

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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 IN THE MATTER OF: :  
 :  
 The Warrenton Group : Case No.  
 : 17-19  
 :  
 ----- :

Monday,  
May 7, 2018

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

The Public Hearing of Case No. 17-19 by the District of Columbia Zoning Commission convened at 6:31 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 Chairperson
- MICHAEL G. TURNBULL, FAIA, Commissioner  
(AOC)
- PETER G. MAY, Commissioner (NPS)
- PETER SHAPIRO, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Deputy Director,  
Development Review & Historic Preservation  
KAREN THOMAS

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF PRESENT:

AARON ZIMMERMAN

The transcript constitutes the minutes from the  
Public Hearing held on May 7, 2018.

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

6:31 p.m.

CHAIRMAN HOOD: Good evening, ladies and gentlemen. This is a public hearing of the Zoning Commission for the District of Columbia. Today's date is May 7th, 2018. My name is Anthony Hood. We are located in the Jerrily R. Kress Memorial Hearing Room. Joining me are Vice Chair Miller, Commissioner Shapiro, Commissioner May, and Commissioner Turnbull.

We are also joined by Office of Zoning staff Ms. Sharon Schellin, as well as Office of Planning staff -- did I see Mr. Lawson? No. Ms. Steingasser, Ms. Thomas, and from the District Department of Transportation, Mr. Zimmerman.

This proceeding has been recorded by a court reporter, and is also webcast live. Accordingly, we must ask you to refrain from any disruptive noises or actions in the hearing room, including display of any signs or objects.

Notice of today's hearing was published in the D.C. Register, and copies of that announcement are available to my left on the wall near the door. The hearing will be conducted in accordance with provisions of 11 DCMR Chapter 4 as follows: preliminary matters, applicant's case, report of the Office of Planning, report of other government agencies, report of the ANC, organizations and persons in support, organizations and persons in opposition, also,

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1 organizations and persons who are undeclared.

2 Also, then, we will have rebuttal and closing by  
3 the applicant.

4 The following time constraints will be maintained  
5 at this meeting. The applicant has up to 60 minutes; the  
6 organizations, 5 minutes; and individuals, 3 minutes.

7 The staff will be available throughout the hearing  
8 to discuss procedural questions. Please turn off all your  
9 electronic devices at this time, so as not to disrupt these  
10 proceedings.

11 Would all individuals wishing to testify please  
12 rise to take the oath?

13 Ms. Schellin, would you please administer the  
14 oath?

15 MS. SCHELLIN: Yes. Please raise your right hand.  
16 Do you solemnly swear or affirm that the testimony you will  
17 give this evening will be the truth, the whole truth, and  
18 nothing but the truth? Thank you.

19 (Witnesses sworn.)

20 CHAIRMAN HOOD: Okay. At this time, the  
21 Commission will consider any preliminary matters. Does the  
22 staff have any preliminary matters?

23 MS. SCHELLIN: Yes, sir. There's one proffered  
24 expert witness, the architect from -- Stephanie Farrell, from  
25 Torti Gallas, she has not been accepted by the Commission

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1 before as an expert.

2 CHAIRMAN HOOD: Okay. What's the exhibit number?

3 MS. SCHELLIN: 16D.

4 CHAIRMAN HOOD: Thank you.

5 (Pause.)

6 Any objections?

7 COMMISSIONER TURNBULL: If she can sing the Notre  
8 Dame fight song, she's okay.

9 (Laughter.)

10 CHAIRMAN HOOD: I'm sure if our former colleague,  
11 Greg Jefferies, were here, it would have been automatic, for  
12 sure, Notre Dame. He loved Notre Dame. He'd sit up here and  
13 talk to me about that all the time. Hopefully he's not  
14 watching. But anyway.

15 Okay, no objections, so we will add her to our  
16 proffered expert list.

17 Anything else, Ms. Schellin?

18 MS. SCHELLIN: Gina Smith from DMPED is here, and  
19 she's going to testify prior to the applicant proceeding.

20 CHAIRMAN HOOD: Okay. Let me ask this, before we  
21 go to Ms. Smith. Is there anyone here in this case who's  
22 here in opposition? Okay. I don't see any evidence of any  
23 opposition in the record, Ms. Batties, so I hope you would,  
24 in your presentation, would govern yourself accordingly,  
25 because it would probably be better for us to ask questions,

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1 but I'll leave that up to you. Because I know you're  
2 rehearsed, and you're ready to go through it, and I don't  
3 want to steal anybody's thunder.

4 So we will hear from Ms. Smith at this time.

5 MS. SMITH: Thank you.

6 CHAIRMAN HOOD: You want to turn your mike on, so.

7 MS. SMITH: There you go. It's been a while.

8 Good evening, commissioners. For the record, my  
9 name is Gina Smith, and I serve as project manager in the  
10 Office of the Deputy Mayor for Planning and Economic  
11 Development, otherwise known as DMPED. I am here tonight to  
12 testify on behalf of the administration in support of Zoning  
13 Commission case number 17-19, relating to the proposed  
14 planned unit development and zoning map amendment at the  
15 corner of Nannie Helen Burroughs and Division Streets in  
16 Northeast D.C.

17 This project is known as Deanwood Town Center, and  
18 it's comprised of two parcels separated by a public alley.  
19 I want to start by recognizing the invaluable contributions  
20 of the community, particularly the residents of Lincoln  
21 Heights and Richardson Dwellings, the New Communities  
22 Advisory Committee, ANC 7C, and the Deanwood Citizens  
23 Association.

24 In November 2005, the District of Columbia and  
25 D.C. Housing Authority, in collaboration with the residents

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1 of Lincoln Heights, initiated a community driven planning  
2 process for the redevelopment of Lincoln Heights and  
3 Richardson Dwellings Public Housing.

4           The result was the Lincoln Heights Richardson  
5 Dwelling revitalization plan, which was adopted by the D.C.  
6 Council under the New Community Initiative. New Communities  
7 focuses on physical redevelopment, paired with human capital  
8 investment, the guiding principles of which include a  
9 commitment to mixed-income neighborhoods, one-for-one  
10 replacement of existing public housing units, the opportunity  
11 for residents to access new quality housing within their  
12 neighborhood, and build first to minimize displacement.

13           The revitalization plan for Lincoln Heights calls  
14 for the demolition and one-for-one replacement of 440 public  
15 housing units at Lincoln Heights, and 190 public housing  
16 units at Richardson Dwellings for a total of 630. The  
17 resulting community would include vibrant mixed-income and  
18 a mixed-used neighborhood.

19           DMPED is committed to advancing the plan for  
20 redevelopment for Lincoln Heights and Richardson Dwellings  
21 in a way that meets all the core principles of NCI. We have  
22 determined that the Deanwood Town Center will serve as one  
23 of several build first sites for Lincoln Heights and  
24 Richardson Dwellings, allowing for the provision of  
25 replacement housing prior to the demolition of existing homes

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1 at the public housing sites.

2 In addition to the proposed development of  
3 Deanwood Town Center, other notable NCI investments include  
4 5201 Hayes Street, the Strand Theater redevelopment, Woodson  
5 High School, the Deanwood Recreation Center, Mai Tai Family  
6 Apartments at 4800 Nannie Helen Burroughs, as well as capital  
7 improvements to Marvin Gaye Park and the Nannie Helen  
8 Burroughs streetscape.

9 At completion, Deanwood Town Center and other  
10 build first sites will contain a mix of public housing,  
11 including both affordable and market-rate units, as well as  
12 resident and public amenities. We anticipate Lincoln Heights  
13 and Richardson Dwellings, like NCI's Park Morton  
14 redevelopment, will be completed without involuntarily  
15 displacing residents from their neighborhood.

16 Deanwood Town Center is part of what makes that  
17 possible. Like Park Morton, we expect Lincoln Heights and  
18 Richardson Dwellings to be national models that improve upon  
19 the history of public housing redevelopment, where often in  
20 the past better quality in housing and neighborhoods were  
21 only achieved at the expense of displacing long-term  
22 residents.

23 The development team proposes to build a 183-unit  
24 building and provide 61 replacement units for public housing  
25 residents, with priority given to Lincoln Heights or

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1 Richardson Dwellings families. The building will, for the  
2 first time, include 18 market-rate units, approximately  
3 16,000 square feet of ground floor retail, and a two-story  
4 parking garage.

5 A significant portion of the replacement units  
6 will be sized for large families, including five-bedroom  
7 duplex apartments to accommodate the larger families. DMPED  
8 will continue to work with D.C. Housing Authority, the  
9 developer, and residents of Lincoln Heights and Richardson  
10 Dwellings to develop an occupancy plan for the building,  
11 which will be transparent, clear, and extensively well-  
12 communicated before leasing at Deanwood Town Center begins.

13 In conclusion, I want to reiterate that our  
14 commitment is to creating a neighborhood of diverse  
15 populations, extensive housing choice, neighborhood  
16 amenities, and pathways to the middle class. This project  
17 will move us closer to achieving these goals.

18 Thank you for the opportunity to testify, and I'm  
19 happy to answer any of the questions the Commission may have.

20 MS. BATTIES: Good evening, Mr. Chair, members of  
21 the Commission. Leila Batties and Joe Gaon with the law firm  
22 of Holland and Knight, here on behalf of the applicants, the  
23 Warrenton Group and NHP Foundation. We are happy to rest on  
24 the record this evening.

25 I do want to note that for this evening's hearing,

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1 we did file into the record revised or updated architectural  
2 drawings that included a revised roof plan, and an updated  
3 signage package, as well as an expanded benefits and  
4 amenities package based on the discussions with the ANC and  
5 the Deanwood Citizens Association.

6 And with that, we'll close my remarks. Thank you.

7 CHAIRMAN HOOD: Okay. Thank you. Thank you both.

8 Let me ask about the -- what's the status of the Strand  
9 Theater now? What's going on, Ms. Smith, with the Strand?

10 MS. SMITH: We have completed acquisition, or the  
11 development team has completed acquisition of the parcels  
12 that were needed to assemble the site that was closed last  
13 fall, and we are moving towards a final construction closing,  
14 and expect to break ground before the end of 2018.

15 CHAIRMAN HOOD: Okay. Good. I was in that area  
16 this weekend as I went to the Marvin Gaye new rec center.  
17 And I can tell you, it's nice listening to nothing but Marvin  
18 Gaye music. But anyway.

19 (Laughter.)

20 CHAIRMAN HOOD: Okay, so let me open up for any  
21 questions up here or comments.

22 Vice Chair Miller?

23 VICE CHAIR MILLER: Thank you, Mr. Chairman. It's  
24 good to see another New Communities Initiative moving forward  
25 with so much affordable and mixed-income housing, and mixed-

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1 uses.

2           What -- so assuming that zoning approvals go  
3 forward, what is the planned construction timetable to get  
4 this project completed? And I'm not sure, Ms. Batties, that  
5 we have a precise phase? I think you have flexibility for  
6 phasing? You would prefer, I think, one phase --

7           MS. BATTIES: Yes.

8           VICE CHAIR MILLER: -- but if there's flexibility  
9 of being asked for phasing, we probably need some timing on  
10 that.

11           MS. BATTIES: Right now, the project schedule  
12 anticipates the permit drawings at the fourth quarter 2018,  
13 and construction to commence in second or third quarter of  
14 2019, and a 20 to 24 month construction build out.

15           VICE CHAIR MILLER: And so you don't anticipate  
16 a --

17           MS. BATTIES: A multi-phase development, no. The  
18 goal is to do the project at once.

19           VICE CHAIR MILLER: Okay.

20           MS. BATTIES: But that will largely depend on  
21 funding from the District. So, I mean, our schedule, period,  
22 is going to largely depend on funding from the District, so.

23           VICE CHAIR MILLER: So how is that funding --

24           MS. SMITH: We are close to completing the  
25 underwriting process. There's support for the project,

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1 obviously, from DMPED, and there's just a matter of  
2 finalizing the numbers at this point.

3 VICE CHAIR MILLER: And did you reach a community  
4 benefits agreement with ANC 7C?

5 MS. BATTIES: We entered into a memorandum of  
6 understanding with the Deanwood Citizens Association, that  
7 was deemed acceptable by the ANC, and quite frankly, mirrors  
8 the revised benefits and amenities package that we filed --  
9 uploaded, today, into the record.

10 VICE CHAIR MILLER: So the revised benefit and  
11 amenities package includes the components of that --

12 MS. BATTIES: Yes.

13 VICE CHAIR MILLER: -- of that agreement.

14 MS. BATTIES: Yes.

15 VICE CHAIR MILLER: Okay. Thank you very much.

16 COMMISSIONER SHAPIRO: Thank you, Mr. Vice Chair.

17 Just to build off of Vice Chair Miller, perhaps  
18 the question is for DMPED, but if there is no phasing, if the  
19 expectation is that this will be built in one shot, then what  
20 does DMPED have to say about that? I mean, is the  
21 expectation that you will be providing adequate funding so  
22 this can be built?

23 MS. SMITH: Yes. We've looked at this as one  
24 comprehensive, one-phase project.

25 COMMISSIONER SHAPIRO: Okay. Okay. Thank you.

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1 That's all I have for now, Mr. Chair.

2 CHAIRMAN HOOD: Commissioner May?

3 COMMISSIONER MAY: Okay. Just a couple of things.  
4 There was one condition in the agreement that I thought was  
5 a little odd, which was making payments into a \$100,000 fund.  
6 And I don't know, I think we tend to want to buy completed  
7 stuff, rather than just setting up a fund for things.

8 So, I'm wondering, I mean, I read through it very  
9 quickly. I mean, what is the intended use of that funding?

10 And I understand it's going to be done in three payments?

11 MS. BATTIES: They have the option to make  
12 multiple payments. The intent is to establish a fund where  
13 business owners and property owners within the ANC 7C can  
14 apply for grants to upgrade their buildings, the building  
15 facades and business, to just overall improve the aesthetics  
16 of the neighborhood, and beautify the neighborhood.

17 COMMISSIONER MAY: All right. Well, I'm  
18 interested in hearing the thoughts from the rest of the  
19 Commission on establishing a fund like that, as opposed to  
20 making specific payments to groups to do those things.

21 I had one question -- well, I'm sorry. There were  
22 a number of other conditions that were mentioned by DDOT and  
23 DOEE. Can you respond to those questions?

24 MS. BATTIES: The applicant has accepted all of  
25 the conditions in the DDOT report. With regard to the DOEE

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1 report, they have revised their drawings to include solar  
2 panels at the roof. And the other comment in DOEE of  
3 significance was the flood plain, and all of the units on the  
4 first floor, the elevation will be higher than the base flood  
5 plain, so that it complies with the regulations.

6 COMMISSIONER MAY: Okay. What about the  
7 stormwater retention, the 1.7 inch?

8 MS. BATTIES: I'm going to let Stephanie address  
9 the stormwater retention. I believe that was a  
10 recommendation or comment.

11 COMMISSIONER MAY: Right. I mean, it's above and  
12 beyond what's required.

13 MS. BATTIES: Right.

14 COMMISSIONER MAY: Because we assume you're going  
15 to do what's required.

16 MS. BATTIES: Yes.

17 COMMISSIONER MAY: So they've asked you to do  
18 more. Are you willing to do more? So.

19 MS. FARRELL: So, my understanding is that they've  
20 asked us to look at the stormwater retention being at the 500  
21 year flood plain.

22 COMMISSIONER MAY: No, it's 1.7 inches.

23 MS. FARRELL: Oh, okay.

24 COMMISSIONER MAY: A 1.7 inch stormwater event.

25 That's what --

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1 MS. BATTIES: Well, I guess I can just  
2 straightforward -- we've looked at the recommendation. We  
3 have not revised our drawings to incorporate that change.

4 COMMISSIONER MAY: All right. Well, so, do we  
5 know -- I can't remember. What's the required?

6 MS. FARRELL: It's 1.2.

7 COMMISSIONER MAY: 1.2?

8 MS. FARRELL: Yes.

9 COMMISSIONER MAY: And they're asking for 1.7?  
10 That's a pretty big difference. But you've not made any  
11 attempt to try to address that?

12 MS. FARRELL: Our current plans addressed the 1.2.

13 COMMISSIONER MAY: 1.2?

14 MS. FARRELL: The requirement.

15 COMMISSIONER MAY: Right. Okay. So, the answer  
16 to that one is no, we're not going to do that.

17 MS. BATTIES: That's correct.

18 COMMISSIONER MAY: Okay. It's okay. You can be  
19 straight. I'm not sure that it's that meaningful for me  
20 anyway. Okay. Give me one second.

21 And all of the DDOT conditions, so they're --  
22 you're going to add some bays to the bikeshare station, and  
23 things like that.

24 And I just have one question, on the red brick,  
25 I mean, it's helpful to see it up front so I can tell it's

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1 a high-quality brick, but it is a rather rough texture, which  
2 is -- it's kind of different from the black. So can you --  
3 do you want to describe what the design intent with that is?

4 MS. FARRELL: The intention for the red brick  
5 building, I mean, again, trying to provide a variety of  
6 facade types, since we have two buildings and one of them is  
7 fairly long frontage on Nannie Helen, providing a variety of  
8 facade types. The intention of the red brick building was  
9 to have a little bit of an industrial nature.

10 COMMISSIONER MAY: Yes.

11 MS. FARRELL: And so, that's the red brick, dark  
12 windows, the big overhanging canopy at the retail. The dark  
13 brick is really just the base, where we have the grey coming  
14 around the red brick, so we could have a masonry base, so  
15 that you know you always have a masonry base. So that's  
16 really more of an accent.

17 COMMISSIONER MAY: I see. And the rest of the  
18 grey field is just the panel --

19 MS. FARRELL: Right.

20 COMMISSIONER MAY: -- 17-inch panel. So how high  
21 is that base?

22 MS. FARRELL: The base goes up to the top of the  
23 first floor. Actually, I think, to the sill of the window.

24 COMMISSIONER MAY: Right. Okay.

25 MS. FARRELL: Yeah.

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1           COMMISSIONER MAY: Yeah, it's kind of hard to tell  
2 from the image of it. I just find it a little bit ugly  
3 because you don't necessarily need to have a rough brick,  
4 even though it may be a quality brick, it kind of looks a  
5 little bit cheaper sometimes. But I'm not going to fuss  
6 about that. I was just curious about what your intention is.

7           The other brick on the other building, you know,  
8 I think is consistent with some other buildings in that  
9 context. They're not colors I would ever pick, but, you  
10 know, they can look very nice. So that's it for my  
11 questions. Thank you.

12           CHAIRMAN HOOD: Okay. Thank you, all. Mr.  
13 Turnbull, do you have any questions or comments?

14           COMMISSIONER TURNBULL: Ah, yes, I just have a  
15 couple. I just wanted, Ms. Smith, could we have a copy of  
16 your comments tonight?

17           MS. SMITH: Sure.

18           COMMISSIONER TURNBULL: Great. Retail, did I see  
19 somewhere about maybe a grocery store?

20           MS. SMITH: Well, I can say that one of the  
21 biggest requests that we've heard from the community is that  
22 there be a grocery store in the neighborhood. Obviously,  
23 16,000 square feet limits the options that you have for a  
24 grocer, and so we've begun to have conversations to identify  
25 local, small grocers that would maybe find that space

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1 suitable, and so that effort has begun, and we're very  
2 hopeful that we'll be able to attract someone to the  
3 neighborhood.

4 COMMISSIONER TURNBULL: Okay. And neighborhood  
5 serving retail, then, is involved for the rest of it?

6 MS. SMITH: Yes. As far -- the residents expect,  
7 their biggest request is for obviously, a grocer, and then  
8 they say things like a drug store. They want some sit-down  
9 dining. And they would like for the development team to give  
10 preference, or at least try to work closely with some Ward  
11 7 based business, where possible.

12 COMMISSIONER TURNBULL: I take it George's won't  
13 be back, then?

14 MS. SMITH: I'm not familiar with George's, but  
15 we haven't spoken with them. That much I can say.

16 COMMISSIONER TURNBULL: George's is right there  
17 with the subs, and the chairman.

18 MS. SMITH: Oh. We call it the carryout.

19 (Laughter.)

20 COMMISSIONER TURNBULL: I take it that's not  
21 coming back, though?

22 MS. SMITH: They're relocating to nearby.

23 COMMISSIONER TURNBULL: Are they? All right. As  
24 long as they're nearby, okay.

25 MS. SMITH: Yeah.

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1           COMMISSIONER TURNBULL: All right. The only other  
2 thing I had, that maybe our architect Ms. Farrell could --  
3 I was trying to get a good view of the rear view, looking  
4 into the courtyard, and the only view I really see of that  
5 are in elevations A-14? And it's a very small scale, what  
6 I'm looking at.

7           MS. FARRELL: So this would be the direct view of  
8 the north side of the building, into the courtyard.

9           COMMISSIONER TURNBULL: Right.

10          MS. FARRELL: You also see some portions of the  
11 building, of the courtyard, in the sections, though, which  
12 I can also pull up.

13          COMMISSIONER TURNBULL: Yeah, one of the things  
14 that -- I can assume, but I'm not sure, that those -- the  
15 sections that are protruding are a different color brick than  
16 the other ones.

17          MS. FARRELL: Yes.

18          COMMISSIONER TURNBULL: So there's two kinds of  
19 brick?

20          MS. FARRELL: Correct, except it's not brick.  
21 It's fiber cement, in the courtyard.

22          COMMISSIONER TURNBULL: Oh, that's fiber cement?

23          MS. FARRELL: Yes.

24          COMMISSIONER TURNBULL: And does that then wrap  
25 around to the other side? Okay.

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1 MS. FARRELL: Yes.

2 COMMISSIONER TURNBULL: And the grey back there  
3 is also fiber cement?

4 MS. FARRELL: Correct.

5 COMMISSIONER TURNBULL: Okay. One of the things  
6 -- part of what bothers me a lot is sometimes we think that  
7 we're going to put a lot of money on the front of the  
8 building, and the sides of the building, and the rear of the  
9 building, that other people do see, sometimes gets treated  
10 to a lesser quality of materials.

11 So what is the -- with the tan brick in front,  
12 that's right around the property line --

13 MS. FARRELL: Yes.

14 COMMISSIONER TURNBULL: -- what is the grey area?  
15 I can't tell what that is.

16 MS. FARRELL: So the darker color there, if I'm  
17 correctly understanding you --

18 COMMISSIONER TURNBULL: It's right at the base  
19 level there on that same elevation.

20 MS. FARRELL: Oh, on the same elevation. On the  
21 north side?

22 COMMISSIONER TURNBULL: Yes, A-14, yes.

23 MS. FARRELL: Yes, so this is the same sort of  
24 tan, sandy colored brick that does wrap around the base.

25 COMMISSIONER TURNBULL: Right. And then there's

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1 a bunch of -- there's the tan brick that keeps going and then  
2 these big openings, large openings.

3 MS. FARRELL: So that -- so we have a two story,  
4 above grade parking structure that is covered by our large  
5 residential courtyard.

6 COMMISSIONER TURNBULL: Okay.

7 MS. FARRELL: So we have two levels, if I go to  
8 the section, two levels of above grade parking and then this  
9 very large residential courtyard on top of that. So that is  
10 the back of the parking.

11 COMMISSIONER TURNBULL: Is that a fence or what?

12 MS. FARRELL: Oh, so what you're actually seeing  
13 depicted there is the adjacent 5201 Hayes Street. The 5201  
14 Hayes Street has like a retaining wall and fence on the back  
15 of their property. So the fence that's depicted there is  
16 actually on our neighbor's property to the back if you're  
17 talking about this one.

18 COMMISSIONER TURNBULL: Are those bays open then,  
19 that tan?

20 MS. FARRELL: Yes, yes. There are openings.  
21 There's a knee wall at the parking and then --

22 COMMISSIONER TURNBULL: A knee wall of grey brick?

23 MS. FARRELL: Of concrete.

24 COMMISSIONER TURNBULL: Concrete.

25 MS. FARRELL: Yes.

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1 COMMISSIONER TURNBULL: So that's concrete. Then  
2 it's open above, five feet clear, and the fence. Okay. I  
3 was just curious because it was very hard to tell what was  
4 going on back there. Thank you.

5 CHAIRMAN HOOD: Okay, I'm seeing Mr. Williams.  
6 If you'd like to join us at the table, you're more than  
7 welcome to come up.

8 MR. WILLIAMS: I saw you gesture.

9 CHAIRMAN HOOD: Okay, I'm sorry. I saw you  
10 gesture. I don't want to publicize it, but I saw what went  
11 on. I do observe.

12 (Laughter.)

13 MR. WILLIAMS: Thank you, though.

14 CHAIRMAN HOOD: You're more than welcome to come  
15 up. As a matter of fact, you can have a seat next right to  
16 your counsel.

17 I don't know if you're going to be providing  
18 testimony. Why don't you stand up and just take the oath,  
19 just in case we ask you any questions.

20 MS. SCHELLIN: Do you solemnly swear or affirm  
21 that the testimony you will give this evening will be the  
22 truth, the whole truth, and nothing but the truth? Thank  
23 you.

24 (Witness sworn.)

25 CHAIRMAN HOOD: Okay. Any other follow up

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1 questions up here? Vice Chair Miller.

2 VICE CHAIR MILLER: Thank you, Mr. Chairman, and  
3 I just wanted to thank the applicant for making the design  
4 changes in response to the Office of Planning and some of the  
5 Commission's comments at the set down, including more bays  
6 and balconies and even though they're Juliet balconies  
7 largely and the canopied entrance, I think that's very  
8 attractive.

9 I just had a question maybe I'll follow up with  
10 Office of Planning because it's coming out of their report,  
11 just to clarify what the total number of residential units  
12 is for this project and what the -- I know 18 of them are  
13 market rate, as I understand. What is the total number  
14 including the 18 market rate? Is it 201.

15 MS. BATTIES: It's 183 and then of that 61 --

16 VICE CHAIR MILLER: I'm sorry, say that --

17 MS. BATTIES: One hundred eighty-three between  
18 both buildings. And of that 183, 61 will be replacement  
19 units; 104 will be at 60 percent AMI; and 18 will be at  
20 market rate.

21 VICE CHAIR MILLER: Okay. Well, I'll follow up  
22 with a question to OP because it's their chart that's  
23 confusing me.

24 MS. BATTIES: I think the issue, the confusion is  
25 this on sheet G-13. We have affordable -- the second row is

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1 affordable non-IZ and that shows 18 units there. And so if  
2 you do the math between that row and then the following three  
3 rows, it's more than 183.

4 VICE CHAIR MILLER: Right.

5 MS. BATTIES: But that second row where it says  
6 affordable non-IZ, that would be the number of units in the  
7 event that as we go through this process, the Zoning  
8 Administrator determined that this project wasn't exempt from  
9 IZ. That 18 represents the number of units that would be  
10 required by IZ, but we would have to -- the number of IZ  
11 units, we would have to have for the project in the event we  
12 weren't exempt from the IZ regulations altogether. Right  
13 now, we're exempt from IZ because of the source of funding.

14 VICE CHAIR MILLER: In the chart on OP does have  
15 those asterisks which -- so which would be converted? Would  
16 it be the market rate that would be converted into that  
17 category?

18 MS. BATTIES: Probably the affordable non-IZ, the  
19 104, a portion of that would just turn into the regular IZ  
20 units.

21 VICE CHAIR MILLER: Okay. I think that clarifies  
22 it for me.

23 CHAIRMAN HOOD: Yes, well, I don't think we need  
24 it with the clarification. Okay. All right. Okay.

25 Commissioner Shapiro?

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1           COMMISSIONER SHAPIRO: Thank you, Mr. Chair. Just  
2 one other question for the DDOT report which may be  
3 preempting the DDOT report. But there's a site design issue  
4 related to the retail entrance of the western building at  
5 Nannie Helen Burroughs, DDOT says it should be at grade. Is  
6 there a -- how are you addressing that if you're addressing  
7 it?

8           MS. BATTIES: Do you remember the comment?

9           COMMISSIONER SHAPIRO: And let me ask you --  
10 actually, that's the issue.

11          MS. FARRELL: Yes, sorry. So the comment in the  
12 DDOT report was that the concern about a residential entrance  
13 being -- I'm sorry, a retail entrance having steps and a  
14 ramp. So actually to clarify, the eastern portion of  
15 building one which is the enlarged footprint streetscape that  
16 you see here, the eastern portion of this building to the  
17 right is all retail. Those entrances that you see there are  
18 at grade flush condition.

19          To the left of that line is where the residential  
20 lobby is and then the residential units. So the residential  
21 lobby entrance here because the grade of the existing Nannie  
22 Helen Burroughs sidewalk is going down towards the corner of  
23 51st Street, and because we need to keep our residential  
24 floor elevation at 18 inches above the flood plain to comply  
25 with the regulations, we have two steps up from the sidewalk

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1 here to the main entrance and then we have not a ramp, but  
2 kind of an upper sidewalk that's coming from this higher  
3 point to the east and connecting up to the residential  
4 entrance.

5 COMMISSIONER SHAPIRO: With some kind of divide  
6 or separating it from the rest of the sidewalk?

7 MS. FARRELL: Correct, exactly. There will be  
8 like a small landscaped area in between that sort of upper  
9 and lower sidewalk.

10 COMMISSIONER SHAPIRO: Thank you. And we'll hear  
11 from DDOT and see if that makes sense to them as well.

12 One other question, this was sparked by something  
13 that Commissioner Turnbull said. Could you go back to rear  
14 elevation? The picture we're looking at right here, the  
15 issue that Commissioner Turnbull had questions about which  
16 is what were we seeing from the backside, is that what I'm  
17 looking at there?

18 MS. FARRELL: Yes, those bumps are bays in the  
19 courtyard.

20 COMMISSIONER SHAPIRO: So could we go back to that  
21 other picture where we're looking at that?

22 (Pause.)

23 COMMISSIONER SHAPIRO: So who sees this? Who can  
24 see the project from that view?

25 MS. FARRELL: So the project to our north, 5201

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1 Hayes, which is currently under construction would see that  
2 elevation. It's sort of at an angle to them. The building  
3 there is located here and they have their parking lot  
4 actually located behind the building.

5 COMMISSIONER SHAPIRO: So pardon me for not paying  
6 more attention to this, but this is two floors above grade  
7 parking.

8 MS. FARRELL: Correct.

9 COMMISSIONER SHAPIRO: This is just a heck of a  
10 lot cheaper than below-grade parking, and plus, you've got  
11 that nice plaza above it, so it serves lots of purposes.

12 MS. FARRELL: Right.

13 COMMISSIONER SHAPIRO: That is helpful. It keeps  
14 the project affordable, too. That front part there that  
15 we're looking at, so there are folks that are going to be  
16 looking into a garage?

17 MS. FARRELL: They will see a portion of the back  
18 of the garage. Because of the grade, a portion of that  
19 garage is actually buried so that's what you see here. So  
20 you're really only seeing one floor here. One floor is sort  
21 of lower. It's not -- there's space in between, but it's  
22 lower.

23 And then their parking lot is in between the  
24 building and what you are seeing here.

25 COMMISSIONER SHAPIRO: So it's not completely

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1 clear to me who really can see this, but my desire would be  
2 that the pieces of it that are visible, there are all sorts  
3 of creative ways to screen it, you know, green screens, art,  
4 whatever it takes so that folks aren't just looking into a  
5 floor of a garage or a half floor of a garage or one and a  
6 half floors of a garage. I can't -- I really can't tell  
7 based on this how much of an issue it is, but whatever degree  
8 that it is an issue, I think it would be nice to find a way  
9 to do something a little more visually pleasing.

10 And thank you for the addition of a roof top  
11 solar. And the facade improvement program, that's going to  
12 be administered by --

13 MS. BATTIES: That hasn't been determined yet.  
14 The developer would work with the Deanwood Citizens  
15 Association in kind of creating the entity and fund.

16 COMMISSIONER SHAPIRO: I mean it is not an easy  
17 thing to do to run a facade improvement program. It's  
18 actually -- I'm speaking to folks who I think you know, but  
19 it takes some capacity. There's nothing wrong with helping  
20 the civic association develop the capacity to do it, but you  
21 know, the \$100,000, I think, we don't want to just throw it  
22 up in with the program if there's not some way to make sure  
23 it's administered well.

24 MS. BATTIES: That will all be worked out in an  
25 agreement that will be submitted prior to the issuance of the

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1 building permit.

2 COMMISSIONER SHAPIRO: Of the building permit,  
3 right. Okay. Thank you. That's all I have, Mr. Chair.

4 COMMISSIONER MAY: Could I just ask a question of  
5 Commissioner Shapiro? So you want to make sure that the  
6 people have a view across their sea of parking that is better  
7 than looking at the side of the parking garage?

8 COMMISSIONER SHAPIRO: That's exactly right.

9 COMMISSIONER MAY: Okay, I just wanted to  
10 appreciate what they're looking across to get to it. That's  
11 all right, you can blame us for the sea of parking that you  
12 have to look over because we approved that project.

13 COMMISSIONER SHAPIRO: Exactly. Thank you.

14 CHAIRMAN HOOD: I think we did the same thing  
15 pretty much on Rhode Island Avenue as well when we shifted  
16 the -- where the position of the parking lot at the time.  
17 I don't know, that may predate a few people. John Parsons  
18 was here then. He was the one to court that one.

19 But I think I would agree with Commissioner  
20 Shapiro and also what you said about the \$100,000. We need  
21 to nail that down, I believe. Those are two things that we  
22 don't want to just leave out there. So I think those are the  
23 only two issues for me is the screen. And they do it up in  
24 Rockville. I see how they -- usually they have it built on  
25 one side -- I don't even know what street it is, but it's up

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1 in Rockville and you can see the garage and I noticed they  
2 have some screening and stuff, so that may be a place, but  
3 you all are experts, not me.

4 All right, any other questions or comments? Okay.

5 Okay, do we have anyone from ANC 7C? Anyone here  
6 from 7C that wants to do any cross examination? Okay. Not  
7 seeing anyone let's go to the Office of Planning and District  
8 Department of Transportation.

9 MS. THOMAS: Good evening, Mr. Chair, members of  
10 the Commission. I'm Karen Thomas for the Office of Planning.  
11 We will stand on the record of our report in support of the  
12 application and the revisions made. And we support DDOT, the  
13 revisions based on DOEE and DDOT's recommendations. Thank  
14 you.

15 CHAIRMAN HOOD: Great. Thank you, Ms. Thomas.

16 MS. STEINGASSER: Chairman Hood?

17 CHAIRMAN HOOD: Yes.

18 MS. STEINGASSER: I'd like to add. The issue the  
19 Commission has raised about the \$100,000 is significant  
20 because there's actually a provision in the regulations that  
21 prohibits the contribution of money to other than District  
22 of Columbia Government program. So while we support the  
23 effort and the coordination with the Deanwood Citizens  
24 Association, I think we -- I would recommend that it not be  
25 considered a public benefit and amenity, but rather it be

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1 accepted and recognized as an effort of the applicant through  
2 the PUD. So it's still acknowledged by the Commission and  
3 a condition of approval, but the zoning regulations don't  
4 allow it to be considered a public benefit unless it's being  
5 donated to a District Government agency and there is no  
6 District Government agency involved in the facade program.

7 CHAIRMAN HOOD: Okay. Commissioners, any  
8 questions of Ms. Steingasser, especially on her  
9 recommendation?

10 COMMISSIONER MAY: Yes, I mean could there be a  
11 District agency to administer? I mean I know that they do --  
12 the Historic Preservation Office gives grants for facade  
13 improvements and things like that.

14 MS. STEINGASSER: Well, they work with some of the  
15 main street programs, but there is no main street program out  
16 here. They don't have the capacity to take something on.

17 COMMISSIONER MAY: Yes.

18 MS. STEINGASSER: And since the applicant has  
19 worked in good faith with the Deanwood Citizens Association,  
20 I think it's worth acknowledging that as a condition of  
21 approval, just not as a public benefit.

22 COMMISSIONER MAY: Okay. Thank you.

23 CHAIRMAN HOOD: All right. Any other questions  
24 of OP?

25 Okay, let's go to Mr. Zimmerman.

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1 MR. ZIMMERMAN: Good evening. Thank you, Chairman  
2 Hood and Commissioners. For the record, my name is Aaron  
3 Zimmerman with the District Department of Transportation.

4 As you heard in the applicant's presentation  
5 earlier, they've agreed to all of the conditions that were  
6 requested in the DDOT report including a revised  
7 transportation TDM management plan, changes to roadway  
8 signage in the vicinity of the site, and changes to the  
9 median on Nannie Helen Burroughs where a couple of curb cuts  
10 are going to be closed.

11 So with all of these conditions included in the  
12 final zoning order, DDOT has no objection to the approval of  
13 this consolidated PUD and related map amendment.

14 Regarding the question earlier about building  
15 entrances, it is generally always our preference to have  
16 building entrances be at grade so that there's no need for  
17 ramps or stairs in public space. In this case, we understand  
18 the challenges with the grade on Nannie Helen Burroughs, so  
19 I think the best course of action from our perspective is  
20 just during the Public Space permitting process, we can work  
21 with them on the design of the steps inside the second  
22 sidewalk, potentially tighten that up a little bit or add  
23 some more green space, but all of that is on the public right  
24 of way side of the property line, so I think during Public  
25 Space permitting we can potentially reduce the step

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1 projections in the public space.

2 CHAIRMAN HOOD: Thank you, Mr. Zimmerman. I  
3 noticed that you took a little more time tonight for some  
4 reason. You do an excellent job every night, but I just  
5 wanted to tell you that you did a very exceptional job  
6 tonight. Do you have anybody watching?

7 (Laughter.)

8 MR. ZIMMERMAN: I don't know if my mom is watching  
9 tonight.

10 CHAIRMAN HOOD: Does she watch some time?

11 MR. ZIMMERMAN: I think once in a while.

12 CHAIRMAN HOOD: Tell us when and we'll give her  
13 a shout out, we'll do that.

14 MR. ZIMMERMAN: I will.

15 CHAIRMAN HOOD: It's nice when we have people  
16 watch us. We don't get much of that.

17 MR. ZIMMERMAN: Yes.

18 CHAIRMAN HOOD: Thank you, both. Let's see if we  
19 have any follow-up questions of Mr. Zimmerman. Okay,  
20 excellent job.

21 Let's see if others, have any cross of either OP  
22 or DDOT?

23 The ANC 7C is not here. Okay. Did we have any  
24 other government reports? I know we had DOEE. Anything else  
25 that I may have missed other than what we already discussed?

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1 Okay.

2 Let's go to the report of the Advisory  
3 Neighborhood Commission. Pull that up. And I'll read it,  
4 some of it.

5 Ms. Schellin, we didn't have anything else to come  
6 in besides Exhibit 37, correct? That's the only thing.

7 MS. SCHELLIN: Right, ANC Exhibit 37.

8 CHAIRMAN HOOD: Right. Okay. This is from  
9 Chairperson Holmes and they took a vote, considered the above  
10 reference matter with six of the seven Commissioners in  
11 attendance. Our Commission voted 6 to 0 to approve a letter  
12 of support for the applicants, the Warrenton Group PUD at  
13 5110/5140 Nannie Helen Burroughs Avenue, N.E., contingent  
14 upon the CBA being crafted between the applicant and the  
15 affected neighborhood citizens association. As we note,  
16 they've been working with Deanwood Citizens Association.

17 What's the status on that? Have you all finalized  
18 everything?

19 MS. BATTIES: The MOU has been -- are you talking  
20 to me?

21 CHAIRMAN HOOD: I was talking -- you would think  
22 I was just talking to somebody in the audience. How many  
23 years have you been coming down here? Okay, I'm going to  
24 start doing that.

25 MS. BATTIES: The MOU has been finalized and

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1 agreed upon by the parties. I don't know if it's been  
2 executed yet. Have you guys signed it?

3 MR. WILLIAMS: Except Chris, not yet. It is in  
4 final form and we plan on executing it. We had one or two  
5 words that needed to be clarified and our attorney cleaned  
6 those up and we -- but we're done on the language, so we can  
7 have that down here within a day.

8 CHAIRMAN HOOD: Okay. I was just wondering  
9 because this letter here, so what they stated in that letter  
10 even though I don't know how far we go with that. But anyway  
11 -- any other questions or comments up here? Okay.

12 Commissioner Shapiro?

13 COMMISSIONER SHAPIRO: Thank you, Mr. Chair. This  
14 is in response to Ms. Steingasser's noting around the  
15 language of the Community Benefits Fund. I'm just trying to  
16 make sense if there's anything that we need to address in our  
17 language if we were to take action.

18 Are you saying that this should not be part -- the  
19 language looks frankly flexible enough for what you're  
20 describing could fit into what's written here in the revised  
21 list of benefits and amenities. So it's more --

22 MS. STEINGASSER: It's more the Commission would  
23 acknowledge that the Community Benefit Fund is part of the  
24 community benefit package, but not part of the PUD's benefit  
25 package.

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1           So they're moving onto different, but parallel  
2 paths. So.

3           COMMISSIONER SHAPIRO: Okay. Thank you.

4           CHAIRMAN HOOD: So if we do a final order -- if  
5 we get to a final order, we would just allude to a point to  
6 it more or less. Yes, I think that's probably the way we  
7 should move on that on that recommendation.

8           Anything else? All right, do we have any -- hold  
9 on a second. Do we have any organizations and persons who  
10 are here to testify in support? Come forward.

11           I think he was here. Did you take the oath?

12           MS. SCHELLIN: He did not.

13           CHAIRMAN HOOD: Okay.

14           MS. SCHELLIN: Please raise your right hand. Do  
15 you solemnly swear or affirm that the testimony you will give  
16 this evening will be the truth, the whole truth, and nothing  
17 but the truth? Thank you.

18           (Witness sworn.)

19           CHAIRMAN HOOD: Okay, you can identify yourself  
20 and your organization. You may begin.

21           MR. WELLS: My name is Jamar Wells. I'm the Vice  
22 President of Deanwood Citizens Association. I've been  
23 working with Warrenton Group and specifically Chris Stinnett,  
24 other organizations to create the revised CBA that you are  
25 asking a few questions about.

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1 We did go through a couple of rounds of  
2 discussions about what we, the community, asked for through  
3 multiple meetings and discussions with the community. And  
4 we came up with the set of additional conditions that you  
5 see in the document, mainly the Community Benefits Fund where  
6 we wanted other organizations in the neighborhood to benefit  
7 from the look and the facade of the new buildings that will  
8 be in the community.

9 We also discussed updates to the different  
10 organizations that will be affected. So Warrenton will  
11 actually come out and provide updates on the development.

12 Finally, Warrenton reasserted their commitment to  
13 providing employment opportunities to residents of the  
14 community, as well as businesses that are part of the  
15 community as well through their first source agreement and  
16 through other conditions.

17 CHAIRMAN HOOD: Are you finished?

18 MR. WELLS: Yes.

19 CHAIRMAN HOOD: Okay. Thank you. Mr. Vice  
20 President, let's see if we have any questions or comments up  
21 here. Anybody?

22 Commissioner Shapiro?

23 COMMISSIONER SHAPIRO: Thank you, Mr. Chair.

24 And thank you for coming up and testifying and  
25 working with the developer and all the work you do in the

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1 community.

2           So you heard the discussion about how this facade  
3 improvement grant fund could be managed and so it works  
4 within our rules and regs and still I think keeps you all  
5 involved in the process and accomplishes the purposes that  
6 it's intended for.

7           Any concerns or observations about that or does  
8 it still fit within what you believe is in the intent of what  
9 is described in the community benefits agreement?

10           MR. WELLS: I didn't hear anything that we were  
11 necessarily opposed to. I just want to make sure that the  
12 organizations -- I just want to make sure that there is some  
13 benefit to organizations that are around the development that  
14 can possibly benefit from its construction.

15           COMMISSIONER SHAPIRO: That's great. Perfect.  
16 Thank you. Thank you very much.

17           Thank you, Mr. Chairman.

18           CHAIRMAN HOOD: Any questions or comments?

19           VICE CHAIR MILLER: Yes, I just wanted to  
20 reiterate thanking the Warrenton Group and DMPED and Deanwood  
21 Citizens and the ANC for working together to come up with a  
22 program that everybody can support. I appreciate all the  
23 community outreach.

24           CHAIRMAN HOOD: Does the applicant have any  
25 questions for Mr. Wells?

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1 MS. BATTIES: No, we don't.

2 CHAIRMAN HOOD: Okay. Thank you very much. We  
3 appreciate all the work that you're doing.

4 MR. WELLS: Thank you.

5 CHAIRMAN HOOD: Do we have any organizations and  
6 persons who are here in opposition?

7 Any organizations and persons who are here  
8 undeclared?

9 Okay, I see the chairperson of ANC 7C just came  
10 in. If he wanted to come in and say something I did try to  
11 recapture your vote. I don't know other than your letter if  
12 you have something you want to add to that other. Come and  
13 have a seat and introduce yourself.

14 MS. SCHELLIN: We need to swear him in.

15 CHAIRMAN HOOD: Oh, yes. We need to swear you in.

16 MS. SCHELLIN: Do you solemnly swear or affirm  
17 that the testimony you will give this evening will be the  
18 truth, the whole truth, and nothing but the truth? Thank  
19 you.

20 (Witness sworn.)

21 CHAIRMAN HOOD: Identify yourself and you may  
22 begin.

23 MR. HOLMES: Antawan Holmes, chair of ANC 7C. And  
24 basically coming before you all today as again to confirm our  
25 letter of support that we submitted to you all about the

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1 Warrenton Group working with -- to accept their PUD, based  
2 on the multiple discussions that they have had coming to the  
3 community over several months. They've been willing to go  
4 to and reach out to local neighborhood civic and citizens  
5 associations to work on the PUD process.

6           Because we've had -- this is probably our third  
7 time in so many -- in a while, starting with Deanwood Hills  
8 until now, they have continued to come back to the community  
9 so we can make sure that we get a partnership working with  
10 them.

11           So I just wanted to put that on the record.

12           CHAIRMAN HOOD: Do we have any questions of the  
13 chairperson, chairman? Okay.

14           Does the applicant have any questions?

15           MS. BATTIES: No, we don't.

16           CHAIRMAN HOOD: All right, well, thank you very  
17 much. We appreciate you coming down and providing that for  
18 us.

19           Do we have any closing or rebuttal? Well, I don't  
20 know how much rebuttal you may have. Do you have any  
21 closing?

22           MS. BATTIES: No. The only thing I would say in  
23 closing is that we have favorable reports from the District  
24 agencies. We heard the support of the community including  
25 the ANC, Deanwood Citizens Association, the Single Member

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1 District representative, and subject to our -- we are in  
2 agreement with framing the contribution fund as a condition  
3 of the approval and not necessarily a public benefit and  
4 amenity and we would come back, submit revised drawings  
5 showing some screening the rear of the building, of the  
6 parking area. With that, we respectfully request preliminary  
7 approval of the application. Thank you.

8 CHAIRMAN HOOD: Any other follow up questions or  
9 comments?

10 VICE CHAIR MILLER: And the other thing which you  
11 indicated is we would be getting the executed MOA.

12 MS. BATTIES: Do you want that for the record?

13 VICE CHAIR MILLER: I think would be useful to  
14 have.

15 MS. BATTIES: Okay, we can put it in for the  
16 record.

17 CHAIRMAN HOOD: Anything else? Okay, thank you.

18 Commissioners, I think this is flavored right.  
19 I think this is a two-vote case. There's no sense in holding  
20 up a preliminary vote. I think the merits of this case  
21 warrant our approval, just to hold it up, just to put it off  
22 to a date I think is not in the best interest of the  
23 Commission, so we can go ahead and move forward with other  
24 business that we have.

25 So let me hear from others or I'll take a motion.

1 So can I get a motion from somebody?

2 Vice Chair?

3 VICE CHAIR MILLER: Mr. Chairman, I would move  
4 that the Zoning Commission take proposed action on Zoning  
5 Commission Case 17-19, consolidated PUD and related map  
6 amendment from MU-3 to MU-4 for 5110 to 5140 Nannie Helen  
7 Burroughs Avenue, N.E., Square 5197, Lots 164, 65, and 73,  
8 and ask for a second.

9 COMMISSIONER SHAPIRO: Second.

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

12 All in favor?

13 (Chorus of aye.)

14 CHAIRMAN HOOD: Any opposition?

15 Not hearing any, Ms. Schellin will record the  
16 vote.

17 MS. SCHELLIN: Yes, staff records the vote 5 to  
18 0 to 0 to approve proposed action in Zoning Commission Case  
19 No. 17-19. Commissioner Miller moving, Commissioner Shapiro  
20 seconding; Commissioners Hood, Turnbull, and May in support.

21 If we could have a draft order in this case by the  
22 21st. Thank you.

23 MS. BATTIES: Thank you.

24 CHAIRMAN HOOD: Hold on a second.

25 MS. SCHELLIN: When do you think you'll have a

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1 signed CBA?

2 MS. BATTIES: We can have that this evening and  
3 get it into the record by tomorrow.

4 MS. SCHELLIN: Okay. Thanks. The revised  
5 drawings. And any of the additional items that the  
6 Commission asked for other than that, the record will be  
7 closed.

8 MS. BATTIES: Can we submit the screening for the  
9 garage by the 21st also, or do you need that sooner?

10 MS. SCHELLIN: You would need to submit by the  
11 14th and then the party, the ANC would have until the 21st  
12 to respond.

13 CHAIRMAN HOOD: Let me say this. We have an issue  
14 that we need to discuss.

15 COMMISSIONER MAY: I was just curious about the  
16 facade improvement fund, I thought that the chairman had  
17 sought greater clarity on how that money would actually be  
18 managed. It's not just a question of whether it's a benefit  
19 or just a condition or what have you, but how it would  
20 actually be managed. Is that -- but you are okay with -- it  
21 will be decided before --

22 CHAIRMAN HOOD: What I was thinking, the way I  
23 understood it, is that our order would be pointing to it as  
24 we've done in the past, not necessarily how we administer it.  
25 That then will take us out of it. That's kind of where I

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1 was. Is that how everybody else understood it or am I wrong?

2 MS. BATTIES: I understand.

3 CHAIRMAN HOOD: I've only been wrong once before.

4 MS. BATTIES: Well, if it's not a project benefit  
5 and amenity, if it's not categorized as a benefit and amenity  
6 and just a condition, then we don't have to -- I mean we can  
7 provide additional clarity, but the goal is really to have  
8 it formalized prior to the permitting. I don't know, quite  
9 frankly, that we can formalize agreement.

10 CHAIRMAN HOOD: I think the Vice President really  
11 helped me understand where we were trying to go with this.

12 COMMISSIONER MAY: The Vice President of the  
13 Deanwood Citizens Association.

14 CHAIRMAN HOOD: The Vice Chair is helping me too.  
15 Okay.

16 COMMISSIONER MAY: Okay, I thought there was a  
17 greater concern about the management of money than -- so long  
18 as you're satisfied.

19 CHAIRMAN HOOD: I'm fine. The only other thing  
20 is the screen and they've already talked about that. So  
21 we're all clear. Are we all straight everybody?

22 MS. SCHELLIN: Can we just get some new dates.  
23 Sounds like the architect may need a little more time. So  
24 if we could just have the submissions that were asked for by  
25 the 21st and then the ANC if it chooses to respond, it would

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1 have until the 29th to provide its response and the draft  
2 order also by the 29th of May and we should be able to put  
3 this on the June 11th meeting for final action. And of  
4 course, you know to go through the proffer and condition  
5 process.

6 MS. BATTIES: Yes.

7 MS. SCHELLIN: And other than that, the record is  
8 closed and no one else gets to submit anything.

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

11 Okay, so with that, this hearing, I thank everyone  
12 for their participation and this hearing is adjourned.

13 (Whereupon, the above-entitled matter went off the  
14 record at 7:26 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: The Warrenton Group

Before: DCZC

Date: 05-07-18

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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