At least three of the six homes

1 along 10th Street have solar panels with a fourth home scheduled
2 for installation this year. These residents have made personal
3 investments aligned with the city's clean energy goals and this
4 building will block their solar exposure for much of the year
5 driving up energy costs and harming the environment. For the
6 adjacent homes this impact has a measurable financial cost.
7 Personal solar panels can generate a home thousands of dollars a
8 year. If changes reducing the sunlight impact are not made,
9 there will be a financial loss for them. A reduction in massing
10 and weight would be a much more sustainable solution for this.

11 Finally, from an architectural and urban design
12 standpoint the most problematic element of this project is its
13 exclusive reliance on dead end alley for all vehicular access.
14 Every car, delivery van and trash truck will have to enter through
15 a narrow alley behind our homes, navigate a mid-block garage
16 entrance and then exit the same way they arrived. There's no
17 circulation loop, no buffer zone and no off-site loading. Trucks
18 need to reverse and perform tight turns in an alley that is
19 already used by pedestrians, many of them children and if you're
20 around here you'll see that a lot of us will leave through the
21 back door and this is how we get to our neighbors. This is how
22 we go to the stores. This is how we go to our neighboring houses
23 and we use that alley, we will be walking through there. So the
24 Applicant must provide a safer and more realistic traffic plan
25 for the alley or preferably use the existing curb cut on 9th

1 Street.

2 One thing that I thought was really interesting from
3 the last call too was Commissioner Stidham mentioned how people
4 will probably be using the alley in order to access the building
5 itself and it's true. Human psychology shows that we'll always
6 find the shortest possible way to get into a building and if
7 you're coming north on 10th Street or if you've parked your car
8 in the back of the building here, people will want to access the
9 back of the street to get inside their building therefore they
10 will likely be using the alley way to access that and as of now,
11 I don't think anyone finds it to be a very safe place to be
12 walking through.

13 The alley also represents a potential aesthetic
14 nightmare. Detailed renderings of the area are limited and it
15 is safe to assume that the typical features of a large building
16 will be present. Those of us adjacent to the alley will be
17 staring into a garage opening, mechanical vents, parked cars just
18 feet from our porches. This is typically the portion of a
19 building where developers are least likely to invest in human
20 friendly features. For us, it's the backdrop for our personal
21 and family lives. The developers should try to invest in this
22 area as if it were the intimate surroundings of its neighbors
23 because it is.

24 I respectfully ask the Commission not approve this
25 project in its current form. Instead, I urge you to require a

1 reduction in massing and height along the site adjacent to the
2 10th street townhomes, a safer and more realistic traffic plan
3 for the alley and thoughtful design attention to the alley facing
4 façade. And I would really like to emphasize that this is not a
5 wholesale rejection of development, it's a request for a better
6 design, one that respects the neighbors, reflects urban practices
7 and minimizes detrimental impacts on the environment and real
8 human beings.

9 Thank you for your time today.

10 MS. KAHLOW: Our third witness is Julie Kurtz-Keller.
11 Are you up? I don't see her, yeah, I don't see her name. Oh,
12 there she is.

13 CHAIRPERSON HOOD: Yeah, she's on.

14 MS. KAHLOW: Okay. Great. Thank you.

15 MS. KURTZ-KELLER: Can you hear me?

16 MS. KAHLOW: Yes.

17 MS. KURTZ-KELLER: Great. Good morning, Julie Kurtz-
18 Keller of, obviously one of the 200 Footers.

19 So we purchased our Brookland home expecting humane
20 development on the adjacent property, 901 Monroe. But key
21 assumptions from the original 2010 design, reasonable scales,
22 setbacks, green barrier and alley safety are all missing from
23 today's 24-15 proposal. I will present today's condensed remarks
24 but my complete written testimony has also been submitted.

25 Health and safety. The proposed Lawrence Street alley

1 as ingress-egress for 233 units creates serious safety hazards.
2 Young children, including my three-year-old regularly play in
3 this quiet dead end alley that serves as a community gathering
4 space. With respect to Mr. Ben Kasper who just testified, I
5 don't believe our immediate neighbors know you but if you pass
6 by say hello because we are out there. We're hollering about a
7 spontaneous potluck or throwing balls on Lawrence or riding bikes
8 in the alley. We're hard to miss.

9 Converting our alley to a high traffic corridor puts
10 existing families on the block who have no protection between the
11 alley and their back yards at risk. For my family our back yard
12 is our essential outdoor space. It's our primary house entrance
13 where we eat dinner, linger enjoying the sunset, where my daughter
14 harvests beans and tomatoes. The six-story mass will block
15 sunlight threatening to decommission our garden beds. How do
16 you put a price on losing the sunset gardening with your child
17 or siphoned sunlight from the room where she sleeps?

18 As a mother my primary concern is safety. It is
19 difficult not to imagine the horror of a vehicle rounding into
20 the alley without regard for the child who has wandered beyond
21 the edge of the back yard. It's a parent's nightmare transforming
22 our back yard alley into a major traffic-way. DDOT estimated
23 only five trucks per day for 233 units, 400 residents plus retail.
24 Sometimes my house alone gets five deliveries per day. Aren't
25 we talking about hundreds of daily deliveries to 901 Monroe

1 Street.

2 We understand that use of an existing alley is the
3 default standard for DDOT. But also understand that DDOT does
4 make exceptions to this practice when appropriate. 24-15 should
5 be such a case. If a heritage tree must be protected children
6 should also be protected.

7 In a May 13th meeting DDOT couldn't offer examples of
8 using other dead end alleys for development that similarly abut
9 unprotected neighbors' back yards. The 200 Footers safety is not
10 sufficiently factored into DDOT's decision making algorithm. In
11 a June 9th meeting when the 200 Footers asked the developers what
12 thought they had given to the ANC's conditions regarding alley
13 safety, they had no new ideas to offer. No indication that they
14 had given any additional thought to alley safety, security and
15 aesthetics despite these conditions set by the ANC 5B. Based on
16 the evidence to date, we are concerned that the developer's
17 purported agreement to the ANC conditions may be empty promises.

18 200 Footers survey. Twenty neighbors participated in
19 our November, 2024 200 Footer survey understanding that the
20 Applicant here has all kinds of comments and suggestions within
21 and beyond Brookland, we created the survey as a clarification
22 about the top priorities of the neighbors most affected. We
23 first presented results during a Brookland Civic Association
24 meeting on November 12th. The essential adverse effects and
25 concerns and priority amenities then remain roughly the same

1 today. 24-15's massive scale and loss of sunlight, alley traffic
2 and safety, lack of ownership opportunities, priority amenities
3 included public green space, restaurants, retail, makerspace,
4 community garden, all these are submitted in the public record.

5 Developer engagement with the 200 Footers. Over ten
6 months the development team has demonstrated questionable
7 willingness to take the 200 Footers' concerns seriously. Several
8 irregularities exist in their community engagement including even
9 their inflated list of community meetings and presentations,
10 Exhibit 56, which included events when 901 Monroe could not be
11 discussed and a ticketed paid event. Additionally, our ANC
12 Commissioner Ra Amin never met exclusively with the 200 Footers
13 to understand our concerns and he failed to set up a promised
14 DDOT meeting. Since all public meetings began, he regularly
15 spoke on behalf of the developers and dismissed neighbor's
16 concerns.

17 We are grateful to the Brookland Civic Association for
18 at least taking some interest in what the concerns of the
19 immediate neighbors might be and even a couple of members of the
20 Zoning and Land Use Committee met with immediate neighbors
21 curious about our concerns. Our own ANC Commissioner never
22 extended that curiosity or courtesy to us.

23 After the initial September meeting, we had only one
24 conversation exclusively between the developers and the 200
25 Footers and it was convened at the 200 Footers' request. During

1 that June 9th meeting the developers showed clear resistance to
2 using the 2012 construction management agreement as a starting
3 point despite agreeing to this ANC 5B condition. Again, we're
4 concerned that they committed to conditions to get ANC support
5 but with no intent to follow through.

6 The development of a good project depends on good
7 process. More engagement by the Applicant with the 200 Footers
8 would not only have built trust into this process, it would have
9 created a better project. As Councilman Parker said about the
10 RFK Stadium deal, the Council cannot serve as a rubber stamp for
11 whatever deal comes our way. The current deal was negotiated
12 without input from the Council or neighbors and it is vital that
13 we shape the future of these 180 acres at RFK together. We agree.

14 901 Monroe's 1.4 acres should not be rubber stamped
15 without negotiating and incorporating neighbors' input. We hope
16 to be included so that we can work together on a project that
17 doesn't require immediate neighbors to pay for the developer's
18 financial benefits with our health, safety and quality of life.

19 Thank you.

20 MS. KAHLOW: Okay. Let's go to the next witness.
21 Familiar to Mr. Hood is Guy Durant.

22 MS. ACKERMAN: Okay. Just letting you guys know there's
23 a little bit above 15 minutes left.

24 MS. KAHLOW: I know. We only have two more witnesses.
25 Thank you so much. Guy?

1 MR. DURANT: Hi, can you hear me?

2 MS. KAHLOW: Yes.

3 MR. DURANT: Okay. Can you see me?

4 MS. KAHLOW: Yes.

5 MR. DURANT: Okay. Thank you.

6 Good afternoon. My name is Guy Durant and I resident
7 at 3410 10th Street, Northeast, D.C. I'm a native Washingtonian
8 and I live directly next door to the proposed PUD apartment
9 development known as 901 Monroe Street. My neighbors and I, the
10 200 Footers, strongly oppose the approval of this development as
11 proposed.

12 Today I want to focus specifically on the construction
13 management agreement, the CMA, especially because it is a
14 required condition by ANC 5B if Zoning Commission approval is to
15 be granted. I want to remind the Commission that over a decade
16 ago when developers proposed an earlier version of this project
17 under zoning case 10-28, the parties including the 200 Footers
18 did agree on a detailed 2012 CMA which the Commission included
19 with full text in the decision part of its order which you can
20 do again. That document ran to seven pages and specifically
21 addressed virtually every area of our concern; traffic, noise,
22 environment protection and community safety.

23 Fast forward to today's proposal in zoning case 24-15,
24 the developers have presented a 2025 version of the CMA that is
25 notably shorter and less comprehensive. This pared down version

1 fails to capture many of the protections we demonstrated were
2 necessary in 2012. Let me draw a few key comparisons. First,
3 on the issue of air quality and ventilation. The 2012 CMA was
4 detailed in requiring measures to prevent encroachment of
5 construction dust, debris, and odors into the surrounding
6 neighborhoods.

7 In contrast, the current 2025 version states general
8 goals about site hygiene and dust control without precise methods
9 or equipment specifications. Construction will undoubtedly
10 reduce the outdoor air quality and given our proximity compromise
11 indoor air quality in our homes. The 200 Footers are deeply
12 concerned about not only the dust but also the lingering odors
13 emanating from large trash cans, especially in the dead end alley
14 adjacent to our driveways where we cherish family gatherings and
15 community events.

16 The CMA should require high quality air purification
17 systems during construction, mandate that the developers utilize
18 equipment and materials designed to minimize dust and odor and
19 include protocols such as installing powered vents to direct
20 trash odors away from our homes. These specifics were more
21 robustly addressed in 2012 and should be part of any effective
22 plan.

23 Second, regarding structural integrity many of us worry
24 that the vibrations from drilling, heavy truck movements and
25 continuous construction activities could adversely affect our

1 | older homes causing earthquake-type damage. The 2012 CMA clearly
2 | required stringent measures to monitor construction impacts such
3 | as pre-construction inspections, continuous monitoring of
4 | vibrations and scheduled post-construction surveys of
5 | foundational elements brickwork, siding and mortar.
6 | Unfortunately the 2025 version lacks comparable detail. I urge
7 | the Commission to insist the developers merge the best elements
8 | of the 2012 version with the current proposal. This means not
9 | only verifying structural integrity through independent pre-
10 | inspection and post-inspection, but also ensuring that any damage
11 | is promptly and fully repaired at the developer's expense.

12 | Moreover, every 200 Footer, especially the six
13 | rowhouses along 10th Street should be added to the construction
14 | project insurance policy as a "named additional insured" to
15 | secure our financial protection.

16 | Third, the CMA should address the issue of a pre-
17 | compensation for unforeseen issues, upgrades to safety and
18 | include property taxes that will impact our homes following
19 | construction. We know the large scale development in our area
20 | is likely to boost property assessments. This financial burden
21 | increasing our property taxes renders our homes less affordable
22 | over time.

23 | 2012 CMA acknowledged these indirect impacts through a
24 | framework of community protections that included compensation
25 | factors. In stark contrast, the 2025 version remains silent on

1 | these repercussions. I propose that the developers pay a lump
2 | sum payment to each 200 Footer, especially the six rowhouses
3 | along 10th Street in advance. This sum would compensate not only
4 | for the inconvenience and potential structural risk but also for
5 | the inevitable rise in property taxes resulting from the
6 | completed project.

7 | In closing, while the 2025 CMA does incorporate a
8 | modern administrative structure and steers toward efficient
9 | communication by a designated representative and neighborhood
10 | contact person, it lacks the detailed enforcement measures found
11 | in the 2012 version. The older CMA was comprehensive. It
12 | contained explicit designations for truck routes, noise
13 | restrictions, special decibel limits, rigorous site management
14 | protocols and concrete community safety measures. By merging the
15 | detailed protections in the 2012 version with the updated
16 | administrative framework of the 2025 version, the final schematic
17 | can become the best of both worlds. We can safeguard our quality
18 | of life, protect our homes structural integrity and compensate
19 | us for losses that may occur.

20 | I respectfully request that the D.C. Zoning Commission
21 | require developers to revise the CMA and actually the ANC made
22 | it conditional that they have to do this otherwise what everybody
23 | thinks is ANC approval is not actually ANC approval, it's ANC
24 | disapproval because it's a conditional approval. So we have to
25 | meld the robust enforcement measures from the 2012 version with

1 the streamlined communication protocols in the current proposal
2 to ensure our rights and safety. Our neighborhood deserves a
3 plan that does not merely pay lip service to minimize disruption,
4 but one that guarantees detailed concrete protections against the
5 adverse impacts of the extensive construction, and I'll be glad
6 to take any questions.

7 But I just wanted to emphasize that without a jointly
8 agreed to CMA the ANC voted to disapprove by not conditionally
9 approving this project. So the great weight has to go against
10 the project if there is no consensus on the CMA. Great weight
11 against without CMA. That's the condition.

12 Thank you.

13 MS. KAHLOW: Thank you, Guy. And our last witness is
14 Jamila Gleason and she has an email that has her former name
15 because this is her married name. Jamila? Mr. Young, do you
16 see her?

17 MS. GLEASON: Okay. I'm on the video coming up I think.
18 All right. Can you see me?

19 MS. KAHLOW: No.

20 CHAIRPERSON HOOD: We can see you now.

21 MS. GLEASON: All right. Wonderful. All right. Good
22 evening, everybody. So my name is Jamila Gleason and I'm just
23 going to sort of read this prepared remark, these prepared
24 remarks.

25 There's a Greek proverb that, "The society grows great

1 and old men plant shade in whose shade they never sit." I've
2 been a resident of Brookland since 2011 but my house was built
3 in 1954 by a married couple who served as Black foreign service
4 officers when such a job being awarded to Black people was nearly
5 impossible.

6 Brookland as a neighborhood was founded in 1887 but I
7 wish to point this Committee's attention to the 1950s and '60s
8 when a Federal Highway Administration decided to route the north
9 central freeway right through our neighborhood because there
10 would be no "substantial relocation of persons." But at the time
11 Brookland was a thriving Black community with thousands and homes
12 including Howard professors, doctors, teachers and government
13 workers of all strides. Those neighbors fought for years and
14 ultimately won in court against the demolition of their beloved
15 community, of our beloved community.

16 This is especially relevant because many who have
17 testified indicated they didn't know what was on that block or
18 on this block before. They were homes, some over 100 years old.
19 They were owned by people that at one time or another who fought
20 for this neighborhood, whichever side of 901 Monroe Street
21 development you sit on, but for that opposition none of us would
22 be here.

23 I have attended meetings about this iteration of 901
24 since last summer. Since that time the 200 Footers have made
25 active attempts to dialogue about our concerns regarding the

1 project and attempted to engage in constructive conversations
2 about amenities that may not only mitigate the impact of the
3 construction and the building on our current living environment
4 but also to introduce new recreational opportunities for the
5 entire neighborhood to enjoy. The response to our concerns and
6 ideas have been inadequate and at best seek to kick the can down
7 the road. We have now reached a fork in that road, the hearing
8 and unfortunately our concerns about retail and amenities remain
9 unaddressed.

10 For example, we have asked for community green space.
11 In response the development team plans to study the land on which
12 Colonel Brooks mansion sits. It's difficult to envision why
13 studying ground that the development team does not own and will
14 likely never own provides any benefit to the community now or
15 ever particularly since that land is subject to its own
16 development controversy.

17 In response to the 200 Footers request for some type
18 of acceptable community green space this is what we have been
19 offered. A promise to study land the development team does not
20 own with results that are not even remotely actionable. This is
21 not an amenity and when presented as such, such an inadequate
22 response brings out the Alabama in me. You'll have to excuse me
23 but when somebody says something that makes no sense like that
24 where my people are from we say that dog won't hunt and this
25 study is one non-hunting dog.

1 There have been no attempts to mitigate the adverse
2 effects on the rowhouses as a result of the installation of what
3 equates to a two-way street behind their home. Indeed, when we
4 met with the developers just two weeks ago about the alley among
5 other concerns, they reminded the 200 Footers they do not own the
6 property and said that there's nothing they can do indicating
7 there has, during this entire process, been no attempt to
8 mitigate.

9 Next what's happening with the retail spaces has been
10 shifting sands. First, the development team did not plan for any
11 retail. Then the development team was considering some type of
12 live-work arrangement that they acknowledge exists nowhere in the
13 District and they can't tell us how they envision it working. I
14 understand now there's a plan for approximately 1,500 feet of
15 retail space in response to the greater Brookland and Edgewood
16 communities desire for it which is certainly a step in the right
17 direction but I do wish to make one point very clear here since
18 Commissioner Henchman raised it in his remarks during the prior
19 hearing date.

20 Yes, there is a 1,500 foot retail space going into the
21 development. Yes, there is a plan for underground power lines.
22 The 200 Footers have been advocating for those things since the
23 beginning, during the initial walk around, in our survey at the
24 Brookland Civic Association meeting, indeed at several of the
25 meetings and every time we raised it until very recently we were

1 | told that there was no intention of doing those things.

2 | When we, the people most directly impacted by two years
3 | of imminent construction have raised these same points, our
4 | desires and concerns are dismissed out of hand which raises
5 | concerns about communication going forward. What happens when
6 | the streets are torn up or clogged with construction vehicles?
7 | What happens when any of the myriad mishaps that occur during a
8 | construction project of this size and magnitude affect our block?
9 | When no is the immediate and automatic response, it does not
10 | inspire a lot of confidence that we as the 200 Footers are working
11 | with responsive neighborhood improvement partners.

12 | The development team is offering approximately \$125,000
13 | to local charitable organizations. Before there was any plan to
14 | activate retail spaces I suggested during one of our meetings
15 | that the development team consider offering lease agreements with
16 | these charitable organizations, in my mind killing two birds with
17 | one stone, activating Monroe Street while engaging in good will.
18 | Each development team representative indicated that they had not
19 | considered it and would look into the idea but mere moments later
20 | the representative from Greater Brookland Intergenerational
21 | Village indicated that they had indeed asked for space and been
22 | told no.

23 | It's disappointing to hear that some of our neighbors
24 | have styled the 200 Footers NIMBYs when nothing could be further
25 | from the truth. A number of you have indicated that you've

1 | informally walked to this block and in your estimation the project
2 | won't impact the surrounding community negatively. But we know
3 | this block. We know our neighborhood fox and our neighborhood
4 | cat, Pete, who loves to have his ears scratched. We have
5 | beautiful children, loving parents and neighbors who are
6 | intimately involved in social justice matters to include
7 | affordable housing. Have you seen any of that when you walked
8 | or jogged by our loved block?

9 | There's a reason that 200 Footers are required by law
10 | to receive communication, to engage in negotiations with the
11 | developers. We are most directly impacted and because we are
12 | most familiar with neighborhood nuances, because we live here.
13 | This is our block, yet though it is our block it is the 200
14 | Footers who have advocated for this development to offer more
15 | affordable housing than what has been offered, senior housing,
16 | retail space, community green space and spaces to house local
17 | charitable organizations.

18 | I can say one thing for certain. Everybody involved
19 | today wants right sized development for Brookland that will help
20 | address the housing crisis in this city. The 200 Footers have
21 | been listening to the community and advocating for that since the
22 | very beginning but responsible development of this or any
23 | property requires a modicum of trust between the development team
24 | and the nearby neighbors. I want to believe that we are all too
25 | sophisticated to believe misinformation intended to divide us as

1 neighbors. Unfortunately, this process has been rife with
2 irregularities and a lack of candor that has impeded to building
3 our credibility between the development team and the 200 Footers.

4 Indeed in what represents a damning admission regarding
5 this lack of communication with the 200 Footers, during the prior
6 hearing date the Applicant when specifically asked about
7 communication with the 200 Footers continually said they were "in
8 communication with the community" implying the greater community
9 because they know they have intentionally avoided working with
10 us.

11 In closing, this project will bring at last two years
12 of significant construction noise. There will be heavy
13 equipment, significantly increased in rerouted traffic and
14 several other impediments that will impact everyone in the
15 neighborhood after which the 200 footers will be living next to
16 a 75 foot building that dwarfs every other building nearby.

17 This was once a Black neighborhood where Black
18 construction workers and sanitation workers and intellectuals and
19 government workers fought against a highway and won. This is our
20 only opportunity to do what our ancestors and elders did to ensure
21 that there would even be a Brookland to fight over, have our
22 voice heard by this reasonable and august body. So let us all
23 strive to leave a legacy that we can be proud of in this moment.
24 Let us all work together to plant trees under whose shade we will
25 never sit.

1 And with that I will yield. Thank you.

2 MS. KAHLOW: Thank you. I think we lived within our
3 51 minutes, didn't we? If not with a couple of seconds, but I
4 think we lived within it.

5 CHAIRPERSON HOOD: I think, Ms. Ackerman, unless some
6 can't see what's going on, we're going to work with that clock
7 so we can see it. They still have five minutes or six minutes.

8 MS. KAHLOW: I thought we were doing fine.

9 MS. ACKERMAN: I had mine set and the timer just went
10 off.

11 CHAIRPERSON HOOD: Oh, well we're going to go by the
12 clock that's been showing publicly. I'm going to go by this one
13 that's in black (indiscernible) what color it is and we need, we
14 will work on that, Mr. Young, and Ms. Schellin and Ms. Ackerman,
15 let's work on that so people like me can see it better. But it's
16 five minutes and fifty-five seconds.

17 Do you have anything else, Ms. Kahlow? Thank you, Ms.
18 Ackerman.

19 MS. KAHLOW: No. That's our whole panel and we're
20 available to answer questions. Thank you.

21 CHAIRPERSON HOOD: All right. Okay. Good.

22 I thank the party, the 200 Footers, and also the
23 Brookland BNCA for your presentation to us today. I have a few
24 questions. We asked BNCA already. I have a few questions but
25 I'm not going to start. I'm going to ask my colleagues to go

1 first.

2 Commissioner Imamura, do you have any questions or
3 comments?

4 COMMISSIONER IMAMURA: No questions. Thank you, Mr.
5 Chairman.

6 CHAIRPERSON HOOD: Okay.

7 Commissioner Wright, any questions or comments?

8 COMMISSIONER WRIGHT: Not at this time. I'm still
9 absorbing everything I've heard.

10 CHAIRPERSON HOOD: Commissioner Stidham, any questions
11 or comments?

12 COMMISSIONER STIDHAM: I have two questions.

13 So the list of concerns of the 200 Footers which I
14 think is in Exhibit 36. Was that shared with the Applicant?

15 MS. KAHLOW: Yes. I believe it was. Julie, can you --
16 are you talking about the survey? Julie?

17 COMMISSIONER STIDHAM: And I don't have the exhibit in
18 front of me. I think it's a summary of the survey. It's Exhibit
19 36 which, I have too many windows open. No, sorry. It's Exhibit
20 16A. Apologies. Community concerns and amenities. So I think
21 it's separate from the survey results which is at another exhibit,
22 I think.

23 MS. KURTZ-KELLER: Yeah. And I'm having, I'm trying
24 to pull that up and I know in my, I believe in my written testimony
25 I indicate there which exhibit it is. I'm trying to pull that

1 up right now just to make sure and confirm because I believe it's
2 16A, something like that sounds right and then my original letter
3 which is maybe, right around that also puts the survey results
4 embedded into my original letter of opposition. So it's in there
5 a couple of times. It was submitted in January. Both of those
6 were submitted in January of this year.

7 COMMISSIONER STIDHAM: Okay.

8 MS. KURTZ-KELLER: And they were first presented at the
9 BNCA meeting in November but those were an oral presentation that
10 we summarized the top concerns and then there was a follow-up in
11 writing in the written record in January.

12 COMMISSIONER STIDHAM: Okay. And you never, so you
13 submitted -- you provided testimony and you submitted this list
14 but I believe in your testimony you stated that you, that the
15 200 Footers never met with the Applicant alone broadly or you met
16 once? I was a little confused about --

17 MS. KURTZ-KELLER: Yeah. So obviously there were
18 community meetings when we were certainly both present. The only
19 meeting exclusively with the development team and the 200 Footers
20 that was convened at the 200 Footers' request, I sent an email
21 in early May of this year. Three weeks later they responded and
22 then we coordinated a meeting on June 9th and that, there we met
23 actually at a neighbor's house and walking in the aforementioned
24 alley so we could do a walking tour discussion.

25 COMMISSIONER STIDHAM: And you discussed your concerns

1 with the Applicant at that time in addition to other testimony
2 you provided? I'm just trying to get a sense of how you
3 communicated your wants and interests and concerns to the
4 Applicant.

5 MS. KURTZ-KELLER: Sure. So community meetings are one
6 of the primary ways. There were 200 Footers present at every
7 single public meeting. Usually many of us, sometimes we were
8 almost the entire meeting. So they certainly had much opportunity
9 to hear. Then the BNCA also held two meetings if I'm not correct
10 or mistaken in which this 901 Monroe was discussed and they heard
11 from 200 Footers. Yes, we did not meet exclusively with our ANC
12 Commissioner.

13 COMMISSIONER STIDHAM: Okay. And you never, the
14 responses you received from the Applicant related to all of these
15 concerns? I mean, did you receive a response?

16 MS. KURTZ-KELLER: We never received a written
17 response. The meeting that was on June 9th, we focused on
18 amenities and our concern that the amenities package they
19 proposed did not address our, any of our suggestions and requests.
20 We also focused heavily on alley safety. Part of that was because
21 the ANC's conditions had recently come out requiring alley
22 safety, security and aesthetics to be improved in coordination
23 with the neighbors and we wanted to hear what they had been
24 thinking about in response to those ANC conditions and actually
25 walk them through our alley to see how exposed we are and that's

1 when we didn't get any indication from them that they had given
2 any thought to additional alley safety and security, aesthetics
3 measures.

4 COMMISSIONER STIDHAM: Okay. Thank you.

5 Chair Hood, I yield back to you.

6 MR. DURANT: Can I --

7 CHAIRPERSON HOOD: Hold tight. Now who's that? Hold
8 tight.

9 MS. KAHLOW: It's Guy.

10 CHAIRPERSON HOOD: Yeah. Hold tight, Guy Durant. Hold
11 tight.

12 Vice Chair, I'm coming to you myself (indiscernible).
13 Vice Chair Miller, any questions?

14 VICE CHAIRPERSON MILLER: Thank you, Mr. Chairman, and
15 thank you, Barbara Kahlow, and the witnesses, Ms. Noya and Ms.
16 Kurtz and Mr. Durant, and Ms. Gleason for your very thoughtful
17 and comprehensive testimony including Ms. Kahlow quoting back our
18 comments at setdown and our questions which we did further explore
19 at the last hearing and will, but that reminds me to continue to
20 explore that further with the Applicant in terms of compatibility
21 with the surrounding neighborhood and sufficient setbacks and
22 stepdowns adjacent to the 10th Street neighbors.

23 And I did ask the Applicant about the alternative zone,
24 Ms. Kahlow, that you recommended or suggested, MU-5A, and I
25 recall, my recollection is -- I'll explore this again with the

1 Applicant when we have an opportunity -- my recollection is that
2 the, well, No. 1 the difference between 70 feet and 75 feet (audio
3 interference) they weren't going to get six stories because you
4 needed sufficient floor to ceiling and a lot of technical (audio
5 interference).

6 CHAIRPERSON HOOD: Are we losing you, Vice Chair?

7 MS. KAHLOW: We lost him.

8 CHAIRPERSON HOOD: I think we're having some connection
9 issues.

10 VICE CHAIRPERSON MILLER: I turned off my video.

11 CHAIRPERSON HOOD: Okay.

12 VICE CHAIRPERSON MILLER: Can you hear me better now?

13 CHAIRPERSON HOOD: Yeah, we can hear you better now.

14 VICE CHAIRPERSON MILLER: Okay. If you lose me, I'll
15 come back another, I'll log on and log off. But, where did you
16 lose me?

17 CHAIRPERSON HOOD: You were talking about something
18 previously I think the last question you were (indiscernible).

19 MS. KAHLOW: I wrote it down verbatim. Do you want to
20 know exactly what you said that we heard?

21 VICE CHAIRPERSON MILLER: Sure.

22 CHAIRPERSON HOOD: Go right ahead.

23 MS. KAHLOW: You were talking about the 70 versus 75
24 feet that they wouldn't get six stories because of floor to
25 ceiling. I'd like to make a comment however that those six

1 | stories the last time it was 61 feet (audio interference).

2 | VICE CHAIRPERSON MILLER: Okay.

3 | So the other thing that I gleaned was that the MU-5A
4 | if it was just straight map amendment, they said it would not
5 | pencil out with the 20 percent, inclusionary zoning set aside.
6 | Anyway, and that's just a kind of a recap of what I did explore
7 | in response to what you previously provided in terms of
8 | information and what we said at setdown. I guess, and so I will
9 | explore further when we have an opportunity with the Applicant
10 | some of those questions.

11 | I wanted a given that, I don't need a long answer but
12 | given that you so strenuously, the 200 Footers so strenuously
13 | opposed the previous iteration of this development ten, twelve
14 | to thirteen years ago and I wasn't on that case. It's so long
15 | ago that it predates even my long tenure on the Zoning Commission.

16 | So you strenuously opposed it. You successfully
17 | appealed the Zoning Commission's multiple actions on that,
18 | approvals of that and now you're saying that you liked that
19 | previous iteration because it had less height, 61 versus 75, less
20 | FAR, 3.3 versus 4.2. It had the alley access. It has a loading
21 | access up on 9th Street instead of the alley behind the 10th
22 | Street properties. It had one more, oh, it had one more robust
23 | construction management agreement, Mr. Durant. So do you regret
24 | opposing that development given that --

25 | MS. KAHLOW: And I can answer that. No.

1 VICE CHAIRPERSON MILLER: -- (indiscernible).

2 MS. KAHLOW: Commissioner Miller, it was inconsistent
3 with the law. It was trying to retain the scale of the
4 neighborhood. Now they changed the law and the reason I suggested
5 an alternative is because even though they've gone to medium,
6 they could have MU-5A versus MU-5B because we don't want a 90
7 foot precedent. And we opposed it because it was, because it
8 was inconsistent with the law. Now it's consistent with the law
9 but not in all ways. As I explained at the end they don't have
10 the amenities which are required for PUDs for community amenity.

11 So they still don't understand that to have a project
12 that works, they need to be consistent with the law and they
13 should talk to us. They didn't talk to us the last time either.
14 But anyway we opposed it not because it was awful but because it
15 was inconsistent with the law. It was too big for the site. So
16 they got a spot zoning which is terrible precedent and that's why
17 we're here today.

18 MR. DURANT: And can I just echo what Barbara's saying.
19 That's exactly right. But it's echoes of last time here whereas
20 before they wanted C-2-B and we were recommending C-2-A and so
21 we weren't against development, we were just the same situation.
22 We wanted just one zoning tick down and they were so greedy and
23 so arrogant they didn't want to do it. Everybody would say,
24 well, C-2-A is just as good. We even hired an architect and
25 showed them alternatives. Our doors were always open. We were

1 willing to work with them but it was always their way or the high
2 way.

3 And I do have to say when we met with the developer on
4 June 9th this year, and I asked him. I said what's going on with
5 the CMA that the ANC said they conditionally approved, all you
6 got to do is just work with us on the CMA and I said send us a
7 red letter, a redlined mock-up of what you want and they still
8 haven't done it. They still haven't done it. They said, well,
9 we'll think about it and they hummed and hawed. I've never seen
10 them send anything at all to us, even a little bit. They keep
11 sticking by their version because it's their way or the high way.
12 They've always had their little arrogance chip on their shoulder
13 where it's their way or the high way.

14 And also when it comes to inclusionary zoning, one of
15 the reasons they didn't want C-2-A the last time was because they
16 would have had to pay or have a little bit more I think of
17 inclusionary zoning versus C-2-B and I just feel like that's kind
18 of cheesy to not want a project just because you have to provide
19 lower housing, lower income housing or, you know, family housing.
20 So it just seems like it was always a greedy element and a lack
21 of willingness to work with us. We've always supported
22 development so we, even in our signs when we were against it, we
23 said C-2-A, not C-2-B and here Barbara is telling you, you know,
24 it should be MU, what 5A, Barbara?

25 MS. KAHLOW: Yes.

1 MR. DURANT: Instead of MU-5B.

2 MS. KAHLOW: Yes.

3 MR. DURANT: So they're against that. They don't even
4 want the smallest change. It's always their way or the high way.
5 For years our doors have been open. For years we've been
6 listening and willing to work with them. I've asked them time
7 and time again, let me meet with your architect. Let me talk to
8 your architect. I haven't talked to their architect, you know.
9 Their architect can come to us. So, I mean, it's just really
10 arrogant and greedy of them and that's all I want to say about
11 that.

12 VICE CHAIRPERSON MILLER: Okay. I appreciate the
13 responses. I would just, you don't have to respond to my next
14 comment but you can if you need to which is that, you know, if
15 the developer found a way to pencil out the MU-5A map amendment,
16 you wouldn't have the PUD. You would have any public amenities.
17 You wouldn't have any of the design efforts that are being made
18 with the bays and the setbacks from the 10th Street properties.
19 You'd have a 70 foot versus 75.

20 But you do realize that, you know, you've gone down
21 this path before and gotten a worse development from your point
22 of view. You could be going down a path where you get the worst
23 development from your point of view today. I just want to, that's
24 my comment. Yeah, I know you realize that. I know you --

25 MS. KAHLOW: Yes. (Indiscernible).

1 MR. DURANT: I just want to talk to your architect and
2 just, because a lot of the stuff they've drawn is sketchy. Like
3 the alley. When you see pictures of the alley it's all fuzzy
4 and there's no details on it. Like, I asked them, I said can we
5 get more detailed plans, you know, kind of blue-printy kind of
6 stuff to see what's really going on because I want to get into
7 just like, you know, how are the cars going to get in? Where's
8 the security cameras? Where are the lights? I asked them about
9 the lights in the alley. I need to know is it going to be a dark
10 alley or is it going to be a lit alley because right there's
11 telephone poles in there with lights. I don't know where the
12 lights are going to go. Do you? Do we know, I mean it sounds
13 simple but we're --

14 VICE CHAIRPERSON MILLER: We can ask about that but
15 it's certainly in that development's interest to have lighting
16 and for that alley to work. But anyway, thank you very much for
17 your very thoughtful and comprehensive testimony.

18 MS. KAHLOW: Thank you.

19 VICE CHAIRPERSON MILLER: My video can come back.

20 CHAIRPERSON HOOD: Thank you.

21 I would say I echo a lot of what the Vice Chair's
22 question was because when I hear statements now, and we keep
23 going back to the case we had some years ago many times, it seems
24 like, if I listen to what I'm hearing, as the Vice Chair
25 mentioned and what I'm hearing from Mr. Durant and Ms. Kahlow and

1 others, it seems like you pushed back last time, you got
2 something. This time it's more or less desirable. But the
3 difference, Ms. Kahlow, is, as you know, is the law has changed.

4 MS. KAHLLOW: Right.

5 CHAIRPERSON HOOD: And now the issue that you had some
6 years ago when we had the flexibility to deal with it, you know,
7 the Court sent it back, vacated and whatever else they did. So
8 now we're going in another direction. I even thought the design
9 was better then, but we're going to work with what we have now
10 and I don't know what the Commission's going to do after we finish
11 analyzing and doing our own discovery when we get all the
12 regulations.

13 But let me go back to something, Ms. Kahlow, that you've
14 been saying quite a bit about spot zoning. I think you said that
15 once before and I know you know, your name goes synonymous with
16 zoning in the city. I've been around a while so I'll give you
17 that. But I believe if this was spot zoning, this would not be
18 in front of us and I'll leave that up to the lawyers but I just
19 want to make, correct that for the record. I don't believe that
20 your assessment of this being spot zoning is spot zoning. I
21 don't think this case is spot zoning because if that was the case
22 we'd be doing spot zoning all over the city and we're not.

23 I don't necessarily have a question for you, Ms.
24 Kahlow, but let me go to Ms. Kurtz. I'm very concerned about
25 Ms. Kurtz's issue about traffic. Ms. Kurtz, I (indiscernible),

1 I'm going to ask the Applicant to expand on that and not put you
2 on promised land. I want to find out more about the issue with
3 the alley and the traffic and the safety issues because that's
4 what the Commission, that's what our charge is, to make sure that
5 the residents of the District of Columbia and all competing
6 interests be protected, safety and health of the residents of the
7 District of Columbia and so Mr. Tummonds, if you hear me talking
8 know that I want to talk about the safety issues that Ms. Kurtz
9 had mentioned.

10 Now, the CMA, Mr. Durant, I agree with the CMA. I'm
11 going to ask the Applicant about that. But the only fundamental
12 problem I had about the CMA and I heard you say this and maybe
13 you can explain yourself, is about getting some money up front.
14 I mean, did I hear you right? Did I hear you say give everybody
15 some money?

16 MS. KAHLOW: That was not in the original CMA.

17 CHAIRPERSON HOOD: I know it wasn't and it shouldn't
18 be in this CMA either. So let me, but I can tell you I think
19 that's illegal. I think that's illegal.

20 MR. DURANT: Yeah.

21 CHAIRPERSON HOOD: (Indiscernible) says not, I think
22 it is.

23 MR. DURANT: You know what? That was my personal
24 opinion and just making sure that we're not screwed over. But
25 it's not a requirement and that was just one of the things. Since

1 | their amenities package is so poor I didn't know what was allowed
2 | by law as far as amenities to affected neighbors. So if that's
3 | not allowed that's fine, but we're are going to be heard. We
4 | are going to lose out, so I was just trying to propose in my mind
5 | what were some alternatives. But I don't really care so much
6 | about that. I more care about, you know, making sure that we
7 | don't get hurt and that our properties aren't damaged and that
8 | we're not, you know, choking on the dust and having rats
9 | everywhere, you know. So those were the kinds of things I want
10 | to make sure are covered.

11 | (Pause.)

12 | MR. DURANT: I can't hear you. You're muted, I think.
13 | You're muted.

14 | CHAIRPERSON HOOD: I don't know what we can do about
15 | the rats and all that. That's just an urban problem we have in
16 | the city. But I will tell you that I am concerned about you
17 | all's property and I'm going to push it at CMA. I just want to
18 | make sure I take the money piece out of it. So, Mr. Tummonds,
19 | get ready for that one. That's coming as well.

20 | And I did have a question for Ms. Gleason. Ms. Gleason,
21 | I heard in your testimony that you said you wanted more affordable
22 | housing, but we're talking about less density. My whole tenure
23 | here on the Zoning Commission I've never heard that equation
24 | work. I've never heard it, you know, you always have to push
25 | the envelope to be able to build density. So can you explain to

1 me more about you want to push more affordable housing but you
2 want less density. How does that work or is that even doable?

3 MS. GLEASON: When I say that -- I'm hearing feedback.
4 Can you hear me all right?

5 CHAIRPERSON HOOD: Let me turn mine off. Hold on a
6 second. You can go ahead.

7 MS. GLEASON: All right.

8 When I say that we want more affordable housing, I mean
9 there are people in this neighborhood, myself included, who have
10 been advocates for affordable housing. So I think it's unfair,
11 I don't want to even use the word (indiscernible), I know that
12 it's incorrect (indiscernible) as people who are against
13 affordable housing which I think is one of the things that has
14 ended up occurring in this process.

15 I mean, when we're talking about particularly the
16 zoning regulations as my neighbor, Mr. Durant, just mentioned,
17 in the prior iteration of this project if you go down to I think
18 it was 3A there was a requirement for higher affordable housing
19 percentages. And here if you go down to MU-5A, there's a
20 requirement for higher, at least in my understanding, there's a
21 requirement for higher affordable housing percentages, right?

22 So when we say we are proponents for affordable
23 housing, that's what we mean. We're asking the developers not
24 just for things and I think this is part of our larger point,
25 right, that we're not just asking for things that affect us and

1 | impact us directly. I mean, a green space is certainly one of
2 | the things that we've asked for. The retail is also something
3 | we've asked for, and the affordable housing, the higher
4 | percentage of affordable housing. I mean, it's my understanding
5 | that if they go down to 5A that's a loss of five feet but there's
6 | a way that the building can be designed so they don't lose
7 | density.

8 | And so, you know, I'm not, clearly I'm not the expert.
9 | I was not appointed as expert here, but that is how we've always
10 | styled our opposition. It's always been do right by this project
11 | so that we can all sort of benefit and provide a benefit to help
12 | alleviate the housing crisis in D.C.

13 | CHAIRPERSON HOOD: Okay. Thank you.

14 | I'm going to ask everybody to go on mute while I'm
15 | talking and, Mr. Young, at some point we've got to figure out
16 | why I'm getting a lot of feedback. So I think even when I am
17 | off others may be off too. So let's make sure everybody's on
18 | mute.

19 | Okay, Ms. Gleason. I appreciate it. I just wanted to
20 | try to kind of do a little discovery on that and see if maybe
21 | you could bring something because that's been an issue for me for
22 | a while and I wanted to see if you had something that, even though
23 | you're not, you say you're not an expert but you could have the
24 | idea that we need, so I wanted to hear that. So thank you.

25 | MS. GLEASON: I mean, if I've said anything helpful

1 then, you know, that's my goal. That's really my goal, just to
2 provide helpful feedback so that we can right size this building
3 so that we can have families and, you know, young professionals
4 move into our neighborhood and show them just how wonderful the
5 neighborhood of a block this is.

6 CHAIRPERSON HOOD: Okay.

7 MR. DURANT: Can I just say something about affordable
8 housing?

9 CHAIRPERSON HOOD: Mr. Durant? Mr. Durant? Mr. Durant?
10 Unless the Commission, and I know you. Here's the problem. When
11 you know people you try -- I know you all know Ms. Kahlow. I've
12 been knowing you all for years. But I'm trying, I know what you
13 want to say. I think you've said it. We get it. We know where
14 you are. So let's can we just let me move forward so we can keep
15 the record clean, okay, because then I'll get accused, whether
16 you know it or not he's showing his friends favoritism and I
17 don't try to do that. So, look, maybe you'll get it in somewhere
18 else or maybe you can submit it, but thank you.

19 What I'd like to do now is also follow up with something
20 Ms. Kahlow has mentioned to the Applicant, that some responses
21 that my colleagues have asked for and I'll let them decide whether
22 they ignore it or not, but we can respond to that when we get
23 ready to do it, when we're getting ready to do rebuttal. So
24 we're going to go to those in opposition first. But let's take,
25 I'm looking for Commissioner Stidham and Commissioner Imamura.

1 Can we take about ten minutes?

2 VICE CHAIRPERSON MILLER: Don't we have cross-
3 examination of these witnesses?

4 CHAIRPERSON HOOD: Yeah. I need to take about ten
5 minutes.

6 VICE CHAIRPERSON MILLER: Okay.

7 CHAIRPERSON HOOD: We've been going for, like two hours
8 and fifteen minutes and, you know, we're humans. So we need to
9 take about a ten minute break and we'll come right back, and
10 we're going to come right back to that. Okay? Thank you.

11 (Whereupon, there was a brief recess.)

12 CHAIRPERSON HOOD: All right. We're going to go back
13 in session. I think we have everyone here. We're going to do
14 cross-examination. Did all my colleagues finish asking their
15 questions? Okay. We finished? Okay.

16 Let's go to Mr. Tummonds. Do you have any questions
17 of the party in opposition?

18 MR. TUMMONDS: No questions.

19 CHAIRPERSON HOOD: Okay. And, Mr. Young, are you still
20 getting that feedback?

21 MR. YOUNG: Yes, I am.

22 CHAIRPERSON HOOD: Okay. All right. But when everybody
23 else is muted you don't get it, right?

24 MR. YOUNG: Correct.

25 CHAIRPERSON HOOD: Okay. All right. I'll just have

1 to keep trying to figure it out. We'll figure it out. We'll
2 schedule some time. All right.

3 Commissioner Ra Amin, any cross-examination?

4 ANC COMMISSIONER AMIN: No questions.

5 CHAIRPERSON HOOD: Again, Commissioner Henchman, I
6 don't believe is here. Ms., President Amore, any questions?

7 MS. AMORE: No questions. Thank you.

8 CHAIRPERSON HOOD: Okay. So no one had any questions
9 for the party in opposition. We thank you. So with that, thank
10 you all, 200 Footers and Brookland Civic Association. Thank you.

11 All right. Mr. Tummonds, let's come back with some
12 rebuttal, and I will ask all the parties to stick around just in
13 case you have questions, cross questions on rebuttal.

14 But you know what, we can't go to rebuttal. Let me go
15 to the persons in opposition first.

16 MS. ACKERMAN: Okay. So there's only three and they're
17 all here. It's going to be John Freely, Joseph Keller and John
18 Alta Beals.

19 CHAIRPERSON HOOD: Okay. Let's bring all of them up.
20 Okay. We're going to start off with Mr. John Freely first.

21 (Pause.)

22 MR. YOUNG: He was on and it looks like he dropped off
23 so I would --

24 CHAIRPERSON HOOD: Okay.

25 MR. YOUNG: -- start with the others and come back.

1 CHAIRPERSON HOOD: Okay. Sounds good. Let's go with
2 Ms. Beals. [Bells], hopefully I didn't mispronounce.

3 MS. BEALS: You did not. Can you hear me?

4 CHAIRPERSON HOOD: Yes, we can hear you.

5 MS. BEALS: Okay. Perfect. Thank you.

6 My name is Alta Beals, and in the spirit of being
7 transparent I am one of the 200 Footers but I also requested to
8 speak as a member of the public in this zoning hearing.

9 We bought here in August, 2024 and I live at 915
10 Lawrence Street, right across the street from the new building.
11 I want to strongly note that we, my significant other and I, are
12 not opposed to development on the site. We just want to ensure
13 it is the right development for the current and future community.

14 In my 18 years of living in multiple D.C.
15 neighborhoods, I have seen amazing developments revitalize
16 residential and economic corridors from U Street to Shaw, Navy
17 Yard to Southwest, NoMa to Union Market, all bringing huge
18 benefits to residents and businesses and city alike.

19 However, the 901 project as proposed feels like a
20 maximalist pitch taking all of the zoning liberties while
21 providing none of the benefits associated with the zoning change
22 request. The proposal asks everyone in the area to give up sky
23 and sunlight, deal with large increases in congestion while
24 failing to provide robust normal first floor business spaces to
25 connect the Monroe Street Market to the 12th Street businesses

1 | already here in Brookland.

2 | As part of the 200 Footer group, I volunteered to gather
3 | signatures for the party status application. It afforded me an
4 | opportunity to meet and listen to my new neighbors about their
5 | history in the Brookland community and their concerns and what
6 | surprised me was that, as I was meeting my fellow 200 Footers, I
7 | was almost always introduced to more neighbors, one or three or
8 | sometimes five streets away who had similar concerns and I bring
9 | this up because I know a lot of the conversations centered around
10 | the 200 Footers concerns and the broader community loving the
11 | idea but I do think there is quite a mix of concern with the
12 | project even broader than the 200 Footers.

13 | Many of the Brookland neighborhoods discussed with me
14 | how much they also want very strong development project at the
15 | 901 Monroe lot. They want a new injection of neighbors and
16 | businesses added to the D.C. community but they were confused and
17 | frustrated by some of the choices being made in the project. The
18 | height and the mixed use were the top concerns that I heard
19 | talking with the neighbors as well as traffic flow being a close
20 | third and then of course conversations about lack of green space
21 | amenities and home owner options.

22 | Just to touch quickly on the first three. Many, many
23 | neighbors noted to me the changing of the zoning to allow for
24 | now a max height of 75 feet or per the curbed project plan of
25 | six stories drastically change the neighborhood skyline with

1 consequential effects to Brookland's aesthetic look and character
2 as well as the community's sunlight and air flow. The change is
3 stark and concerning, but changing the height will not be in
4 afforded the zoning changes of the mixed use benefit really took
5 a lot of the Brookland residents I talked to by surprise and off
6 guard.

7 A small portion of business development that has an
8 intense time clock for success has been re-added thanks to an
9 amazing campaign by John Leibovitz and other neighbors but
10 nothing like what is seen on the other side of the tracks of the
11 Brookland Arts Walk and the ground floor businesses that pepper
12 that area.

13 We viewed benefits of the mixed use height that
14 negating the mixed use business development forever creates a
15 void which could be critical for activation to bridge and thus
16 boost up an economic corridor continuing down the path both sides
17 of Monroe Street connecting the 12th Street businesses right
18 across from a key metro area.

19 Lastly, I'll just really quick mention regarding the
20 traffic flow and safety. Many, many neighbors surrounding the
21 area talked to me about their concern for what a strong child
22 population we have in this area due to a plethora of families
23 and schools. I heard concerns that the single point of ingress
24 and egress for the traffic flow for how it will create stoppages
25 and flow issues in the area is going to make for unmanageable

1 and dangerous traffic flow. That concerned many neighbors, as
2 well as all the goods and services required that many have already
3 talked about today.

4 With that, I won't belabor these points further as I
5 know we already heard from many more knowledgeable and eloquent
6 speakers than myself on these matters but as someone who walks
7 Brookland's streets meeting a plethora of my new neighbors beyond
8 just the 200 Footers, I did want to convey some of the really
9 great conversations I had with them about the broader community
10 concerns and I thank you for your time.

11 Thank you.

12 CHAIRPERSON HOOD: Okay. Thank you.

13 Let's go to Mr. Keller.

14 MR. KELLER: Good evening, Commissioners. My name is
15 Joseph and I am a Brookland resident born in D.C. and speaking
16 in opposition to this proposal in its current form, not because
17 we oppose the new development or housing, but because this process
18 has lacked representation from critical members of the community.

19 We have equity policies in this country to protect
20 those who suffer disproportionate negative impacts, people who
21 lack the platform or the resources to advocate for themselves
22 when they're in the minority. That's exactly what's happening
23 here. This development process has undermined and is undermining
24 the platform of those who will bear the greatest burden, the 200
25 Footers group.

1 I've heard that a racial and equity lens was applied
2 to this analysis. If so, I haven't seen it. There's a lack of
3 demographic representation in this process that was surprising.
4 Why don't the proponents of this proposal represent the rich
5 diversity of Brookland? Not everyone feels comfortable and
6 empowered to speak out in places like these, so it's clear that
7 many voices are missing.

8 When we ask who bears the cost versus who reaps the
9 benefits the answer is clear. My 90-year-old neighbor three
10 doors down who's been in the neighborhood since 1975, she deserves
11 representation. The children of this neighborhood, including my
12 own three-year-old daughter whose health and safety are at stake,
13 they deserve representation. The vulnerable population being
14 drowned out by louder, more resourced interests. They deserve
15 representation. They bear, and we bear, the disproportionate
16 burden while being distanced from the potential benefits.

17 Representation requires that this development
18 incorporate the uniqueness of this block and its neighbors. DDOT
19 does acknowledge, as they have in a meeting with us on May 13th,
20 2025, that the proposed ingress/egress in our alley represents a
21 transportation scenario that exists nowhere else in the entire
22 District, yet the solution proposed to address this is generic
23 protocol. That's not safety for the surrounding community, it's
24 dangerous. A unique challenge deserves a unique representative
25 solution.

1 Supposedly neighbors who we have never met and
2 testified today claim to know the comings and goings of this
3 alley. That accuracy is highly suspect at best and disingenuous
4 at worst. Honestly I prefer not to be here tonight. Like many
5 of you we have lots of life challenges right now. We're trying
6 to raise a child while dealing with the Federal workforce
7 disruptions that have personally impacted my family. I'd rather
8 advocate for something than against something but when our own
9 ANC won't even acknowledge their conditional support for this
10 project, we have to stand up for ourselves. It's disappointing.

11 We are troubled and concerned that neither the
12 Applicant nor our ANC have plans to uphold their agreement or
13 ensure compliance. But we're still neighbors, still
14 Brooklanders. We're hoping to find something that we can champion
15 together so that the 200 Footers can become as passionate about
16 this project as its proponents.

17 We look forward to welcoming our new neighbors because
18 they will really be our neighbors, but it matters how we get
19 there. Commissioners, demand more than the status quo. Reject
20 this proposal and encourage one worthy of Brookland, one that
21 acknowledges rather than ignores those who bear the highest cost.

22 Thank you all for the opportunity to speak and thank
23 you all to those who participate in this process.

24 CHAIRPERSON HOOD: Thank you. Mr. Freely. John Freely.

25 MR. FREELY: Can you hear me?

1 CHAIRPERSON HOOD: Yes. Can you speak up a little bit?

2 MR. FREELY: Okay. Thank you.

3 CHAIRPERSON HOOD: There you go.

4 MR. FREELY: So, my name is John Freely. I'm a former
5 Commissioner on Advisory Neighborhood Commissions 5A and 5B.
6 I've been around for the negotiations concerning this block for
7 the whole 15 years and attended many meetings about the proposal
8 for development.

9 I oppose the current application before the Zoning
10 Commission to grant 901 Monroe Street, LLC a planned unit
11 development. My opposition is based on two factors. The first
12 is the development team has not engaged in meaningful (audio
13 interference) --

14 (Pause.)

15 CHAIRPERSON HOOD: We can still see you, Mr. Freely.
16 Can you see us? Can you hear me?

17 MR. FREELY: I was dropped somehow. Can you hear me?

18 CHAIRPERSON HOOD: You're still on. We can see you.
19 Can you see us? We can hear you so if you want to continue your
20 testimony.

21 MR. FREELY: I can --

22 CHAIRPERSON HOOD: Now you just muted yourself. Okay.
23 Now you're good. Go ahead. You muted yourself again. Oh, you're
24 not mute anymore.

25 MR. YOUNG: I am not, no.

1 CHAIRPERSON HOOD: Okay. By the way, do you still hear
2 the echo?

3 MR. YOUNG: I do.

4 CHAIRPERSON HOOD: Okay. I closed another page. Okay.
5 Mr. Freely, you can go ahead.

6 (Pause.)

7 CHAIRPERSON HOOD: I guess we have a way of reaching
8 him. He thinks he's dropped but he's still on. Can you hear
9 me? John Freely, can you hear me?

10 VICE CHAIRPERSON MILLER: He probably can hear you and
11 needs to turn off his video like I did.

12 CHAIRPERSON HOOD: I'd say he's calling. We'll give
13 him a minute. Let's just give him a moment.

14 Ms. Ackerman, we don't have anyone else, right?

15 MS. ACKERMAN: (Audio interference) undeclared and none
16 of the three are here.

17 CHAIRPERSON HOOD: Oh, so we don't have anyone else.
18 Okay.

19 MR. FREELY: All right. So you can hear me? Okay.
20 Okay.

21 So I have been at meetings and as a Commissioner for
22 the discussion on the development of this site for 15 years and
23 I do speak in opposition for two reason. The first is the
24 development team has not engaged in meaningful community
25 discussion concerning their plans for the block to the people

1 that matter the most, the 200 Footers. And so the 901 Monroe
2 Street, LLC partners have a history of ignoring the input of
3 those most affected by their plans for this city block, once
4 again the 200 Footers. While they have made the required number
5 of community presentations concerning this proposed development,
6 they have throughout their 15 years of attempting to get project
7 approval ignored input from 5B residents with concerns about it,
8 especially the current residents of the block.

9 On the other hand, they've gotten the support of city-
10 wide development groups like Greater Greater Washington and the
11 Coalition for Smarter Growth, the staff for these organizations
12 are at every hearing that I've been at and on the other hand,
13 901 Monroe Street partners have ignored and dismissed community
14 suggestions for architectural modification, also for
15 recommendations concerning the half block alley and have not said
16 any response from the developers over the years.

17 They haven't shown any willingness to work with the 200
18 Footers and this demonstrates a lack of commitment to a major
19 element in the PUD process, considering and incorporating
20 community input. It's this part of the process which they've
21 continued to ignore since 2011. Their tactics in community
22 engagement included a well remembered intrusion into the
23 Brookland Neighborhood Civic Association meeting in December of
24 2011. With a resolution pending concerning the first 901 Monroe,
25 LLC PUD from the Civic Association, a group of Colonel Brooks

1 Tavern employees arrived to become BNC members the same night and
2 then vote for resolution in support of the PUD. One waiter
3 informed the gathered members that he had been told to come that
4 night, join Brookland Civic with his membership paid by his
5 employer and cast his vote in favor of the first proposed PUD or
6 lose his job.

7 In terms of recognition of the impact on the historic
8 nature of this site which I think is important, the developer has
9 ignored the already identified historic resources surrounding
10 their project. At this entrance to Brookland instead of the art
11 deco sign we see at the base of 12th Street and Rhode Island
12 Avenue or any kind of community garden like we have at Michigan
13 and 10th or Michigan and 12th, the developers have designed a
14 building that will dwarf everything else around it, at the same
15 time ignoring the history of our neighborhood and its varied
16 architecture.

17 Currently, the 901 Monroe, LLC website praises the
18 current project design as a seamless connector between Monroe
19 Street Market and 12th Street. Where are the architectural
20 features that would create this seamless bridge from one
21 neighborhood to another? The height and density created by the
22 proposed 901 Monroe Street design dwarfs the historic Luke C.
23 Moore high school building built in 1891 and ignores the landmark
24 DCTV building built in 1835 and towers over the current homes of
25 the block.

1 Also and just as significantly, the proposed structure
2 pointedly ignores the homes of the 200 Footers and makes no
3 attempt to accommodate their access to light or open space. There
4 are no height setbacks proposed for the east side of the building
5 where the current residents of the block reside. The service
6 entrance and dumpsters for the new structure are proposed for the
7 current half block long alleyway behind the remaining rowhouses
8 that face 10th Street.

9 Basically there's no attempt to create any sort of
10 seamless architectural context that reflects the early 20th
11 century rowhouses, the Greek revival mansion and the wood frame
12 houses that surround the site which leaves us with a large
13 rectangular prism with a central break in the six story height
14 facing 9th Street, not 10th Street, where the remaining houses
15 are. Needless to say, the current design does not reflect any
16 of the community input that suggests accommodation should be made
17 for the comfort, sense of space or even recognition of the
18 existence of the 200 Footer neighbors.

19 One would think that after 15 years of considering how
20 to develop this site, a building that somehow reflected the
21 neighborhood for which it was designed might be proposed and one
22 would think that some greater understanding of shared concerns
23 might have produced a compromise between residents and the
24 development team. But no. 901 Monroe, LLC has remained committed
25 to their original purpose, to build a structure of maximum height

1 and density allowed by the city and based on their unwillingness
2 to follow the intent of the PUD process and their lack of
3 appreciation for the historic nature of their site, I believe
4 that 901 Monroe, LLC should not be granted the requested PUD in
5 case, in this case 24-15, before the Zoning Commission.

6 And thank you for giving me an opportunity to speak.

7 CHAIRPERSON HOOD: Okay. Thank you. Again, if
8 everybody can mute because I'm getting feedback. All right. Al
9 right.

10 We will, colleagues, can you hear me, Mr. Freely? If
11 not don't worry about it. So let me see if we have any questions.
12 I'm looking to my colleagues. I just want to ask in general,
13 any comments or questions of this panel? Okay. Everybody's
14 saying no. Again, I want to thank you all but let's see if we
15 have any cross.

16 Mr. Tummonds?

17 MR. TUMMONDS: No, no cross.

18 CHAIRPERSON HOOD: I see. Okay.

19 Commissioner Ra Amin, 5B?

20 ANC COMMISSIONER AMIN: No cross, no questions.

21 CHAIRPERSON HOOD: Okay. And, again, Mr. Henchman I
22 don't think has joined us yet.

23 Ms. Kahlow?

24 MS. KAHLOW: No. No questions.

25 CHAIRPERSON HOOD: President Amore, any questions or

1 cross?

2 MS. AMORE: No questions or cross. Thank you.

3 CHAIRPERSON HOOD: Okay. Thank you.

4 Ms. Ackerman, can we bring the three undeclared up and
5 then I think we will be ready for rebuttal.

6 MS. ACKERMAN: Edna Hirsch (phonetic), Alex Shafer
7 (phonetic) and John Dugas (phonetic). I'm checking now again to
8 see if they've come on in the last few minutes.

9 CHAIRPERSON HOOD: Oh, they're not here? Okay.

10 MS. ACKERMAN: No, they're not here. I just wanted to
11 call.

12 CHAIRPERSON HOOD: So I think we've gotten everyone
13 here and the ones names you called are not here so I guess we
14 will continue to move forward.

15 Mr. Tummonds, how much time do you need for rebuttal?

16 MR. TUMMONDS: We can do our rebuttal in 12 minutes.

17 CHAIRPERSON HOOD: Okay. Let me know when you're ready
18 and you all may begin.

19 MR. TUMMONDS: Sure. Thank you very much. And thank
20 you to the Commission for continuing this very important review
21 of this project.

22 First, I'd like to ask Mr. Vincent, Andrew Vincent, on
23 behalf of the Applicant a couple of questions. First, Mr.
24 Vincent, did you meet with the 200 Footers before this application
25 was filed?

1 MR. VINCENT: We did, 100 percent. Yes. We engaged a
2 meeting with them prior to filing. We thought it was very
3 important to meet with them first. We, you know, kicked off this
4 whole community engagement process specifically with the 200
5 Footers. In addition as part of our ongoing communication we
6 launched a website for the project. We had a FAQ on that website
7 that we updated throughout the process for complete transparency
8 on, you know, changes that were being made and responding to
9 questions that were asked of us. So that was done in written
10 form on the website and updated continuously.

11 Over the course of the process, the community
12 engagement process, we received 50 emails from the community
13 regarding the project. I'll just note that only four of those
14 or roughly eight percent were from the 200 Footers.

15 MR. TUMMONDS: You mentioned the changes that were made
16 to the project throughout this process. Were any of those changes
17 made in response to direct issues raised by the 200 Footers, say
18 in their survey or by feedback that you received from the
19 community at these community meetings?

20 MR. VINCENT: A hundred percent, yes. So we made many
21 changes in response to community feedback including addressing
22 many of the concerns that were brought up in the 200 Footer
23 survey. Some of these included the incorporation of the retail
24 live-work space along Monroe Street to further activate that
25 street frontage. No residential parking permits for the

1 residents of the building was something that we changed based on
2 feedback. Direct entrances off Lawrence Street is another thing
3 we changed in response. Underground utilities on Monroe, again
4 that's about a million dollar investment that we agreed to make
5 that change.

6 You know, in response to concerns over the alley and
7 traffic speeds, we agreed to put in speed bumps into the alley
8 to slow down traffic and respond to that concern and we also
9 expanded the construction management plan in response to concerns
10 that we heard from the 200 Footers and the larger community.

11 MR. TUMMONDS: So if you expanded that why didn't you
12 just agree to use the old construction management agreement as
13 the basis for this new construction management agreement?

14 MR. VINCENT: So we did use it as the basis. You know,
15 it's important to note that the construction project that is
16 being proposed in this application is quite different than the
17 previous one in terms of the construction impact. You know,
18 specifically there's no significant demolition or excavation
19 required in the, you know, as part of this project and so the
20 impacts on the neighbors in terms of dust and noise and trucks
21 is going to be a lot less.

22 There are, you know, in response to some of the concerns
23 that Mr. Durant, you know, brought up. He talked about, you
24 know, pre- and post-construction surveys being part of the old
25 plan. That's in this plan. We've pre- and post-construction

1 surveys and we also have timelines in the construction management
2 plan to complete any repairs caused from, any damage caused from
3 our construction activities.

4 Dust control, rodent control, that's all in our
5 construction management plan although, again, I will note that
6 this project is going to have much less impact due to the lack
7 of significant demolition or excavation. But we are happy to
8 provide a detailed analysis in our post-closing statement.

9 MR. TUMMONDS: Thank you.

10 Now I'm going to switch over to Mr. Dettman. I have a
11 couple of questions for him.

12 Mr. Dettman, could you please address the allegations
13 that this project results in spot zoning?

14 MR. DETTMAN: Certainly, and good evening,
15 Commissioners.

16 I thought maybe I'd answer that question and so put it
17 within the context of the standard that the Commission applies
18 in the PUD case, that three prong standard, one of them being
19 that the Commission must find the project to be inconsistent with
20 the comprehensive plan, and as you know that in 2021 the Council
21 changed the comprehensive plan, specifically the future land use
22 map designation for this site. And so essentially what the
23 Commission is doing right now is implementing those land use
24 policy directives, those land use policy changes that the Council
25 made in adopting the comprehensive plan.

1 Commissioner Hood, you mentioned I think a prior case
2 that addressed the issue of spot zoning and certainly here this
3 is not spot zoning. There's lots of case law on the two prong
4 test that was established by the courts in terms of addressing
5 specifically whether something is spot zoning. That's the Daro
6 case, D-A-R-O and in that case the two prong test is that in
7 order for something to be constituted as spot zoning it has to
8 involve a single property and it has to be deemed inconsistent
9 with the comprehensive plan. It has to be both. And here, again,
10 as I mentioned here we have a comprehensive plan where the
11 existing zoning of the site is arguably inconsistent with the
12 comprehensive plan and in this particular case the PUD related
13 map amendment related to MU-5 essentially would be implementing
14 the new future land use map designation for this site.

15 I wanted to, Ms. Kahlow mentioned that this MU-5B
16 rezoning would be precedent, bad precedent setting for future map
17 amendments or PUDs and that's not the case either. The zoning
18 regulations specifically speak to that. In Subtitle X, Section
19 300.4 it specifically says, "The PUD application may include a
20 related zoning map amendment. A PUD related zoning map amendment
21 is valid only in combination with and contingent upon a project
22 being built and operated under the conditions of the PUD
23 approval." And this is the sentence that's most important. "PUD
24 related map amendments establish no precedent for the Zoning
25 Commission's consideration of permanent changes to the zoning of

1 the PUD site or adjacent areas, or for consideration of future
2 PUDs."

3 MR. TUMMONDS: Thank you.

4 Mr. Dettman, could you also please compare the PUD
5 benefits and amenities that are provided in this project to the
6 Hanover PUD on 8th Street which was discussed by President Amore?

7 MR. DETTMAN: Sure. And, again, kind of putting that
8 in the context of the three prong standard that the Zoning
9 Commission applies here. The third prong being that the PUD has
10 to include specific public benefits and project amenities that
11 are not inconsistent with the comp plan.

12 So that case on 8th Street was case No. 18-21. It was
13 a much bigger project. That project was 325,000 square feet.
14 This project is 250,000 square feet. That project had 377 units.
15 This project has 230 units. So, again, a much bigger project.
16 But when you align the PUD benefits packages for that project and
17 this project, our benefits package is either identical or
18 outpaces that one.

19 And just to go through it very quickly because Ms.
20 Kahlow did, sort of line by line. That project has a 5,100 square
21 foot public plaza. This project provides substantial setbacks
22 along Monroe Street. The plaza, the additional setback, the land
23 area that's being provided for wider sidewalks and better
24 pedestrian circulation, that's 3,200 square feet that's being
25 devoted to public access. If you add to that the \$30,000

1 contribution that's being made for other open space study at the
2 Brooks Mansion, certainly that is at least comparable to the
3 5,100 square foot plaza in that other project.

4 That project had 12 percent affordable. This one has
5 15 percent affordable. They both have three bedrooms. They're
6 both LEAD gold. They both have RPP restrictions. That prior
7 project has about \$199,000 contributions to various
8 organizations. That equates to about \$528 per unit. This
9 project, including the Brooks mansion study, is \$125,000
10 contribution towards various organizations in that study, again
11 equating to \$539 per unit. So a greater per unit contribution.

12 Both projects have TDM and both projects have loading
13 management plans. I think if you align it and, again, to that
14 idea of precedent, each project is sort of judged upon its own
15 sort of set of circumstances and what not. I think that our
16 benefits and amenities package certainly is balanced with the
17 development incentives that are being requested in this project.

18 MR. TUMMONDS: Great. Thank you, Mr. Dettman.

19 And finally, Mr. Young, if you could pull up the PDF
20 that we sent earlier today. Excellent. Thank you. I'm now
21 going to have Mr. Walters walk through a photo simulation that
22 we prepared in response to Chairman Hood's request to have a
23 realistic perspective of how this building will interact with the
24 surrounding buildings. So with that, I'll hand it over to Mr.
25 Walters.

1 MR. WALTERS: Thank you.

2 The first view, we are on the bridge going over the
3 tracks about the middle of the span. Looking back to the east
4 you see the Luke C. Moore building in the background as well as
5 existing townhomes on the corner.

6 If we go to the next slide you will see the same
7 photograph with the building dropped into it. The power lines
8 have been removed. The bigger street trees in place and you see
9 the much broader sidewalk that we get along Monroe Street and how
10 it's kind of glossy (phonetic) and open and you see the impact
11 of that six story massing. Next.

12 Here we're going to go down 9th Street a little bit
13 below Lawrence looking back to the north back up towards Monroe
14 Street. You see the existing commercial buildings on the left
15 and next.

16 Okay. We've dropped the building in. You can see the
17 setbacks of the building along 9th Street and the relationship
18 to the existing buildings. Next.

19 Okay. Now we're on 9th Street, or 10th Street, I'm
20 sorry. Just below Lawrence looking to the north you see the
21 existing six townhomes and their wall and then if we go next you
22 will see the building dropped in. Okay. You see the building
23 and you see the setback up on the 6th floor. And then next slide.

24 Last slide. We are on Monroe to the east of the site.
25 Looking back to the west you see the tower, the Luke Moore school

1 | in the foreground across the street. You see the open site with
2 | the narrow sidewalk and then you see beyond to Monroe Street
3 | market.

4 | If we go to the next you'll see the building dropped
5 | in. You see the relationship to the Luke Moore. It's kind of a
6 | nice relationship to that massing and then the continuity of the
7 | massing going over to Monroe Street Market. Very sympathetic.
8 | Again, you get the sense of the open sidewalk, the articulation
9 | that we did on the bays along Monroe breaking it up with the
10 | reveals and we do, also importantly, you see the massing turning
11 | around the corner here and there's some questions about why not
12 | step it. We think it's important to maintain that six story
13 | massing wrapping around the corner there. Also it feels very,
14 | you know, comfortable to the relationship with the massing that
15 | you see beyond Monroe Street Market.

16 | MR. TUMMONDS: Excellent. Thank you, Mr. Walters.
17 | That concludes our rebuttal testimony.

18 | CHAIRPERSON HOOD: Thank you, Mr. Tummonds. I think
19 | that rebuttal was well put together, well positioned, so I
20 | appreciate your professionalism and I appreciate the perspective
21 | of what I needed. Is that in the file? Is that in the record
22 | yet?

23 | MR. TUMMONDS: We submitted it today (audio
24 | interference).

25 | CHAIRPERSON HOOD: Okay. It's, yeah.

1 MR. TUMMONDS: (Audio interference).

2 CHAIRPERSON HOOD: Okay. I want to be able to examine
3 and review that. So, thank you all for your presentation. I
4 don't have any questions on rebuttal. Are there any questions
5 on rebuttal from my colleagues? Looking. Okay. Seeing none.
6 Nobody's raising? We're good. Okay.

7 All right. Let me go to, does anybody have any
8 questions on rebuttal? Colleagues? Okay. All right. Let's go
9 to --

10 VICE CHAIRPERSON MILLER: Mr. Chairman, I do have a --

11 CHAIRPERSON HOOD: Okay. Go right ahead. Go right
12 ahead.

13 VICE CHAIRPERSON MILLER: Thank you, Mr. Tummonds and
14 team for that rebuttal testimony and your photo simulation. That
15 was helpful.

16 I think you made a comment that the 10th Street, that
17 you felt it was important to keep the six stories as you wrap
18 around towards the back of the 10th Street townhomes. I think
19 that's what you said because it creates a cohesive building and
20 it compliments that Monroe Street development further down and I
21 guess is it, did you consider those setbacks on that side
22 adjacent to the 10th Street townhomes?

23 I realize you had the additional setback, you widened
24 the alley, the additional setback from the alley, but did you
25 consider setbacks or the kind of angling that Commissioner

1 Wright earlier asked about in the setdown hearing that might have
2 provided more compatibility or design compatibility with the
3 backs of the 10th Street townhomes, if you understand my question.
4 I'm not, I hope I characterized it right. I'm not sure I did.

5 MR. WALTERS: I think, the image that we had up on the
6 screen it showed the six story massing wrapping around turning
7 back about 40 feet on 10th. Actually after that I think we lose
8 it because of the trees, but the building does terrace down going
9 all the way back to the townhomes to try to soften it to the
10 townhomes. I think, I don't know if we can bring the image back
11 but I think that's, I think it was the trees were kind of
12 obscuring that and you weren't able to see it.

13 VICE CHAIRPERSON MILLER: Did your original PowerPoint
14 have a photograph of that or a perspective rendering of that?

15 MR. WALTERS: Yeah. I think we had one looking up 10th
16 Street and you could see it, and actually the second to the last
17 one also showed the view up 10th and you can get a sense of that
18 step at the top.

19 MR. TUMMONDS: I would also say I think, Commissioner
20 Miller, in our presentation in chief last time there is an image
21 in the record of a rendering along 10th Street that shows the
22 separation between the northern most rowhouse on 10th Street and
23 our building, and that setback is --

24 MR. WALTERS: Six feet (indiscernible).

25 VICE CHAIRPERSON MILLER: Is it possible just to pull

1 that up --

2 MR. WALTERS: I'm sorry. The 15 feet, there's a 15
3 foot setback from the property line from the adjacent townhome
4 and then the sixth floor is set back yet again facing south.

5 VICE CHAIRPERSON MILLER: Is it possible, Mr. Chairman
6 and Mr. Young, to pull up the PowerPoint and see that, and if
7 the Applicant just identified that. It's in the PowerPoint, that
8 page number in the PowerPoint just so that -- I can go back and
9 look at it (indiscernible).

10 CHAIRPERSON HOOD: Let's pull it up. We can pull it
11 up now. Mr. Young, can you get that now, please? I do remember
12 that. We showed it last time but if you can pull it back up.

13 Mr. Tummonds, can you tell him where it is?

14 MR. TUMMONDS: Yeah. We're looking it up.

15 CHAIRPERSON HOOD: Oh, you all are looking for it too.
16 Okay.

17 VICE CHAIRPERSON MILLER: And I appreciate everyone's
18 indulgence on this just to refresh my memory.

19 COMMISSIONER STIDHAM: After we address Commissioner
20 Miller's comment, I do have a question.

21 CHAIRPERSON HOOD: Okay, sure. No problem. And I
22 actually have one too, so Vice Chair Miller got us all going,
23 so.

24 (Pause.)

25 MR. WALTERS: Slide No. 12.

1 MR. TUMMONDS: This is slide No. 12 of the Applicant's
2 PowerPoint presentation from our June 23rd meeting.

3 CHAIRPERSON HOOD: Let's give Paul a moment to pull
4 that up.

5 MR. TUMMONDS: Okay.

6 (Pause.)

7 MR. WALTERS: Great. That slide shows the setback
8 where it's set back 15 feet from the property line and then if
9 you actually fast forward two more slides, the view over the
10 alley, you'll see where the sixth floor sets back yet again at
11 that area above the townhomes. Does that help answer the
12 questions, Commissioner Miller?

13 VICE CHAIRPERSON MILLER: It helps. And so did you
14 consider a stepdown, a further stepdown there and how much impact
15 would that have on the loss of housing I guess and other impacts?

16 MR. WALTERS: I mean, we were weigh, I think it's
17 outlined in the photo, weighing kind of achieving the FAR and
18 getting the full amount of housing and affordable housing at the
19 site so there is a very delicate balance of all of the setbacks.
20 Besides these upper setbacks we have significant at grade
21 setbacks, as Mr. Dettman defined, so we had to kind of weigh all
22 that to determine where we could set back. So, you know,
23 additional setbacks do remove housing, just straight up delete
24 housing.

25 VICE CHAIRPERSON MILLER: You didn't find any scenarios

1 of, or did you, that would and how much would be lost if you did
2 a --

3 MR. TUMMONDS: I think in a post-hearing submission we
4 can provide a more detailed analysis of how much value and how
5 much housing would be lost if there were setbacks because I do
6 think what happens too is that if we can say things like if you
7 just set it back six feet, well, that may not seem like a huge
8 deal but then if that six feet makes, in a double loaded corridor,
9 one half of the corridor not being able to provide what are
10 basically marketable units, it's more than the six feet so we
11 lose more. But I think we can absolutely provide a analysis for
12 the Commission in a post-hearing submission.

13 VICE CHAIRPERSON MILLER: Thank you. I think that
14 would be helpful. Thank you.

15 CHAIRPERSON HOOD: Okay. Commissioner Stidham?

16 COMMISSIONER STIDHAM: Thank you, and thank you, Mr.
17 Tummonds, for your rebuttal. You had, I think you hit a lot of
18 valid points.

19 I think where I'm lacking in understanding is your
20 coordination with those that are most closely going to be impacted
21 by this project by the 200 Footers. Can you help me understand
22 some of that coordination? I mean, for instance, did you develop
23 the CMA in coordination with the 200 Footers, with the broader
24 group, with the larger community? I completely get where you
25 coordinated with the ANC. That's extremely clear. Where I'm not

1 | understanding is your coordination with those most closely
2 | impacted by this project.

3 | MR. TUMMONDS: Sure. I think, and maybe I'll turn, I
4 | can pass it over to Mr. Vincent to provide some specifics. But
5 | with regards to the construction management, the construction
6 | management agreement that we are proposing today is based on the
7 | construction management agreements that are presented to the
8 | Zoning Commission in almost all projects. We start with that
9 | base, that kind of base agreement and it includes things like the
10 | neighborhood representative, the contact person for our general
11 | contractor. And then we go from that, and so you'll see if you
12 | look other projects that come before you, there are a lot of
13 | similarities.

14 | And then based on that we look at some additional items
15 | and here we have the guidance from our previous construction
16 | management plan. So when we talk about who are the people that
17 | will be subject to the pre- and post-construction surveys, we
18 | look at the 200 Footers and expanded that a little more.

19 | But I think, and I'll let Mr. Vincent talk about the
20 | specifics, but, again, a lot of the things that were in the
21 | previous one are just not as applicable today because of the fact
22 | that we are not going to have the number of trucks coming to the
23 | site. When we were excavating a full below grade level of
24 | parking, that was a lot of earth to remove. That required a lot
25 | more probably specificity that Mr. Durant was talking about to

1 have in the construction management agreement. We felt that it
2 wasn't as necessary for this one, basically applying the facts
3 of this case to this agreement.

4 But with regards to the specifics and reaching out the
5 200 Footers, and especially 200 Footers, I'll pass it over to Mr.
6 Vincent.

7 COMMISSIONER STIDHAM: Thank you.

8 MR. VINCENT: Thank you.

9 Yes. Once again, you know, we had a lot of engagement
10 with the 200 Footers. We, again, kicked off this whole process
11 by meeting with them before we even filed and as I, you know,
12 stated previously we made a lot of changes to the project based
13 on that input. I think, you know, one thing that's happening
14 here is we weren't able to accommodate every ask that was made.
15 They didn't get everything they asked for. But we did make a
16 lot of significant changes to the project in, you know, trying
17 to make it a better project in conjunction with that engagement
18 with the community.

19 COMMISSIONER STIDHAM: So I get how the CMA was
20 constructed and what you have in it. What I'm not hearing from
21 you is your conversation with the 200 Footers on, for instance,
22 the CMA. I understand how it was built, how it was constructed,
23 what you considered, but what I'm not hearing is your conversation
24 with those who are directly affected by those construction
25 impacts. So did you sit down with them and discuss it? Did you

1 provide them a copy and ask for their feedback? You know, help
2 me understand that coordination.

3 MR. VINCENT: Yes. So it was published to the website
4 so they had a copy. They read through it.

5 COMMISSIONER STIDHAM: How would they know that it's
6 there? Was there notification to them?

7 MR. VINCENT: There was. Yes. They received it. They
8 received it and their main comment was it wasn't as long and so
9 they took the length as being it wasn't as robust. As Mr.
10 Tummonds said, again, there were some aspects of the prior
11 agreement that aren't applicable because this is a different
12 construction project.

13 We did ask them for specifics of what specifically do
14 you feel is missing from the, you know, the current plan versus
15 that prior agreement and we did not get specifics from them. It
16 was just it's shorter, it's, you know, there's got to be something
17 missing. But when we asked for specifically what, you know, what
18 would you like to see in there, we got, you know, we did not get
19 a comprehensive response.

20 COMMISSIONER STIDHAM: And how did this exchange occur?
21 Was this a conversation?

22 MR. VINCENT: There were multiple conversations. The
23 most recent one is we were meeting on the front porch of Warren
24 Freed (phonetic), meeting with the 200 Footers. There was also
25 emails and, again, the email traffic from the 200 Footers was

1 pretty limited. We had a lot of engagement with the broader
2 community, the 200 Footers had less email correspondence with us.

3 COMMISSIONER STIDHAM: And when was the last time you
4 met with the 200 Footers?

5 MR. VINCENT: I believe it was --

6 COMMISSIONER STIDHAM: Was that on the site walk that
7 was done?

8 MR. VINCENT: It was in June, I think it was around
9 June 9th.

10 COMMISSIONER STIDHAM: Okay.

11 MR. VINCENT: The 9th, somewhere in that range. It was
12 probably a week or so before the hearing.

13 COMMISSIONER STIDHAM: Okay. Thank you, Chairman Hood.

14 CHAIRPERSON HOOD: Thank you. I want to go along some
15 of that line of questioning from Commissioner Stidham, Mr.
16 Vincent.

17 For the life of me, and I wasn't going to bring this
18 up but for the life of me I can't figure out how a group of people
19 who were supposed to meet -- one group said they had a meeting,
20 another group said they didn't have a meeting. I going to tell
21 you, that is one of the most disturbing things I'm hearing because
22 it sounds like (audio interference) meet with them but I'm hearing
23 you all say you meet with them. I can't, go figure. I can't
24 figure it out. So I'm going to bypass that question.

25 What I want to do is ask for you all to work with the

1 CMA that gives them a comfort level and memorialize it and, Mr.
2 Tummonds, not necessarily the boilerplate that we normally see.
3 One of the things that I heard you say in the rebuttal, and I'm
4 not sure if it's in there, it may already be in there, if you
5 damage property I think you all said you're going to do like a
6 pre-inspection and do an after inspection. I think what I heard
7 from Mr. Durant is that they want a level of comfort and I believe
8 because they, you know, that's their property. So we want to
9 make sure that we don't damage their property, how long it's
10 going to fix it.

11 If we can memorialize those things so the Commission
12 can look at it because if you all can't figure whether you all
13 having a meeting, didn't meet, I don't know how to answer that
14 question. So I think it's going to be up to the Commission. But
15 I will say this to the party in opposition and to the Applicant,
16 it would be better if you all do it as opposed to us. So if we
17 can get you all to at least figure, a meeting, and let me just
18 say what a meeting is. A meeting is when a group of people get
19 together and discuss a topic. Because one group say you didn't
20 have a meeting, the other group says you had a meeting and to me
21 that is the most confusing thing and we have more complicated
22 issues than that.

23 So let's have a meeting or have a discussion or at
24 least memorialize it, Mr. Tummonds, so we can see it. But I
25 would like for the party in opposition to at least, depending

1 upon how we move forward, if we move forward and when we move
2 forward, at least put that in the record so they'll have some
3 certainty and predictability and they know they have some
4 protections in place. Can we at least agree to that? I'm not
5 saying (audio interference) -

6 MR. TUMMONDS: Okay.

7 CHAIRPERSON HOOD: All right. So I think that's one
8 thing. Okay. I'll just leave it at that. Any other questions,
9 colleagues?

10 Commissioner Wright?

11 COMMISSIONER WRIGHT: I would be interested in seeing
12 images of the very first building that you showed the community
13 at your very first community meeting and how the building actually
14 changed to what we're seeing today. I would be, it would be
15 helpful for me to see what you started with and where we've ended
16 up. I think the thing that is making me uncomfortable is that
17 I've been involved in the review of projects that are almost
18 exactly this size and this number of units but that have been
19 shorter and able to have a lot more, what did we call it, shaping
20 or --

21 MR. TUMMONDS: Sculpting.

22 COMMISSIONER WRIGHT: -- right, sculpting, and I can
23 give you examples, you know, if you want. I mean, one I'll
24 mention right now is the Kingsley in Alexandria, Virginia. It's
25 175 units but it actually has a 58,000 square foot Harris Teeter

1 on the ground floor. So if you converted that 58,000, you know,
2 you'd probably end up with about the same number of units that
3 you're talking about in this building and it's about 66 feet in
4 height and it has a lot of sculpting.

5 So I guess, you know, I understand that you're trying
6 to work with a unique site. You know, the site is not absolutely
7 an apples-to-apples comparison but I guess I'm concerned that,
8 you know, you've made some design choices, probably for very good
9 reasons but that those design choices have put you in a position
10 where the changes from when you started to where you are today
11 are not necessarily addressing all of the concerns, at least that
12 I've been hearing. And the images that you shared just today of
13 the building dropped in on the site sort of reinforced for me
14 that this building is something that could use a bit more
15 sculpting.

16 So, you know, I also would be interested, you know, you
17 can only sculpt in so many places and so I understand that the
18 idea of the 45 degree incline plane from the rear property lines
19 of the existing homes may not be doable. If you then however
20 sculpt more on the street facing sides that, you know, that's
21 sort of a compromise that I'm envisioning. I think your efforts
22 to sculpt the building need a little more work.

23 So, you know, I also agree with things that the Chair
24 just mentioned about really talking to the affected owners about
25 the details of the construction management agreement and making

1 | sure that there is, you know, some meeting of the minds there or
2 | at least in their understanding of what you're proposing because
3 | I think right now I get the impression they don't fully understand
4 | that you are proposing pre-construction inspections and post-
5 | construction and that there are a number of those things in the
6 | CMA. So, you know, I think there probably needs to be a bit more
7 | work there.

8 | I think the bottom line for me is this site does need
9 | a significant residential building to be built on it. It needs,
10 | the fact that it's been a vacant lot for all these many years is
11 | not good for the community. As people mentioned, you walk along
12 | Monroe Street and you feel like, you know, that there's a gap
13 | and it's not a very comfortable gap as you're walking along Monroe
14 | Street. It's important that this project is able to happen. But
15 | I do think that it needs a little, it needs a little more work
16 | and I hope that your minds are still open to some of these ideas.

17 | I truly believe it should be a PUD and not a rezoning.
18 | I know there's been that discussion sort of woven throughout
19 | this, but honestly the PUD is so important, the streetscaping is
20 | so important. We wouldn't be getting all of that with just a
21 | rezoning. The undergrounding of the utilities. I get it, that's
22 | huge. That is a major, major amenity that I think we're just
23 | not giving enough significance to. That's a major amenity and
24 | it's very expensive.

25 | But, and I think the, you know, maybe even a little

1 more information about what you're proposing on the
2 streetscaping. Can you install, you know, larger caliper trees
3 from the get go to actually have a better streetscape early on,
4 you know. What are you, you know, what kinds of paving are you
5 looking at? You know, how is that streetscaping going to really
6 be the amenity that I think you're anticipating it to be? But I
7 think we need to really understand what's going into it because,
8 you know, I believe that the streetscaping and the additional
9 affordable housing that you're doing are really, really very
10 important amenities that we should not give short shrift to.

11 So in any case I, you know, I've been listening and
12 listening and some of my thoughts are coalescing. I may have
13 more thoughts that will coalesce as I sleep on it but I did want
14 to just mention, you know, again, I've seen in my previous roles
15 as chief of a development review division, I've seen projects
16 that are almost exactly this size but that have been able to do
17 it more architecturally in terms of sculpting. So I just think
18 that we need to have a bit more conversation on that.

19 CHAIRPERSON HOOD: Okay. Great. Any other questions,
20 colleagues? Anybody else?

21 (No response.)

22 CHAIRPERSON HOOD: All right. Let me do cross-
23 examination on rebuttal. Let me just say it's on rebuttal.

24 Commissioner Ra Amin, any cross on rebuttal?

25 ANC COMMISSIONER AMIN: No rebuttal.

1 CHAIRPERSON HOOD: Okay. I'm still going to call
2 Commissioner Henschman 5F who has not joined us this evening.

3 Ms. Amore from Brookland Civic, any cross on rebuttal?

4 MS. AMORE: No cross. Thank you.

5 CHAIRPERSON HOOD: Okay. And, Ms. Kahlow, 200 Footers,
6 any cross on rebuttal? Go right ahead. Yes.

7 MS. KAHLOW: Yes. I was surprised by a lot of it. Now
8 I hear an echo. Okay. Can you hear me? Okay.

9 I could ask about everything but first I want to ask
10 about the statements from Mr. Vincent about the CMA that
11 Commissioner Stidham asked, that you asked for specifics and they
12 were missing. No one ever met with us on the CMA, period, game
13 over. Nobody ever asked for our input.

14 MR. TUMMONDS: Is that a question?

15 MS. KAHLOW: No. But I am, are you willing to meet in
16 my home, as we did before, and to go line by line and to come up
17 with something that we can give, that's a joint agreement and
18 give the Zoning Commission as we did the last time? Are you
19 willing to meet to actually have a conversation?

20 MR. TUMMONDS: We're willing to address, to do just
21 what Chairman Hood said and come up with --

22 MS. KAHLOW: I'm asking if I can be included and go
23 line by line --

24 MR. TUMMONDS: Oh, yes. Absolutely.

25 MS. KAHLOW: -- since there wasn't, thank you. Because

1 | there was no meeting. I don't want to go through it all, it was
2 | confusing for you because it was confusing for me. It didn't
3 | happen. And I don't think that the 200 Footers understood that
4 | they were supposed to respond to a website. They sent letters
5 | and I don't think there was a clear understanding because people
6 | wanted to be included and if we can have that conversation, CMA
7 | (indiscernible) --

8 | MR. TUMMONDS: A quick question, Ms. Kahlow. Ms.
9 | Kahlow?

10 | CHAIRPERSON HOOD: Ms. Kahlow? Ms. Kahlow? Ms. Kahlow,
11 | hold on a second. (Indiscernible) Ms. Kahlow, hold on one second.

12 | MS. KAHLOW: Okay.

13 | CHAIRPERSON HOOD: I need you to give us a question.

14 | MS. KAHLOW: Okay.

15 | CHAIRPERSON HOOD: The Commission is very well aware
16 | of the website. Commissioner Stidham echoed that. We're in tune
17 | with what's going on. So what I need you to do for us is to give
18 | me a question.

19 | MS. KAHLOW: Okay. First question was will with us on
20 | the CMA? Second question is will you meet with us on the proposed
21 | amenities and mitigation measures that we have not heard the
22 | developer's response. Can we meet on that also, in a separate
23 | meeting?

24 | MR. TUMMONDS: I think that what we need to do is we
25 | are at this stage, and we need to address the concerns that

1 Commissioner Wright mentioned, Commissioner Miller, Commissioner
2 Stidham, Commissioner Hood. I think the idea that to go back
3 and then completely have a meeting to redo everything, I'm not
4 sure that that is an effective use of everyone's time.

5 MS. KAHLOW: So yes to the CMA, but not for the
6 amenities? That's what I just wanted to understand. We are
7 willing to, however (indiscernible).

8 MR. TUMMONDS: You heard my answer.

9 MS. KAHLOW: Okay. So yes on one and no on the other?
10 I don't want to go through the rest of it. I mean, it was
11 conflicting but it didn't matter. It wasn't accurate, that's all
12 I can say, some of the things that were stated in the rebuttal.
13 But that's okay. I appreciate (audio interference). No
14 questions.

15 CHAIRPERSON HOOD: Okay. So if there are no other
16 questions, thank you.

17 Mr. Tummonds, do you have a closing?

18 MR. TUMMONDS: Yes, real quickly. Again, thank you for
19 all your time and I think a good discussion about this project.

20 I would note that this project fully satisfies the
21 requirements for approval of the PUD and zoning map amendment
22 application. In our written submissions to the record and our
23 testimony we have shown that the project is not inconsistent with
24 the comprehensive plan including the FLUM and generalized policy
25 map designation for this property.

1 We believe that we've engaged in robust community
2 engagement process that resulted in changes to the application.
3 These changes were the result of comments we received from the
4 200 Footers and the community. These changes included, as Mr.
5 Vincent noted, the undergrounding of utilities which allows for
6 larger street trees, the introduction of live-work units and
7 possibly retail uses along Monroe Street, the restriction of
8 residents in the building for being eligible for RPP privileges,
9 the introduction of direct access units along Lawrence Street,
10 the inclusion of speed bumps in the alley and an enhanced
11 construction management plan.

12 We've designed, set back and sculpted this building in
13 order to create an appropriate transition to the adjacent lower
14 scale buildings. We are providing significant public benefits
15 and project amenities that will be created as a result of this
16 application such as 15 percent IZ, five percent three bedroom
17 units, the undergrounding of utilities which I mentioned before
18 and a more pedestrian friendly environment along Monroe Street.

19 We've shown that these benefits and amenities far
20 exceed the development incentives requested and any potential
21 adverse effects of this project. We note that this application
22 has received the support of ANC 5B, ANC 5F and dozens of members
23 from the Brookland and surrounding neighborhoods.

24 For all these reasons we request your approval of this
25 application.

1 CHAIRPERSON HOOD: Okay. Thank you to Mr. Tummonds and
2 the team and also to the public, the parties, the ANCs, the
3 residents, everybody who put some work into this and the
4 Commission now we will move forward and deliberate at some point,
5 and take everything that's in the record and try to come up with
6 the best decision possible. So thank you all for all the input
7 whether you're proponent, opponent, undeclared or whatever you
8 were, we thank you.

9 Ms. Ackerman, do we have some dates and I'll tell you
10 I don't know if we can do it. I don't know about my other
11 colleagues, we don't want to rush. We're going to see what we
12 can do, Mr. Tummonds and Ms. Kahlow and others will let us know
13 when they can submit, but I just hate to see us take the whole
14 month of August off and not deal with it before then but I don't
15 know. Maybe I'm asking for too much. I'd like to deal with it
16 before August but let's see. Do we have any dates, Ms. Ackerman?

17 MS. ACKERMAN: Yes. We have our public meeting on this
18 Thursday (audio interference) and then we have the July 31st
19 public meeting, but that one is really full. So our next meeting
20 after that would be September 11th and that is the date I
21 recommend.

22 CHAIRPERSON HOOD: All right. So we'll carry that with
23 us and try to (indiscernible) the whole month of August while
24 we're taking a break. All right. So let's come up with some
25 dates and let's see if everybody's on board. Ms. Ackerman, can

1 | you give us the dates, please?

2 | MS. ACKERMAN: Yes. So by July 18th if we could have
3 | all the requested information from the Applicant submitted by 3
4 | p.m. On July 25th by 3 p.m. if we could have the parties respond
5 | to any information that was submitted and July 28th at 3 p.m. if
6 | we could have the Applicant's draft findings and fact and
7 | conclusions of law submitted, that would be great. Thank you.

8 | MR. TUMMONDS: (Indiscernible).

9 | CHAIRPERSON HOOD: Okay. Let me, Mr. Tummonds
10 | (indiscernible).

11 | MR. TUMMONDS: We're going to use those dates but then,
12 | sorry. We're not going to have any (audio interference) September
13 | 11th.

14 | MS. ACKERMAN: We usually do (audio interference) dates
15 | after the meeting. If you would like more time, I can extend
16 | those dates. That's just typically the time frame that we do.

17 | MR. TUMMONDS: Yeah. Well, I think maybe going to, if
18 | we have until September 11th.

19 | MS. ACKERMAN: I understand. Okay.

20 | MR. TUMMONDS: Yeah. And (audio interference) what
21 | Commissioner Hood said and then, you know, in part what we need
22 | to provide is a discussion of the CMA with the meeting. I think
23 | we probably would be better off to give all parties, Ms. Kahlow
24 | and the 200 Footers, more time for the Applicant --

25 | MS. ACKERMAN: I also want the, I also want the

1 Commission to have enough time to review all materials that are
2 submitted because they are off in August. So why don't we do,
3 let me know if this works with the Commission and the Applicant
4 as well. We could move it, instead of July 18th for the Applicant
5 submitting everything we could do July 28th. Does that work for
6 you or do you want (audio interference)?

7 MR. TUMMONDS: Yeah. Maybe Ms. Kahlow should be in on
8 this too.

9 CHAIRPERSON HOOD: Yes, yeah. Bring Ms. Kahlow up and
10 bring in Ms. Amore and also the ANC. Bring everybody up.

11 Ms. Ackerman, I know you don't have it laid out but the
12 second meeting in September.

13 MS. ACKERMAN: That's the 26th.

14 CHAIRPERSON HOOD: Okay. I know you and Ms. Schellin
15 probably worked that out. It gives everybody more time instead
16 of, because we're just going to be coming right back. If I can't
17 do it in July, let's go to September, the second meeting.

18 MS. ACKERMAN: That works for me. So does the 28th of
19 July work for you to submit your information?

20 MR. TUMMONDS: Yes.

21 MS. ACKERMAN: Mr. Tummonds? Okay. So if that works
22 for you then the Applicant can submit all requested information
23 by July 28th and all parties can respond by August 8th, and then
24 the Applicant can submit their draft order by August 11th.

25 CHAIRPERSON HOOD: Okay. So hold on. So hold on, let

1 me say something. So that case, we might as well keep it --
2 they're doing stuff in August so we might as well just keep it
3 at September 11th. So forget, counsel, what I said about the
4 second meeting in September. Let's do September the 11th.

5 MS. KAHLOW: Okay. Those dates don't actually work for
6 me.

7 MS. ACKERMAN: Okay.

8 MS. KAHLOW: I'm out of the country some of those dates.
9 I don't know what to say. July 28th, they're going to submit,
10 we have to submit by August 8th. Okay. How about August, okay.
11 That's all we have. The findings of fact is the one I can't do
12 by August 11th. I'm literally not here.

13 MS. ACKERMAN: Okay.

14 MS. KAHLOW: Can we do that later in August?

15 MS. ACKERMAN: So, yes. We can make it later.

16 MS. KAHLOW: Thank you. That's the thing that's a hard
17 one.

18 MS. ACKERMAN: I understand. Why don't we say August
19 4th we'll start for the additional requested information from the
20 Applicant. The parties can respond by August, let's see, 15th,
21 and then the Applicant can submit their draft order by August
22 22nd.

23 MS. KAHLOW: We also have to submit a draft order and
24 that's August 22nd is what you're saying? That's better. So
25 you're saying August 4th, August 15th and August 22nd?

1 MS. ACKERMAN: Yes. How does that sound for everyone?

2 MS. KAHLOW: The draft order is for us also. We submit
3 a draft findings of findings of fact and conclusions of law also,
4 not just the Applicant. That was the problem with the last case.
5 We both submitted.

6 MS. ACKERMAN: Okay. Give me one second
7 (indiscernible).

8 CHAIRPERSON HOOD: Yes. You have the right to submit
9 one too as well, parties in opposition. Yeah, we get that.

10 MS. KAHLOW: Yes. Thanks.

11 CHAIRPERSON HOOD: You got it, Ms. Ackerman, or do you
12 need me to help?

13 MS. ACKERMAN: Sorry (audio interference).

14 CHAIRPERSON HOOD: So if I help you, we really going
15 to be in trouble if I help you.

16 MS. ACKERMAN: Okay. So the 4th, 15th and 22nd, that
17 set of dates. That does not work for you, Ms. Kahlow?

18 MS. KAHLOW: No. I can work around it. I'll do it
19 remotely so that's fine. I can work with this. The 22nd is the
20 one I was worried about, so okay.

21 MS. ACKERMAN: I just want to make sure it works for
22 everyone.

23 MR. TUMMONDS: That works for the Applicant.

24 CHAIRPERSON HOOD: Okay. So the 4th, 15th, and the
25 22nd, right, Ms. Ackerman? So that works for everybody, right?

1 Commissioner Ra Amin?

2 MS. ACKERMAN: And you still want September the 11th?

3 CHAIRPERSON HOOD: September 11, yeah. We can do
4 September 11. That's enough time for us. All right. Are we
5 all --

6 ANC COMMISSIONER AMIN: Chair Hood?

7 CHAIRPERSON HOOD: Yes, sir.

8 ANC COMMISSIONER AMIN: I'm just a little concerned for
9 me about September the 11th. I have a standing meeting on that
10 evening and considering the length of time we've been in all of
11 these meetings I'm afraid I might have a huge conflict there. As
12 you may know I serve on the Transportation Planning Board and
13 I'm, you know, we convene at 6 p.m.

14 MR. TUMMONDS: Commissioner, we don't present any
15 testimony on September 11th, we just listen.

16 ANC COMMISSIONER AMIN: Okay. Yeah. I mean, I just
17 have to keep in mind that if we're going to have extended time I
18 may have jump off and I'm totally invested into this.

19 CHAIRPERSON HOOD: We got you. We understand and we
20 will try, I will try -- Ms. Ackerman, we will try to make sure
21 at least you can listen to our discussion so, Ms. Ackerman, we
22 will reach out because we're going to try and go ahead,
23 Commissioner Ra Amin, and go ahead and move with it on the 11th.
24 But I know you're involved in many other things, as many of the
25 rest of us are, but we're going to try to find out if you're

1 available and we will just deliberate about that time. So I'm
2 going to make that commitment now. So, Ms. Ackerman, remind Ms.
3 Schellin as well that we'll check and make sure Commissioner Ra
4 Amin is at least on along with Ms. Kahlow and everybody else.
5 We'll make sure everybody's able to hear those deliberations.
6 Okay?

7 MS. ACKERMAN: I'll make a note.

8 CHAIRPERSON HOOD: Okay. Thank you. Are we all on the
9 same page? Anybody that needs to say anything else? We all
10 good?

11 MS. KAHLOW: I want to be sure that (audio interference)
12 I think it's just (audio interference).

13 CHAIRPERSON HOOD: Yeah. You're going to give us
14 findings and facts though, right?

15 MS. KAHLOW: Okay. I was just making sure.

16 CHAIRPERSON HOOD: That's it, I think. Yeah, I think
17 we're good. Okay. So with that before I close this out, the
18 Zoning Commission will have its regular meeting this coming
19 Thursday which is July the 10th at 4 p.m. on these same platforms.
20 We have various items on the agenda, and with that I want to
21 thank everyone for their participation tonight and this meeting
22 is adjourned, hearing is adjourned. Good night.

23 (Whereupon, the above-entitled matter went off the
24 record at 7:45 p.m.)

25

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

This is to certify that the foregoing transcript

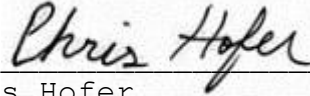
In the matter of: Public Hearing

Before: D.C. Zoning Commission

Date: 07-07-25

Place: Via Webex Videoconference

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



Chris Hofer