

GOVERNMENT OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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REGULAR PUBLIC HEARING
CASE NO. 26-05

+ + + + +

MONDAY

JULY 27, 2026

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

ZONING COMMISSION MEMBERS PRESENT:

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

OFFICE OF ZONING STAFF PRESENT:

PAUL YOUNG, Zoning Data Specialist
SHARON S. SCHELLIN, Secretary

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

BRIAN LAMPERT, ESQUIRE

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ALSO PRESENT:

DAVID M. AVITABILE, ESQUIRE, Goulston and Storrs
LEE S. TEMPLIN, ESQUIRE, Goulston and Storrs
MATTHEW J. BONIFANT, Boston Properties
BRIAN BOLEN, Parker Rodriguez
ANTHONY J. MARKESE, Pickard Chilton
JAMI MILANOVICH, Wells and Associates
CRYSTAL MYERS, DC Office of Planning
ERKIN OZBERK, DC Department of Transportation
DAVID MELTZER, 22 West Condominiums

The transcript constitutes the minutes from the
Regular Public Hearing held on July 27, 2026.

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(4:00 p.m.)

CHAIRMAN HOOD: Good afternoon, ladies and gentlemen. We are convening and broadcasting this public hearing by videoconferencing. My name is Anthony Hood, and I'm joined by Vice Chair Miller, as well as Commissioner Wright. We'll also be joined shortly by Commissioner Stidham. We are also joined by the Office of Zoning staff, Ms. Sharon Schellin, as well as our Office of Zoning Legal Division, Mr. Brian Lampert, as well as Mr. Paul Young, who's handling all of our virtual operations.

The virtual public hearing notice is available on the Office of Zoning's website. This proceeding is being recorded by a court reporter and is also webcast live via Webex and YouTube Live. The video will be available on the Office of Zoning's website after the hearing. Accordingly, all those listening on Webex or by phone will be muted during the hearing and only those who have signed up to testify will be unmuted at the appropriate time. When called, please state your name before providing your testimony. When you are finished speaking, please mute your audio.

If you experience difficulty accessing Webex or with your telephone call-in, then please call our OZ Hotline number at 202-727-0789 to receive Webex login or call-in instructions or if you have not signed up to testify. All persons planning to testify this -- must sign up in advance and then will be called

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1 by name at the appropriate time. At the time of sign-up, all
2 participants will complete the oath or affirmation required by
3 Subtitle Z-408.7. If you wish to file written testimony or
4 additional supporting documents during the hearing, then please
5 be prepared to describe and discuss it at the time of your request
6 when testifying.

7 The subject of this evening's hearing is BXP 2100M,
8 LLC, voluntary design review at Square 72, Lot 75. Again, today's
9 date is July the 27th, 2026. The hearing will be conducted in
10 accordance with the provisions of 11-Z DCMR, Chapter 4, as
11 follows: preliminary matters; the applicant's case -- the
12 applicant has up to 60 minutes, but I think, if they hit the
13 highlights and hit the issues and address those to us, I think --
14 and give us a little background, I think that should be -- can
15 be done in about 20 minutes -- report of government agencies;
16 Department -- report of the Department of Transportation; report
17 of the Office of Planning; report of the ANC -- in this case,
18 there were -- there's one ANC, and there's another ANC that the
19 applicant kept engaged, and we will give those numbers -- hold
20 on; give me one second. I think it's 2A and 2B, if I have that --
21 somebody can correct me, or I'll correct it later. Then we'll
22 have the report of the Office of Planning -- okay -- then we'll
23 have testimony of organizations and individuals, each having five
24 and three minutes, respectively; and we will hear in the order
25 from those who are in support, opposition, and undeclared; then

1 we'll have rebuttal and closing by the applicant.

2 At this time, the Commission will consider any
3 preliminary matters. Does the staff have any preliminary
4 matters?

5 MS. SCHELLIN: I think the -- did you want to do the
6 preliminary matters for this case first, or did you want to vote
7 for a closed meeting for Thursday first? Which way would you
8 like to go?

9 CHAIRMAN HOOD: Let's -- I forgot about the closed
10 meeting. Let's get through this, and we'll put this in abeyance
11 and go back to the closed meeting, and then we'll come back to
12 this.

13 MS. SCHELLIN: Okay. Sure.

14 CHAIRMAN HOOD: Again, those ANC's are 2A and 2B.
15 They -- the applicant kept 2B engaged. Let's finish this out,
16 since I started. I forgot about that, so thank you.

17 MS. SCHELLIN: Okay. Sure. So, as you stated, there
18 are two ANC's. Only one is an affected ANC, and that's 2A, and
19 that is -- the Chairperson is Trupti Patel or John Dolan. They
20 both have been authorized to represent the ANC this evening.

21 And then, as far as proffered expert witnesses, there
22 have been two. Jami Milanovich has previously been accepted in
23 transportation from Wells and Associates, if the Commission would
24 accept her. And I could not find Anthony Markese, but, for some
25 reason, his name was so familiar, in architecture. He may be

1 | able to tell, but I could not find in my records that he had
2 | previously been accepted in -- as an expert by the Commission,
3 | so I'll turn it over there. His resume is at 8E, as in Edward,
4 | but Jami Milanovich was previously accepted.

5 | CHAIRMAN HOOD: Okay. Thank you. And let the record
6 | reflect Commissioner Stidham is here. I said she'd be here and
7 | she showed right up. So, anyway, let's go with Ms. Milanovich,
8 | and let's look at Mr. -- the architect, Mr. Markese. I do recall
9 | that name, but, anyway, any objections to Mr. Markese? Any
10 | objections?

11 | (No response.)

12 | CHAIRMAN HOOD: I'm seeing no, no. Okay. So we will
13 | give Mr. Markese the status -- expert status in architecture.

14 | MS. SCHELLIN: Okay. And then, just very briefly, the
15 | ANC 2A's report is at Exhibit 10, and they are in support. And
16 | then we have the OP report -- hearing report at Exhibit 11, and
17 | their supplemental report at Exhibit 15. They are recommending
18 | approval. And then the DDOT report at Exhibit 12; they have no
19 | objection, although they did list a couple of conditions. And
20 | DOEE provided a report that was contained within the OP report
21 | at Exhibit 11, pages 23 and 24. They neither support or oppose
22 | the application. They encourage the applicant to incorporate
23 | solar panels onto the green roofs.

24 | So, with that, this is a one-vote case. And, as you
25 | stated, the applicant is planning to do a 15 to 20-minute

1 presentation. That's Mr. Avitabile. And I'll turn it over to
2 you, Chairman Hood.

3 CHAIRMAN HOOD: Okay. Thank you. So let's put a --
4 put that in the parking lot, and let's go to the Open Meetings
5 Act -- the announcement of our open meeting this coming Thursday.
6 And, Ms. Schellin, if you could be ready, when we get to that
7 point, tell us what's on the agenda, because if I open up too
8 many files, everything will close up, so let me --

9 All right. So the next item on the agenda, interrupting
10 from our meeting, is a vote for the Commission to hold an
11 executive session on July the 30th, 2026. This session is being
12 held in in order for the Commission to receive legal advice from
13 our counsel regarding the cases noted on the agenda for the date,
14 July the 30, 2026 meeting, and to reserve the attorney-client
15 privilege between the Commission and its attorney, pursuant to
16 DC Official Code 2-575(b)(4) and (A), and to deliberate, but not
17 vote on the contested cases, pursuant to DC Official Code 2-
18 575(b) and 13. And, Ms. Schellin, could you give us the name --
19 or what's on the agenda please?

20 MS. SCHELLIN: Sure. There are four cases: Zoning
21 Commission Case Number 15-18E, 2715 PENN LP. It's a modification
22 without hearing for an approved PUD at Square 1194. Next, Case
23 Number 25-20, DC Department of General Services is a consolidated
24 PUD and related map amendment at Square 5728. And then the
25 Commission will be taken up 25-13, the Office of Planning, text

1 and map amendment to create the new Wisconsin Avenue mixed-use
2 zones. And last, 26-06, 401 14th Street SW 2025, LLC. It's a
3 map amendment at Square 231, and that also involves a parcel.
4 Thank you.

5 CHAIRMAN HOOD: Thank you, Ms. Schellin. I would move
6 that we close the meeting with the above-said agenda, as noted
7 by Ms. Schellin, and ask for a second.

8 COMMISSIONER WRIGHT: Second.

9 COMMISSIONER STIDHAM: Second.

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

12 (No response.)

13 CHAIRMAN HOOD: Ms. Schellin, would you do a roll call
14 vote for the closed meeting?

15 MS. SCHELLIN: Chairman Hood.

16 CHAIRMAN HOOD: Yes.

17 MS. SCHELLIN: Vice Chair Miller.

18 VICE CHAIR MILLER: Yes.

19 MS. SCHELLIN: Commissioner Wright.

20 COMMISSIONER WRIGHT: Yes.

21 MS. SCHELLIN: Commissioner Stidham.

22 COMMISSIONER STIDHAM: Yes.

23 MS. SCHELLIN: And Commissioner Imamura.

24 CHAIRMAN HOOD: Commissioner Imamura is absent today,
25 I believe.

1 MS. SCHELLIN: He is out. Okay. I'm sorry. I covered
2 up my calendar here. So the vote is four to zero to one to hold
3 a closed meeting on July 30th at 3:15. The vote passes. Thank
4 you.

5 CHAIRMAN HOOD: Okay. So let it be noted the motion
6 passes, as Ms. Schellin has mentioned, and this -- the Commission
7 will go into a closed meeting on the above-said date that we just
8 noted. Anything else on that, Ms. Schellin?

9 MS. SCHELLIN: No, sir. Thank you.

10 CHAIRMAN HOOD: Okay. All right. Let's go back to our
11 agenda for the night. We can bring Mr. Avitabile and Ms. Templin
12 up, and whenever you all are ready, you all may begin.

13 MR. AVITABILE: Wonderful. Thank you, Commissioners,
14 for the time this afternoon. It's good to see you all again.
15 It's been so long. We are here today to present a voluntary
16 design review case for 2100 M Street Northwest. This is a block
17 that, for those of you who have had a chance to sit on the BZA
18 at any point over the past 20 years, you may have seen in one of
19 three or four different iterations. This is an office building
20 that various well-known enterprises have attempted to redevelop
21 to bring some activity back to this corner, and I think we're
22 here today with a project that can truly deliver on that.

23 I am joined today by my colleague, Lee Templin. We're
24 also joined from -- by Matt Bonifant Boston Properties, from BXP,
25 who -- I think this is his first time before you. And then we

1 are, of course, joined by our architects at Pickard Chilton;
2 Brian Bolen from Parker Rodriguez, our landscape architect; and
3 Jami Milanovich from Wells and Associates.

4 So what we'll do today is we'll do a brief design
5 presentation from PCA to sort of give you an overall sense of
6 how we arrived at this design for the building, and I think that
7 will pick up on and address a number of the thoughtful comments
8 from the Urban Design Division, and then I will do a brief closing
9 summary of where we stand, relative to some of the reports that
10 are in the record. So that's how we'll proceed. So, with that,
11 Tony, if you want to take it away, please go ahead. And, Mr.
12 Young, if you could bring up the presentation please?

13 (Applicant's PowerPoint presentation shared on the
14 screen.)

15 MS. SCHELLIN: Excellent. Thank you.

16 MR. MARKESE: Well, terrific. Good afternoon. My name
17 is Tony Markese, design principal with Pickard Chilton. First
18 and foremost, I want to just thank you all for your time and
19 attention today, and noted that you'd like a brief overview, so
20 I will go through our slides quickly, and I apologize in advance,
21 a few of them I'll just advance straight through, and, if there
22 are follow-up questions, some of those slides may provide some
23 good backup.

24 So go ahead to the first slide please. Just an overview
25 of the discussion items. I really want to talk about -- focus

1 on the urban design solutions that we've come up with and talk a
2 bit about how the building fits within the context of the city.
3 Next. And, Matt, I don't know if you want to talk about the team
4 and the timeline quickly.

5 MR. AVITABILE: I think we should skip right to the
6 presentation, Tony.

7 MR. MARKESE: Okay. Next please. So I want to talk
8 about the site in -- within the kind of general context of
9 Washington DC really quickly. If you focus on the lefthand
10 corner, where the star is, that's our site at the confluence of
11 M Street, 21st, and New Hampshire, fronting on the Duke Ellington
12 Park. And what's interesting to us about this part of the city
13 and, certainly, you all know it much better than us, is it's
14 surrounded by larger major public spaces, like Washington Circle,
15 Dupont Circle, Logan Circle. We're fronting Duke Ellington Park,
16 which is a very wonderful, smaller triangular park within the
17 urban fabric. And we have felt, from the beginning, that the
18 purpose of our building is to be a good neighbor, to reinforce
19 that southern edge of Duke Ellington Park, and fill in a gap
20 that, frankly, has been blank for the last 20 years.

21 The other thing about this part of the city is between
22 L and M is, actually, a fairly large block, so that makes our
23 frontage, along with the building to the south, one of the larger
24 blocks in the area. And I focus on that because, as we get into
25 the plan, I want to talk about how our building is going to make

1 that frontage on 21st better, in our eyes.

2 Next slide please. And so just a quick -- couple quick
3 shots of the adjacent context, and, really, the thing to focus
4 on is, the building that we're removing and replacing is an old
5 dilapidated brutalist building. There's a space in front of the
6 building that is not public space. It's fenced in, faces north,
7 and, frankly, does very little contribute to the urban character
8 and the richness of Duke Ellington.

9 Next slide. And just kind of a quick sketch that talks
10 about our aspirations of building a building that holds the street
11 edge, adds pedestrian activity on that Duke Ellington Park side,
12 surrounding it with activity via retail, moving the entrance to
13 the building on 21st to add activity, and then, most importantly,
14 is holding the building back, as it abuts our southern neighbor
15 and our western neighbor.

16 Next slide. And there you see it in more detail. The
17 idea that the building is very visible, it will add a lot to this
18 area, and it will complete the M Street Corridor, where there's
19 a blank spot now, as you head east and west.

20 Next slide. And that in a bit more detail. If you
21 focus on the drawing, as it abuts our neighbor to the south,
22 you'll see a dash line where we're holding the building back to
23 let light and air into the courtyard to provide some relief; and
24 then we're doing the same thing adjacent to the hotel and Call
25 Your Mother Bagels; and then focusing on the corner, most

1 | importantly, as a piece that completes Duke Ellington Park, but
2 | I would also like to talk a little bit in detail about what our
3 | vision is for that corner as well, by way of carving it back to
4 | allow for more circulation in and around the park and at that
5 | intersection.

6 | Next slide please. And there you see it in a model
7 | form as well. If you look closely, you see how the building is
8 | set back, and you see how we're carving that southern portion of
9 | the building at the top of the page by holding it back and then
10 | angling it. And then look closely at the model to see how we're
11 | stepping down towards the hotel to the west.

12 | Next slide. And then here's our image from the
13 | building, as seen from M Street. As you're heading westward,
14 | you'll notice that the building does hold the street front, which
15 | we think is very important, particularly relative to Duke
16 | Ellington Park. We're creating a very beautiful building that
17 | also, as I mentioned, as you look down 21st, steps down and is
18 | angled to bring the kind of scale of the building down within
19 | the urban setting. We're creating a very active corner with
20 | retail on those sides of the front edge.

21 | And then, most importantly, at the base of the building
22 | for two floors, we're cutting that prow shape back. And I think
23 | the Urban Design Division's comments about creating enough space
24 | for pedestrians to circulate around is a point well taken. And
25 | I think the building, by holding that face back, addresses that

1 circulation and the ability to flow.

2 If I had -- next slide -- if I could show you only two
3 slides to talk about this project, it would be this slide that
4 talks -- shows you the existing condition and, again, a building
5 that's been out of service for quite some time; a space adjacent
6 to the building that is not very accessible; zero activity at the
7 ground level; and, also, kind of a fenced-in condition that
8 inhibits the use of that space and the green space that kind of
9 inhibits the corner as well, not a great urban condition. We'd
10 like to change that to make it something much more interesting.

11 The next slide shows you our vision kind of from a
12 similar angle, and there you see up close the complete
13 transformation of the corner, the holding back of that face at
14 the corner that I mentioned, raising the line to two stories so
15 it feels open welcoming bright.

16 If you look closely, we're envisioning overhead weather
17 protection for pedestrians, and then, again, this idea of a very
18 rich ground plane that we envision seating flowing out and
19 activating the sidewalk. And now, as you head westward and
20 southwestward on M Street, you no longer have this gap in the
21 urban fabric.

22 Next slide. Just a quick juxtaposition of the two
23 conditions. The left side is the existing condition. You see
24 that fenced in area and you see our dotted line of the building
25 above, and we're actually pulling our building further away from

1 the corner than the existing space has it right now.

2 Next slide. And then -- excuse me -- the view
3 northward, looking through the park, the idea, again, of this
4 facade holding the corner and then stepping down through a series
5 of steps towards a lower height to the south and west, where the
6 hotel and Call Your Mother Bagels is. And then you'll notice,
7 on both facades we've added this bay movement, which does
8 represent a projection, but your design language is very clear
9 and, actually, very elegantly written, in terms of trying to
10 provide relief in a building facade. And, for us, those subtle
11 setbacks and projecting bays provide that relief, so it's not
12 just a pure sheer building; it's not an all-glass building; it's
13 purposely stepped and has a very rich texture on the facade.

14 Next slide. A view of the building as you're looking
15 eastward on the M Street Corridor, and here, again, you're going
16 to see a complete transformation of the site. You'll see that
17 terracing that I mentioned up towards the sky; the bays, which
18 provide some articulation and some relief; and then, next slide,
19 most importantly, that activity at the ground level drawing
20 people out; a great venue for food and beverage; some canopies
21 that provide weather protection for the pedestrians; and then a
22 very beautiful facade to add to the urban fabric.

23 Next slide. Just some quick facts. The building is
24 around 334 GFA. The team, including the developer, purposely
25 made the floor-to-floor within the building more generous, so

1 that there's more light and air coming in. We're not trying to
2 squeeze the maximum amount of floors within the height. We want
3 to create a nice environment for the building and buildings.

4 Next slide. And then our ground floor. The thing to
5 really focus on this, working left to right, is, first and
6 foremost, we're providing head-in service access and parking
7 access; we're reducing the curb cut there for that service access
8 to the DOT-required dimension; and then, as you work to the right,
9 you'll see this idea of lining 21st and the M and New Hampshire
10 frontage with activity, so support activity, the lobby, and then
11 that big chunk of retail, which, presumably, will be food and
12 beverage wrapped in the corner.

13 And then one other minor detail; we're envisioning
14 creating a secondary entrance to the building fronting that M
15 Street access and that 20 -- or that New Hampshire access, which
16 will provide some connectivity to that side of the street. And
17 I think that's really important to have the building not just
18 activate the corner, but also activate the two sides. We
19 purposely held it back a bit, so that you still get that view
20 into the wonderful Call Your Mother Bagels, trying to create a
21 ground-floor plan that enhances the entire experience of this
22 part of the city.

23 Next slide. Quick reminder; we're putting our bike
24 parking at the first level, below grade in that purple area,
25 adjacent to the ramp, which comes down, level access, lots of

1 space and area, and we meet the program requirements for bike
2 parking. Next slide. A roof plan shows the extent of green.
3 Next slide. And then, again, this idea of being a good neighbor,
4 contributing to the urban fabric around us, enhancing Duke
5 Ellington Park, one of our major goals, as we set out to design
6 the building.

7 Next slide. Just some images that provided inspiration,
8 as we were developing the facade, this idea of a layered textured
9 facade. It is not an all-glass building. It is not a glass box.
10 We're exploring a whole range of textured materials on the facade.
11 Next slide. Some details of the -- of the wall. Next slide.

12 MR. AVITABILE: Tony, I think that's where we can ask
13 you to pause --

14 MR. MARKESE: Yeah.

15 MR. AVITABILE: -- and we'll go to the summary of the --
16 of the responses to the reports, so thank you. So, Mr. Young,
17 if we could skip ahead one, two, three, four, five slides --
18 well, one more. There we go. That's perfect. Thank you. Oh,
19 sorry, go back one, please, to that -- thank you very much. So
20 we filed, on Friday, a couple of additional drawings, largely to
21 respond to the comments we had received from Office of Planning,
22 DOEE, and DDOT. The first one is this updated ground floor plan.
23 And what we really wanted to do here is highlight what Tony --

24 MS. SCHELLIN: I'm sorry, Chairman Hood -- I'm sorry.
25 Mr. Avitabile, if I may. Chairman Hood, I forgot, as a

1 preliminary matter, that those two exhibits, Exhibit 16 and 16A,
2 did update the -- they were updated plans submitted less than 30
3 days before the hearing, and I was instructed by our legal staff
4 to make sure that the Commission approved that submission prior
5 to -- that it was submitted prior to -- or less than 30 days --
6 I'm sorry -- less than 30 days before the hearing.

7 CHAIRMAN HOOD: Okay. Thank you. Colleagues, any
8 objections to the responses to a lot of the issues that I think
9 the Office of Planning, as mentioned by Mr. Avitabile -- the
10 Office of Planning and DDOT and DOEE had mentioned? I think
11 these address some of those issues and concerns that were
12 mentioned. Any objections to accepting this less than our
13 required time?

14 (No response.)

15 CHAIRMAN HOOD: Not hearing any, so we'll accept it.
16 All right.

17 MS. SCHELLIN: Thank you.

18 CHAIRMAN HOOD: Okay. All right. Mr. Avitabile, you
19 may continue.

20 MR. AVITABILE: Thank you so much. Thank you. Yes,
21 so we prepared this drawing really to just sort of summarize, I
22 think, a little more clearly exactly how the ground floor lays
23 out. As Mr. Markese explained, not only have we sort of activated
24 the surrounding streetscape, but we voluntarily set back the
25 ground floor on all sides, and particularly over at that corner,

1 so that we are providing that relief, so that we are providing
2 ample space for pedestrians to circulate around the site. And
3 you can see that here, where the red dashed line is the property
4 line, and then you can see how our building is set back. And
5 this allows us to maintain a ten-foot clear sidewalk around the
6 perimeter of the site -- clear sidewalk. That's not including
7 the trees tree pits, which are even wider, but that gives us more
8 space. And then we've also voluntarily set back the building
9 even further to create room for the sidewalk cafes on M Street
10 and for expanded landscape and planting over on the 21st Street
11 side of things. And so I think that this is why we provided this
12 drawing.

13 This drawing also clarifies exactly where the short-
14 term bike parking is. It's actually on the 21st Street side of
15 the building, near where both the main lobby entrance is to the
16 office building and where the primary entrance to the retail
17 space is. We've identified some potential additional areas for
18 bike parking, which we'll work through during the public space
19 permitting process. We just didn't want to overly commit to it
20 yet, in case other elements in public space precluded that. So
21 that was the first drawing we shared. We also provided a drawing
22 that documented the amount of green space at the ground level and
23 at the upper level. We're at a total of about 30 percent of
24 landscape space between the building and in public space, which
25 is a -- I think a significant improvement over existing

1 conditions, which is virtually all paved and impervious surface.

2 And then, if we can go to the next slide, we did get a
3 request from the Office of Planning and DOEE to consider including
4 solar, which we've done. We've integrated it onto the building.
5 Here, you can see the area where the solar will be located is
6 over on the southern side of the building. We're looking at
7 about a thousand square feet of area, which is comparable to what
8 the Commission has approved for other similar buildings,
9 including BXP's last building over at 2100 Penn, and we found --
10 so we found there was a place to include it and not compromise
11 all of the other landscaped and occupiable space, so we have done
12 that. So that is -- those were the main issues and documents we
13 submitted to respond to the Office of Planning.

14 Mr. Young, I apologize, if you can go back one slide.
15 Oh, back, sorry, the other direction. Thank you. Oh, forward
16 one more. Perfect. Nope, go back one. Sorry, that ground floor
17 one. Perfect. Thank you so much.

18 So, on this drawing, I wanted to highlight one
19 additional thing that we did in response to DDOT. So DDOT had
20 asked, in their report, for us to include area -- these potential
21 bump-outs along M Street to extend the pedestrian area, --
22 shorten the crosswalk difference (sic) -- distance. We've agreed
23 to do that. We think it'll improve the accessibility over to
24 the park across the street, and we worked with them to clarify
25 exactly what that commitment would be where the curb extension

1 that will be over on the 21st Street side, so the bottom of the
2 image, we'll do a hardened curb there. And then the curb that
3 will be over at New Hampshire, we'll explore doing a hardened
4 curb over there as well. It's complicated. There are a number
5 of pieces of infrastructure over there that, if we did a hardened
6 curb, might need to be relocated, and it gets very complicated
7 very quickly, so, there, we may explore using what we call
8 tactical features, you know, markings and pavings, in lieu of
9 sort of a formal hardened curb, but we'll work that out with them
10 during public space permitting. Thank you for that.

11 And if we go ahead two slides, to the concluding slide
12 please. Thank you. So we're very happy to be here with support
13 from the Office of Planning and DDOT. With those responsive
14 changes that we've made, I think we've addressed all of their
15 comments. With respect to DOEE, I wanted to briefly run through
16 their six comments and how we've addressed them.

17 The first was simply acknowledging we're doing LEED
18 Gold. The second was to consider providing renewable energy,
19 which we've done by incorporating solar. They've also noted a
20 desire for an all-electric building. I think the building is
21 largely electric. The only potential anticipated gas appliances
22 would be either in the retail space for the -- for an eating and
23 drinking establishment or perhaps for the kitchens within the
24 tenants' space. We have set aside 15 spaces for electronic EV
25 parking with charger access, and the building is designed to have

1 the 51 EV-ready spaces as well.

2 With respect to bird-safe design, we will comply with
3 all applicable regulations. In terms of GAR, we've explored the
4 ability to go beyond the minimum of 0.2. I think adding solar
5 will help with that. I do think we are -- some of the design of
6 the terraces will turn on what the tenants want to do, and so
7 we're a little reluctant to overcommit and force them into a
8 certain amount of landscaping versus some other things they may
9 want to do on those terraces, but we'll certainly see what we
10 can do. We just were trying to strike a balance.

11 And, finally, they asked us to perform a life carbon
12 analysis, which we will be doing. In terms of deconstructing
13 versus demolishing the building, I think that's a challenge,
14 because of a lot of the hazardous materials, but we'll certainly
15 use that LCA to inform what we do.

16 I am slightly over, but, briefly, we really do
17 appreciate -- we spent a lot of time with the ANC's on this one.
18 In addition to presenting to both ANC's before we filed the
19 application, we held a community meeting at the request of ANC
20 2A that everyone was invited to attend. We walked through the
21 design there, and then we went back to both ANC's for their votes.
22 We really appreciate their time on this, and we're happy for
23 their support. And, with that, I will conclude. Thank you very
24 much.

25 CHAIRMAN HOOD: Okay. Thank you, Mr. Avitabile and

1 team. Before I -- let me just do this. Let me go to -- ask
2 Commissioner Wright if she will start us off.

3 COMMISSIONER WRIGHT: Thank you. This is a very
4 exciting project. I'm very familiar with the building that is
5 there now. It was a building that hosted, a year or two ago,
6 Artomatic, which was a sort of special event for a week or two
7 of artists from around the District of Columbia who set up
8 temporary spaces in the building. So I went through the building
9 several times when it was being used for Artomatic. It is
10 definitely a building that's ready for replacement.

11 I think that the design is quite elegant. I'm familiar
12 with the work of this architectural firm, and they did a wonderful
13 project in downtown Bethesda, and they're very good at
14 articulating the facades of buildings, and I think that's what's
15 really exciting here. I think that this building does call out
16 for a building that will engage that corner -- the sort of
17 prowlike corner, and it does that and does it very well.

18 I like the way it steps down. I like the way it
19 activates the street, both with some open space, but also the
20 locations of the retail space and the building lobby. So, you
21 know, I think the kinds of relief that they are requesting are --
22 it's no -- I don't think it's at all problematic. And, you know,
23 I appreciate the design review process. It's exciting to see a
24 really exciting new building that's going to go up. I appreciated
25 the architects taking us through the project, really starting at

1 the sort of parti of what they were trying to accomplish, and
2 then getting into the details of the building. I am -- I have
3 really no questions. I have really no suggestions. I think it
4 looks great. So those are my comments at this time.

5 CHAIRMAN HOOD: Okay. Thank you. Commissioner
6 Stidham.

7 COMMISSIONER STIDHAM: Thank you for the presentation
8 and for all of the documents that you put into the record. I
9 think it was really helpful in understanding the architecture of
10 the changes that you're looking to make. And, frankly, I really
11 like the way that you've broken down the massing by using
12 setbacks. I mean, this is a big structure on, you know, somewhat
13 of a small block, so the way that you have done the setbacks and
14 applied different architectural features, I think, have enhanced
15 the use of the building, but also give it -- make it feel less
16 of a big clunky building that's taking up most of the block, so
17 that is a very nice job. I am a little curious about what you
18 plan to do in that park. Unless I missed it, I didn't see
19 anything in the materials related to improvements there, but,
20 always, circles, squares, and triangles adjacent to communities
21 need love. They are often forgotten, so I know that could use
22 some -- a little love and TLC and enhance the overall building.
23 And I think that is a District square -- a District triangle, so
24 coordinating with whomever is -- has a jurisdiction there is
25 really important. Other than that, I think it's a great project

1 and look forward to see it moving forward.

2 CHAIRMAN HOOD: Great. Thank you. Vice Chair Miller.

3 VICE CHAIR MILLER: Thank you, Mr. Chairman, and thank
4 you to the applicant team for your presentation this -- today and
5 for the -- all the exhibits in the record. I agree with all the
6 comments of my colleagues thus far. I think it's a very
7 attractive design; certainly, an improvement over a building
8 that's been there for a while that is not very attractive. How
9 long has the building been -- you used the phrase "out of
10 service". How long has it been vacant, I guess?

11 MR. AVITABILE: Matt, I don't know if you remember how
12 long the building's been vacant. I know that there have been
13 efforts to try to redevelop the building for -- going back some
14 20 years. I think my colleagues brought the first BZA application
15 forward with Hines (phonetic) in 2007. There was a restart or
16 re-effort with another developer in early 2020 or 2021; and then
17 an attempted residential conversion. And I think one of the
18 things that all three of those had in common were trying to reuse
19 the existing building and structure, and that really seemed to
20 be the problem and the -- what was impeding things. And so
21 choosing to let that go and start again from scratch was really
22 the key, and I think, for us -- and I want to thank the Commission
23 for creating the voluntary design review process, because I think
24 this is a good example of how that project can be really helpful,
25 where we did need some relief, but, rather than have to sort of

1 meet the specific requirements of the variance test, this gave
2 us an opportunity to just sort of present it as a -- as a -- as
3 a package. But, Matt, I went on. When did the building go out
4 of service; do you recall?

5 MR. BONIFANT: I think, 2019.

6 VICE CHAIR MILLER: Well, thank you. I appreciate
7 that response and agree with all your comments, and it's certainly
8 a building that's been ripe for -- ripe for demolition for a long
9 time. This isn't -- this isn't the building where the Social
10 Security Administration was located?

11 MR. BONIFANT: (Nods head affirmatively.)

12 MR. AVITABILE: (Nods head affirmatively.)

13 VICE CHAIR MILLER: It is? Okay. So I've been -- I've
14 been in that building, because I had to deal with some Social
15 Security issue. Yeah, it's not -- it's not a very friendly
16 building, although it worked for what I needed to do, but -- so,
17 yeah, I agree my with my colleague's comment, the facade design,
18 materials, all the step downs and setbacks, the activation of the
19 street -- pedestrian street gate (sic) -- streetscape experience,
20 the green space editions are all incredible -- not incredible,
21 but vast improvements over what's there now. So I appreciate all
22 the work and effort that's already been put into this project and
23 somewhat surprised, in this economic climate, that we have an
24 office development coming forward downtown that I think somewhere
25 I saw was 75 percent pre-leased by a law firm or something. Is

1 that correct?

2 MR. BONIFANT: That that's correct, yeah. It was --
3 it's 75 -- roughly 75 percent pre-leased to the law firm of Sidley
4 Austin.

5 VICE CHAIR MILLER: Well, that's great that our
6 downtown could still have economic development -- office economic
7 development. So does the -- what's on the top of the building?
8 What's on the very top of the building? Is that penthouse space
9 or habitable -- no, it's not habitable. Well --

10 MR. AVITABILE: Yeah. Yeah, there will be habitable
11 space at the top of the building, in the top floor, as well as
12 some green space as well.

13 VICE CHAIR MILLER: And does that trigger any Housing
14 Production Trust Fund requirements?

15 MR. AVITABILE: It does. And give me one second, and
16 I'll remember what the amount is. We did the -- a pre-
17 calculation. I want to say -- yes, that was close -- about a
18 \$920,000 contribution, all told.

19 VICE CHAIR MILLER: Well, that's fantastic. I'm happy
20 to hear that. You know, all of our affordable housing
21 requirements are incremental, but they add up; they add up, and
22 appreciate that this will add up as well, so -- and the solar
23 that you're going to have up there as well. So I have no other
24 questions or comments, Mr. Chairman. And I thank everybody for
25 their work.

1 CHAIRMAN HOOD: I, too, want to join in with the chorus
2 of great remarks on this project, and I do like the design, but
3 I just had one question. I saw something that I've been talking
4 about for a while, and maybe Mr. Markese can help me, and I know
5 you went over it, but we were moving fast and -- in the
6 PowerPoint, it says, "Design vision, a good neighbor". Explain
7 that to me again, because maybe I didn't catch it. I like it
8 though, but I didn't catch it.

9 MR. MARKESE: Sure. Sure. That was one of our early
10 vision pages, before we even picked up a pencil and started to
11 think about what our aspirations for the design would be working
12 with Boston Properties. And, frankly, working with the tenant,
13 we all agreed that the -- first and foremost, the building should
14 be a good neighbor. And I think, Commissioner, what that means
15 is many of the things that we've talked about today, making sure
16 there's activity at the street front, that the building
17 ultimately contributes in a positive way to not only Duke
18 Ellington Park, but the general urban fabric all together. And
19 I think, by the comments you've made tonight or this afternoon
20 and by all of our hard work as a team, we feel like we are doing
21 that -- we're proposing that we will be a great neighbor to
22 everyone. Does that help?

23 CHAIRMAN HOOD: It helps very well, because I've been
24 on the Commission for a while, and I have a policy; I call it
25 the good neighbor policy. And now I see you -- now I'm getting

1 ready -- I'm getting ready to expand the good neighbor policy to
2 structures.

3 MR. MARKESE: There you go.

4 CHAIRMAN HOOD: So my policy is dealing with people
5 working together, but I see now that it's -- and I want to thank
6 you, Mr. Markese, because you won't be at the next hearing when
7 I steal that, so I just want you to know, I'm going to --

8 MR. MARKESE: No worries. Feel free.

9 CHAIRMAN HOOD: I'll give -- I'll give you credit the
10 first time. The next time won't nobody know who came up with
11 it, so thank you for that. I appreciate that. Always looking
12 for the good neighbor policy, especially with people, and now I
13 know we're going to extend it to buildings and structures, so
14 thank you. All right. I don't have any questions. I would
15 agree with all my -- the comments of my colleagues. I think this
16 is very well done, and I want to commend you all on this, as we
17 move forward. Any other follow-up questions or comments to my
18 colleagues? Looking.

19 (No response.)

20 CHAIRMAN HOOD: Okay. All right. Ms. Schellin, do we
21 have anyone here from the ANC 2 -- I think it's 2A.

22 MS. SCHELLIN: I did not see anyone earlier. Let me
23 check again. No, sir.

24 CHAIRMAN HOOD: Okay. I'm going to ask the Vice Chair
25 if he could -- if he could get ready to do those reports when we

1 get there, 2A and I think 2B also, if you don't mind. All right.
2 Let's go to -- do we have any other government agencies, Ms.
3 Schellin, like OAG or anybody?

4 MS. SCHELLIN: No, sir.

5 CHAIRMAN HOOD: All right. What about DDOT?

6 MS. SCHELLIN: I did not see -- DDOT was not registered.

7 CHAIRMAN HOOD: Oh, yeah, yeah, Mr. Ozberk is here.
8 Okay.

9 MS. SCHELLIN: Oh, there he is, yes.

10 CHAIRMAN HOOD: Okay. Mr. Osberk, whenever you're
11 ready, you may begin.

12 MR. OZBERK: Hello. Can everyone hear me?

13 CHAIRMAN HOOD: Yes, yes, we can hear you.

14 MR. OZBERK: Great. Good evening, Chairman Hood and
15 members of the Commission. For the record, I'm Erkin Ozberk with
16 the District Department of Transportation. DDOT is supportive
17 of the applicant's voluntary design application. In our July
18 17th report, which is in the record, we recommended approval with
19 two conditions: first is to implement the Transportation Demand
20 Management Plan, as proposed in the applicant's May 12th
21 transportation statement; and the second was to implement
22 pedestrian improvements in public space, specifically, the
23 removal of a midblock crosswalk on 21st Street and the
24 installation of curb extensions on M Street at the intersections
25 of 21st and New Hampshire. As you've heard in the applicant's

1 presentation, they have agreed to these conditions, and, with
2 DDOT's concurrence, have further clarified design expectations
3 for the curb extensions, as described in their supplemental
4 statement and drawings submitted into the record just last week,
5 on July 24th. With these conditions in the zoning order, DDOT
6 has no objection to the approval of the application. We look
7 forward to continuing to work with the applicant on the noted
8 public space permitting. And thank you. I'd be happy to answer
9 any questions. Sorry if there's some background noise. I'm in
10 the office today.

11 CHAIRMAN HOOD: That's all right. We know that you all
12 are busy and you all are working, so thank you for that. Let's
13 see, colleagues, any questions of Mr. Ozberk?

14 VICE CHAIR MILLER: No questions, but I have to thank
15 him, obviously, so thank you for your comprehensive report.

16 CHAIRMAN HOOD: And don't worry; if you didn't, I was
17 going to ask you to do that. I, too, want to thank you, Mr.
18 Ozberk, for your report. Great job, as always. Thank you. Mr.
19 Avitabile, do you have any questions?

20 MR. AVITABILE: No, no questions. Thank you. Thank
21 you, Mr. Ozberk.

22 CHAIRMAN HOOD: All right. Well, thank you, Mr. Ozberk.
23 Ms. Schellin, let's bring up the Office of Planning. Ms. Myers,
24 whenever you're ready.

25 MS. MYERS: Hello, Commissioners. I'll just wait for

1 my PowerPoint to be pulled up, and I'll start.

2 (Office of Planning's PowerPoint presentation shared
3 on the screen.)

4 MS. MYERS: All righty. The Office of Planning
5 recommends that the Zoning Commission approve this voluntary
6 design review application and recommends approval of the
7 requested flexibility. OP is also in support of the applicant's
8 proposed conditions, including the update for solar panels. We
9 appreciate the applicant's updates, in response to the comments
10 from our Urban Design Division, and we appreciate the applicant
11 adding solar panels to the rooftop. OP believes that the project
12 complies with the design review requirements in Subtitle X-604.

13 OP also did a Comprehensive Plan and racial equity
14 analysis. On the Future Land Use Map, most of the property is
15 designated for high-density commercial use, but the northern tip
16 that is across the street from Duke Ellington Park is designated
17 for Parks, Recreation, and Open Space. The project is not
18 inconsistent with these designations.

19 Please turn the slide. Thank you. The Generalized
20 Policy Map designates the property for institutional use, which
21 reflects a previous use of the property. The policy map is
22 considered in concert with the guidance in the Comprehensive
23 Plan, as a whole, so the proposal is not inconsistent with the
24 Generalized Policy Map.

25 As for the racial equity analysis, it is based on the

1 data from both the Near Northwest and Central Washington Planning
2 Areas, because the property sits along the boundary where these
3 Planning Areas meet. The project should not negatively impact
4 either Planning Area. This project would improve the property
5 with an attractive office and retail building, so it would be a
6 great improvement for people in both Planning Areas. And, with
7 that, I will conclude the OP testimony, and, of course, I'm here
8 for questions. Thank you.

9 CHAIRMAN HOOD: Thank you, Ms. Meyers. Colleagues --
10 I'm looking -- any questions of the Office of Planning?

11 VICE CHAIR MILLER: No questions, but thank you,
12 Crystal Myers, as always, for your comprehensive report.

13 CHAIRMAN HOOD: I, too, want to thank you, Ms. Myers,
14 for your report. Job well done, as always. Mr. Avitabile, do
15 you have any questions for the Office of Planning?

16 MR. AVITABILE: No questions. Just extend the same
17 appreciation. Thank you.

18 CHAIRMAN HOOD: Thank you. Thank you, Ms. Myers. Okay.
19 Ms. Schellin, I'm looking -- oh, no, I'm sorry. Let me go back.
20 I don't want to forget. Vice Chair Miller, can we do the two
21 ANCs, if you have both?

22 VICE CHAIR MILLER: I do have the exhibits in front of
23 me. None -- they're not present here to --

24 CHAIRMAN HOOD: I don't believe so. I didn't see them.

25 VICE CHAIR MILLER: Okay.

1 CHAIRMAN HOOD: I looked, too. I didn't see them.

2 VICE CHAIR MILLER: Okay. So at -- as you -- as noted,
3 I think, by you and Secretary Schellin, at Exhibit Number 10, we
4 have a letter to us from Advisory Neighborhood Commission 2A,
5 stating -- dated June 23rd, 2026, saying that they voted
6 unanimously six to zero to support this application. And at
7 Exhibit Number -- which is the affected -- directly affected ANC,
8 I believe. And at the adjacent ANC, ANC 2B, Exhibit Number 13,
9 we have a letter dated June -- July 15th, 2026 to us, stating
10 that -- from -- signed by Zachary Adams, Chair -- and I forgot
11 to say that the ANC 2A letter was signed by the -- Trupti Patel,
12 Chair of ANC 2A -- but Zachary Adams, the Chair of 2B, wrote us
13 a letter saying that they, too, approved supporting this project
14 by vote of eight to zero to zero at its regular meeting on July
15 15th. So I think that's all I need to say about that. Thank
16 you.

17 CHAIRMAN HOOD: And I, too, want to thank you, Vice
18 Chair, for always being willing to do that when I asked for you
19 to do the ANCs, if they're not here, so thank you for doing that.

20 VICE CHAIR MILLER: You're welcome.

21 CHAIRMAN HOOD: Ms. Schellin, do we have anyone who's
22 here in support, opposition, or undeclared?

23 MS. SCHELLIN: We have one witness signed up in the
24 undeclared category, David Meltzer.

25 CHAIRMAN HOOD: Okay. Let's bring them up. Mr.

1 Meltzer -- Mr. Meltzer, whenever you're ready, you may begin.

2 MR. MELTZER: Thank you. Can you hear me now? And
3 let me start --

4 CHAIRMAN HOOD: Yes, yes, we can hear you.

5 MR. MELTZER: Okay. Thank you, Mr. Chairman, and thank
6 you, also, to the members of the of the commission to give us an
7 opportunity to provide some comments. I'm a member of the Board
8 of Directors of the condominium residential building located at
9 1177 22nd Street Northwest, which is known as 22 West. The
10 building is located between L and M streets and the east side of
11 the building, including the Rasika restaurant, which, some of you
12 may know, faces New Hampshire Avenue. As a result, a large number
13 of our residents will have visibility on the proposed office and
14 retail building, and all of our residents may be impacted in
15 either a positive or negative manner.

16 Our Board has previously worked with the District of
17 Columbia government, the Zoning Commission, and developers of
18 buildings along M Street and New Hampshire Avenue to assure that
19 projects do not have a material adverse effect on the residents
20 of 22 West, and we hope to have an open and productive dialogue
21 with empowered project representatives to address potential areas
22 of concern. For example, we have worked with the owners of the
23 Hilton Garden Inn and Hyatt Place Hotel along M Street, between
24 21st and 23rd Streets, to insure that signage atop each hotel
25 that is visible from 22 West is not illuminated at night, and we

1 expect to ask for a similar restriction on any signage atop 2100
2 M Street that may be visible from 22 West. Another potential
3 area of concern, which we hope to have a better understanding of,
4 is the impact on local traffic. As noted in the DDOT report,
5 the anticipated number of vehicle trips per day, 1,199, is a very
6 significant increase in the number of trips associated with the
7 existing office building, which has been vacant for many years
8 and, presumably, generates close to zero vehicle trips today.
9 Another area of potential concern is the potential use of the
10 retail space for entertainment. Any outdoor music beyond a
11 reasonable time of night would be of concern.

12 On behalf of the 22 West Board and the building's
13 residents, I request that an empowered representative of the
14 developer be a good neighbor and work with our Board in addressing
15 any concerns that may arise. Thank you.

16 CHAIRMAN HOOD: Thank you, Mr. Meltzer. Appreciate you
17 coming down to provide that insight, and I'm sure hoping that is
18 carried out. Have you -- have you all -- I know that you all
19 have been working with them. Have you -- did you participate
20 with your -- or did your organization participate with the ANC
21 meetings and all those kind of things to express your caution?

22 MR. MELTZER: I just joined the Board, and in June,
23 when ANC 2A had a meeting, I'm not aware of anyone from 22 West
24 participating in that meeting. Unfortunately, I think that's the
25 case.

1 CHAIRMAN HOOD: Okay. Well, I think -- I think, in
2 this case -- and I'm going to go out on a limb and say this, from
3 what I've seen so far in the merits of this case and how they
4 have been responsive -- I think, in this case, especially when
5 they -- when you have the good neighbor with a building, I think,
6 in this case, that you're going to have -- you're going to have
7 a good working relationship. I will go out on a limb and say
8 that. So let me see -- let me see if my colleagues have any
9 other questions or comments. Any other questions or comments?

10 (No response.)

11 CHAIRMAN HOOD: I'm looking. I don't see any. Vice
12 Chair Miller.

13 VICE CHAIR MILLER: Well, thank you for your
14 participation this evening. Did 22 West get notice of this
15 hearing? I assume, since you're here, you got notice.

16 MR. MELTZER: Yes, we -- yes, we did. As the applicants
17 indicated, we are one of the buildings within, I think it was,
18 400 feet of the proposed building, and we did get the notice.
19 Unfortunately, no action was taken at that time.

20 VICE CHAIR MILLER: Yeah, I think it's 200 -- I thought
21 it was 200 feet, but I might be wrong about that, but I'm glad
22 you got the notice. I appreciate, again, your participation.
23 And I think the applicant might have a response in their rebuttal
24 or conclusion.

25 MR. MELTZER: Thank you.

1 CHAIRMAN HOOD: All right. Anybody else?

2 (No response.)

3 CHAIRMAN HOOD: I'm not seeing any. Mr. Avitabile, do
4 you have any questions of the advocate or any comments

5 MR. AVITABILE: No questions. I'll address the
6 comments in rebuttal.

7 CHAIRMAN HOOD: Okay. I was, actually, trying not to
8 do rebuttal, but that's fine -- you know, that's fine

9 MR. AVITABILE: It'll be short.

10 CHAIRMAN HOOD: Okay. Okay. Oh, that's right; we
11 don't have any parties with the ANC (indiscernible). So, Mr.
12 Meltzer, thank you again for taking the time, and you'll hear a
13 response, once we get to rebuttal, from Avitabile.

14 MR. MELTZER: Perfect. Thank you again.

15 CHAIRMAN HOOD: All right. All right. Ms. Schellin,
16 anybody else?

17 MS. SCHELLIN: That was it.

18 CHAIRMAN HOOD: All right. Thank you. Okay. Well,
19 unless I hear from my colleagues, Mr. Avitabile, you can do your
20 rebuttal.

21 MR. AVITABILE: Great. Thank you. First, just very
22 quickly for the record, Ms. Milanovich, if you're still here,
23 could you briefly address the analysis, because I -- my
24 recollection is, the analysis was compared to the existing
25 building, which, of course, while it's been closed for a couple

1 of years, was occupied before that, and I think with more parking
2 spaces than we're proposing, so if you could just briefly address,
3 for the record, that -- the relative impacts of this building.

4 MS. MILANOVICH: Sure. So, per DDOT's guidelines, when
5 we look at the trip generation, we look at what could potentially
6 be generated by the existing building, since, even though it's
7 not currently occupied, it was in the recent past, and, you know,
8 could be occupied again moving forward.

9 And so, when we compare the trip generation for the
10 existing building versus the proposed, what we found is that the
11 proposed building will generate very few additional trips beyond
12 what was generated by the existing building; in fact, so few that
13 DDOT -- it fell below DDOT's threshold that would require a full
14 Comprehensive Transportation Review. Because the additional trip
15 generation was so minimal, we fell into their Transportation
16 Statement category, which is what you have in the record as, I
17 believe, Exhibit 8C. And so the number of additional daily trips
18 beyond what would be generated by the existing building is about
19 16 additional vehicle trips on a daily basis, so very, very de
20 minimis

21 MR. AVITABILE: Great. Thank you. And then there was
22 a comment about potential impact from retail establishments. Of
23 course, as the Commission knows, any establishment that might go
24 into that ground floor that is pursuing a liquor license, whether
25 it's a restaurant or an entertainment venue, will have to go

1 through the alcohol beverage licensing process, which will
2 provide a full and fulsome opportunity to sit down and negotiate
3 a settlement agreement that will deal with those sorts of impacts,
4 and we would, of course, work with whatever tenant we have in
5 the building to do that.

6 And then the last, with respect to signage, and I think
7 we're certainly -- I'm volunteering that -- happy to come and sit
8 down with Mr. Meltzer and talk about that. As you know, we've
9 proposed, in the application, a sign that'll be either on the
10 21st Street side or the M Street side. It would be illuminated
11 in the evening, but we would turn it off; you know, it wouldn't
12 be lit throughout the night. That side of the building really
13 is much more visible to the north, not to the to the west, so,
14 at best, if there's a view, it's an oblique view from only a
15 couple of buildings, but we'll work with Mr. Meltzer on that.

16 We did make sure to show the signage in the
17 conversations that we had with both ANC's to make sure everyone
18 was aware of it, and haven't heard any other concerns or
19 objections to it. It is a common feature in this market. And,
20 to Mr. Miller's point, in -- when we're able to redevelop these
21 buildings and get law firm tenants or other tenants to agree to
22 them, increasingly, that sort of signage is something they're
23 looking for. I think we're always working ways to make sure it
24 is limited and tasteful, and, certainly, current LED technology
25 can help reduce its impacts, so that, really, the illumination

1 from the sign is no different than the illumination from the
2 attorneys working late at night with within those offices. But
3 that's all we have on those three points that were raised. Thank
4 you.

5 CHAIRMAN HOOD: Okay. Thank you. Do my colleagues
6 have any follow-up questions or comments? Commissioner Wright.

7 COMMISSIONER WRIGHT: I just wanted to get a
8 clarification. The condo building that Mr. Meltzer was speaking
9 of is to the west, is that correct, of this existing building?
10 And so, if you did signage on 21st Street, it would be opposite
11 or as far away from the condo building as it could be. It would
12 only -- it would not be facing on or illuminating anything towards
13 the condo building.

14 MR. AVITABILE: That's correct.

15 COMMISSIONER WRIGHT: And if you -- if you had signage
16 on New Hampshire Avenue, again, towards the corner with 21st
17 Street, it is, again -- and it would be higher; the condo building
18 is a bit lower, as I understand. It's not as tall as what you're
19 proposing. So if you had signage at the top, it probably would
20 also have a very limited impact on the condo building; is that
21 correct?

22 MR. AVITABILE: Well, I think if we were on 21st Street,
23 that would be immediately across the street from them, but we
24 purposely did not put any signage on the 21st Street side -- on
25 the New Hampshire Avenue side of the building. I'm sorry.

1 They're across New Hampshire Avenue, so we didn't put any signage
2 on the New Hampshire Avenue side of the building for that reason.
3 We focused it only on M Street to the north or 21st Street to
4 the -- to the east. And, as you said, Commissioner Wright, 21st
5 Street is fully facing the Business District; it doesn't face any
6 residences at all.

7 COMMISSIONER WRIGHT: Thank you.

8 CHAIRMAN HOOD: All right. Any other questions?

9 (No response.)

10 CHAIRMAN HOOD: Okay. Avitabile, you have any closing?

11 MR. AVITABILE: No closing, other than to thank
12 everyone for their for their time this evening. Thank you.
13 Chairman Hood I think you're muted.

14 CHAIRMAN HOOD: And, you know what, I thought I sounded
15 pretty good, what I was saying. Now I'm getting ready probably
16 to jumble it all up. So, anyway, what I -- I don't even know
17 what I said, but, anyway, thank you, Mr. Avitabile, for letting
18 me know I was muted. Some people wouldn't have told me that;
19 they would let me just keep talking. But, anyway, I think what
20 we have before us is pretty straightforward. I don't think we
21 need to belabor this and carry this over to September, unless any
22 of my colleagues feel otherwise. I think the record is pretty
23 straightforward. I think this warrants our approval for this
24 voluntary design review, and, unless I hear any opposition or
25 somebody wants to make additional comments, I'll be in favor for

1 a motion; maybe Commissioner Wright, if you're ready to make a
2 motion or however we can go from there.

3 COMMISSIONER WRIGHT: Sure. I'd be glad to make a
4 motion. I would like to move that the Zoning Commission approve
5 Zoning Commission Case Number 25- -- I'm sorry -- 26-05 for BXP
6 2100M, LLC, voluntary design review at Square 72, Lot 75, and
7 they're -- they are requesting some relief and flexibility on
8 building height setback, penthouse setback, front build-to line,
9 the closed court width, and, also, the -- I believe, the location
10 of the -- of the parking in the -- of the bike -- bicycle parking;
11 and my motion includes the conditions that some of the other
12 agencies have suggested, which the applicant has agreed to, and
13 it also is the understanding that there will be ongoing
14 conversations with the Condominium Association nearby in a
15 neighborly way. So that is my motion.

16 COMMISSIONER STIDHAM: Second.

17 CHAIRMAN HOOD: Okay. Thank you for the motion -- very
18 detailed -- and thank you for the second. It's been moved and
19 properly seconded. Any further discussion?

20 (No response.)

21 CHAIRMAN HOOD: Okay. Ms. Schellin, would you do a
22 roll call vote please?

23 MS. SCHELLIN: Commissioner Wright.

24 COMMISSIONER WRIGHT: Yes.

25 MS. SCHELLIN: Commissioner Stidham.

1 COMMISSIONER STIDHAM: Yes.

2 MS. SCHELLIN: Commissioner Hood.

3 CHAIRMAN HOOD: Yes.

4 MS. SCHELLIN: And Commissioner Miller.

5 VICE CHAIR MILLER: Yes.

6 MS. SCHELLIN: And the vote would be four to zero to
7 one to approve final action in Zoning Commission Case Number 26-
8 05, the minus one being Commissioner Imamura, not present, not
9 voting. If we could have the applicant provide a draft order
10 within the next two weeks. As far as whether it can be a summary
11 order, I believe the Commission is leaving that discussion
12 between the applicant and OZLD, correct?

13 CHAIRMAN HOOD: Correct. We'll leave it up to our
14 legal folks, yes.

15 MS. SCHELLIN: Okay. If he could reach out -- if Mr.
16 Avitabile would reach out to -- I believe Mr. Lampert is on this
17 case.

18 CHAIRMAN HOOD: Okay. Ms. Schellin, do we have anything
19 else before us?

20 MS. SCHELLIN: No, sir.

21 CHAIRMAN HOOD: Okay. Again, I want to thank everyone
22 for their participation this evening, and, also, I want to --
23 just before I close out this case, I want to let everyone know,
24 we will be having our meeting before our break, which will be
25 July -- as we noted earlier, will be July the 30th at four p.m.

1 on these same platforms, and the closed meeting has already been
2 announced for 3:15. So, again, I want to thank everyone for
3 their participation and great job in working in this case. And,
4 with that, this hearing is adjourned. Goodnight, and thank you.

5 (Whereupon, the above-entitled public hearing was
6 adjourned at 5:09 p.m.)

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

This is to certify that the foregoing transcript

In the matter of: Public Hearing - Case No. 26-05

Before: DC Zoning Commission

Date: 07-27-26

Place: Webex Videoconference

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



Deborah B. Gauthier