

GOVERNMENT OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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REGULAR PUBLIC MEETING

+ + + + +

THURSDAY

SEPTEMBER 24, 2026

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The Public Meeting 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
JOSEPH IMAMURA, Commissioner
GWEN WRIGHT, Commissioner
CHRISTINE BRUINS, Commissioner

OFFICE OF ZONING STAFF PRESENT:

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

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

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

The transcript constitutes the minutes from the Regular Public Meeting held on September 24, 2026.

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

Case No. 06-11AA/06-12AA
BXP 2100 Penn, LLC 4

Case No. 16-18J
Georgetown University 8

Case No. 26-01
LWH 801 R, LLC 14

Case No. 22-36A
TM Associates, LLC and Washington
Metropolitan Area Transit Authority 23

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

(4:00 p.m.)

CHAIRMAN HOOD: Good afternoon, ladies and gentlemen. We are convening and broadcasting this public meeting by videoconferencing. My name is Anthony Hood. I'm joined by Vice Chair Miller, Commissioners Wright, Imamura, and Bruins. We're also joined by the Office of Zoning staff, Ms. Sharon Schellin; also, our Office of Zoning Legal Division, Ms. Hillary Lovick, Mr. Jacob Ritting, and Mr. Brian Lampert. We will ask all others to introduce themselves at the appropriate time.

We did not enter into closed meeting this -- today, so we will move forward. Copies of today's meeting agenda are available on the Office of Zoning's website. Please be advised that this proceeding is being recorded by a court reporter and is also webcast live via Webex and YouTube Live. The video will be available on the Office of Zoning's website after the meeting. Accordingly, all those listening on Webex or by phone will be muted during the meeting.

For hearing action items, the only documents before us this evening are the application, the ANC setdown report, and the Office of Planning report. All other documents will be -- all other documents in the record will be reviewed at the time of the hearing. We do not take any public testimony at our meetings, unless the Commission requests someone to speak. If you experience difficulty accessing Webex or with your phone -- or

1 with your phone call-in, then please call our OZ Hotline number
2 at 202-727-0789 for Webex log-in or call-in instructions. At
3 this time, does the staff have any preliminary matters?

4 MS. SCHELLIN: No preliminary matters.

5 CHAIRMAN HOOD: Let me just ask this. Do we have time
6 to announce our training session? We don't -- I don't need to
7 do that today, do I?

8 MS. SCHELLIN: At the next meeting.

9 CHAIRMAN HOOD: The next meeting. Okay. Great.

10 MS. SCHELLIN: Yes, sir.

11 CHAIRMAN HOOD: All right. Thank you, Ms. Schellin.
12 All right. So, with that, let's go right into our first case,
13 Zoning Commission Case -- consent calendar, modification without
14 a hearing, Zoning Commission Case Number 06-11AA/06-12AA. Ms.
15 Schellin.

16 MS. SCHELLIN: Yes, sir. In this case, the applicant
17 is requesting to modify the Zoning Commission's Order Number 06-
18 11/06-12 -- not zero, "0" as in open and 12-0. And what they
19 want to do is to permit -- ask the Commission to permit
20 approximately 12 -- 2,800 square feet along Pennsylvania Avenue.
21 That frontage was previously reserved for a daycare use, and they
22 would like for that to be used for retail. And so they were
23 both -- it was approved for both, as a public benefit and an
24 amenity. So the applicant is proffering -- excuse me -- two
25 additional public benefits, including a contribution of \$20,000

1 to the West End Library Friends for varied programming, and also
2 a retail study valued at approximately 25,000 to evaluate retail
3 dynamics and develop a neighborhood-specific strategy for Foggy
4 Bottom/West End neighborhoods.

5 The applicant states that, despite their continued
6 efforts to pursue a daycare tenant since 2021, it's been unable
7 to do so because of the reshaped daycare market resulting from
8 the post-pandemic shift to remote hybrid-type work, and so the
9 daycare spaces and increase in operating costs have made it much
10 more difficult.

11 The applicant has also proposed a switch from daycare
12 to retail use, stating that that space would allow otherwise --
13 allowing that change would take otherwise vacant space and
14 activate that with retail space, and it would then take an
15 identified public amenity benefit from the original PUD approval
16 and still make that -- it's still a priority.

17 And so, with that, again, the applicant remains --
18 wants to keep this balanced by replacing it with this proffered --
19 the two proffered benefits, and so that would mean that they
20 would change Conditions B-6 -- I'm sorry -- A-3-A and B-6. And
21 OP reported at Exhibit 5; they recommend approval. DDOT, at
22 Exhibit 4, has no objection. And I did not see a response from
23 ANC 2A; however, I did hear that WECA -- while they did not submit
24 a response, they worked closely with the applicant and are in
25 approval. And I didn't see anything from FBA in the record

1 either. However, the 35-day time period has passed, and the
2 Commission, if they choose to move forward, may do so. Thank
3 you.

4 CHAIRMAN HOOD: Okay. Thank you, Ms. Schellin, for
5 teeing that up. Does anyone believe that this is not a -- this
6 cannot proceed as a modification without a hearing? I'm looking,
7 looking. Does anyone believe that this should not be a
8 modification without a hearing?

9 (No response.)

10 CHAIRMAN HOOD: Okay. So, with that, as Ms. Schellin
11 has already mentioned, the applicant believes that we can do this
12 as a modification without a hearing, so we'll proceed in that
13 fashion. It believes that the impacts can be understood without
14 witness testimony. That's the only -- my question mark, but I
15 believe so, with the other things that I see here. I have no
16 issues -- I, personally, don't have no issues moving forward.

17 They have been unable to secure a tenant, which is not
18 surprising; otherwise -- otherwise they believe that this
19 property will remain vacant, if we keep it as proposed. The
20 balance of the PUD replacing one public benefit with another is
21 what they are submitting to us. And I believe we -- they have
22 articulated -- we don't have anything in writing, but they have
23 been working with at least one of the parties, who have always
24 been a very strong voice in this -- in any application in this
25 particular area.

1 The ANC did not comment; FBA did not comment; but WECA,
2 they -- as noted -- we don't have anything written, so I don't
3 know how far we can -- we can't really carry that, but speculated
4 that, if it was a problem, I'm pretty sure they would have shown
5 up. So I think this is pretty straightforward. Let me hear from
6 others. Any objections to moving forward with this, as requested?

7 (No response.)

8 CHAIRMAN HOOD: Okay. Unless somebody hits their mic,
9 I'm going to say I will move approval of Zoning Commission Case --
10 as captioned and stated and asked for, of Zoning Commission Case
11 Number 06-11AA and 06-12AA, BXP 2100 Penn, LLC, PUD modification
12 without a hearing of Order 06-110 and 12-0 at Square 75, and ask
13 for a second.

14 COMMISSIONER WRIGHT: Second.

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

17 (No response.)

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

20 MS. SCHELLIN: Commissioner Hood.

21 CHAIRMAN HOOD: Yes.

22 MS. SCHELLIN: Commissioner Wright.

23 COMMISSIONER WRIGHT: Yes.

24 MS. SCHELLIN: Commissioner Miller.

25 VICE CHAIR MILLER: Yes.

1 MS. SCHELLIN: Commissioner Imamura.

2 COMMISSIONER IMAMURA: Yes.

3 MS. SCHELLIN: Commissioner Bruins.

4 COMMISSIONER BRUINS: Yes.

5 MS. SCHELLIN: The vote is five to zero to zero to
6 approve final action in Zoning Commission Case Number -- it went
7 off my screen here -- 06-11AA/06-12AA, and that's it. We'll ask
8 the applicant to provide a draft order. I'm assuming it could
9 be a summary order, if they work with the OZLD within the next
10 two weeks. Thank you.

11 CHAIRMAN HOOD: Okay. Thank you. I'm -- while I'm
12 reading the caption, I'm going ask Commissioner Wright to be
13 ready to kind of lead us through the next case, and I'm going to
14 ask Commissioner Imamura to read us through the final action.

15 Okay. Zoning Commission Case Number 16-18J, Georgetown
16 University, modification without a hearing, Hilltop Campus Plan,
17 2026 enrollment adjustments at Square 1179, 1203, 1222, 1223,
18 1226, 1248, and 1321. Ms. Schellin.

19 MS. SCHELLIN: Yes, sir. So the applicant is requesting
20 to modify the 2017 through 2036 Georgetown University's Hilltop
21 Campus Plan, allowing it to alter two conditions and add one new
22 condition regarding enrollment. That would modify Condition 10
23 to allow a 100-student increase in their traditional undergrad
24 enrollment cap and add a new condition, 12B, which would create
25 a mechanism to scale back the increase if the number of students

1 | living in the surrounding neighborhoods of the Hilltop Campus are
2 | not maintained at the level they've agreed to. And then they
3 | would -- the last change would be to modify Condition 11 to allow
4 | an 80-student increase in the medical student program over a
5 | four-year period.

6 | The applicant states the proposal would allow the
7 | University to respond to changes in enrollment patterns by
8 | altering the size of its undergraduate and medical student
9 | programs during -- doing it this way does not change the overall
10 | enrollment for the Hilltop Campus, which will remain at 14,106
11 | students. And, along with this change, the traditional
12 | undergraduate program increased by 100. The University is
13 | proposing that -- in that Condition 12B to require a reporting
14 | mechanism, and, also, along with that same type of reporting with
15 | the medical student program.

16 | OP, at Exhibit 8, provided a recommendation in their
17 | report. DDOT's report, at Exhibit 7, had no objection. They
18 | did say the proposal to the increase in enrollment may have minor
19 | impacts on the District's transportation network, and the
20 | applicant is working to mitigate potential transportation impacts
21 | associated with the modification that community partners may find
22 | objectionable. ANC 3D's report is at Exhibit 6, and stated they
23 | have no objection to the modification. and the rest of the letter
24 | stated -- talked more or less about one student's behavior. And
25 | then ANC 2E, at Exhibit 5, said they had thought that the

1 modification plan was okay, as proposed. The rest of the parties
2 had not responded as of the writing of the report. Thank you.

3 CHAIRMAN HOOD: Thank you, Ms. Schellin. And now,
4 before I go to Commissioner Wright, does anyone believe this is
5 not a modification -- this should be handled besides being a
6 modification without a hearing? Does anybody believe we need to
7 have a hearing?

8 (No response.)

9 CHAIRMAN HOOD: I will just say this, before I turn it
10 over. When I looked at this case and I looked at the parties
11 and no one -- I think 3D responded. And I will tell you, if this
12 was a major problem on the Hilltop, we would have heard from
13 every last one of the parties, and that's not putting a spike in
14 them; what that is, is saying how engaged they are, because
15 anytime we deal with Georgetown -- I'm glad to see we've gotten
16 to these kind of points, but anytime we deal with Georgetown
17 University or anything in Georgetown, for the most part,
18 people -- if there was a problem, we would definitely know. So,
19 with that, I'll turn it over to you, Commissioner Wright.

20 COMMISSIONER WRIGHT: Thank you. Yes, I think this is
21 a fairly straightforward case. The University is asking to allow
22 a 100-student increase in the traditional undergraduate program
23 enrollment cap and an 80-student increase in the medical student
24 program over a four-year period. And, again, I think they have
25 really looked at how to mitigate any negative impacts that these

1 increases might have. They are proposing a condition, because
2 they do monitor already how many students are living off-campus
3 in the neighborhood, and they have a very detailed condition
4 about what happens if the number of students living off-campus
5 increases and that they would cut back on their traditional
6 undergraduate headcount, and they have it, again, you know, very
7 carefully worked out.

8 They are looking at providing for the medical students
9 additional parking on campus, so as to have less of an impact,
10 and they are able to do that while still maintaining their parking
11 cap that they have. So this all sounds very, very well thought
12 out, and there is a -- you know, an option for -- if it does
13 begin to get problematic, they will, you know, voluntarily
14 decrease the cap in an incremental way, depending on the level
15 of impact.

16 So I agree with Chair Hood. I think this is a very
17 engaged community, and, you know, I know that the University
18 works very closely with the community. I think if we had
19 concerns, we would have heard them. I also do note that we have
20 letters, as has been said, from two different ANC's recommending
21 approval of this modification. And so, again, I give that great
22 weight and think that this is a modification that can and should
23 move forward.

24 CHAIRMAN HOOD: Okay. Thank you. Any other comments
25 on this?

1 VICE CHAIR MILLER: Yeah. And, well, I echo all the
2 comments of Commissioner Wright, Chairman Hood, yours, and Ms.
3 Schellin's teeing it up. I just wanted to reinforce what you
4 said about the community engagement. In addition to the letters
5 in the record from ANC 2E and 3D, we also have a letter in the
6 record, I think at Exhibit 3D, from the Georgetown Community
7 Partnership, which really has been a model of community
8 engagement.

9 CHAIRMAN HOOD: Okay. Thank you. And I do know about
10 the -- I do know in one of the letters they mentioned about the
11 marijuana. We don't handle marijuana, but we would ask that they
12 continue to work nicely with the neighborhood. I know the city --
13 now you can smoke marijuana on your property. I don't know how
14 that works, but I would ask Georgetown and whoever the student
15 is smoking -- hopefully, he's not smoking before he go to class,
16 but, then again, that may give him better grades. I don't know.
17 I don't want to get into that, but I would say, I hope they can --
18 hopefully, they can work through that issue, and we'll leave it
19 at that. Any other questions or comments?

20 (No response.)

21 CHAIRMAN HOOD: Okay. And, Vice Chair Miller, we have
22 a time extension. If you could take that one up too. I forgot --
23 I forgot about that one. Will you take that when we get there?

24 VICE CHAIR MILLER: (Nods head affirmatively.)

25 CHAIRMAN HOOD: All right. Anything else before --

1 COMMISSIONER WRIGHT: Would you like a motion?

2 CHAIRMAN HOOD: Yes, ma'am. I got on the marijuana
3 thing, and I'm sorry. Go right ahead.

4 COMMISSIONER WRIGHT: So I move that the Zoning
5 Commission approve Zoning Commission Case 16-18J, which is a
6 modification without a hearing to the 2017 to 2036 Georgetown
7 University Hilltop Campus Plan, as has been discussed.

8 COMMISSIONER IMAMURA: Second.

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

11 (No response.)

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

14 MS. SCHELLIN: Yes, sir. Commissioner Wright.

15 COMMISSIONER WRIGHT: Yes.

16 MS. SCHELLIN: Commissioner Imamura.

17 COMMISSIONER IMAMURA: Yes.

18 MS. SCHELLIN: Commissioner Hood.

19 CHAIRMAN HOOD: Yes.

20 MS. SCHELLIN: Commissioner Miller.

21 VICE CHAIR MILLER: Yes.

22 MS. SCHELLIN: Commissioner Bruins.

23 COMMISSIONER BRUINS: Yes.

24 MS. SCHELLIN: The vote is five to zero to zero to
25 approve final action in Zoning Commission Case Number 16-18J.

1 Again, in this case, if the applicant would provide a draft order,
2 working with the -- working with OZLD, whether that can be a
3 summary order or not, and provide that in the next two weeks.
4 Thank you.

5 CHAIRMAN HOOD: Okay. Thank you. Let's go to final
6 action, Zoning Commission Case Number 26-01, LWH 801 R, LLC, map
7 amendment at Square 395. Ms. Schellin.

8 MS. SCHELLIN: Yes, sir. On this one, at the July 20th
9 public hearing, the applicant presented the application and went
10 over the consistency with the Comp Plan and the Relocation Plan,
11 and the Commission took -- I'm sorry -- took proposed action at
12 the end of the hearing. It was referred to NCPC, and NCPC
13 provided their report at Exhibit 30, dated 9/8, stating that the
14 proposed map amendment is not inconsistent with the National
15 Capital Plan, nor would it adversely impact any identified
16 federal interest. And the applicant's draft order has already
17 been submitted at Exhibit 29. So this is ready for the Commission
18 to decide final action. Thank you.

19 CHAIRMAN HOOD: Okay. Thank you, Ms. Schellin. I
20 would ask Commissioner Imamura, if you could take the lead on
21 this for us. Thank you.

22 COMMISSIONER IMAMURA: Yeah, be happy to. Thank you,
23 Mr. Chairman. Just a quick recap that this is a map amendment
24 to rezone 801 to 811 R Street Northwest from RA-2 to the MU-10
25 zone. It's also important to note that this does include IZ

1 Plus, and another note here that the applicant became the contract
2 purchaser of the property after it was put up for sale by the
3 prior owner, and so the existing tenants exercised their right
4 to purchase the property under TOPA, and so a significant element
5 of this is the guaranteed right of return. So the applicant
6 acknowledged that the rezoning here will result in direct
7 displacement and, again, they've offered a guaranteed right of
8 return.

9 The applicant also provided their analysis of the
10 citywide elements in Exhibit 3D. What's worth noting here is
11 they identified two potential Comp Plan inconsistencies with
12 policy LU-2.1.4, and I think, in my view and as we stated at
13 set -- or at taking proposed action, that it's really about the
14 rehabilitation before demolition, but they address that by
15 explaining that this is not an architecturally or historically
16 significant building, and so -- and then the other policy was
17 avoiding displacement, but policy H-2.1.4 -- but, again, have
18 offered the existing tenants the guaranteed right of return. And
19 once more, just to reiterate that this does include IZ Plus. And
20 I am prepared to vote in support and interested to hear if any
21 other Commissioners have anything else to add.

22 CHAIRMAN HOOD: Any additional comments?

23 VICE CHAIR MILLER: I would just -- I agree with
24 everything that Commissioner Imamura said, and I just would
25 emphasize again, as a -- as a map amendment from RA-2 to MU-10.

1 It's certainly more consistent with the current Comp Plan Land
2 Use Map designation of medium-density residential -- mixed-use
3 medium-density residential and medium commercial. I think it was
4 changed by the Mayor and Council, that designation, in 2021. It
5 used to be moderate-density residential, which RA-2 is consistent
6 with, but it's inconsistent, actually, with the medium-density,
7 so -- and I think you said that somebody -- or maybe, I think,
8 Ms. Schellin said that we have the unanimous support letter from
9 ANC 2G at Exhibit 5 (sic).

10 COMMISSIONER WRIGHT: I would just add --

11 VICE CHAIR MILLER: Exhibit 20. Sorry. That was the
12 last one.

13 COMMISSIONER WRIGHT: I would just add that this is an
14 exciting project. I mean, I think it is really going to
15 provide -- it's a completely affordable building. It's going to
16 allow the current residents to come back and live in their
17 neighborhood. And, you know, I'm -- we've seen it couple of
18 times, and this is the final -- the final action, you know,
19 putting the final check mark on it to go forward. I'm just very
20 excited and hope this can move forward as quickly as possible.

21 COMMISSIONER IMAMURA: There's a lot of potential
22 behind it.

23 VICE CHAIR MILLER: Yeah. And not only is there the
24 all affordable and the one-for-one replacement of the 71
25 affordable units that are there now and the relocation nearby.

1 It's going to be a 400 and -- I think over 400 affordable units
2 ranging from 30 percent median family to 80. Of course, they're
3 going to need -- and I think there are some family-sized units
4 as well in the -- in the project that's facilitated by the map
5 amendment. We really don't have the project in front of us, but
6 we heard a lot of references to it, so it's -- it is a great
7 project, as Commissioner Wright said.

8 CHAIRMAN HOOD: Okay. Any other comments or questions?

9 COMMISSIONER IMAMURA: Yeah, sure. Mr. Chairman,
10 I -- thank you, Vice Chair Miller, to reiterate that this is
11 a map amendment, but wanted to allow Commissioner Bruins an
12 opportunity to make a statement about whether or not she's been
13 able to read into the record for this.

14 COMMISSIONER BRUINS: I have. I actually attended the
15 July 20th meeting as a participant, so I was able to see the
16 presentation, and it is a great location for more density
17 immediately off the Shaw Metro. The affordability component is
18 great. And I think there was reference within the map amendment
19 that, while not related to this action, we're going to want to
20 see more detail on the Relocation Plan, as things move forward.
21 So I think it's a great urban infill project. And that's all I
22 have to say, consistent with the plan for the map amendment and
23 just a good project for the neighborhood.

24 CHAIRMAN HOOD: Okay. Thank you, Commissioner Imamura.
25 I was going to go to Commissioner Bruins, because I do know -- I

1 have a note that says that she would have to say that she had
2 read into the record, so if you could just -- you mentioned it
3 already, but just for the record, if you can just say you read
4 the record.

5 COMMISSIONER BRUINS: Yeah, I've read the record.

6 CHAIRMAN HOOD: Okay. All right. Thank you. Okay.
7 So Commissioner Imamura, could you make a motion please?

8 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I'd
9 be glad to. I move that the Zoning Commission take final action
10 for Case Number 26-01, LWH 801 R, LLC, map amendment at Square
11 395, to include IZ Plus, and then, again, that's a map amendment
12 from RA-2 to MU-10, and ask for a second.

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

15 (No response.)

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

18 MS. SCHELLIN: Yes. Commissioner Imamura.

19 COMMISSIONER IMAMURA: Yes.

20 MS. SCHELLIN: Commissioner Hood.

21 CHAIRMAN HOOD: Yes.

22 MS. SCHELLIN: Commissioner Miller.

23 VICE CHAIR MILLER: Yes.

24 MS. SCHELLIN: Commissioner Wright.

25 COMMISSIONER WRIGHT: Yes.

1 MS. SCHELLIN: Commissioner Bruins.

2 COMMISSIONER BRUINS: Yes.

3 MS. SCHELLIN: The vote is five to zero to zero to
4 approve final action on Zoning Commission Case Number 26-01. And
5 I believe, in this case, they've already submitted their draft
6 order, so that's it.

7 CHAIRMAN HOOD: Okay. Thank you. Thank you all for
8 that discussion. I normally try to include all the Commissioners.
9 When I was thinking through this, Commissioner Bruins I didn't --
10 I didn't leave you out, but I wanted to at least have one or two
11 meetings before I -- you know, I wanted to let you get settled.
12 I see you already have been settled, so I will not leave you out
13 of the rotation from this point on, but I was giving you a chance
14 to get acclimated, get settled, and I think that you've done a
15 great job. You've jumped right in, so just know that I won't
16 pass you by anymore, so --

17 COMMISSIONER BRUINS: Well, I am still getting settled,
18 and it may be out of order, but I did have a question on that
19 first case, if we are allowed to go back.

20 CHAIRMAN HOOD: Well, we voted, but let's go back and
21 see what your question is, because you had a question. Did you
22 participate on that one with us?

23 COMMISSIONER BRUINS: Yes, and -- but what I am
24 wondering is -- the time had passed for the ANC or the community
25 to provide comment, but I was wondering if, between when the

1 | order is issued, somebody could get a pulse on one of the
2 | proposals from the applicant is they could further limit retail
3 | for uses that are completely opposite of a daycare, such as
4 | prohibiting liquor sales or things of that nature, and I'm just
5 | wondering if, in the process of drafting that order, they'll get
6 | some buy-in from the community, if retail -- leasing that vacant
7 | retail space is enough of a public benefit or if there will be
8 | any sort of restrictions sought in that process

9 | CHAIRMAN HOOD: So I think, typically, what
10 | happens -- unfortunately, I don't think we can -- and I'm sure
11 | the legal folks are here, but, typically, what happens in a case
12 | like that, if -- you know, if there's a problem, we would have
13 | heard from the community.

14 | COMMISSIONER BRUINS: Right.

15 | CHAIRMAN HOOD: I don't think -- I don't think we can
16 | initiate.

17 | COMMISSIONER BRUINS: Okay.

18 | CHAIRMAN HOOD: All we can do is -- all we can do is
19 | deal with what's before us, because -- and we don't get into the
20 | habit of advocating. We try to work with what's -- we advocate
21 | when it's still standing, there's still something for us to decide
22 | on. I don't think -- we can talk about that later, especially
23 | in our training session, to kind of help --

24 | COMMISSIONER BRUINS: Okay.

25 | CHAIRMAN HOOD: -- see how we deal with that, so we'll

1 | just leave it at that. Commissioner Wright.

2 | COMMISSIONER WRIGHT: They were -- they were offering
3 | a condition, which is included in what we voted on.

4 | COMMISSIONER BRUINS: Okay.

5 | COMMISSIONER WRIGHT: The applicant offered a condition
6 | that basically said they would not use the space for a nightclub,
7 | which is how they described it, and that's a very specific
8 | condition --

9 | COMMISSIONER BRUINS: Right.

10 | COMMISSIONER WRIGHT: -- that they added, which makes
11 | me somehow feel that perhaps that came from conversations that
12 | they had been having with the community and some concerns,
13 | perhaps, that had been raised by the community. And we don't
14 | know that for sure, because the community hasn't commented.

15 | COMMISSIONER BRUINS: Right.

16 | COMMISSIONER WRIGHT: But that's a very, very specific
17 | kind of condition for the applicant to add in and to request be
18 | added, so I'm guessing that there have been some conversations.

19 | COMMISSIONER BRUINS: Okay. That sheds some light
20 | on -- because it was not -- it was something in the applicant's
21 | proposal, not something that I'm projecting out, and I just had
22 | questions about whether that would get worked forward in the
23 | future.

24 | CHAIRMAN HOOD: I do know -- again, as you're around,
25 | you'll see -- when you see WECA and some of the others, I

1 | guarantee you, if we had a problem -- if there was a problem, we
2 | would have -- they would have been here with us. Ms. Schellin.

3 | MS. SCHELLIN: If I may, I did receive an e-mail from
4 | the applicant this morning advising that he and Ms. Kahlow have
5 | worked very hard, I think, like, since the last modification they
6 | did, and that the reason there's not anything there is because
7 | they put the conditions in their application, and that satisfied
8 | what they wanted, and he did make mention of no nightclub, and
9 | so that was one of the things they heard that was not wanted in
10 | the area. So I think that, exactly what Commissioner Wright
11 | said, they did talk to the community; they've been working with
12 | them. And, as you said, Chairman Hood, when you don't see
13 | opposition from WECA, that says a lot, because they have worked
14 | very hard in that area for many, many years.

15 | CHAIRMAN HOOD: And on that note -- and this has nothing
16 | to do -- the other day when I left, I did get some comments, and
17 | I was gone; I wasn't even here, and I mentioned this to Ms.
18 | Schellin. But I want to commend the Commission on the action
19 | you took. Even though you all voted on it and I don't have to
20 | deal with it, you all did exactly what I would have done if I
21 | was here. You didn't bring in projects, and you didn't bring in
22 | amenities, because we have to stick with our regulations. So I
23 | want to commend you all on your actions. I did talk to Ms.
24 | Schellin, because of the comment that I was -- that I got. I
25 | don't know what was all going on, but I wasn't even -- I had to

1 | leave, but I want to commend you all on that. And thank you,
2 | Commissioner Bruins, for bringing that up because that allowed
3 | me time to bring in what I wanted to say about that as well.

4 | All right. Let's go to time extensions, Zoning
5 | Commission Case Number 22-36A. Ms. Schellin.

6 | MS. SCHELLIN: Let me get back to my notes. On this
7 | case, this is a request for -- from TM Associates, LLC and
8 | Washington Metro Area Transit Authority for a time extension at
9 | Square 3351, actually, or -- and maybe that's supposed to be 3351
10 | and 3352 and 3353. They are asking for a two-year time extension
11 | in which to file for a building permit, and this was for an
12 | approved PUD, and this would give them until July 26th, 2028.

13 | The applicant states that the reason why they need this
14 | is, despite their diligent efforts since the PUD was approved,
15 | they've been unable to secure financing to move forward, because,
16 | like most of the time extension requests you've received, they
17 | have had problems because of increased interest rates,
18 | construction costs, insurance premiums, and operating costs,
19 | along with financing equity capital that is actually harder and
20 | harder to obtain.

21 | The applicant states that it is also pursuing -- it is
22 | pursuing increased affordability above the 15 percent through the
23 | District's HANTA Program, but, unfortunately, with current market
24 | conditions, the -- neither the approved 15 percent affordable
25 | program or the enhanced affordable program are financeable at

1 | this time or result in a financeable project. The applicant also
2 | says it is continuing to work with DMPED, DHCD, and the DC Council
3 | to identify some legislative and financial tools that will allow
4 | the PUD to move forward, because they are fully committed to the
5 | project, and the extension will allow them to possibly move
6 | forward with some legislative initiatives and financing efforts
7 | to move the PUD forward.

8 | OP recommends the approval moving forward, at Exhibit
9 | 4. ANC 4B has not submitted a report as of this writing, nor
10 | has the party in opposition. I will say, there was an exhibit
11 | submitted by Ms. Wheeler who participated in many cases.
12 | However, she was not one of the parties named in the case, so I
13 | had to remove it, per the regulations. And so, therefore, the
14 | 30 days has elapsed, and this case is ready to move forward, if
15 | the Commission chooses to take action. Thank you.

16 | CHAIRMAN HOOD: Thank you, Ms. Schellin. I'm going to
17 | ask the Vice Chair to take the lead on this one please.

18 | VICE CHAIR MILLER: Thank you, Mr. Chairman, and thank
19 | you, Ms. Schellin. That was a very comprehensive summary of
20 | what -- or the application and where the applicant is. And, as
21 | you said, it's not uncommon for us who have experienced these
22 | time extension requests of previously approved Planned Unit
23 | developments during this difficult economic climate.

24 | This is the -- just to remind everybody and the public,
25 | this is this long-awaited vacant parking lot -- surface parking

1 lot adjacent to the Tacoma Metro site, where there will be --
2 there have been long plans in the city's plans for more dense
3 development there, and this finally was a zoning case that got
4 approved. It's 434 units, as I -- as I recall, with 15 percent
5 set-aside, although they're seeking additional financing
6 with -- to make it even more of a set-aside and more -- and
7 deeper affordability levels, but that hasn't been able to be
8 accomplished. So I think good cause has been demonstrated for
9 this first time extension at two years by this applicant, and so
10 I'm prepared to support it.

11 CHAIRMAN HOOD: Thank you, Vice Chair. Any other
12 comments on this application?

13 (No response.)

14 CHAIRMAN HOOD: Okay. All right. So, Vice Chair,
15 would you like to make a motion please?

16 VICE CHAIR MILLER: Sure. I would move that the Zoning
17 Commission approve Zoning Commission Case 22-36A, the time
18 extension for a Planned Unit Development and related zoning map
19 amendment, the application by TM Associates and the Washington
20 Metropolitan Area Transit Authority, and I would ask for a second
21 to that motion to approve.

22 COMMISSIONER IMAMURA: Second.

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

25 (No response.)

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

3 MS. SCHELLIN: Yes, sir. Commissioner Miller.

4 VICE CHAIR MILLER: Yes.

5 MS. SCHELLIN: Commissioner Imamura.

6 COMMISSIONER IMAMURA: Yes.

7 MS. SCHELLIN: Commissioner Hood.

8 CHAIRMAN HOOD: Yes.

9 MS. SCHELLIN: Commissioner Wright.

10 COMMISSIONER WRIGHT: Yes.

11 MS. SCHELLIN: Commissioner Bruins.

12 COMMISSIONER BRUINS: Yes.

13 MS. SCHELLIN: The vote -- I'm sorry -- the vote is
14 five to zero to zero to approve final action in Zoning Commission
15 Case Number 22-36A. And, again, if the Commission is good with
16 it, I'd ask the applicant to work with the OZLD and have a draft
17 order within the next two weeks -- a summary order, if they are
18 good with that.

19 CHAIRMAN HOOD: I don't see -- hear any objections, so
20 we'll leave it up to staff as well, but, hopefully, we can do a
21 summary order.

22 MS. SCHELLIN: Great. Thank you.

23 CHAIRMAN HOOD: Okay. Ms. Schellin, do we have anything
24 else?

25 MS. SCHELLIN: Nothing else.

1 CHAIRMAN HOOD: Okay. Again, I want to thank everyone
2 for their participation, but our next meeting will be September
3 the 28th. No, did -- it's, yeah, the 28th, and the case is Zoning
4 Commission Case Number 25-16. This is the McDonald's
5 Corporation. And we will be meeting at four p.m. on these same
6 platforms. So, with that, I want to thank everyone for their
7 participation, and you all have a great weekend. Good night.

8 (Whereupon, the above-entitled public meeting was
9 adjourned at 4:40 p.m.)

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

This is to certify that the foregoing transcript

In the matter of: Public Meeting

Before: DC Zoning Commission

Date: 09-24-26

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