

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

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IN THE MATTER OF: :
   
:
   
WARRENTON GROUP - : Case No.
   
CONSOLIDATED PUD AND : 17-10
   
RELATED MAP AMENDMENT :
   
@SQUARE 5196 :
   
-----:

Thursday,
   
November 16, 2017

Hearing Room 220 South
   
441 4th Street, N.W.
   
Washington, D.C.

The Public Hearing of Case No. 6-110 and 6-120
   
by the District of Columbia Zoning Commission convened at
   
6:30 p.m. in the Jerrily R. Kress Memorial Hearing Room at
   
441 4th Street, N.W., Washington, D.C., 20001, Anthony J.
   
Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

- ANTHONY J. HOOD, Chairperson
- ROBERT MILLER, VICE CHAIR
- PETER G. MAY, Commissioner (NPS)
- PETER SHAPIRO, Commissioner
- MICHAEL TURNBULL, Commissioner

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OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Deputy Director  
KAREN THOMAS

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF PRESENT:

AARON ZIMMERMAN

The transcript constitutes the minutes from the  
Public Hearing held on November 16, 2017.

## AGENDA

	<u>Page</u>
Opening Remarks . . . . .	4
Preliminary Matters . . . . .	6
Applicant's case . . . . .	14
Report of the Office of Planning . . . . .	59
Report of the Department of Transportation . . . . .	59
Report of the ANC . . . . .	60
Organizations and persons in support . . . . .	70
Organizations and persons in opposition . . . . .	70
Undeclared persons . . . . .	70
Close by Applicant . . . . .	87
Closing Remarks . . . . .	88
Adjourned . . . . .	94

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

(6:36 p.m.)

1  
2  
3 CHAIRMAN HOOD: Good evening ladies and gentlemen,  
4 this is the Public Hearing and Zoning Commission for the  
5 District of Columbia. Today's date is November 16th, 2017  
6 and it's approximately 6:36 p.m. We're located at Jerrily  
7 R. Kress Memorial Hearing Room.

8 My name is Anthony Hood. Joining me this evening  
9 are Vice Chair Miller, Commissioner Shapiro, Commissioner  
10 May, and Commissioner Turnbull. We are also joined by the  
11 Office of Zoning Staff, Ms. Sharon Schellin, as well as the  
12 Office of Planning Staff, Ms. Steingasser, Ms. Thomas.  
13 District Department of Transportation, Ms. Zimmerman.

14 This proceeding is being recorded by a court  
15 reporter, it's also webcast live. A court room was actually  
16 refrained from any disruptions when accessing the hearing  
17 room.

18 Notice of today's hearing was published in the  
19 D.C. Register and copies are available to my left, on the  
20 wall near the door.

21 The hearing will be conducted in accordance with  
22 Provisions of 11 Z DCMR Chapter 4 as follows. Preliminary  
23 matters, applicant's case, the report of the Office of the  
24 Planning, report of other Government agencies, if any, report  
25 of the ANC, organizations and persons in support,

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1 organizations and persons in opposition, rebuttal and close  
2 by the Applicant.

3           The following time constraints will be maintained  
4 in this meeting. The Applicant has up to 60 minutes, but we  
5 do read so 50 minutes, I think, should be sufficient.  
6 Organizations five minutes, individuals three minutes.

7           The Commission intends to adhere to the time  
8 limits as strictly as possible in order to hear the case in  
9 a reasonable period of time. All persons wishing to testify  
10 before the Commission this evening at this hearing I ask to  
11 register at the witness kiosk. Also, we ask that you fill  
12 out two witness cards.

13           The decision of the Commission in this case will  
14 be based exclusively on the public record. The staff will  
15 be available throughout the hearing to discuss procedural  
16 questions.

17           Please turn off all electronic devices at this  
18 time so not to disrupt these proceedings. Will all  
19 individuals wishing to testify please rise to take the oath?

20           MS. SCHELLIN: Please raise your right hand?

21           CHAIRMAN HOOD: Ms. Schellin, would you -- okay.  
22 Would you please administer --

23           MS. SCHELLIN: I'm sorry.

24           CHAIRMAN HOOD: No, that's fine.

25           MS. SCHELLIN: Do you solemnly swear or affirm the

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1 testimony you'll give this evening will be the truth, the  
2 whole truth and nothing but the truth? Thank you.

3 CHAIRMAN HOOD: Ms. Schellin, do we have any  
4 preliminary matters?

5 MS. SCHELLIN: Both of the proffered experts had  
6 previously been accepted, although I don't see Mr. Andres.

7 MS. BATTIES: He's on his way.

8 MS. SCHELLIN: He's on his way, okay. So, we have  
9 Mr. Pichon and Mr. Andres and Transportation.

10 CHAIRMAN HOOD: Okay.

11 MS. SCHELLIN: Mr. Pichon in architecture.

12 CHAIRMAN HOOD: I think, Commissioners, we have  
13 already given expert status, I don't think anyone wants to  
14 revisit that, okay, so we will continue that. Anything else,  
15 Ms. Schellin?

16 MS. SCHELLIN: I have nothing else.

17 CHAIRMAN HOOD: Ms. Batties, as I stated earlier,  
18 I don't want to deprive anyone from giving this testimony,  
19 because I know sometimes you do rehearse, you rehearse with  
20 Ms. Schellin, so what I would ask though is whatever your  
21 presentation, if you'd hit the highlights, and we can make  
22 it about a 15 minute presentation. If need be.

23 MS. BATTIES: Yes, will do.

24 CHAIRMAN HOOD: Okay.

25 MS. BATTIES: We'll stay within that time. I do

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1 want to note that DMPED is here and Ms. Gina Smith is here  
2 to testify on behalf of the administration so --

3 CHAIRMAN HOOD: Do you want to bring Ms. Smith up  
4 first?

5 MS. BATTIES: Yes, sir.

6 CHAIRMAN HOOD: Okay.

7 MS. BATTIES: Yes.

8 CHAIRMAN HOOD: Thank you. Let me ask this also,  
9 is there anyone here in opposition? Is there anyone here in  
10 opposition? Okay, you just raised your hand at that time?

11 PARTICIPANT: Just at the wrong time.

12 CHAIRMAN HOOD: Okay. You were waiving at  
13 somebody, okay, good. Thank you. I'm glad that's what it  
14 was. All right.

15 Okay, you may begin. Identify yourself and you  
16 may begin.

17 MS. SMITH: Good evening, Commissioners. For the  
18 record, my name is Gina Smith and I serve as project manager  
19 in the Deputy Mayor's Office of Planning and Economic  
20 Development, otherwise known as DMPED.

21 I am here tonight to testify on behalf of the  
22 administration in support of Zoning Commission Case 17-10,  
23 relating to the proposed planned unit development and zoning  
24 Map amendment for the properties located at 5119 through 23  
25 and 5127 Nannie Helen Burroughs and 612 Division Street

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1 Northeast. This project is known as the Historic Strand  
2 Theater and includes restoration of the theater, development  
3 of affordable housing as well as commercial and retail space.

4 I want to start by recognizing the invaluable  
5 contributions of the community, particularly the residents  
6 of Lincoln Heights and Richardson Dwelling, the New  
7 Communities Advisory Committee, ANC 7C and the Dean List  
8 Citizens Association.

9 In November 2005, the District of Columbia and the  
10 D.C. Housing Authority, in collaboration with the residents  
11 of the Lincoln Heights neighborhood, initiated a community  
12 driven planning process for the redevelopment of Lincoln  
13 Heights and Richardson Dwellings.

14 The result was the Lincoln Heights Richardson  
15 Dwellings revitalization plan, which was adopted by the D.C.  
16 Council under the Districts new community's initiative.

17 New Communities focuses on physical redevelopment  
18 paired with human capital investment. The guiding principles  
19 of which include commitment to mixed-income housing, mixed-  
20 income neighborhoods, one-for-one replacement of existing  
21 public housing units, the opportunity for residents to assess  
22 new quality housing units within their neighborhood and build  
23 first to minimize displacement.

24 The revitalization plan in Lincoln Heights cost  
25 for the demolition and one-for-one replacement of 440 public

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1 housing units at Lincoln Heights and 190 public housing units  
2 at Richardson Dwellings. And woven into a vibrant mixed-  
3 income, mixed used neighborhood.

4 DMPED is committed to advancing a plan for the  
5 redevelopment of Lincoln Heights and Richardson Dwelling in  
6 a way that meets all of the core principles of NCI. DMPED  
7 has determined that the Strand Theater should serve as one  
8 of several build first sites for the Lincoln Heights and  
9 Richardson Dwellings, align for the provision of replacement  
10 housing prior to the demolition of existing homes at the  
11 public housing sites.

12 In addition to the proposed development of the  
13 Theater, other notable NCI investments include 5201 K Street,  
14 Providence Place, Woodson High School, the Deanwood  
15 Recreation Center, multi-family apartments at 4800 Nannie  
16 Helen, as well as capital improvements to Marvin Gaye Park  
17 and the Nannie Helen Boroughs Street scape.

18 At completion of our sites, the Strand Theater,  
19 other build first sites and Lincoln Heights and Richardson  
20 Dwellings will contain a mix of public housing, other  
21 affordable and market rate units as well as resident and  
22 public amenities. We anticipate Lincoln Heights and  
23 Richardson Dwellings, like NCI's Park Morton redevelopment,  
24 will be completed without involuntarily displacing residents  
25 from their neighborhood.

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1 Strand Theater is part of what makes this  
2 possible. Like Park Morton, we expect Lincoln Heights and  
3 Richardson Dwellings to be a national model that improves the  
4 history of public housing redevelopment, where often in the  
5 past better public quality housing and neighborhoods were  
6 only achieved at the expense of displacing longtime  
7 residents.

8 The Warrenton Group proposes to restore the  
9 historic theater, develop an 86 unit building, provide 28  
10 replacement units for Lincoln Heights and Richardson Dwelling  
11 families and construct retail and community space.

12 The Strand Theater, I'm sorry, the residential and  
13 retail space will be developed on the adjoining parcels.  
14 DMPED will continue to work with the D.C. Housing Authority,  
15 the developer and the residents of Lincoln Heights and  
16 Richardson Dwellings to develop an occupancy plan for the  
17 building which will be transparent, clear and extensively  
18 communicated well before leasing at the Strand Theater  
19 begins.

20 In conclusion, I want to reiterate that our  
21 commitment is to creating a neighborhood of diverse  
22 populations, extensive housing choice, neighborhood amenities  
23 and pathways to the middle class. This project will move us  
24 closer to achieving these goals.

25 Thank you for the opportunity to testify and I am

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1 happy to answer any questions the Commission may have.

2 CHAIRMAN HOOD: Who wants to ask questions of her  
3 first, or do you want, okay. What was your name, the last  
4 name again?

5 MS. SMITH: Ms. Smith.

6 CHAIRMAN HOOD: Ms. Smith. Okay, thank you, Ms.  
7 Smith.

8 MS. SMITH: Smith, yes.

9 CHAIRMAN HOOD: Smith?

10 MS. SMITH: Yes.

11 CHAIRMAN HOOD: Okay. Thank you, Ms. Smith, we  
12 appreciate you, and always appreciate the Deputy Mayor's  
13 Office when they come down and give us a presentation, we  
14 always appreciate it. You can send our thank you's to you  
15 and to him as well.

16 Let's see if there's any questions or comments up  
17 here. Commissioner Shapiro.

18 COMMISSIONER SHAPIRO: Thank you, Mr. Chair. Just  
19 one quick question, Ms. Smith. And first of all, I applaud  
20 you for the involvement in this project, it's a very exciting  
21 project reflecting on the previous new communities and  
22 projects we are involved in. It's a year ago at this point,  
23 Park Morton.

24 So question for you, which is that, one of the  
25 priorities for the administration is that there is as much

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1 commitment to using green building technology as possible,  
2 and especially solar. And I imagine that that would be a  
3 priority of DMPED as well.

4 And this, maybe it's more of a statement than a  
5 question, but it would be very helpful if separating out my  
6 views wherein this specific project, it would be very helpful  
7 if you, as projects to come to you and as you bring projects  
8 to you, if you could make it perfectly clear with the  
9 Applicants that that's a priority.

10 Because often projects don't come and then we have  
11 a little bit of a tug back and forth about exactly how energy  
12 efficient, what kind of technology as you using, are they  
13 using solar panels, are they including solar panels.

14 So if it's possible to take that message back that  
15 you all have a great role to play in promoting that as well,  
16 which is part of the Mayor's agenda.

17 MS. SMITH: We certainly will. Thank you,  
18 Commissioner.

19 COMMISSION SHAPIRO: Okay, thank you. Thank you,  
20 Mr. Chair.

21 CHAIRMAN HOOD: Great, thank you. Any other?  
22 Vice Chair Miller.

23 VICE CHAIR MILLER: Thank you, Mr. Chairman. And  
24 thank you for your testimony and getting the project to come  
25 forward.

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1           At this point I know the City has wanted to  
2 redevelop the Strand for decades. And the New Communities  
3 initiative has been around for a long time too, so I guess  
4 I'll wait till, so I appreciate all the work that you've done  
5 to bring it forward at this point.

6           There are 28 replacement units in this particular  
7 project for the public housing at Lincoln Heights and  
8 Richardson Dwellings. Do you know off the top of your head,  
9 or I'll wait for D.C. Housing Authority maybe to answer the  
10 question, of how many of the units at those public housing  
11 projects have been, how many replacement units have been  
12 approved by either us or moving forward at this point?

13           Of the, you said, I think, 490 Lincoln Heights and  
14 then there are 190 Richardson Dwellings?

15           MS. SMITH: Correct. I would not want to give  
16 specifics about DCHA, however, we can provide supplemental  
17 information that identifies all the replacement units that  
18 we have identified in the several build first projects that  
19 are underway --

20           VICE CHAIR MILLER: Yes.

21           MS. SMITH: -- in NCI right now.

22           VICE CHAIR MILLER: And D.C. Housing might, or the  
23 Applicant, might be able to present that. It would be useful  
24 just to get a picture of where we are in that replacement  
25 project of NCI.

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1 MS. SMITH: Okay. We're happy to --

2 VICE CHAIR MILLER: Thank you.

3 MS. SMITH: We'll, I certainly can speak from  
4 DMPED's perspective that in terms of DCHA's strategy towards  
5 it, I wouldn't want to speak on their behalf --

6 VICE CHAIR MILLER: Right.

7 MS. SMITH: -- but we'll provide the DMPED  
8 information to you.

9 VICE CHAIR MILLER: Okay, thank you very much.

10 MS. SMITH: Thank you.

11 CHAIRMAN HOOD: Now, do we have anyone here from  
12 ANC 7, what is it, 7, which ANC?

13 COMMISSION SHAPIRO: 7c.

14 CHAIRMAN HOOD: 7C. Okay, do we have anyone here  
15 from 7C that would like to cross examine? Do we have anyone  
16 here from 7C at all? Okay. But they do have a letter.

17 Okay, thank you, Ms. Smith. You're welcome to  
18 stay, but if not, I'm not sure. We appreciate you coming in  
19 again.

20 Ms. Batties --

21 MS. BATTIES: Yes.

22 CHAIRMAN HOOD: -- if we could just hit the  
23 highlights?

24 MS. BATTIES: Sure. Good evening. For the  
25 record, Leila Batties and Joe Gann with the law Firm of

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1 Holland & Knight on behalf of the Applicant, the Warrenton  
2 Group and its partner, NHP Foundation.

3           In terms of my opening remarks, I won't cover  
4 anything that's in the record, but I do have to clarify three  
5 things, or put two things specifically on the record. First  
6 of all, there was a discrepancy between the DDOT and OP  
7 reports with regard to the number of vehicular and bicycle  
8 parking spaces.

9           To clarify, the correct number of vehicle parking  
10 spaces is 20 and there is a total of 45 bicycle parking  
11 spaces. Five short-term and 36 long-term for the residential  
12 use. One short-term and one long-term for the retail use and  
13 one short-term and one long-term for the community space on  
14 the ground floor of the building.

15           With regard to the PUD benefits and amenities  
16 package, I'd like to note that based on the very recent  
17 conversations with the community, the Applicant seeks to  
18 expand its benefits and amenities package to include two  
19 proffers.

20           First is that within 120 days of the Zoning  
21 Commissions final action approving the PD, the Applicant  
22 agrees to host a job fair for residents of the Deanwood  
23 neighborhood as well as the Lincoln Heights and Richardson  
24 growing communities. The job fair will include applications  
25 for training and employment opportunities related to the

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1 construction and the operation of the PUD.

2           The second proffer is that the Applicant agrees  
3 to set aside approximately 1,200 square feet of the ground  
4 floor space for neighborhoods serving retail, or services,  
5 with preference being given to a business or organization  
6 owned and operated by a Ward 7 SBE or CEB. And so I'd like  
7 to add those to the benefits and amenities package.

8           And then finally, as it relates to solar panels,  
9 the Applicant has followed the direction of the Zoning  
10 Commission. They met with DOEE on October 30th.

11           And based on those discussions, they have looked  
12 very carefully at the installation of solar panels on top of  
13 its green roof. But right now, and this is the same issue  
14 that came up in a case that you guys approved on October  
15 30th, Case Number 17-13, there's still an issue as to whether  
16 or not solar panels can be installed on top of a green roof  
17 and how those systems work together, or if they can work  
18 together.

19           And so what we would ask of the Zoning Commission  
20 is that like Zoning Case 17-13, this project be given  
21 flexibility. The Applicant be granted flexibility to allow  
22 the addition of solar panels, provided that the panels comply  
23 with the setback restrictions and there is no reduction in  
24 the amount of green roof for the project. So the same relief  
25 that was granted in that case.

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1           And that is all that I have in terms of my opening  
2 remarks. I'd like to turn it over to Sean Pichon to go over  
3 some of the architectural design and then Erwin Andres will  
4 address the issues raised in the DDOT report.

5           COMMISSIONER TURNBULL: Before you start, Ms.  
6 Batties, I just wanted to clarify that. You'll be submitting  
7 that for the written record then? All that you said just  
8 now?

9           MS. BATTIES: Yes.

10          COMMISSIONER TURNBULL: Okay, great. Thank you.

11          MR. PICHON: Good evening, Commission, my name is  
12 Sean Pichon with PGN Architects. I'm going to try and just  
13 hit the highlights of what we've changed since the last time  
14 you guys saw this.

15                 We have worked with the Office of Planning staff  
16 to respond to the Commissions comments during the sit-down  
17 hearing. We have taken a look back at the overall design of  
18 the building and have incorporated the comments concerning  
19 the use of the materials and the simplification of the  
20 facades and creating more of a residential look to the  
21 building.

22                 So in that we have, on the main facade along  
23 Nannie Helen Boroughs, we have increased the number of  
24 residential bays that exist on that facade. We've added an  
25 additional balcony connected to a bay to create the anchor

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1 on the corner. And we have reduced the number of materials  
2 that are being used on the facade and the design.

3 We've also strengthened the connection to the  
4 Strand Theater next door. We've included a, introduced a  
5 two-story bay, I mean a two-story base, sorry, that continues  
6 along the entire ground plane for two stories and  
7 incorporates the store fronts and entrances into the  
8 residential building.

9 Along the side facade, the main one visible above  
10 the Strand Theater, we have continued this idea of this bay  
11 undulation. So along the side facade we've created some  
12 shifts in the wall to break up the facade.

13 We've also added in some partial balconies on that  
14 facade as well to give it more of a residential look. And  
15 to bring some harmony around from the front to the side so  
16 that there's a continuation of the design idea as it goes  
17 around the building.

18 On the side adjacent to the church, which is a  
19 party wall condition, we are proposing some at-risk windows  
20 along that facade understanding that the church is there and  
21 it doesn't have any intentions of leaving, so we believe that  
22 that use of those walls articulate on windows is not going  
23 to be an issue for this project.

24 We also are continuing the brick base around the  
25 remainder of the building at a one-story level. So it steps

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1 down from the two-story to one-story as it wraps around the  
2 remainder of the building.

3 I'm going to run through these pretty quickly.  
4 These are representative of the facades as you go around the  
5 building.

6 Just to highlight the two facades that aren't  
7 shown very clearly in the renderings. The rear facade we're  
8 also including balconies, partial balconies on the rear  
9 facade. And it also has the continuation of the brick base.

10 And then of course this facade that you're seeing  
11 from the side, facing the church, we do have the at-risk  
12 windows. We're also articulating a courtyard inside the  
13 building with similar materials and similar fenestrations.

14 This is a image of the existing street scape  
15 currently there. There was some improvements done by DDOT  
16 recently to include some bioretention planters along the  
17 street scape.

18 We are proposing to maintain those. Anything  
19 that's done during construction will be repaired and  
20 recreated back into its existing place. And adding some  
21 planting material inside of those bioretention planters.

22 The street scape, the facade as it meets the  
23 street scape, we are incorporating signage bands into the  
24 base of the bay projections. Those are approximately, the  
25 bays are approximately 14 feet above the street, or sidewalk

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1 level. And the signage bands are approximately nine feet  
2 above the sidewalk.

3 And those are marking the entry points into each  
4 of the retail community space and the residential entry.

5 This shows a little bit more detail of the street  
6 scape and how it relates to the building and to the street.  
7 So we have some, a mixture of bioretention and some tree box  
8 existing there.

9 We are adding some space for the short-term bike  
10 parking along the sidewalk. And the reusable space of the  
11 sidewalk remains at about nine foot three inches clear of  
12 walking space along the front of the building.

13 And as far as material, materiality goes, we do  
14 have a material board that's in the back there that you guys  
15 can touch and feel the actual materials that we're proposing.

16 We are, the bay projections are proposed to have  
17 a beige metal panel with a copper top and bottom to it,  
18 highlighting it. That same copper metal panel is being used  
19 to highlight the store fronts banding and signage.

20 The brick base is a red brick base. And the main  
21 field beyond the bay projections is a fiber cement panel in  
22 a grey color. As represented in the renderings that you saw  
23 before.

24 The remainder of the facades will incorporate the,  
25 a similar color to match the metal panel but in a fiber

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1 cement panel that we can use as a way to keep the same  
2 language of the building going around, so the materials will  
3 actually work together in terms of their detailing. As it  
4 goes around the building, the reveals and things can match  
5 with the metal panel and the fiber cement panels.

6           And to close, the tower element that we are  
7 proposing at the corner of the building, or at the edge of  
8 the building, is one-story taller than the rest of the bay  
9 projections to mark the corner. It also has an integrative  
10 balcony connected to it so it makes it larger and wider and  
11 thus has a stronger feel or heaviness on the facade so that  
12 it marks the corner and that we have some hierarchy between  
13 the bay projections.

14           And this is a quick image of the courtyard, what  
15 we're planning to do with some of the functions within that.  
16 This stuff is all within the supplemental submission that we  
17 provided to the Commission.

18           MR. ANDRES: Good evening, Chairman Hood, Members  
19 of the Commission. Erwin Andres with Gorove/Slade  
20 Associates. I will quickly go through the issues that have  
21 been coordinated with the District Department of  
22 Transportation.

23           DDOT issued a letter, dated November 6th, that  
24 identified their support for the project contingent on some  
25 conditions. With respect to those conditions, what we wanted

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1 to do is essentially address them.

2           We did specifically meet with DDOT on November 9th  
3 to go over those issues. And we have come to resolution in  
4 which the Applicant agrees to all of the sort of new  
5 conditions that we've agreed and setup with DDOT in that  
6 November 9th meeting.

7           They've been formalized in a memo dated November  
8 14th, which I believe is submitted and is part of the record.  
9 With that it's important to note that the issue that DDOT had  
10 in their previous review letter consisted of the trash  
11 service.

12           With respect to the trash service, as identified  
13 in this graphic, DDOT had concerns about the ability of a  
14 trash truck to enter the alley and head in and make a,  
15 essentially a three-point turn, and head out. Given our  
16 discussions with DDOT, DDOT wanted us to be able to, as you  
17 know, the alley is actually being closed and relocated south.

18           As part of that relocated alley, DDOT wanted to  
19 make sure that that alley can tie into the property that is  
20 directly to the west of us. And in order to do that and  
21 still accommodate trucks to be able to get the clearance  
22 needed for a three-point turn, two things had to be done.

23           You either depress the alley, which we can't do  
24 because then we won't be able to provide a connection to the  
25 parcel to the west of us, or raise the height of the first

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1 floor because essentially what happens is you end up losing  
2 four units.

3           So DDOT agreed that the trash shouldn't take place  
4 in the alley, given these constraints. And they understood  
5 why it would be such an onerous condition in order to allow  
6 for the trash trucks to pull in, head in and head out.

7           So in lieu of that we've compromised with DDOT to  
8 identify a, essentially a restricted parking area that's  
9 identified as the yellow area on the graphic in the, sort of  
10 in the lower part of the graphic. There's an area of about  
11 20 feet, essentially, between the proposed relocated alley  
12 and the adjacent driveway.

13           And that area is essentially where a trash truck  
14 would pull up, trash would be wheeled out from the trash  
15 area, into the trash truck. Which is consistent with trash  
16 operations in different parts of the District where trash  
17 trucks have a hard time going down alleys. So we resolve the  
18 trash issue with that.

19           Some of the other issues that we've also  
20 coordinated with DDOT is the TDM, Transportation Demand  
21 Management Plan. There were two conditions related to  
22 bundling of parking and charging for market rate.

23           Given that this is an Affordable Housing Project,  
24 the ability to do those two things cannot be done. And so  
25 DDOT had agreed to strike those two items so they are no

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1 longer part of the TDM.

2 Another item related to the TDM is that DDOT  
3 requested a car share space to be provided as one of the two  
4 spaces behind the building. We understood that there are  
5 some instances where a car share company would not be able,  
6 or would not see this as attractive. So we're going to make  
7 our good faith effort to reach out to car share companies in  
8 order to provide them that space.

9 In the event that car share companies don't, are  
10 not interested in providing that service in that space, we've  
11 agreed that we would either install an electric car charging  
12 station or provide an initial year of Capital Bikeshare  
13 membership so that we can get the C of O in order to use  
14 those spaces as the Applicant wishes. And DDOT had agreed  
15 to that condition.

16 And then the last condition that we coordinated  
17 with DDOT is that they suggested that, they recommended that  
18 we fund the expansion of an existing Capital Bikeshare  
19 station from 15 to docks to 19 docks. So we're expanding the  
20 docks by four.

21 We coordinated with DDOTs Capital Bikeshare  
22 program and the estimate that they gave us was \$1,400. So  
23 we're agreeing to fund that up to \$2,000. So these elements  
24 have been coordinated with DDOT and I believe we've come to  
25 a resolution. So thank you. I'm available for questions.

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1 MS. BATTIES: That's the end of our presentation.

2 CHAIRMAN HOOD: All right. I want to thank you  
3 all for your presentation. I know we had a few people come  
4 in a little bit later, but let me make sure that everyone  
5 signs in the kiosk if you're going to testify.

6 And do we have any people here who want to testify  
7 in support, if you can just raise your hands so I can kind  
8 of engage things?

9 Do we have any people here who are going to  
10 testify in opposition? Okay. Okay, good.

11 So everything seems to be going pretty good so  
12 far. All right. Let's see, I do, before I open it up, I do  
13 want to acknowledge a young man, I think he's, if I have this  
14 wrong, but I believe this is just the way I was born, his  
15 grandfather was a commissioner. Am I the only one here that  
16 probably knows that?

17 It's just that his grandfather's name escapes me,  
18 and I want him to tell me what his grandfather's name was  
19 because what he doesn't know is because of people like his  
20 grandfather, people like me stand on their shoulders and I  
21 respect that. And I just can't remember his name.

22 (Off microphone comment)

23 CHAIRMAN HOOD: Lloyd Smith. But I'm sure we all  
24 have heard of Lloyd Smith. Well, if you haven't, I know Rob  
25 has so we know him. I just wanted to acknowledge that.

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1           So I hope you didn't mind that, but I don't  
2 forget. I never forget. And they say never forget, so you  
3 don't forget. I'm sorry?

4           (Off microphone comment)

5           CHAIRMAN HOOD: You know, there's always a smart  
6 aleck up here, but anyway, let's open it up for questions.

7           But since we're being smart, I want to apologize,  
8 first of all, to the architect. Because I have some  
9 Commissioners up here who are destructive and your brick came  
10 off your panel. So I want to apologize to you. I'm not  
11 going to mention who, probably has it in their hand. So  
12 anyway, I figured I would get them back on that.

13           So let me open it up. Any comments or questions?  
14 Since you have the brick, Commissioner May.

15           COMMISSIONER MAY: Pass it down. Yes, the person  
16 with the brick gets to talk, is that what it is?

17           So sorry about that. Yes, I started pulling on  
18 it a little bit and it sounded like it was Velcro, but then  
19 it was like the Velcro stayed on the board and the glue  
20 separated. So anyway. But I was trying to get a good look  
21 at both sides of this slab.

22           So, yes, I have a few questions. So first of all,  
23 I appreciate the fact that you've made some substantial  
24 changes to the design of the building and I think it's  
25 generally a lot better.

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1 I do have a little bit of concern about the colors  
2 and how light the colors are. But first, it's you have  
3 aluminum panels and fiber cement panels that are the same  
4 color and they're deployed in different locations. Can you  
5 explain to me why they're in those locations?

6 MR. PICHON: So, the aluminum panels, the metal  
7 panels are on the main facade along Nannie Helen Boroughs and  
8 they're wrapping the bay projections.

9 COMMISSIONER MAY: Yes.

10 MR. PICHON: That same language goes around the  
11 side facade but it's done in a fiber cement panel. So that  
12 the rhythm of the side facade with the undulation of the  
13 facade going back and forth is representative of the bay  
14 projection --

15 COMMISSIONER MAY: You're trying to make them look  
16 like they're the same, right?

17 MR. PICHON: Yes.

18 COMMISSIONER MAY: Yes. So why don't you just use  
19 the same material in both locations, is there a cost  
20 difference of something?

21 MR. PICHON: There is a huge cost difference  
22 between the two, yes.

23 COMMISSIONER MAY: And the aluminum panels are  
24 more expensive?

25 MR. PICHON: Yes.

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1 COMMISSIONER MAY: Yes. Why don't you just use  
2 the fiber cement panels everywhere? Because we see them on  
3 the front of buildings.

4 I mean, are we talking about a high-quality panel,  
5 right, we're not talking about --

6 MR. PICHON: Yes.

7 COMMISSIONER MAY: Are you talking about Hardie  
8 plank or you're talking about --

9 MR. PICHON: No.

10 COMMISSIONER MAY: -- Nichiha or something or like  
11 that?

12 MR. PICHON: No, these are -- the fiber cement or  
13 the metal?

14 COMMISSIONER MAY: Yes, fiber cement.

15 MR. PICHON: The fiber cement is a, what was the  
16 name of it. It was a nouveau fiber cement panel.

17 COMMISSIONER MAY: Okay.

18 MR. PICHON: It's not Hardie, it's a different  
19 brand.

20 COMMISSIONER MAY: Yes. But it's an architectural  
21 rain screen kind of panel.

22 MR. PICHON: Yes.

23 COMMISSIONER MAY: And it's got detail and  
24 components, reveals and things like that, like part of the  
25 system?

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1 MR. PICHON: Correct.

2 COMMISSIONER MAY: Yes. I mean, I don't know.  
3 I don't want to advise you on how to design the building but  
4 I think I've seen those sorts of panels used on the front  
5 facades of buildings and I don't know that they would  
6 necessarily be a problem for that, but that's your choice.

7 But I am a little concerned about the color.  
8 Particularly with the very light colors. Unless it's  
9 detailed perfectly and maintained well overtime, you can get  
10 streaking and sort of soot lines on the panels. And having  
11 something that's a little bit darker may help you in that  
12 regard.

13 And again, it's your design, I'm not trying to  
14 redesign it for you, but it's a concern that I have and it's  
15 something that I repeat regularly, from the dais, when we see  
16 these very light-colored panels.

17 MR. PICHON: Yes. And I appreciate that because  
18 if we are to go to a full fiber cement panel, we have a  
19 greater range of colors to choose from.

20 COMMISSIONER MAY: Yes.

21 MR. PICHON: The metal panels are limited in color  
22 of selections.

23 COMMISSIONER MAY: Yes. Yes. And with respect,  
24 I'm not a really big fan of the sort of yellower colors, but  
25 that's, again, that's just a personal preference. But I

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1 think that the practical difference is that how they weather  
2 over time. And you don't want it to look dingy over time.

3           What is actually happening on the lot next door  
4 where you have the at-risk windows? I mean, in the immediate  
5 lot. Yes. So we see it on the right side of that image.

6           MR. PICHON: That's a parking lot for the church.

7           COMMISSIONER MAY: Okay. And it's at-risk because  
8 some day they may redevelop that property and build right up  
9 to the property line?

10          MR. PICHON: Correct.

11          COMMISSIONER MAY: Okay. Okay, I mean, I think  
12 that's fine. The facade looks fine from here and I  
13 appreciate the fact that you're putting in the at-risk  
14 windows so that it just doesn't look like a big blank wall.

15          Can you bring up the, do you have a perspective  
16 view that's pretty close to the front facade? Yes, that.

17          So the bricks kind of look oversized there, is  
18 that just a rendering thing? They're normal --

19          MR. PICHON: Yes, these are normal size bricks.  
20 Yes.

21          COMMISSIONER MAY: Okay. And is the, are you  
22 actually going to use a white mortar or is that just, again,  
23 a rendering thing?

24          MR. PICHON: It's a rendering thing.

25          COMMISSIONER MAY: Yes.

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1 MR. PICHON: Yes.

2 COMMISSIONER MAY: Because I would, I mean, and  
3 this is one of this is one of the reasons why I was playing  
4 with your brick is that the finish of this brick is kind of  
5 sandy and it's not as nice of finish brick. I mean, I'd want  
6 to have like a very tight finish almost, like a glazed brick  
7 kind of finish on the street facade. And again, this is a  
8 suggestion. And then a mortar that matched it or is darker.  
9 I think it would make it look more refined.

10 And I think that you want to, I mean, is the brick  
11 on the Strand building actually a, is that a hard finish  
12 brick or is that a striated, like a combed brick face?  
13 Because often that color is a combed brick.

14 MR. PICHON: No, it's painted.

15 COMMISSIONER MAY: Oh, it's painted that color.

16 MR. PICHON: Yes.

17 COMMISSIONER MAY: And it's a regular --

18 MR. PICHON: It's a regular brick.

19 COMMISSIONER MAY: I mean, I would try to  
20 replicate that finish of brick. Again, the sandiness of this  
21 makes it look like it's not the highest quality, highest  
22 finish brick.

23 MR. PICHON: Okay.

24 COMMISSIONER MAY: And I think you want to try to  
25 make sure it looks that good. And on the, can we bring up

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1 the site plan for a second, that shows the parking spaces?

2 Well, we can sort of see it there.

3 All right, so hold on for a second. Now, just as  
4 I understand it, I mean, this is from the traffic  
5 presentation really, but there were parking spaces that were  
6 on the backside of the Strand building. Yes, right where  
7 you're, there we go.

8 So is that within the boundary of the PUD?

9 MR. PICHON: Yes.

10 COMMISSIONER MAY: Okay. So does the boundary  
11 include the entire strand theater? No.

12 MR. PICHON: No.

13 COMMISSIONER MAY: Just the rear yard of it?

14 MR. PICHON: Well, that's currently the alley  
15 that's being closed --

16 COMMISSIONER MAY: Oh, got it.

17 MR. PICHON: -- so the Strand is 100 percent lot  
18 coverage.

19 COMMISSIONER MAY: Got it. Okay. And so once  
20 it's closed then it becomes part of the -- okay.

21 I appreciate getting the response to all the DDOT  
22 issues, I think that saved me from asking you a bunch of  
23 questions. I think that's it from my perspective. Thanks.

24 CHAIRMAN HOOD: Thank you. Mr. Shapiro.

25 COMMISSION SHAPIRO: Thank you, Mr. Chair. I have

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1 the brick, I'll continue.

2 First, in relation to the solar panels, and I  
3 appreciate the explanation that you gave, but I want to be  
4 clear with what your position is related to this. If I'm  
5 understanding you correctly, you will install solar panels  
6 if it does not reduce the amount of green roof that you're  
7 going to get credit for?

8 MS. BATTIES: Right. And if, there is two issues.  
9 The credit for the green roof, or GAR. The project would  
10 still have to meet the setbacks and all of the penthouse  
11 requirements.

12 And three, I think there is a practical issue, and  
13 the Applicants can speak more to it, but from a design  
14 standpoint, I think it's still unknown whether these two  
15 systems can actually work together. So you have the green  
16 roof and then you have to put all of these punctures in to  
17 support the solar panels. I don't know, from an engineering  
18 standpoint, that it's been resolved that the two systems can  
19 actually work together.

20 It is something that our client is interested in  
21 doing. Whether or not it's practically feasible is what is  
22 still unknown.

23 COMMISSIONER SHAPIRO: Okay. And you will talk  
24 to DOE, I hear that loud and clear. My understanding is that  
25 issue has been, the technical issue has been resolved, it's

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1 more about what you are getting credit for that there seems  
2 to be a little bit of fuzziness around.

3 And also related to that, and DOE's comments  
4 specifically, were asking you to consider these, the VRF mini  
5 split systems.

6 MS. BATTIES: Yes. We did look at that. It added  
7 an additional \$803 to \$1.3 million to the project. And given  
8 the nature of this project, it was not feasible.

9 COMMISSION SHAPIRO: This is 100 percent --

10 MS. BATTIES: Affordable.

11 COMMISSION SHAPIRO: -- LIHTC yield?

12 MS. BATTIES: Yes.

13 COMMISSION SHAPIRO: Okay. Okay.

14 MS. BATTIES: Or, 100 percent affordable. Yes.

15 COMMISSION SHAPIRO: Okay. Are there other  
16 funding mechanisms or is --

17 MS. BATTIES: Yes.

18 COMMISSION SHAPIRO: Okay. And then, thank you,  
19 that answers my questions. It's perfectly clear.

20 Can you bring up that church side view again? And  
21 if I can ask, I believe this is much a question to my  
22 colleagues who are architects, that's the architect in front  
23 of me, but there's something, I understand that in this at-  
24 risk wall, and I appreciate that you've put the windows in  
25 there to break up the blank wall, I don't understand the

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1 indents along the base. And it looks unfinished to me and  
2 it looks like a place that somebody is going to be hanging  
3 out and sitting on.

4 MR. PICHON: Well, these are, this is just a  
5 material recess, like a corbel. So there is no ledge there  
6 for anything to, anyone to actually sit.

7 The idea there was to just break up the length of  
8 the brick wall that's going to run down that side by  
9 mimicking the windows that are above. We did not want to put  
10 windows down on that level, but using the brick recess to  
11 recreate that same detailing in the brick.

12 COMMISSION SHAPIRO: It looks so unfinished to my  
13 eye. And maybe it's just the best alternative given either  
14 the blank wall or windows. I'm just not sure if there are  
15 other alternatives so I just put the question out there. It  
16 catches my attention.

17 And at the end of the day, how close can the  
18 church build to this?

19 MR. PICHON: We're building on the property line,  
20 so if the church was ever redeveloped they can build directly  
21 --

22 COMMISSION SHAPIRO: It would be a party wall?

23 MR. PICHON: Yes.

24 COMMISSION SHAPIRO: Okay. Okay, thank you. I  
25 don't have any other questions, Mr. Chair.

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1 CHAIRMAN HOOD: All right, Commissioner Turnbull.

2 COMMISSIONER TURNBULL: Thank you, Mr. Chair. I  
3 really don't have too many questions. I want to thank you  
4 for the changes you've made since sit down, I really  
5 appreciate that.

6 And I'm, so I'm assuming that since you're  
7 building on the property line the windows that are on there,  
8 that are at-risk, are extra, they're bonus, that if they was  
9 ever closed in you still could either go to the close court  
10 or the front and operate, that the units might have to be  
11 changed a little bit, but basically you have light and air  
12 for the bedroom, the living-room?

13 MR. PICHON: That's correct.

14 COMMISSIONER TURNBULL: That's what I thought.  
15 My only other question is, looking at the plan that showed  
16 where the trash is being delivered, all of the trash comes  
17 either for the retail or the residential, is at the rear of  
18 the building or toward the rear, comes down in a trash room.  
19 So you're basically are going to be wheeling it through the  
20 lobby then to take it out?

21 MR. PICHON: No, we're going to be wheeling it  
22 through the alley.

23 COMMISSIONER TURNBULL: Oh, you can wheel through  
24 the alley and then go up the street or --

25 MR. PICHON: Yes. We wheel through the alley to

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1 the curb. To that yellow curb. Yes, that's correct.

2 COMMISSIONER TURNBULL: Okay. On the retail  
3 parking, there's two retail parking spaces at the back,  
4 there's going to be no access into the building from those  
5 retail spaces I'm assuming? There looks like there was a  
6 vestibule but I'm assuming they still walk around to the  
7 front?

8 MR. PICHON: There is access through there,  
9 whether or not building maintenance and how they divide this  
10 up, they can provide access. Not for patrons or retail.

11 COMMISSIONER TURNBULL: That's what I was  
12 wondering, patrons.

13 MR. PICHON: Correct. They would have to walk  
14 around.

15 COMMISSIONER TURNBULL: That's what I'm assuming  
16 --

17 MR. PICHON: Yes.

18 COMMISSIONER TURNBULL: -- that you weren't really  
19 providing a way through the building.

20 MR. PICHON: No.

21 COMMISSIONER TURNBULL: Okay.

22 MR. PICHON: No.

23 COMMISSIONER TURNBULL: All right. Basically,  
24 those are all my questions. That I would agree with  
25 Commissioner May on some of these comments, along what he

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1 said. So thank you very much.

2 CHAIRMAN HOOD: Okay, thank you. Vice Chair  
3 Miller.

4 VICE CHAIR MILLER: Thank you, Mr. Chairman.  
5 Thank you for your presentation this evening. And then thank  
6 you for all the responses that you've made to the comments  
7 on the Zoning Commission Office of Planning and DDOT. And  
8 I assume the community as well throughout the process.

9 I think the design and materials have definitely  
10 improved since the sit down. I do appreciate, I always  
11 appreciate more balconies in the residential feel that that  
12 gives to a residential building and the open space that that  
13 gives for the tenants.

14 And thank you also for the additional information  
15 on the inclusionary zoning. I think it responds to maybe  
16 OAGs dialogue with you on that.

17 So 28 of the 86 units, all the units are  
18 affordable, all 86 are affordable by your statement at 60  
19 percent median family income or lower. I'll get use to  
20 saying MFI or MAI.

21 But I assume that the 28 replacement units, from  
22 the public housing at Lincoln Heights and Richardson  
23 Dwellings, are considerably lower than 60 percent AMI, I'm  
24 assume that they're lower than 30 percent AMI?

25 MS. BATTIES: They can be, yes. I expect that to

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1 be the case.

2           VICE CHAIR MILLER: But is it for financing  
3 reasons with the low-income tax credits or that the covenant  
4 will read that 100 percent of the units are 60 percent AMI  
5 rather than saying that a certain percentage, whatever the  
6 28 out of 86, which I guess would be almost a third, would  
7 be at 30 percent AMI?

8           You don't want to put that in the covenant that  
9 they would be at that lower level or do you just want to  
10 represent that they're going to be at that lower level?

11           MS. SMITH: The covenant will reflect that the  
12 building is 100 percent affordable with the cap being 60  
13 percent of AMI. And it will specifically provide that 28 of  
14 those units have to always be made available to families that  
15 are public housing eligible.

16           Which typically public housing resident's incomes  
17 are at 30 percent and below, so those 28 units will apply for  
18 that income band. But I shall also note that public housing  
19 can go, those residents can still qualify for public housing  
20 up to 80 percent of AMI.

21           VICE CHAIR MILLER: Right.

22           MS. SMITH: But those 28 units are set aside for  
23 families that are either, first preference Lincoln Heights  
24 and Richardson Dwellings families, and in the event that  
25 those families aren't taking those units, to other people who

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1 would qualified for DCHA housing as well.

2 VICE CHAIR MILLER: Right. Okay, thank you. The  
3 Strand Theater is not part of PUD --

4 MS. BATTIES: The property is not part of the PUD  
5 --

6 VICE CHAIR MILLER: But the --

7 MS. BATTIES: -- but the renovation --

8 VICE CHAIR MILLER: -- renovation is?

9 MS. BATTIES: -- is part of our benefit to the  
10 amenities package.

11 VICE CHAIR MILLER: And what is that going to be,  
12 what's going to be the use there in the square footage of the  
13 use in the Strand Theater once you finish that renovation?

14 MS. BATTIES: So the renovation is for commercial  
15 or retail tenant. Do you know the square --

16 MR. PICHON: Yes. It's approximately just over  
17 5,000 square feet of retail for commercial use.

18 VICE CHAIR MILLER: And in the residential  
19 building you have a ground floor retail as well of 1,400  
20 square feet?

21 MR. PICHON: 2,400. About 2,400.

22 MR. PICHON: Correct. It's including --

23 VICE CHAIR MILLER: Is that going to be the China  
24 Garden Restaurant or --

25 MR. PICHON: No.

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1 VICE CHAIR MILLER: Is that going to be in the  
2 Strand or is that somewhere else?

3 MR. PICHON: That's being relocated to a site  
4 across from the church parking lot. Adjacent to the park.

5 MS. BATTIES: So it's being relocated about 75  
6 feet to the south on Division Avenue.

7 VICE CHAIR MILLER: Is it on the site currently?

8 MS. BATTIES: It's not on --

9 VICE CHAIR MILLER: No.

10 MS. BATTIES: Currently it's on the site.

11 VICE CHAIR MILLER: It is on the site currently?

12 MS. BATTIES: So with the demolition it will be  
13 relocated.

14 VICE CHAIR MILLER: So that's one of the public --

15 MS. BATTIES: Benefits.

16 VICE CHAIR MILLER: -- benefits that you're also,  
17 and do you own the property that it's going to be relocated  
18 into?

19 MS. BATTIES: Yes.

20 MR. PICHON: Yes.

21 VICE CHAIR MILLER: Okay. And those arrangements  
22 have already been made, the lease or whatever?

23 MS. BATTIES: Yes. So actually, Commissioner, the  
24 new location will be open before construction of this project  
25 begins. So they're underway, or they will shortly be

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1 underway with the renovations to the new site, for the  
2 restaurant.

3 VICE CHAIR MILLER: Okay. So that's China Garden  
4 across the street, your 1,400 square feet on the ground floor  
5 of the residential building that's going to be neighborhood  
6 serving retail, I think is what I heard you say, but you  
7 don't have an idea of what that's going to be yet?

8 MS. BATTIES: No.

9 MR. PICHON: No.

10 VICE CHAIR MILLER: Not yet?

11 MS. BATTIES: The community has asked for  
12 businesses like a coffee shop or whatever. But the most  
13 important thing is that, to the extent possible, it be a Ward  
14 7 local business.

15 VICE CHAIR MILLER: I would agree that that's  
16 important. And then there's the 5,000 square feet of mostly  
17 retail in the Strand and we don't know what that retail is  
18 going to be yet? Do we have a vision for that yet or --

19 MS. BATTIES: Do you want to introduce yourself?

20 VICE CHAIR MILLER: It's not going to be a movie  
21 theater, is it?

22 CHAIRMAN HOOD: Do you need to be sworn in?

23 MS. SCHELLIN: Do you solemnly swear or affirm the  
24 testimony you'll give this evening will be the truth, the  
25 whole truth and nothing but the truth?

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1 MR. WILLIAMS: I do.

2 MS. SCHELLIN: Thank you.

3 MR. WILLIAMS: Good evening, Commissioners. I  
4 wanted to just say, yes, we've been working on, I'm sorry,  
5 I'm Warren Williams, the presidency of the Warrenton Group.  
6 I wanted to thank, this has been a long journey, ten years  
7 in the making, and I'd like to thank you all for allowing us  
8 to come before you tonight.

9 As it relates to the retail, specifically, we've  
10 been working on this project in trying to find quality retail  
11 and get the right balance for many years now. And I've had  
12 to say no, frankly, to some retailers that we thought would  
13 not be good be good fit for the community.

14 So right now we're getting some great interests.  
15 And without divulging the names, some pretty popular  
16 restaurateurs and folks that I understand had to work with  
17 a really cool space like the Strand to activate sort of a  
18 daytime and nighttime component. Not nighttime in a negative  
19 connotation, but just something to activate the corridor.

20 So we're really trying to make sure that we have  
21 something that's really neighborhood serving but also can  
22 meet some of the needs that existing in the community. Right  
23 now the community is in a food desert, it's in a sit down  
24 restaurant desert.

25 We don't have groceries, we don't have, there's

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1 a lot of things that we don't have and so we're trying to not  
2 capitalize on what we don't have and sort of think about what  
3 we can offer.

4           And so we've actually gotten some surprise  
5 recently because of, we believe, because of the critical mass  
6 that exists between the progressive national church project  
7 that you all have before you, our upcoming Deanwood Town  
8 Center project as well as the Deanwood Hills project. You've  
9 got enough critical mass where we're starting to be able to  
10 attract quality retailers to the Strand.

11           That being said, we also have to be careful  
12 because we are very, very committed to working with the  
13 residents of Ward 7 to make sure that we give opportunities  
14 to local businesses to be able to go into, and not only go  
15 into space at the Strand Theater, but also to be able to  
16 survive and to thrive.

17           And so working with the community in working with  
18 the District, the civic associations, the ANCs, ANC members,  
19 we feel like we're going to be able to strike that right  
20 balance. I wish I had Elise in here today to tell you  
21 exactly what it's going to be.

22           But one of the other things that I don't think was  
23 mentioned yet, I know it's already in your packet, but in the  
24 mezzanine of the Strand itself there's going to be some CB  
25 incubator space for small businesses so that they can grow,

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1 so folks will be able to get out of their house and sort of,  
2 it's not large enough for, but they're shared office space  
3 type of concept so folks won't have to work out of their  
4 homes and won't necessarily have to get all the way downtown.

5           And so we're really thinking, we've been thinking  
6 about this project for a long time, and so with that I'll end  
7 my testimony and answer any questions you may have.

8           VICE CHAIR MILLER: Thank you, Mr. Williams, for  
9 all your persistence and efforts with this project. I wish  
10 you success.

11           And most developers, when at this stage, don't  
12 have a lease in hand, but we hope that you will have one at  
13 the time you are finished with developing the project.

14           So my last question was about the community space.  
15 There's 1,200 square feet of community space, has that been  
16 worked out with the ANC or civic associations, or how is that  
17 going to work, or what actually is it, is it a meeting space  
18 for the ANC?

19           MS. BATTIES: It's actually an amenity to the  
20 building that will be available for the larger community for  
21 use for meetings, small gatherings. But it is part of the,  
22 and as well as the residents of the building. So it'll have  
23 multiple uses. But open to the broader community.

24           VICE CHAIR MILLER: And you don't have a use  
25 agreement or anything like that, a draft with the ANC or

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1 anything?

2 MS. BATTIES: Not specific to --

3 VICE CHAIR MILLER: But do you intend to have that  
4 or --

5 MS. BATTIES: It's going to be part of our order.  
6 It's going to be a condition of the approval, and I think  
7 that --

8 VICE CHAIR MILLER: You'll give us language to --

9 MS. BATTIES: The intent is for the building  
10 manager to make that space available to the community,  
11 whether it be the ANC or other organizations that require  
12 gathering space.

13 VICE CHAIR MILLER: And they come through the  
14 lobby of the --

15 MS. BATTIES: It's on the ground --

16 VICE CHAIR MILLER: -- apartment building?

17 MS. BATTIES: It's on the ground floor of the --

18 VICE CHAIR MILLER: Where it has a separate  
19 entrance?

20 MS. BATTIES: Separate entrance, yes.

21 VICE CHAIR MILLER: Okay. Okay, thank you very  
22 much for all the efforts and information you've provided.

23 CHAIRMAN HOOD: Okay, I just have, Mr. Williams,  
24 hold your seat. I just have a few questions.

25 I hear that you're very involved with the Ward 7

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1 community. Let me ask you, are you working with the, most  
2 wards have a, like a Ward 7 Business Council or something,  
3 do they have that in Ward 7? I may not be --

4 MR. WILLIAMS: Yes, they do.

5 CHAIRMAN HOOD: Are you working with that group  
6 as well?

7 MR. WILLIAMS: So I do chair the Ward 7 Economic  
8 Development Advisory Council.

9 CHAIRMAN HOOD: Okay.

10 MR. WILLIAMS: We have had conversations with the  
11 Ward 7 Business Council and we intend to continue to have  
12 conversations.

13 CHAIRMAN HOOD: Okay. Because in Ward 5 we have  
14 different business groups. I'm not saying they all work well  
15 but I know that that would be a good place to start. Besides  
16 the ANCs.

17 And I'm not saying cut the ANCs out, but you have  
18 business folks already. Because I don't want to get in  
19 trouble, but you have business folks already who have  
20 started. And we need to start promoting our own businesses  
21 as you've already stated. So I'm glad to hear that you're  
22 doing that.

23 Okay, I'm good with you. Mr. Pichon, let me ask  
24 this question. On the fiber cement panel color number two,  
25 I will say that I didn't tear it off the board, I just went

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1 over there and looked at it.

2 No, I don't want you to get it because it would  
3 be off the board and they'd have to fix that.

4 So my question is, how long, in your expertise,  
5 how long does that stay, I don't want to use the word dirty,  
6 but start to look dingy? That color.

7 MR. PICHON: You're just thinking of the lighter  
8 color?

9 CHAIRMAN HOOD: Yes, the lighter color. Right.  
10 Number two. Is that number two?

11 No, I'm talking about the, what's the name of the  
12 other one? The brick. The brick. To the left. The cement  
13 panel. I'm talking about the cement panel.

14 MR. PICHON: Yes, so we have two colors, the beige  
15 color and the darker grey color.

16 CHAIRMAN HOOD: Right, the darker grey. Actually,  
17 the picture, I was going to ask that, but when I went back  
18 there and looked I'm finding that it's not as dark as what  
19 the picture shows.

20 But I'm more concerned about, how long is that  
21 going to last, is it going to be ten years, in your expert  
22 opinion, is it ten years before it starts looking bad or is  
23 it 15 or 20 years or is it 50 years?

24 MR. PICHON: Well, the darker colors age better  
25 than the lighter colors, and I think that's to Commissioner

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1 May's concern. And that's just a natural function of how  
2 building materials age.

3 But the darker color will not show the dirt or  
4 grit or grime that will accumulate over time.

5 CHAIRMAN HOOD: Right. Let me just say this, I  
6 may have missed it, I may have stepped out when he was  
7 talking about that, so I'm glad that was covered because I  
8 didn't hear that, but I do, I think his issue also is the  
9 lighter color as well as mine.

10 MR. PICHON: Yes. Commissioner May's issue was  
11 with the lighter color and how it would age over time. And  
12 for those same reasons. When you have runoff and rain, the  
13 dust collects. And so you have to maintain it is the short  
14 answer to that.

15 The life cycle of these panels, I mean, the panel  
16 itself will last as long as the building lasts. The coloring  
17 and stuff you may have to go in and every 20 years, redo that  
18 facade with coloring. But the life span of that color, you  
19 have to maintain it.

20 So just like with the windows and everything else,  
21 there needs to be a cleaning regimen.

22 CHAIRMAN HOOD: So it has to have maintenance?

23 MR. PICHON: Yes.

24 CHAIRMAN HOOD: And the maintenance is every 20  
25 years, in your expert opinion?

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1 MR. PICHON: Yes.

2 CHAIRMAN HOOD: Okay.

3 MR. PICHON: There will be intervals in between  
4 that, just in terms of building cleaning. Like you would  
5 clean your windows --

6 CHAIRMAN HOOD: Right.

7 MR. PICHON: -- at a certain interval of maybe  
8 every five years or so.

9 CHAIRMAN HOOD: Because what I'm trying to  
10 prevent, and I think Commissioner May as well, I think what  
11 I'm trying to prevent myself is that this is built, and after  
12 a year and a half or two years it looks like, it looks bad.  
13 And we don't want that, we want this to be one of the  
14 buildings as well, that's in this area, to help start jump  
15 starting what we're doing in Ward 7.

16 So I'm going by your expert opinion, so 20 years  
17 from now I drive by there and I look, I just want you to know  
18 I'm going to be thinking about you, okay?

19 (Laughter.)

20 MR. PICHON: Understood.

21 CHAIRMAN HOOD: Okay. My other question is now,  
22 Mr. Pichon, you said all the DDOT stuff is, we're straight,  
23 Mr. Andres, with all the DDOT, we don't have any issues?

24 MR. ANDRES: That's correct.

25 CHAIRMAN HOOD: So when I go to Mr. Zimmerman,

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1 he's going to stand on the record?

2 MR. ANDRES: I'd hope so.

3 CHAIRMAN HOOD: Okay. All right, I don't have any  
4 other questions. Mr. Turnbull.

5 COMMISSIONER TURNBULL: Yes, thank you, Mr. Chair.  
6 I just want to follow up on something the Vice Chair, on the  
7 community space.

8 In the residential portion of the building, on the  
9 ground floor, there is a multipurpose room. Now that is  
10 specifically reserved for the tenants, the residents of the  
11 building?

12 Okay. But you also said that they could also then  
13 use the community space?

14 Or I'm assuming, I guess I'm trying to look at the  
15 entry into the community space is either from the front, also  
16 from the front, or you can actually get to it from the  
17 garage, but I'm just wondering, there must be, somebody has  
18 to sign up to be able to enter the space, so there's got to  
19 be a process of someone has to register with the building  
20 manager and sign up and so that would then be available for  
21 the tenants to sign up for also.

22 But again, it's like if you signed up, you go to  
23 the manager, he opens up the door and then returns. There's  
24 going to be a process involved in how that's really taken  
25 care of, then?

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1 MS. BATTIES: That's correct.

2 COMMISSIONER TURNBULL: Right.

3 MS. BATTIES: But I can't elaborate on the  
4 specific, I mean, I don't know that we have any more than  
5 that at this point.

6 COMMISSIONER TURNBULL: Okay.

7 MR. PICHON: Yes. So the way the building is  
8 organized, the building manager, property manager, their  
9 offices are directly next to the, adjacent to the residential  
10 entry in the lobby. So that person will control all of that  
11 space that exists either with, directly within the lobby, in  
12 the multipurpose room, or the community space.

13 COMMISSIONER TURNBULL: Okay. All right, thank  
14 you.

15 CHAIRMAN HOOD: Any other comments or questions  
16 up here? Okay. ANC 7. What is it, 7C?

17 I was here a long day yesterday, I keep getting  
18 my ANCs mixed. Is there a representative here from ANC 7C  
19 who would like, do you have any cross anything you've heard?  
20 Any cross on their testimony? You want to come to the table  
21 to cross? You're welcome to the table. Identify yourself  
22 and turn the mic on.

23 First let me ask you: were you authorized by the  
24 ANC?

25 MR. HOLMES: Yes, I'm the chair.

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1 CHAIRMAN HOOD: You're the chair. Oh, excuse me,  
2 Mr. Chair.

3 MR. HOLMES: Thanks for having me.

4 CHAIRMAN HOOD: Forgive me. Identify yourself,  
5 you may begin.

6 MR. HOLMES: All right, Antoine Holmes, ANC Chair,  
7 ANC Commissioner for 7C07 and the Chair of ANC 7C.

8 CHAIRMAN HOOD: You may begin.

9 MR. HOLMES: Okay. Oh, thank you. Well, we've  
10 already, so just because it's already on record, I don't want  
11 to reiterate, we've already given a letter of support for  
12 this project.

13 And basically, like every other project, we've  
14 asked for, all of the affordable housing projects in the  
15 greater Deanwood area, we always ask for language, like you  
16 all just said, to go about supporting small and local  
17 businesses and also --

18 CHAIRMAN HOOD: Let me just, I don't want to cut  
19 you off, but what this is right now --

20 MR. HOLMES: Oh, just to --

21 CHAIRMAN HOOD: Ask them questions. We want to  
22 hear your testimony at the time, and I appreciate you  
23 diverting from what you wrote, so we're interested in hearing  
24 that, but we're going to hear that in a few minutes.

25 MR. HOLMES: Okay.

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1 CHAIRMAN HOOD: But right now it's any questions  
2 of them or anything you've heard of them, to them.

3 MR. HOLMES: Okay.

4 CHAIRMAN HOOD: Any questions to them.

5 MR. HOLMES: A couple things, when I was sitting  
6 back there listening to DDOT, that stuff was never brought  
7 before the ANC, so this is very new information for us. Just  
8 because we've, in the past with bike share, they drop bikes  
9 and then don't actually give us any warning on what it's  
10 going to be, they just tell us after the fact. So to know  
11 that there's now going to be even more bikes added up there,  
12 and I --

13 CHAIRMAN HOOD: So your issue --

14 MR. HOLMES: But that's DDOT, that's why I don't  
15 want to --

16 CHAIRMAN HOOD: Yes. But actually, you're going  
17 to have a chance to cross examine DDOT as well, but what I  
18 want you to do now is ask them any questions. Because when  
19 you come up and give your presentation, we're going to  
20 follow-up and I'm going to, now that I know that, we're going  
21 to start talking about bikes.

22 MR. HOLMES: All right.

23 CHAIRMAN HOOD: I can tell you that now. You and  
24 I are going to have a conversation about bikes.

25 MR. HOLMES: Thank you. Thank you.

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1 CHAIRMAN HOOD: Yes. But right now, do you have  
2 any questions of them? This is like cross exam.

3 MR. HOLMES: All right, thank you, sir. So  
4 basically just about the, when the language will be delivered  
5 in terms of you talking about the community space and I think  
6 the community also wanted to see more space available for  
7 retail, like you said, because of coffee and everything, and  
8 we just want to make sure that's codified somewhere before  
9 this process is done. Because we really want to see economic  
10 development done in that area.

11 So just do we have any kind of timeline when we  
12 would actually see that new language to --

13 MS. BATTIES: So the community space is already  
14 part of the application and is already listed as a benefit  
15 and amenity to the project. We will submit, after the  
16 hearing, a letter that includes, as an additional expansion  
17 of the benefits and amenities package, to include the retail  
18 space as well as the job fair. And we'll submit that to the  
19 Zoning Commission within the timeframes that are established  
20 at the end of this hearing.

21 CHAIRMAN HOOD: Will that be memorialized? That  
22 will be memorialized in the order as well?

23 MS. BATTIES: Yes. Yes.

24 CHAIRMAN HOOD: So when that order comes out, the  
25 language that you're asking for will also be seen there in

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1 the order.

2 MR. HOLMES: Okay, good. All right. And then the  
3 second one, I heard about outreach. The other organization,  
4 like you was talking about business councils, the Ward 7  
5 Business Partnership also resides in that area, and they're  
6 also the Great Streets recipient.

7 I do not, as I was going through reaching out to  
8 Zoning, they weren't party status, so I do not believe they  
9 were ever contacted about this, and that organization  
10 definitely has a great reach of all the local businesses  
11 already. They have a working relationship with everyone  
12 there.

13 So I just think that's one point that wasn't  
14 touched. So I just want to make sure that was clarified.

15 CHAIRMAN HOOD: And also there's no requirement  
16 to go to those groups.

17 MR. HOLMES: Right.

18 CHAIRMAN HOOD: That's why I mentioned it.  
19 Because he mentioned what he was going to do. He's the chair  
20 of one of the groups.

21 MR. HOLMES: Yes, he's chair for a list of other  
22 groups, yes.

23 CHAIRMAN HOOD: And they can also work with you  
24 and the ANC to help kind of point them in those directions  
25 as well.

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1 MR. HOLMES: Yes.

2 CHAIRMAN HOOD: Did you want to comment?

3 MR. WILLIAMS: Yes, I just wanted to say, anybody  
4 and everybody that we've ever been asked to meet with, we  
5 have. I mean, we've gone out, I think, to, we did a count  
6 and it's been 162 community meetings as it relates to this  
7 PUD.

8 And we continue to --

9 CHAIRMAN HOOD: How many meetings did you do?

10 MR. WILLIAMS: One hundred and sixty-two.

11 CHAIRMAN HOOD: For this project?

12 MR. WILLIAMS: Yes.

13 CHAIRMAN HOOD: 162?

14 MR. WILLIAMS: Yes, over the last ten years. So  
15 we are committed to meeting, basically any time --

16 CHAIRMAN HOOD: Pull your mic up, sir, everybody  
17 can hear the 162 because --

18 MR. WILLIAMS: Yes, 162. I went back through my  
19 emails because I think there was a question about how often  
20 we had been out to the community, and I just wanted to say  
21 we are very committed.

22 And before I go any further, I wanted to recognize  
23 Pastor Steven E. Young, who has been my partner from the  
24 beginning, with the Washington Metropolitan CDC, whose church  
25 resides across the street from this property, and it was

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1 through his vision and his property, that was adjacent to the  
2 Strand, that this whole venture got started. And so I just  
3 wanted to recognize him. He's sitting in the back. And he  
4 serves a population from the pulpit.

5           And so we are ready to meet with, and also wanted  
6 to, directly as my partners from NHP, today Steve Green came  
7 back all the way from Chicago, I believe, for this hearing.  
8 But we are committed to working with the Ward 7 Business  
9 Partnership, and whoever else, frankly. I am looking forward  
10 to continuing to meet and continuing to figure out how to  
11 make the Strand the best place that it possibly can be.

12           MR. HOLMES: Okay. Those are the only two things  
13 that perked my ears up. Thank you.

14           CHAIRMAN HOOD: Okay. Yes, I appreciate you  
15 telling me why. We know Steve Green from his previous roles  
16 and we also know Pastor Young. I had a chance to hear him  
17 preach. I'm looking forward to maybe one day hearing him  
18 again soon. So anyway, we'll see how that goes.

19           Has anybody else up here heard of Pastor Young  
20 preach besides me? You guys got to get out more.

21           Okay. So let's see. I'm just having fun with  
22 these guys. We don't usually have fun at night.

23           (Laughter.)

24           CHAIRMAN HOOD: Okay, let's go to the Office of  
25 Planning, and District Department of Transportation. Ms.

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1 Thomas.

2 MS. THOMAS: Yes, good evening, Mr. Chair and  
3 Members of the Commission. OP is recommending approval of  
4 the Warrenton Group's proposal to redevelop the commercial  
5 site at the intersection of Nannie Helen Burroughs and  
6 Division Avenue.

7 In working with the District, the Applicant is  
8 helping to realize a few important goals of the small area  
9 plan. Including the provision of replacement housing, new  
10 retail, and a revival of the Strand Theater site, which is  
11 an important amenity of this PUD.

12 We believe the Applicant has addressed OP's  
13 original concerns, and that of DDOTs, which they will speak  
14 to directly. And except for any other concerns the  
15 Commission may have, are found in the record of our report  
16 here tonight. Thank you.

17 CHAIRMAN HOOD: Thank you, Ms. Thomas. Mr.  
18 Zimmerman.

19 MR. ZIMMERMAN: Good evening. Thank you, Chairman  
20 Hood and Commissioners, my name is Aaron Zimmerman, with the  
21 District Department of Transportation.

22 As you heard in Mr. Andres presentation earlier,  
23 we've come to an agreement on the language of the loading  
24 management plan, particularly with how trash pick-up will  
25 occur. We've also come to an agreement on the revisions to

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1 the TDM plan, which he outlined in his presentation, and we  
2 are also comfortable with.

3           So with those revisions that are all documented  
4 in that November 14th, 2017 memo, that I can confirm has been  
5 uploaded into ISIS, we have no objection to this application,  
6 to the approval of this application.

7           CHAIRMAN HOOD: All right, I want to thank you  
8 both. Commissioners, do we have any questions or comments  
9 to Office of Planning or DDOT? Okay, not seeing any. You've  
10 all done a great job, no questions or comments.

11           The Applicant, does the Applicant have any cross?

12           MS. BATTIES: No.

13           CHAIRMAN HOOD: Okay. Does the ANC? Do you have  
14 any cross of either the Office of Planning or DDOT?

15           Sure. Oh, no you and I are going to talk. Well,  
16 you can talk with them about bikes, I'd like to hear that  
17 myself. Okay.

18           MR. HOLMES: So basically, when it comes to DDOT  
19 and the whole bike placement situation in our area, a lot of  
20 bikes, bike share stops have been dropped on sites without  
21 giving the community a heads-up that those locations were  
22 going to be there. And then what we end up having is  
23 complaints from residents about bikes possibly being abused  
24 or trashed or dropped off and put in other places, so that's  
25 why we would like to make sure we have a better relationship.

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1 Right now, it's those yellow bikes that are just  
2 littered everywhere across the street. Everywhere in the  
3 community. And it's kind of getting out of control that we  
4 have to do cleanup for those.

5 So the bike share is good, that it's a biked,  
6 managed rack situation, but people are getting around  
7 whatever the safeguards are and are now starting to become  
8 a litter, a littering type issue with bikes everywhere.

9 So we really want to have a discussion about how  
10 many bikes we have around and a better operating and  
11 maintenance of these organizations that put these bikes  
12 there, so that we don't continue to have these issues.

13 MR. ZIMMERMAN: Okay, so there are two different  
14 bike share systems going on here in the city. One is Capital  
15 Bikeshare, that's administered by DDOT, and we're the ones  
16 that put out the stations with the red bikes.

17 MR. HOLMES: Red bikes.

18 MR. ZIMMERMAN: And our Bikeshare team does work  
19 with the community and the ANC and local businesses to find  
20 the right locations, to make sure all the neighborhoods in  
21 the city are covered. But we also look to see where there  
22 is space available in the public parking zone. You know, in  
23 the sidewalk area, in the tree dock zone.

24 As far as the other bikes go, the neon yellow  
25 bikes, the green, the orange ones, those are all private-run

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1 systems that, it's kind of a demonstration, it's almost like  
2 a demonstration project right now. We're trying to  
3 understand how these systems work, and we're letting the  
4 District be a testing ground for these different bike share  
5 systems. And they're planning to share their data with us.

6 We're interested in stolen bike rates and any kind  
7 of data that can be obtained from that on how bikes move  
8 around the city kind of organically. So those ones, we don't  
9 really have any control over those dockless bike share  
10 systems, but we do know there is some enforcement going on  
11 with making sure they don't get parked in sidewalks and that  
12 they are either in bike racks or in the tree dock zone,  
13 typically.

14 And I do know that those bikes don't always make  
15 it there. And actually not, a very high percentage make them  
16 necessarily in the right places, but that's something we are  
17 studying. And this has only been going on for a couple  
18 months now in the city, and we are going to continue to work  
19 with these dockless bike share servicers and try to get that  
20 as cleaned up as possible.

21 MR. HOLMES: Let's definitely have a conversation  
22 about that, because they're everywhere right now, and I'm  
23 starting to get too many complaints, that I'm just going to  
24 start handing --

25 CHAIRMAN HOOD: Let me also add that when the

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1 Council has their hearings, you may want to go down there and  
2 talk about bicycles.

3 MR. HOLMES: Yes.

4 CHAIRMAN HOOD: I'm not saying I'm against them,  
5 because every time I say something about bikes --

6 MR. HOLMES: I like riding bikes too, just like  
7 everybody else, but --

8 CHAIRMAN HOOD: Yes, but we got to have some, I  
9 agree.

10 MR. HOLMES: Yes.

11 CHAIRMAN HOOD: So really the biggest, the best  
12 one for that is in front of the Councilmembers so it can get  
13 back to, I'm sure Mr. Zimmerman can help assist, but the  
14 forum in front of the city council is the best because that's  
15 when they had like, especially at the oversight hearing. The  
16 oversights are coming up in February, and that would be a  
17 good time to go down there.

18 And if the Office of Zoning is there, go down  
19 there and say something good about us too.

20 MR. HOLMES: Not a problem.

21 CHAIRMAN HOOD: But seriously though, that's a  
22 good time to go down and say something on bicycles. Anything  
23 else on that?

24 MR. HOLMES: Just the second part about bike share  
25 and the affordability of the bike share and program. I think

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1 you all finally came down and talked about how to do \$5  
2 membership through, I just want to understand if that's  
3 actually working well because that was one of the things that  
4 people were talking about bike share, forgot that no one was  
5 trying to pay that much for a bike and now we're talking  
6 about more bikes, are we able to get that rate to the people  
7 out there to be able to utilize those bikes? The people that  
8 are already there claiming that they're going to use the  
9 bikes.

10 MR. ZIMMERMAN: So I don't have any answers really  
11 for you tonight on that, but we should coordinate after the  
12 meeting and I'd be happy to put you in touch with our folks  
13 and we can get those questions answered for sure. But I  
14 don't have that for you tonight.

15 MR. HOLMES: Thank you.

16 CHAIRMAN HOOD: Sir, you might want to hold your  
17 seat because I'm going to come to you. Commissioner May.

18 COMMISSIONER MAY: Yes. And Mr. Chairman, this  
19 actually is directed to you too. In our Chairman's guidance,  
20 with regard to testifying before Council about this, but the  
21 dockless bike share system that these bikes that are now  
22 proliferating, the bright yellow bikes, the yellow and green  
23 bikes.

24 MR. HOLMES: There's even orange.

25 COMMISSIONER MAY: There are two orange bikes and

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1 then there's a red one, right?

2 MR. HOLMES: Yes.

3 COMMISSIONER MAY: And it's a pilot program, it's  
4 like seven months long, it's going to end in April, at which  
5 point DDOT is going to make some decisions about whether they  
6 continue to permit them to operate in public space or whether  
7 they reduce the number of permits or whether they introduce  
8 some conditions on it and so on.

9 I would suggest that you contact DDOT regularly  
10 about complaints. If you see them piling them up, contact  
11 DDOT right away, so that they understand that this is a  
12 problem.

13 Because it's a problem for the National Park  
14 Service because these bikes are piling up on Park land where  
15 they are not permitted to be parked.

16 MR. HOLMES: Yes.

17 COMMISSIONER MAY: Because we have not given them  
18 any permission to park on Park land but they are showing up  
19 there constantly. We've had some meetings with the bike  
20 share operators to get some better control on it.

21 I mean, we're not opposed to these systems. We  
22 would like to have the systems, but we would like the bikes  
23 to be parked in a reasonable manner.

24 But we've seen them show up, you know, just parked  
25 in the sacred area of memorials. We have seen them thrown

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1 into the C&O Canal. There are problems with these dockless  
2 bike share systems that need to be addressed. So please  
3 speak up frequently to DDOT.

4 Now, I would also say that Councilmembers are  
5 considering legislation related to this, and they may be  
6 encouraging exactly what we have right now or they may be  
7 trying to regulate it, I don't know. But pay attention to  
8 that two because I think that if there is actually  
9 legislation related to this, they're going to want to hear  
10 from communities that have been affected by it. So thank  
11 you.

12 MR. HOLMES: Thank you, Commissioner.

13 CHAIRMAN HOOD: Thank you for that information.  
14 I knew it was a pilot program, but I didn't know the severity  
15 of what was going on.

16 MR. HOLMES: Yes, seven months.

17 CHAIRMAN HOOD: I just look up and see a bike on  
18 the curb somewhere. Okay, any other questions up here?

19 Let's go to the ANC. Do you have any cross? You  
20 all didn't have any cross. Okay, you did. You ready to give  
21 your report?

22 MR. HOLMES: Oh, okay, let's go back to that. So,  
23 yes, basically, again, we've already done the, we've had many  
24 meetings, as you said, 168. We've had many meetings.

25 And we have given a letter of support for the

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1 Strand Development. And it was basically contingent upon the  
2 tenants, that we always ask for all for all our development  
3 group, all of our affordable housing development groups to  
4 do, which is basically to provide job opportunities for folks  
5 that are going to work there to be able to build in that  
6 location.

7 Not just the folks from Lincoln Heights and  
8 Richardson Dwelling, that's important, but also for the  
9 Deanwood community and other areas that are going to also be  
10 affected around there. So we've asked for that, we've asked  
11 for jobs and basically economic development opportunities.

12 But jobs, and as well as work with, work with our  
13 local small minority businesses to be able to get some of  
14 those opportunities for operation and maintenance afterwards,  
15 like washing and keeping the stone clean and keeping the  
16 grounds and everything else. Because we definitely, we get  
17 better level service when we have local folks do those type  
18 of jobs.

19 So that's the kind of thing we like to also see  
20 language added as part of, so that we can make sure we, we're  
21 doing this partnership properly.

22 CHAIRMAN HOOD: Okay.

23 MR. HOLMES: Yes.

24 CHAIRMAN HOOD: Okay, let's see, any questions up  
25 here? I am going to ask a question, maybe a little bit away,

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1 so indulge me for a moment.

2 MR. HOLMES: Go ahead.

3 CHAIRMAN HOOD: And it's about bicycles, because  
4 I ask this question quite frequently around the city.

5 Do you find out your senior population rides the  
6 bicycles and do they ride them to the grocery store?

7 MR. HOLMES: No.

8 CHAIRMAN HOOD: Okay.

9 MR. HOLMES: No.

10 CHAIRMAN HOOD: Do your residents ride their  
11 bicycles to doctor's appointments?

12 MR. HOLMES: No.

13 CHAIRMAN HOOD: Okay. Do they ride it just for,  
14 I guess, for fun? Or do they ride it for exercise?

15 MR. HOLMES: They ride it for travel, to get from  
16 Point A to Point B, where they need to go. Some do ride it  
17 for exercise.

18 Basically it's low cost transportation, so they  
19 do ride it to go to certain places. But if you ask me, have  
20 I ever seen bikes parked at the local Safeway off of  
21 Minnesota Avenue, that would be no.

22 CHAIRMAN HOOD: Okay. Okay. And I'm actually  
23 asking this --

24 MR. HOLMES: Or at the --

25 CHAIRMAN HOOD: And let me just say this because

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1 I don't want another petition online for Anthony Hood, but  
2 let me just say this. All I'm saying, I'm asking these  
3 questions so when we make decisions we're talking about  
4 bicycles I have a balanced perception of what's going on  
5 across the city, that's all.

6 MR. HOLMES: I think -- the whole notion of  
7 basically walkable cities, it's a great idea and function.  
8 But in Ward 7, big lanes, we have cars.

9 That's what we need to do because of the lack of  
10 service, because of the food desert, because of everything.

11 CHAIRMAN HOOD: Okay.

12 MR. HOLMES: We need to have, right now we have  
13 cars. That is our main method of being able to get to  
14 locations.

15 When we actually have those types of businesses  
16 that we can walk to, then we could get there. But we're not  
17 there yet.

18 CHAIRMAN HOOD: Okay. I got you.

19 MR. HOLMES: So a lot of the zoning hearings, that  
20 I've kind of missed, we talk about parking. And this reduced  
21 rate from three to one to two to one it's kind of tough.

22 Because we still need those cars to get to the  
23 food, to get to the doctors, to get to the things to live.  
24 And then we need to be able to get back --

25 CHAIRMAN HOOD: But I think you're dead one. Once

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1 we get those services there then --

2 MR. HOLMES: But once the service is there --

3 CHAIRMAN HOOD: Right.

4 MR. HOLMES: But, yes.

5 CHAIRMAN HOOD: Okay, I appreciate it. And let  
6 me just preface, since I've had this bicycle, I just got to  
7 get it fixed and start riding it.

8 (Laughter.)

9 CHAIRMAN HOOD: It's only been --

10 MR. HOLMES: Same here.

11 CHAIRMAN HOOD: Yes. Okay. All right, any other  
12 questions? Applicant have any cross? Okay, thank you very  
13 much, that was very insightful, and I appreciate it.

14 Do we have any persons here would like to testify  
15 in support of this project?

16 Do we have any persons here who would like to  
17 testify in opposition of this project?

18 Do we have any undeclared persons of this project?  
19 If you do you can come forward. I see two, do we have any  
20 more?

21 Have you all been sworn in?

22 Okay, if you can stand to take the oath. So it  
23 looks like we have two. I think everybody can hold their  
24 seat and we can just find a place.

25 Maybe, Mr. Andres, if you can move down there, we

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1 can keep everybody at the table just in case somebody has to  
2 answer a question. Okay. No, you're good. You're good.  
3 He's down there. Mr. Andres, you're good. You're good.

4 MS. SCHELLIN: Please raise your right hand. Do  
5 you solemnly swear or affirm the testimony you'll give this  
6 evening will be the truth, the whole truth and nothing but  
7 the truth?

8 MS. BESS: I do.

9 MR. SMITH: I do.

10 CHAIRMAN HOOD: Okay. You may begin.

11 MS. BESS: Yes, sir, thank you. Good evening, my  
12 name is Nia Hope --

13 CHAIRMAN HOOD: Can you speak into the microphone,  
14 right in there.

15 MS. BESS: Yes, sir. Good evening, my name is Nia  
16 Hope Bess and I am the vice president of the Deanwood  
17 Citizens Association. I am here to just give some general  
18 testimony about this project.

19 I would like to recognize the other members of my  
20 community who are here as well. David Smith, who's the  
21 president, and Antoine Holmes, who's our ANC Chair, that you  
22 all just heard from.

23 We have had engagement, consistently and recently,  
24 with the Warrenton Group, regarding the Strand Project. And  
25 we are encouraged by some of the steps that they've taken,

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1 as it relates to the addition of two modifications to the  
2 public benefits section.

3 I do want to speak on the subject that we  
4 discussed with them last week, when we most recently meet  
5 with Mr. Stennett, Chris Stennett, and Mr. Warrenton. I'm  
6 sorry, Warren Williams from the Warrenton Group. I always  
7 want to say Mr. Warrenton, I don't know why.

8 Excuse me, sir. As well as representatives from  
9 the New Communities Initiative within D.C. Government, who  
10 are also here. Gina, Ms. Gina, and Ms. Andrew as well.

11 The main points that I would like to make, and  
12 have on the record, just relate to the community's interest  
13 in this project. As you all know, the Strand Theater  
14 specifically, which is a part of this project, was once  
15 listed on the D.C., the preservation league's most endangered  
16 places. It's now on the inventory of historic sites.

17 And it was, at the time that it opened, really the  
18 only place for Deanwood residents to be able to enjoy  
19 cultural engagement east of the river. Ninety years later,  
20 from 1928, when it first opened November 3rd, that is still  
21 the case.

22 And the point, the main point that I am seeking  
23 to make, as it relates to that, is that the Strand is one of  
24 our historic locations that stands for something very  
25 specific in the community. And the thing that it stands for

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1 really is the relevance and importance of the culture in the  
2 community.

3 I am, we have shared with our, the members of the  
4 Deanwood Citizens Association, in our conversations with the  
5 folks from the Warrenton Group, the concerns that we have  
6 about many of our historic locations being used for purposes  
7 that are different from what they were originally designed  
8 for.

9 And I understand that time passes and things,  
10 there are different uses for spaces, but what the community  
11 has expressed, in the most recent engagement, is a desire to  
12 see some level of cultural placement gain on the, on that  
13 corner of Nannie Helen Burroughs and Division Avenue, where  
14 the Strand is located.

15 I understand the very real and practical matters  
16 related to financing for a project like this, and the  
17 community is not seeking to see the Strand, we have a desire  
18 for the project to be financially viable and economically  
19 viable and have significant economic impact, as well as  
20 contribute to the place-making of this space.

21 And what we have sought to do, and reached out to  
22 Warrenton, and they've been very open and receptive to, is  
23 have an opportunity to provide continued inputs regarding the  
24 end use of the Strand location to the extent that what may  
25 be able to be developed through some significant thought and

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1 effort and partnership, is an opportunity for there to be an  
2 economically viable end use that may continue to sustain some  
3 cultural purpose in that space.

4 And again, we recognize that it has to be  
5 financially, the end use has to be financially viable.

6 At this time, what the Warrenton Group has done,  
7 which we greatly appreciate and are eager to move forward on,  
8 is add the additional, include the additional 1,200 square  
9 feet for community services or retail, and the public  
10 benefits.

11 And so I want to acknowledge that. And that was  
12 a result of the conversation that we had with them last week.

13 And I do want to, again, sort of advocate for the  
14 community being able to continue to work on identifying some  
15 cultural use solutions for additional space in the project  
16 as well.

17 CHAIRMAN HOOD: Thank you. And Mr. Smith.

18 MR. SMITH: Good evening, Commissioners. First,  
19 I'd like to thank you and Mr. Hood for recognizing my  
20 grandfather. In my family, we kind of a having a running  
21 joke. I was the one in the family who said I would never do  
22 this work. So for me to sit here today, really continuing  
23 the work that he did, is an honor and a burden.

24 So with that, I want to all thank Nia Bess, who  
25 will become, hopefully be the president of the Deanwood

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1 Citizens Association. My grandfather taught me that  
2 successful people are only gauged by their successor. And  
3 so Ms. Bess I hope continues this work.

4 With that said, I'm here to really, first of all  
5 I want to thank the Warrenton Group and DMPED and the many  
6 people that have been working on this project. I think  
7 they've done a really great job at engagement.

8 However, I have some really grave concerns in  
9 three areas. And I'm going to separate this into the  
10 developer, whose job is to make money, and the city's job is  
11 to protect me as a citizen. So I want to make sure that I'm  
12 going to try to speak on those two areas.

13 Concern, based on my family history, the Strand  
14 Theater first. I'm going to talk about the Strand and  
15 affordable housing and I want to talk about Ward 7 as a whole  
16 and I'm going to try to do this quickly.

17 First, let me talk about the Strand. The historic  
18 theater was, you name a jazz artist or an artist between the,  
19 whenever it opened, until the '60's. They performed there.

20 Martin Luther King spoke across the street from  
21 the Strand and walked around it. The Strand and the Deanwood  
22 community was the hub of the civil rights movement. Our  
23 churches house those bus riders.

24 We have been a predominantly African American  
25 community. One of the first established for 100, what are

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1 we now, 105, 10, 12 years now? I'm sorry, I don't remember.

2 My point is, during the '50's and '60's the  
3 McMillan Plan happened to us and the Strand Theater, the  
4 Giant Foods and almost 40 to 50 businesses shut down,  
5 including our amusement park, as a result of the feds and the  
6 District Government eminent domain in the name of  
7 development.

8 But what actually happened was Nannie Helen  
9 Burroughs as a highway. And that highway has never been  
10 completed.

11 Now, if you look at other cities, this happened  
12 everywhere in every African American community during the  
13 '60's. We don't know why, but the point is, we're still  
14 living with that legacy now.

15 So where are we with the Strand. We had an  
16 amusement park, an all-girls school in Nannie Helen Burroughs  
17 and the Strand Theater and a completely independent economic  
18 community in the '60's. Through intervention by the  
19 government, we are now completely dependent on outside  
20 investor money and the city government's tax dollars and tax  
21 credits to develop some of the most, in my opinion, valuable  
22 cultural assets left in the nation.

23 Deanwood could be Bourbon Street in Washington,  
24 D.C, considering that we've lost all of our other African  
25 American cultural iconic locations. We have an opportunity

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1 to preserve one last place that makes D.C. great. And it's  
2 diverse.

3           And so I implore you to really think about what  
4 we could potentially lose if we don't have language from this  
5 body to ensure the preservation of the theater.

6           I do understand return on investment, so I'm not  
7 putting this on the Warrenton Group. We have surpluses. As  
8 a community, we don't really care how it gets done, we want  
9 it done, all right.

10           So that's my concern. I don't want my children  
11 to know that I stood here as president and didn't articulate  
12 to everyone here that we have, all of us have a moral  
13 obligation to restorative justice.

14           And that's what the Strand Theater represents.  
15 If we don't take action to return it to an art space to  
16 function like the Atlas did on 8th Street or the Lincoln did  
17 on U Street or Blues Alley in Georgetown, then we have really  
18 fallen very far, very short of what we've been tasked here  
19 to do.

20           If this is about money, then let's talk about it  
21 as it's about money. But don't pretend like it's a community  
22 benefit, it will not be.

23           It will only be if it's retail space. If it's not  
24 a community owned retail space, that money will leave the  
25 community and we will continue down this path of

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1 gentrification.

2           That's one. That's the Strand. I think it's  
3 important that we really turn into a multiplier, in a  
4 creative space, that we can capitalize on the traffic that  
5 would come as a result.

6           And I think the Warrenton Group is very open to  
7 that. I would really like to see the city get behind this  
8 plan and push it and language it.

9           Secondly, affordable housing. And so,  
10 concentrations of poverty, and I actually put this in the  
11 notes and will submit it, the Supreme Court ruled recently  
12 in Texas, they had a very similar new communities project  
13 that, and I quote, "the law allows plaintiffs to challenge  
14 housing policies that have discriminately effected, without  
15 having proof that discrimination was intentional, especially  
16 related to the concentrations of poverty." They ruled that  
17 that's unconstitutional.

18           What we're suggesting is, it's potentially a  
19 creation of a concentration of poverty, without language to  
20 ensure that there's a diversity in how we put people in there  
21 in monitoring over five, ten to 20 years, kind of the facade  
22 question about bricks, we could be the complete dump of all  
23 affordable housing right in these two corridors between  
24 Benning Road and Nannie Helen Burroughs.

25           I really implore you to look at all the PUDs that

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1 you've issued for Ward 7 in the last ten years. They're 100  
2 percent affordable. They may have started as 30 percent, but  
3 they're as high as 80 and 90 percent. I really need you to  
4 look at it.

5           And I'll just iterate my last comment about city.  
6 I think that the Deanwood Community, we definitely want this  
7 development to happen. I am not testifying in opposition,  
8 this is 40 years in the wait. Fifty years in the wait, and  
9 definitely ten years for the Warrenton Group.

10           But I think it's critically important that it's  
11 done correctly. If not, this could wipe out our community.

12           People like me, who have been middle class, and  
13 my family, like Lloyd Smith, who put millions of my family's  
14 money into preserving that shopping center where Safeway is  
15 now, that was community members' money. We mortgaged houses.  
16 We lost 30 years of equity just so we could have a grocery  
17 store. And now we're being rewarded by having all the  
18 responsibility of taking care of the poor.

19           Just one last statistic to share with you, and I'm  
20 poor by the way, so I'm not discriminating against poor  
21 people, my issue is concentrations of us. So we have 67  
22 group homes just in Ward 7. That's, I think, 40 percent of  
23 the city's, 30 percent of the city's entire group home. We  
24 cannot afford any more affordability. We need market rate.

25           So as you guys go through the PUD process, we

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1 really need language. And that's what I'm testifying for.  
2 Language to ensure that not just the initial funding comes  
3 out, no one watches, but that you guys find some mechanism  
4 between you and the Council to ensure that these PUDs and  
5 these affordability margins are kept.

6 And it should not be the onus of the developer.  
7 I really think this needs to be led by DMPED through Zoning  
8 and the Council, to ensure that these policies are enacted  
9 and maintained and monitored. Thank you for allowing me to  
10 testify today.

11 CHAIRMAN HOOD: Let me see if there are any  
12 questions up here. Oh, Commissioner May.

13 COMMISSIONER MAY: So regarding the Strand  
14 Theater, is it actually still functional as a theater at this  
15 point?

16 MR. SMITH: No. Actually, I think my grandfather  
17 was the last tenant. He moved in and moved right out because  
18 it was so toxic. And that was 30 years ago. I don't know  
19 if anybody's been in the building in 30 years.

20 COMMISSIONER MAY: So it's been closed for 30  
21 years?

22 MR. SMITH: Actually, no, I mean, Warrenton would  
23 know.

24 COMMISSIONER MAY: Does anybody know actually what  
25 the condition of the theater is in the interior?

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1 MR. PICHON: The interior has been gutted by DGS.  
2 There's a, right now we did a tour with a prospective tenant  
3 about two weeks ago, and DGS had actually dumped some old  
4 furniture, and has been warehousing some furniture, on the  
5 interior of the Strand. It's a shell.

6 COMMISSIONER MAY: Okay. Yes, it's unfortunate.  
7 The other unfortunate thing is that theater operations are  
8 very difficult financial operations, and I think that the  
9 struggles of the Lincoln Theater are probably a testimony to  
10 that.

11 MR. SMITH: Yes, I picked a bad example to use  
12 actually.

13 COMMISSIONER MAY: Yes. I mean, well, and even  
14 the Howard Theater has been a challenge. And I was in the  
15 Howard Theater before it was renovated, as it was decaying.

16 MR. SMITH: Right.

17 COMMISSIONER MAY: And it was really rather sad.  
18 But it has come back to life. But again, they're struggling  
19 financially.

20 And the Lincoln Theater is doing okay now with the  
21 current operator, but it was pretty shaky for a while, even  
22 after it was renovated.

23 MR. SMITH: I think what we're talking about, as  
24 a community, is like Dominion Sugar in Baltimore, is a good  
25 example. It took --

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1 COMMISSIONER MAY: I'm sorry, what was that?

2 MR. SMITH: Dominion Sugar.

3 COMMISSIONER MAY: Oh, yes.

4 MR. SMITH: I'm using extreme examples of  
5 waterfront properties so we can go back and forth about the  
6 reality of this particular example.

7 COMMISSIONER MAY: Right.

8 MR. SMITH: But my point is, the space is a shell.  
9 I'm not going to sit here and give opinions about it, I have  
10 my own business perspective about how to activate the space.

11 I'm not saying it has to be a theater. No one in  
12 the community is saying, oh, it has to be a theater, but  
13 we're saying it needs to be a cultural art space of some  
14 sort, that brings value, not just to the theater, we see it  
15 as a multiplier to attract other residents.

16 So I agree with you, Mr. May, that our theater  
17 models are very hard to work. My daughter is in theater, I  
18 paid my way through college as a musician; good Lord, that  
19 took a while. So I know how difficult it is.

20 COMMISSIONER MAY: Right.

21 MR. SMITH: So I think our point is just that it's  
22 a cultural center and it's an icon and if you just leave it  
23 as a shell, we lose potential benefit.

24 COMMISSIONER MAY: Okay. I appreciate that. I  
25 mean, theater buildings are unique spaces even if they have

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1 been gutted.

2           And I have my own theater experience. I mean, I  
3 managed the Warner Theater at one point in my life, and I've  
4 been in a lot of different theater operations, but that was  
5 a long, long time ago. But anyway, thank you.

6           CHAIRMAN HOOD: Any other questions or comments  
7 up here? I'm not going to try to profess that I'm an expert  
8 in that, because I'm not, but one of the things it sounds  
9 like is that you're still having conversations with the  
10 Warrenton Group. You are still having conversations,  
11 correct?

12           MR. SMITH: Yes.

13           CHAIRMAN HOOD: So continue those conversations  
14 and maybe something may rebirth out of that. I do believe  
15 that making sure that the cultural and the things are not  
16 forgotten, as I stated earlier. Because I think it's very  
17 important.

18           But when I heard Commissioner May, and I hate to  
19 pick on him, but when I heard him say that he was around  
20 during the Howard's renovation, I was thinking about which  
21 one. Was that the one the night before Chuck Brown played  
22 down there and they had painted everything, and you went in  
23 there and you came out you had blue, I don't know if any of  
24 you all were there that night, but when I came out I had blue  
25 paint on my shoes, my pants, everywhere. We went in there

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1 before the paint dried. But I can tell you, Chuck sure  
2 cranked that night.

3 (Laughter.)

4 CHAIRMAN HOOD: But anyway, but I think you all  
5 are continuing to have that conversation. I believe, from  
6 what I'm hearing, something good will come out of it. Okay,  
7 I see your successor has left. Okay.

8 But keep working with it. Hopefully it doesn't  
9 take you 20 years like it took me to get a successor when I  
10 was the president of the citizens association.

11 Commissioner Shapiro.

12 COMMISSIONER SHAPIRO: Thank you. The only thing  
13 I would add is, and I appreciate your passion for this, the  
14 only thing I would add is that the one thing I am hopeful  
15 about in this is that the building, the exterior of the  
16 building, is being preserved. It's a historic site. And  
17 then the conversations can continue.

18 And is there the potential for the kind of rebirth  
19 that you're looking for, that we're looking for down the  
20 road? So that does give me some hope.

21 And I think a lot of that is going to come down  
22 to, you continuing to do your job and the Warrenton Group  
23 continuing to be committed and open to this. So I'm very  
24 appreciative of what you're saying.

25 MS. BESS: I'm sorry, I have a six-year-old and

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1 my husband is home by himself and just sometimes bad things  
2 happen and everybody is safe.

3 CHAIRMAN HOOD: We were just talking about you  
4 too.

5 MS. BESS: Everyone is safe, sorry about that.

6 CHAIRMAN HOOD: Oh, okay. Yes, but I think --

7 COMMISSIONER SHAPIRO: I have one more question,  
8 Mr. Chair.

9 CHAIRMAN HOOD: Yes, sure, go ahead.

10 COMMISSIONER SHAPIRO: For either of you actually.  
11 I'm just wondering about your perspective, your reaction to  
12 what the Applicant has proposed about the second floor above  
13 the Strand and the shared workspace. Is that something that  
14 you're curious about, interested in, excited about,  
15 opportunity, indifferent to, I mean, where are you with that?

16 MS. BESS: So I think to the extent that that can  
17 be, you know, that they can work with Ward 7 business  
18 partners and some of the folks that are actually operating  
19 on the ground, I think that it's, I think it's productive,  
20 I think it's useful. There is not available, reasonably  
21 affordable office space for small businesses in our  
22 community.

23 COMMISSIONER SHAPIRO: So that's a, from your  
24 perspective, if it's done right, it will feel like an amenity  
25 as well?

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1 MS. BESS: I mean, I think if done right, it feels  
2 like an asset for sure, right?

3 COMMISSIONER SHAPIRO: Yes.

4 MS. BESS: And so I think, again, to the extent  
5 that they can operationalize it in a way that makes sense for  
6 their financiers, it's sort of overhang space. And so the  
7 way that, I don't know that there's any other productive or  
8 useful way, they probably could find other uses for it, but  
9 if the community can, if business owners in the community can  
10 use it and pay the rents on it, I think that that makes  
11 sense.

12 COMMISSIONER SHAPIRO: Thank you. Thank you for  
13 that.

14 MR. SMITH: Yes, and I just wanted to add, I  
15 completely agree with that comment. The only thing I would  
16 add is that we have a plethora of small businesses in our  
17 community with just a little bit of support from DSLBD and  
18 our agencies. I think that's an excellent plan.

19 COMMISSIONER SHAPIRO: Great. Good to hear.  
20 Okay, thank you. Thank you, Mr. Chair.

21 CHAIRMAN HOOD: I will tell you, what is it,  
22 DSLBD, I think that they just hired a new director and I was  
23 very impressed. I think I'm talking about the same person.

24 But anyway, the mayor just put somebody in place  
25 there and I'm very impressed with her, so she's a good person

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1 to reach out to for that as well. I was very impressed with  
2 what I heard about her on Monday. Very impressed.

3 Okay, let's see, anything else up here? All  
4 right, does the Applicant have any cross of either one? Does  
5 the ANC have any cross of either one? Thank you all.

6 MS. BESS: Thank you.

7 CHAIRMAN HOOD: Thank you both very much.

8 MS. BESS: And thank you all. Thank you,  
9 Warrenton group, for your support. Thank you.

10 CHAIRMAN HOOD: Ms. Batties, do we have any  
11 rebuttal?

12 MS. BATTIES: No.

13 CHAIRMAN HOOD: Okay, you can just give us a  
14 closing.

15 MS. BATTIES: Yes, sure. We concur with the  
16 comments in the OP and DDOT report. The project as proposed  
17 in the re-zoning is consistent with the master plan. We have  
18 support from our community stakeholders.

19 I did ask our architect if he would be willing to  
20 look at perhaps darker materials for the exterior of the  
21 building; he has agreed to do so. We will offer to provide  
22 the Zoning Commission with the additional language regarding  
23 the parking, the flexibility for the solar panels as well as  
24 the additional proffers for the benefits and amenities  
25 package. And with that, we respectfully request preliminary

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1 approval of the application. Thank you.

2 CHAIRMAN HOOD: I heard you say darker, one thing  
3 about up here, one half an hour we may say one thing, the  
4 other half an hour we may say something else. But I don't  
5 want it to be darker to the point that it's just dark.

6 MS. BATTIES: Yes.

7 CHAIRMAN HOOD: So I'm sure you know it much  
8 better than I do what we're kind of saying. So I don't want  
9 this to be a dark building, then we'll have a whole other  
10 hearing up here.

11 MS. BATTIES: Right.

12 CHAIRMAN HOOD: Okay. All right, let's see,  
13 Commissioners, anything are we looking for?

14 One of the things that gives me a comfort level,  
15 and I don't have any problem with moving forward, because I  
16 think Mr. Smith and his successor and the vice president as  
17 well, I forget her name right off, and the ANC commissioner,  
18 as well as the Warrenton Group, looks like they're still in  
19 dialogue about some of the things that Mr. Smith mentioned,  
20 as well as others.

21 And that gives me a comfort level as far as moving  
22 forward, because one thing I've learned in this city, you  
23 don't keep your word, you won't be a good neighbor policy,  
24 you're going to have a tough time. So I'm not sure where we  
25 are tonight, where others are, but let me hear from you.

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1           VICE CHAIR MILLER: Mr. Chairman, I'm ready to  
2 move forward with proposed action and to get the additional  
3 information that Ms. Batties mentioned, as well as the, I  
4 think she didn't mention the additional information that I  
5 asked for about the overall Lincoln Heights, Richardson  
6 Dwellings, where we are with the replacements, which Ms.  
7 Smith said she would try to get --

8           MS. SMITH: Commissioner, if you could indulge me  
9 for just a couple minutes, I can provide you that detail, I  
10 didn't want to try to pull it off the top of my head.

11          VICE CHAIR MILLER: I don't need it now, I'm  
12 saying we can get that between proposed action and final  
13 action.

14          MS. BATTIES: Sure, thank you.

15          VICE CHAIR MILLER: So I was just informing the  
16 Chairman that I was ready to move forward, and I thought we  
17 could get, by final actions, some of the information and  
18 other options for colors or whatever that the Commission was  
19 seeking. I personally was fine with the colors, so make it  
20 an option if you present it so that we can maybe vote on it.

21          CHAIRMAN HOOD: Okay. Yes, Mr. Turnbull.

22          COMMISSIONER TURNBULL: Mr. Chairman, if I can  
23 chime in. I don't know if we're looking for a radical change  
24 in color.

25                I mean, I think one option was we talked about

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1 possibly using fiber cement panels in some areas in lieu of  
2 the aluminum, and maybe that was one of the major issues.  
3 You have more variety in colors, but I am not sure if we're  
4 looking for a radical change.

5 MS. BATTIES: I'm sorry. The point is that we  
6 want to take into consideration the comments that we received  
7 by the Zoning Commission. The architect has agreed to look  
8 at that and we'll provide a response to the comments this  
9 evening.

10 CHAIRMAN HOOD: Okay.

11 COMMISSIONER TURNBULL: That's fine from my  
12 perspective.

13 CHAIRMAN HOOD: Yes, I'm fine too.

14 COMMISSIONER TURNBULL: I mean, I wasn't looking  
15 for some examination at this time.

16 CHAIRMAN HOOD: Yes. He gave me his expert  
17 opinion and like I told him, when I ride by there, I'm going  
18 to think about him, so that's kind of where I am.

19 VICE CHAIR MILLER: And we also, in the normal  
20 course of things, we will be getting a draft zoning order,  
21 which would be codifying some of the elements that the  
22 community was concerned about.

23 MS. BATTIES: Yes.

24 CHAIRMAN HOOD: And I would like to get in  
25 between, because it looks like we're going to move forward

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1 with proposed action this evening, I would like to get an  
2 update on some of those discussions that were had. And it  
3 doesn't have to be a five-pager, I believe in one-pagers,  
4 sound bites, because it's quicker to look at. And get right  
5 to the, all the background, all that, we don't need that,  
6 just need a quick sound bite.

7           Bullet points of how those talks are evolving,  
8 what's going on, how it's working, are we making progress,  
9 are things moving in a different direction where we're  
10 closing some of the disparaging gaps that may still exist,  
11 okay? And that's in the discussion that I heard. I like to  
12 get an update right after, between proposed and final.

13           Anything else up here? All right, somebody like  
14 to make a motion?

15           VICE CHAIR MILLER: Mr. Chairman, with all those  
16 caveats, I would move that the Zoning Commission take  
17 proposed action this evening on all consolidated, on Case  
18 Number 17-10, consolidated PUD and related map amendment from  
19 MU3 to MU5A. That's at 5119 to 5123 and 5127 Nannie Helen  
20 Burroughs Avenue, Northeast, and 612 Division Avenue,  
21 Northeast, Square 5196, Lots 1937, 805 and 814 in Ward 7, and  
22 ask for a second?

23           COMMISSIONER SHAPIRO: Second.

24           CHAIRMAN HOOD: Okay, it's been moved and properly  
25 seconded, any further discussion?

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1 All those in favor aye?

2 (Chorus of aye.)

3 CHAIRMAN HOOD: Any opposition? Not hearing any,  
4 Ms. Schellin, would you please record the vote?

5 MS. SCHELLIN: Yes. Staff records the vote at 5-  
6 0-0 to approve proposed actions, Zoning Commission Case No.  
7 17-10. Commissioner Miller moving, Commissioner Shapiro  
8 seconding, Commissioner's Hood, Turnbull and May in support.

9 CHAIRMAN HOOD: Okay. Ms. Schellin, do we have  
10 anything else, dates, anything --

11 MS. SCHELLIN: Yes, we do.

12 CHAIRMAN HOOD: Okay.

13 MS. SCHELLIN: So, Ms. Batties, how much time do  
14 you guys need for your submissions? It didn't sound like it  
15 was a lot. Two weeks? One week? It's not going to make a  
16 difference.

17 Yes. So that would put you at 3:00 p.m., November  
18 30th. And then the ANC, being the only party, would have  
19 until 3:00 p.m. on December 7th.

20 When does the ANC meet?

21 Okay. This won't be taken up until January, so  
22 the ANC, if they could just provide their response by, we  
23 meet, we'll take this up on January 8th, so we'll need to  
24 have your, if you choose to respond to what they provide,  
25 we'll need your response prior to 3:00, or actually, probably

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1 noon on January 8th. Okay?

2 And --

3 CHAIRMAN HOOD: I want a response from Mr. Smith  
4 as well, on what I've asked him for.

5 MS. SCHELLIN: Okay.

6 CHAIRMAN HOOD: If they choose to.

7 MS. SCHELLIN: Is he responding to what the  
8 Applicant is providing or is he --

9 CHAIRMAN HOOD: He's responding to how the  
10 discussions are still going on between the Warrenton Group  
11 and himself. I know I'm getting something from the Warrenton  
12 Group but I also want something from that organization as  
13 well.

14 MS. SCHELLIN: Okay. Then he would need to --

15 CHAIRMAN HOOD: I mean, if he chooses to, if he  
16 doesn't, I'll just go over what the Warrenton Group tells me.

17 MS. SCHELLIN: Okay. But the Applicant's response  
18 is due in two weeks so his is going to be due a week later?

19 CHAIRMAN HOOD: He can, if the Applicant wants to  
20 look at his he can give me his, the night of, I just want to  
21 know.

22 MS. SCHELLIN: Okay.

23 CHAIRMAN HOOD: So whatever schedule you work out.

24 MS. SCHELLIN: Do OP and DDOT need to provide a  
25 response now?

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1 CHAIRMAN HOOD: No, I don't think we need anything  
2 else from them.

3 MS. SCHELLIN: Okay. All right. And then draft  
4 findings, facts and conclusions of law, if we can have those  
5 by, sorry, I'm looking at two calendars here. By December  
6 18th. And then as I said, it will be on the January 8th  
7 meeting agenda.

8 CHAIRMAN HOOD: Okay, are we all on the same page?  
9 Anything else, Ms. Schellin?

10 MS. SCHELLIN: And of course, Ms. Batties knows  
11 to go through the proffer.

12 MS. BATTIES: Yes.

13 MS. SCHELLIN: Okay, thank you.

14 CHAIRMAN HOOD: Okay, do we have anything else?

15 MS. SCHELLIN: No.

16 CHAIRMAN HOOD: Well, I want to wish everyone a  
17 Happy Thanksgiving, but I just want to remind my colleagues  
18 we do have a hearing on, a meeting or something. What do we  
19 have on Monday, a hearing? A hearing on Monday, so I'll tell  
20 you all a Happy Thanksgiving Monday.

21 But to you all, Happy Thanksgiving. And with  
22 that, this hearing is adjourned.

23 MS. BATTIES: Thank you.

24 (Whereupon, the above-entitled matter went off the  
25 record at 8:31 p.m.)

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In the matter of: Office Planning Text Amendment

Before: DCZC

Date: 11-16-17

Place: Washington, DC

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



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Court Reporter

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