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GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Zoning Commission

Regular Public Meeting  
1455th Meeting Session [6th of 2017]

6:41 p.m. to 7:36 p.m.  
Monday, March 13, 2017

Jerrily R. Kress Memorial Hearing Room  
441 4th Street, N.W., Suite 220 South  
Washington, D.C. 20001

1 Board Members:

2 ANTHONY HOOD, Chairman

3 ROBERT MILLER, Vice Chair

4 PETER MAY, Commissioner

5 MICHAEL TURNBULL, Commissioner

6 PETER SHAPIRO, Commissioner

7

8 Office of Zoning:

9 SHARON SCHELLIN, Secretary

10

11 Office of Planning:

12 JENNIFER STEINGASSER

13 JOEL LAWSON

14 MATT JESICK

15 BRYAN GOLDEN

16

17 Office of the Attorney General:

18 ALAN BERGSTEIN

19 JACOB RITTING

20 MR. COHEN

21

22

23

24

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

2 CHAIRPERSON HOOD: All right, this meeting  
3 will please come to order. Good evening, ladies and  
4 gentlemen, this is a public meeting of the Zoning  
5 Commission for the District of Columbia.

6 My name is Anthony Hood and joining me this  
7 evening are Vice Chair Miller, Commissioner Turnbull,  
8 Commissioner May, and Commissioner Shapiro. We're  
9 also joined by the Office of Zoning staff, Ms. Sharon  
10 Schellin, as well as the Office of Attorney General,  
11 Mr. Bergstein, Mr. Ritting, and Mr. Cohen, as well as  
12 the Office of Planning, Ms. Steingasser, Mr. Lawson,  
13 Mr. Jesick, and Mr. Golden. Mr. Golden.

14 Mr. Golden, this is your second time, right?  
15 Usually takes me about five or six times before I  
16 remember names, so just bear with me.

17 Copies of today's meeting agenda are  
18 available to you and are located in the bin near the  
19 door. We do not take any public testimony at our  
20 meetings unless the Commission requests someone to  
21 come forward. Please be advised, this meeting --  
22 proceeding is being recorded by a court reporter and  
23 is also webcast live. Accordingly, we must ask you  
24 to refrain from any disruptive noises or actions in  
25 the hearing room, including the display of any signs

1 or objects. Please turn off all electronic devices.

2 Does the staff have any, excuse me,  
3 preliminary matters?

4 MS. SCHELLIN: There's one preliminary  
5 matter, if the Commission would please vote on a  
6 closed meeting for training.

7 CHAIRMAN HOOD: I have that in front of me.  
8 Thank you. As Chairman of the Zoning Commission of  
9 District of Columbia and in accordance with 405(c) of  
10 the Open Meetings Act, I move that the Zoning  
11 Commission hold the following closed meetings on  
12 Tuesday, March 28th, 2017 at 9:00 a.m. for the  
13 purpose of receiving training as permitted by D.C.  
14 Official Code 2-575(b)(12).

15 The subject of the training is updated on --  
16 update on variances. Is there a second?

17 MR. MILLER: Second.

18 CHAIRMAN HOOD: Will the secretary please  
19 take roll call vote on the motion before us now that  
20 has been seconded?

21 MS. SCHELLIN: Yes.

22 [Roll call vote taken.]

23 MS. SCHELLIN: Motion carries.

24 CHAIRMAN HOOD: As it appears the motion has  
25 passed, I request that the Office of Zoning provide

1 notice of this closed meeting in accordance with the  
2 act.

3 Anything else, Ms. Schellin?

4 MS. SCHELLIN: No, sir.

5 CHAIRMAN HOOD: Okay. I do want to -- I  
6 wanted to take 14-11B, final action, first. And I  
7 wanted to deal with the correspondence action second,  
8 and then in that order. Does anyone have any  
9 objections? And then we'll follow -- go back to  
10 final action. Any objections, because I think the  
11 correspondence, folks just sitting around waiting.

12 Okay. Let's go to final action in Zoning  
13 Commission Case No. 14-11B, Ms. Schellin.

14 MS. SCHELLIN: Yes, sir. This is the Office  
15 of Planning text amendment to the regulations in  
16 Subtitle B, Subtitle D, Subtitle E, and Subtitle U.  
17 At the end of the hearing the Commission had asked  
18 for a few updates from the Office of Planning, and I  
19 spoke with the Office of Planning, and since there  
20 was still comments at the end of the period --  
21 comment period was today, they've asked if the  
22 Commission would defer action until the next meeting.  
23 So, that would allow them to also take a look at the  
24 comments that have come in and give an update on  
25 those two, and so we'd ask that the Commission would

1 defer action to the March 27th, I believe it's --  
2 yes, March 27th meeting, and so they can respond to  
3 items that the Commissioners ask for at the hearing,  
4 along with an update to the comments that came in,  
5 and anything else that you may ask for this evening.

6 CHAIRMAN HOOD: Okay, Commissioners, I  
7 certainly want to make sure we get all the input that  
8 is going to be received and make sure that we have a  
9 full analysis of what's being asked for. So, let me  
10 open it up. Any further questions? I would be in  
11 favor of delaying this until March the 27th meeting.

12 MS. SCHELLIN: Yes.

13 CHAIRMAN HOOD: Yes. Any other comments?  
14 Okay. So, we'll just do that by general consensus.  
15 Okay?

16 MS. SCHELLIN: And as long as we just have  
17 OP's report by the March 20th, then that would be  
18 good.

19 CHAIRMAN HOOD: Okay. And I'm going to move  
20 away from final action right quick and go to  
21 correspondence. Zoning Commission Case No. 15-29,  
22 Jamal's Gateway D.C., LLC. We have a request for a  
23 reconsideration from Reverend David L. Jefferson,  
24 Naomi Jefferson, and then we have the applicant's  
25 response to the Jeffersons' request for

1 reconsideration. Ms. Schellin.

2 MS. SCHELLIN: Yes, sir. So, the first item  
3 before the Commission for them to -- for you guys to  
4 consider, would be a request from a non-party to file  
5 a request for reconsideration and rehearing. So, if  
6 the Commission would please take up that request  
7 first, to allow a non-party to file?

8 CHAIRMAN HOOD: Okay, colleagues, I typically  
9 do not ever remember the Commission doing that,  
10 except for maybe once or twice. And those were for  
11 notice requirements. I'm really not sure. I would  
12 not be inclined to grant this request to a non-party,  
13 but let me open it up and see what others may think,  
14 because typically our rules are explicit. You have  
15 to be a party. So, let's see what others think on  
16 that issue.

17 Anybody? Does anybody disagree or agree?  
18 Commissioner May.

19 MR. MAY: Yeah. It is extremely unusual for  
20 us to waive the requirement that a non-party, or that  
21 a party -- only parties can file motions in a case  
22 and that -- I mean, a motion to reconsider like this  
23 from a non-party is a -- to grant that would be  
24 extremely unusual.

25 I think there are some circumstances when

1 that can be done. I don't believe that in this  
2 circumstance that the test for that is met. I mean,  
3 there is some slightly new information relating to  
4 the case, but relating to the case in, I think in a  
5 not in the most substantive way in terms of what we  
6 evaluated in considering the PUD, and so -- and I  
7 think that, you know, I mean, the new information  
8 relates to the fact that there was some -- there was  
9 a well permit that was drawn and the well permit  
10 indicated that there was some potential for  
11 contamination on the site, and that new information  
12 which -- and this permit was requested in 2013 or  
13 something like that. So, it was some time ago.

14 I mean, it's arguable that folks could have  
15 known about that in advance. I think that's a little  
16 bit of a stretch because it's -- you know, you can't  
17 always expect everybody to unearth every single  
18 aspect of a case when you have concerns about it.

19 But I think more importantly it's that we  
20 don't really have any concrete information that in  
21 fact there is contamination it was just, you know, a  
22 box that was checked that indicated that there may be  
23 some contamination. Or that there is some. I mean,  
24 you know, it could be that the applicant knew that  
25 there was. It could be that the applicant didn't



1 know that there was. But it's not enough  
2 information, I think, for us to make a decision to  
3 waive the rule and admit the case.

4 CHAIRMAN HOOD: Okay. Any other comments?  
5 Vice Chair Miller.

6 MR. MILLER: Thank you, Mr. Chairman. Yeah,  
7 I would agree with my colleagues on not waiving the  
8 requirement that a party be the one to move a  
9 reconsideration. And, you know, if there is  
10 environmental -- if there is contamination, I mean  
11 that will be -- have to be remediated whether it was  
12 a PUD or a matter of right. That was a surface  
13 parking lot. Or, it is a surface parking lot for 60  
14 or more units back there and it's not surprising that  
15 there might be all that gasoline leakage, if that's  
16 what it is. If that's what it is.

17 But anyway, I think it would be extremely  
18 unusual for us to do it in this circumstance, so I  
19 agree with my colleagues.

20 CHAIRMAN HOOD: Okay. Anyone else?

21 MR. TURNBULL: I would just concur with the  
22 other comments of my colleagues.

23 CHAIRMAN HOOD: And I will say that, even  
24 without getting into the merits, at the hearing I  
25 know for a fact as the Chair of this Commission, I

1 gave a lot of deference to the Jefferson family, even  
2 though they were not a party. But, you know, a lot  
3 of leeway. And it goes back to what commissioners  
4 say, Commissioner May says, did they know this at the  
5 time or did they not. And then when I looked at it I  
6 thought about the same thing you mentioned, Vice  
7 Chair is that if it is something of that nature,  
8 which we don't know yet, the speculation is what they  
9 say it is, remediation.

10           And remediation -- sole remediation goes on  
11 in this city quite a bit. This is not just over  
12 there. It goes on quite a bit. So, I'm sure that  
13 the necessary precautions and stuff will be taken  
14 care of through due process when they start to  
15 develop, or whatever they may start, getting the  
16 grounds ready or for whatever they may do, so, any  
17 other comments?

18           Do we need to vote on this?

19           MR. BERGSTEIN: Yes, you do.

20           CHAIRMAN HOOD: Okay. I would move that we  
21 deny the request for reconsideration from Reverend  
22 David L. Jefferson and Naomi Jefferson and ask for a  
23 second.

24           MR. MILLER: Are we denying the request for  
25 reconsideration or denying the request for a waiver

1 for the rules?

2 CHAIRMAN HOOD: Oh, waiver of the rules. We  
3 didn't get to reconsideration. Okay.

4 MR. MILLER: We didn't get to  
5 reconsideration.

6 CHAIRMAN HOOD: Okay, well, I move that we  
7 deny for the waiver of the rules with the comments  
8 that we all have mentioned to be incorporated into  
9 that denial and ask for a second.

10 MR. MILLER: Second.

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

13 MR. SHAPIRO: Mr. Chair, a discussion. I was  
14 not a part -- I was not part of this hearing so I  
15 won't be voting.

16 CHAIRMAN HOOD: Okay. You wanted to make  
17 sure you were clear of that one. Okay.

18 [Vote taken.]

19 CHAIRMAN HOOD: So ordered. Ms. Schellin,  
20 would you record the vote?

21 MS. SCHELLIN: Yes. Staff records the vote  
22 four, to zero, to one to deny the request by the  
23 Jeffersons to be allowed to file as a non-party, a  
24 request for reconsideration rehearing. Commissioner  
25 Hood moving, Commissioner Miller seconding,

1 Commissioners May and Turnbull in support of denial,  
2 Commissioner Shapiro, not having participated in the  
3 hearing, not voting.

4 CHAIRMAN HOOD: All right. Let's go back to  
5 final action. Let's go to Zoning Commission Case No.  
6 10-21A V Street Southwest, LLC, modification of  
7 significance to Capital Gateway Overlay review at  
8 Square 667S. Ms. Schellin.

9 MS. SCHELLIN: Yes, sir. On this one at  
10 Exhibits 24 through 24L9, and 27 -- I'm sorry, 27 and  
11 29, you have the applicant's post-hearing  
12 submissions. Exhibits 25, 26, and 28, we have  
13 supplemental reports from DDOT, DOEE, and the Office  
14 of Planning. Ask the Commission to consider final  
15 action this evening.

16 CHAIRMAN HOOD: Okay, Commissioners on this  
17 case, I think we all are participating. Any  
18 comments?

19 [No audible response.]

20 CHAIRMAN HOOD: I actually think everything  
21 that I -- my issues have been dealt with.

22 Commissioner Shapiro?

23 MR. SHAPIRO: Actually, I'm just trying to  
24 find my notes. I actually have a question for the  
25 applicant related to this.

1 CHAIRMAN HOOD: Sure.

2 MR. SHAPIRO: The question is related to the  
3 LEED certification, and the Department -- DOE, E,  
4 Department of Energy, Environment and Energy or  
5 Energy and Environment, I don't remember which order,  
6 was their view was that LEED Gold was achievable, and  
7 one of the ways to do it was through adding solar  
8 panels. And we had discussed this, actually, at the  
9 hearing and I wanted to hear from the applicant why  
10 it was felt that it wasn't possible to do it.

11 Is it a technical issue? Is it --

12 CHAIRMAN HOOD: I think Commissioner Shapiro  
13 is asking you to come forward. I know we typically  
14 don't do that.

15 MS. SCHELLIN: The applicant said that it was  
16 contrary to the green roof. They could not do both.

17 MR. SHAPIRO: Thank you, Ms. Schellin. Thank  
18 you.

19 MR. MAY: Mr. Chairman.

20 CHAIRMAN HOOD: Commissioner May.

21 MR. MAY: Yeah. So, I had a couple  
22 outstanding questions on this. I mean, they have  
23 responded to many of the requests that we made and  
24 some of the answers are understandable, acceptable so  
25 I, you know, appreciate that.

1           There is something strange that happened with  
2 the penthouse in that they're trying to meet a 15-  
3 foot limit for the penthouse, but their penthouse is  
4 18-6 tall. And so, there is a sort of an upper roof  
5 and a lower roof and the, you know, it's 18-6 above  
6 the lower roof but it's only 15 feet above the upper  
7 roof. And the upper roof sort of surrounds it. It's  
8 a very strange configuration and it's not something  
9 that I've ever seen before.

10           And I'm not sure how to treat it in this  
11 circumstance, and it's something that I would like,  
12 actually, to get the Office of Planning's opinion on.  
13 I mean, it doesn't necessarily mean we couldn't move  
14 forward with this today, because I don't know that it  
15 would have any substantive impact if we were to  
16 insist on it being one way or another. But I think  
17 that the -- I mean, I'm not completely sure that this  
18 is a 15-foot penthouse by the definition of the  
19 rules.

20           Maybe, I mean, if the Office of Planning  
21 actually can answer this question and that you looked  
22 at it and can answer my questions about it, I'd  
23 appreciate it. But if you can't, I could understand  
24 why you might not. It took me a while to figure out  
25 exactly what was going on.

1           While you look at that, I'll mention another  
2 thing which is that the Office of Planning also had  
3 requested some sort of clarification regarding the  
4 face online structure that's abutting the public  
5 space. Is that right?

6           MR. LAWSON: I'm sorry, we were looking at  
7 the drawing. My apologies.

8           MR. MAY: I'm sorry about that too. I'm, you  
9 know, peppering you with questions.

10           No, I mean, you had said that you had, I  
11 guess eventually accepted the idea of having the bay  
12 projections in public space that you were concerned  
13 about from the beginning of this case. But that you  
14 were looking for clarification regarding this face  
15 online structure that they reference. Maybe you want  
16 to speak to that one. That might be an easier  
17 question to answer.

18           MR. JESICK: Sure. Thank you, Commissioner  
19 May and members of the Commission. My name is Matt  
20 Jesick. In the view study that the applicant  
21 submitted, when they depicted the alternate version  
22 without the bays, it appeared that there was a  
23 projection at the ground level, which we had not seen  
24 before. So, we asked them to clarify what that was  
25 at the ground level and 1st Street.

1 I think what happened there was there was  
2 actually some sort of error in the rendering, the  
3 view shed rendering. What we were looking at was  
4 actually a continuation of those fins which project  
5 from the building, and it just looked odd in the view  
6 shed study. But they did clarify that for us.

7 MR. MAY: Okay. So, that's been answered.  
8 All right. That's good. So, then there's the  
9 question regarding the roof. Do you understand the  
10 question that I'm asking?

11 MR. LAWSON: We do. We're looking at the  
12 drawings now. To be honest, it's not something that  
13 we picked up on in the last set of drawings.

14 I think that we would want to take a look at  
15 this and potentially run it past the Zoning  
16 Administrator.

17 MR. MAY: Right.

18 MR. LAWSON: To see whether the Zoning  
19 Administrator accepted this as an acceptable way of  
20 measuring the roof and the penthouse. I will say, we  
21 have seen a couple of examples of rooftop penthouses  
22 that are dropped a bit below the level of the roof to  
23 gain some extra head height.

24 This one is a little bit different in that  
25 it's just a little bit different. So, I think we'd



1 probably not want to state an opinion on it at this  
2 point.

3 MR. MAY: Right. So, and I was thinking the  
4 same thing. I mean, I'm interested in your opinion.  
5 I was thinking also that, you know, getting the  
6 Zoning Administrator to weigh in on how they would  
7 interpret this.

8 And if it's, you know, and if it's a quandary  
9 even for the Zoning Administrator, then it's  
10 something that we probably would need to take up in  
11 terms of some sort of clarifying text amendment  
12 because, you know, when we made these changes to the  
13 penthouse regulations, in some ways there are certain  
14 things that we couldn't necessarily predict in terms  
15 of what we've just incentivized.

16 And so, this is an interesting development  
17 and I'm not sure, you know, I'm not sure it's a good  
18 thing or a bad thing.

19 MR. LAWSON: And I think that's what we'd  
20 want to think about as well. I'm not sure this is  
21 contrary to the intent of the regulations.

22 MR. MAY: Right.

23 MR. LAWSON: But I think we'd want to take a  
24 look at it a little bit more closely and --

25 MR. MAY: Right.

1           MR. LAWSON:  -- we'd be happy to get back to  
2 you on it.

3           MR. MAY:  Yeah, and I think I feel like there  
4 has to be some sort of definition of how much of that  
5 higher level roof actually abuts the wall of the  
6 penthouse.  You know, is it more than 50 percent or  
7 less than -- I don't know whether those are the right  
8 numbers or not, but I think that there has to be some  
9 sort of a rule like that, because otherwise you could  
10 just have a little bit of the roof touch it and then  
11 go out to the perimeter and it would be in fact a  
12 much taller penthouse.

13           Anyway, some way to interpret it.  You know,  
14 I'm not -- even though I'm not necessarily totally  
15 comfortable in my understanding of this, I don't see  
16 that it would be substantially different we interpret  
17 it one way or the other.  So, I guess I don't have a  
18 problem with going ahead with it if the rest of the  
19 Commission is prepared to go ahead.  Particularly  
20 since the other question that had been -- that the  
21 Office of Planning had raised, has been answered.

22           But I'm interested in hearing what the rest  
23 of the Commission has to say.

24           CHAIRMAN HOOD:  Any other comments on this?

25           MR. TURNBULL:  Thank you, Mr. Chair.

1           CHAIRMAN HOOD: Or anything else?

2           MR. TURNBULL: I would agree with you,  
3 Commissioner May. I think the roof issue begs the  
4 question of how do we interpret how to measure a  
5 penthouse then, when you are unsure of what part of  
6 the roof you're actually measuring from, and how much  
7 was going to touch. So, I think OP weighing on this  
8 is important. I think it's an element as we  
9 obviously never thought of it when you were writing  
10 this and we never did either. So, I think it begs  
11 the question as to how much of the roof can be at a  
12 certain height, and how much is another -- how much  
13 is going to be adjacent to the penthouse. So, I  
14 think your input on this will be greatly appreciated.

15           My only other comment, Mr. Chair, was on the  
16 -- I asked for clarification on the signage.  
17 Especially on the entrance signage. And as I said at  
18 the hearing, I said it looked like it's about a foot,  
19 foot and a half signage, and maybe the 88 in the  
20 middle is like three feet. What we get back is  
21 something that simply doesn't give a height. It just  
22 says, two foot six max, and it says, five foot max  
23 for the 88.

24           I would rather see this thing be exactly what  
25 it is. If it's going to be one six, make it one six.

1 And if the 88 is three feet, make it -- it's going to  
2 be three feet. I'd rather not leave it wide open  
3 with maxes and all this stuff so that it's going to  
4 be -- it's going to look different than what we're  
5 looking at in the picture. I think we're expecting  
6 something. I think it ought to be that.

7 CHAIRMAN HOOD: Okay. Anything else in this  
8 case? All right.

9 MR. MAY: Yeah, I just want to say, you know,  
10 I looked at the signage drawings and I was not  
11 particularly troubled by the notion that it could be  
12 a maximum of five feet for the 88. I think the 88 is  
13 the only thing that's a little bit unusual in this  
14 circumstance. And I could also see how it's  
15 something that they actually need to design fairly  
16 carefully; make sure that it -- I mean, because you  
17 know, it's a fairly large piece. It would have to be  
18 -- you know, you have to go through the whole design  
19 process with shop drawings and everything else, to  
20 make sure that it stands upright and that it isn't  
21 going to be flopping around or blown over by wind.  
22 And you know, it may be that it can't be five feet,  
23 it can only be four feet without a lot of extra  
24 supports.

25 And so, you know, as long as we know what the

1 maximum extents are, I think that would be the  
2 biggest concern that I would have.

3 MR. TURNBULL: I guess I would not agree with  
4 you. I'd like to see, when someone says something,  
5 say something, say what it is, and not allow for a  
6 maximum height of different things. I mean, we're  
7 going to see this, someone could say it could be  
8 eight feet or 10 feet. Where do you draw the limit  
9 as with how much the max is?

10 MR. MAY: Well, as long as it's saying it's  
11 not more than five feet, I think I'm okay.

12 MR. TURNBULL: I don't agree with that.

13 CHAIRMAN HOOD: Let me ask my other  
14 colleagues, do we want to ask for a submission on  
15 that, on the signage, to narrow it down as  
16 Commissioner Turnbull has asked for?

17 Personally, I think it's very critical. I  
18 agree with Commissioner Turnbull as someone who has  
19 dealt with a BZA case which got us into all kinds of  
20 trouble. But after this, I want to talk about  
21 something else. But I think we can pause for the  
22 cause and ask -- get that so we can have it for the  
23 record. That's where I am.

24 Any other comments? Commissioner -- Vice  
25 Chair Miller?

1           MR. MILLER: Thank you, Mr. Chairman. I  
2 don't -- I also don't have as big a problem with the  
3 signage as proposed. But, especially since it's  
4 above the entrance, I think where we had that one  
5 case that I remember where it kept coming back in  
6 various forms, the signage was at the top of the  
7 building where it created a problem. But I mean, if  
8 -- just if it would satisfy Commissioner Turnbull  
9 that they came back with a lesser amount, four feet,  
10 or a max instead of the five feet, I guess I'm  
11 agnostic on that point. But I'm glad to do it. Or  
12 you want the three feet? You want the -- what it  
13 looks like in the picture.

14           MR. TURNBULL: I just thought three foot.

15           MR. MILLER: I was trying to --

16           MR. TURNBULL: Yeah.

17           MR. MILLER: -- split the difference.

18           MR. TURNBULL: No, yeah. I know. I know.

19           MR. MILLER: But anyway, but if we're going  
20 to put it off there was another issue about the  
21 ground floor situation. If we're going to put this  
22 off two weeks to get something from OP on the rooftop  
23 issue, and maybe some adjustment on the 88, there is  
24 the -- DOEE had suggested that they needed to  
25 increase the retail use on the ground floor in order

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1 to be considered a mixed-use building because of the  
2 floodplain rules or whatever. And so, I think the  
3 applicant came back with a request for flexibility to  
4 increase the ground floor retail for that purpose.  
5 I'm just wondering, that obviously would involve a  
6 different design. If we're going to put this off two  
7 weeks, maybe we should have that design.

8 MR. MAY: Commissioner Miller, I think that  
9 we --

10 MR. MILLER: Can we resolve that?

11 MR. MAY: -- Mr. Bergstein spoke to counsel  
12 for the applicant and determined that there was a --  
13 that there would be no change to the external  
14 design --

15 MR. MILLER: Oh.

16 MR. MAY: -- if they converted it to retail.

17 MR. MILLER: Oh, okay.

18 MR. MAY: Which I find a little bit hard to  
19 believe, but that's certainly, you know, if they want  
20 to you know -- I have no problem with changing the  
21 use on the inside. And if they do wind up having to  
22 change the exterior in order to make it more useful  
23 for retail, then they would simply have to come back.

24 MR. MILLER: It would have to come back if it  
25 was --

1 MR. MAY: I'm perfectly fine with that too.

2 MR. MILLER: Yeah. Okay. I didn't  
3 realize --

4 MR. MAY: So, I don't think that's an open  
5 issue anymore.

6 MR. MILLER: Okay. Then I don't have an  
7 issue with that.

8 MS. SCHELLIN: Chairman Hood.

9 CHAIRMAN HOOD: Can we get a verbal from the  
10 -- on Mr. Turnbull's issue?

11 MS. SCHELLIN: Yes, I did.

12 CHAIRMAN HOOD: So I won't have to vote  
13 against it tonight. Okay.

14 MS. SCHELLIN: I did. The applicant has  
15 advised that they would agree to a four-foot limit.  
16 Is that what you wanted. Or even, if they have to, a  
17 three-foot. But they would agree to four-foot if  
18 that satisfies you.

19 MR. TURNBULL: What about the other  
20 lettering? Two six, or one six or --

21 MS. SCHELLIN: Two six? Yes.

22 MR. TURNBULL: They can't go lower? Can't go  
23 to two feet?

24 CHAIRMAN HOOD: Mr. Turnbull now, let me make  
25 sure, are we going to be able to see, because you



1 know, now that I have these, am I going to be able to  
2 see what the place is? I mean, realistically because  
3 now I'm having a harder time seeing. So, 20 years  
4 from now I'm going to have even more of a harder time  
5 seeing. So, we want to make sure we consider all of  
6 our constituents.

7 MS. SCHELLIN: Two feet?

8 CHAIRMAN HOOD: I can't even see if it's  
9 snowing out now.

10 MS. SCHELLIN: Two six. Two, two feet.

11 MR. TURNBULL: Okay.

12 MS. SCHELLIN: Two feet and four feet.

13 CHAIRMAN HOOD: Okay. All right. So,  
14 everybody is on board with that? Okay.

15 MS. SCHELLIN: And do you want them to submit  
16 just a drawing showing the signage, just the one  
17 sheet for the signage prior to the order being issued  
18 or --

19 CHAIRMAN HOOD: Yeah, I think we can do that.

20 MS. SCHELLIN: Can they get that done in a  
21 week or within a week? Okay, yes, because the order  
22 won't be issued that quickly anyway.

23 CHAIRMAN HOOD: I don't trust a whole lot,  
24 but I trust this guy. So far he's been -- he did  
25 what he's supposed to do in some other cases.

1 MS. SCHELLIN: Yeah, just wanted to -- just  
2 the signage, because --

3 CHAIRMAN HOOD: Do our own enforcement up  
4 here.

5 MS. SCHELLIN: Yes. Thank you.

6 CHAIRMAN HOOD: Okay. Well, Mr. Turnbull,  
7 would you like to make a motion?

8 [Discussion off the record.]

9 MR. MAY: So, with regarding the penthouse, I  
10 mean, I think I'm okay with accepting this as it is.  
11 You know, I think we somehow have to be clear that  
12 we're not setting a precedent for accepting this as a  
13 solution for you know, penthouse height or some sort  
14 of determination about how you can evaluate penthouse  
15 height. I mean, I think the truth of it is that it  
16 wouldn't really change much if it we were to go to a,  
17 you know, a different interpretation.

18 So, I'm okay with what we have in front of us  
19 now. But it does raise this question that I would  
20 like the Office of Planning and the Zoning  
21 Administrator to weigh in on, and determine if in  
22 fact we need to do some sort of clarifying language,  
23 or whether it is clear enough and this is how it  
24 would be interpreted.

25 So, I mean, like I said, I'm okay with this

1 one. But for future purposes, I want clarity on that  
2 question.

3 MR. TURNBULL: Yeah, I would too because I  
4 think, I'm looking at the section on A-11 and the --  
5 it almost looks like there are little planters at the  
6 edge that the floor slab, that the roof slab of the  
7 floor is at a certain level, which is what the  
8 penthouse is on, and they've bumped up at the edge of  
9 the roof like a raised planter.

10 MR. MAY: Right. So, but I think that we can  
11 have some --

12 MR. TURNBULL: Yeah, I now.

13 MR. MAY: -- reliance on the Zoning  
14 Administrator to know the difference between a  
15 planter and a roof and --

16 MR. TURNBULL: Right.

17 MR. MAY: -- they'd have to get by the Zoning  
18 Administrator.

19 MR. TURNBULL: Right. But I think it gets  
20 back to your question, it starts to beg, how do you  
21 interpret what's happening at the perimeter of the  
22 parapet of a roof and what is a real roof and what  
23 isn't the real roof.

24 MR. MAY: Right. But that's what -- yeah, we  
25 need to have clarity for that in the long run.

1 CHAIRMAN HOOD: Okay. Anything else on this?

2 [No audible response.]

3 CHAIRMAN HOOD: Okay. So, I would move that  
4 we approve what the comments noted, Zoning Commission  
5 Case No. 10-21A and ask for a second.

6 MR. MILLER: Second.

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

9 [Vote taken.]

10 CHAIRMAN HOOD: So ordered. Staff, would you  
11 record the vote?

12 MS. SCHELLIN: Yes, staff records the vote  
13 five, to zero, to zero to approve final action in  
14 Zoning Commission Case No. 10-21A, Commissioner Hood  
15 moving, Commissioner Miller seconding, Commissioners  
16 May, Shapiro, and Turnbull in support.

17 CHAIRMAN HOOD: Okay. I want to bring  
18 something to everyone's attention, and also I'm going  
19 to ask the Office of Zoning if they can send a letter  
20 on my behalf and work with the Office of Planning,  
21 however that needs to be done. And I'm sorry, Mr.  
22 Ritting. If you all let me know if I can do this.

23 But there is a house that I saw and this is  
24 why we get beat up so much. The Zoning Administrator  
25 made a decision. The 2600 block of 13th Street, this

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1 is the house on the corner and I think that -- I  
2 don't know, and that's why I wanted to go back. When  
3 we was doing the ZRR, ZR-16, or whatever you call it  
4 now, why I wanted to take away some of his authority.  
5 And I'm a -- and that's why we get, the Zoning  
6 Commission gets beat up so much about certain things.  
7 I think that he over extended the zoning rules. But  
8 I would like for us to look into that. I would like  
9 an explanation from him how he got to that place  
10 looking like that, in that neighborhood.

11 But he knows what it is. He knows what  
12 permits he gave. It's in the 2600 block of 13th  
13 Street Northwest. So, that wasn't on the agenda, but  
14 I put it on there. And you can do a letter from me  
15 to him and we can work with the Office of Planning  
16 because I'd like to know how he came up with that  
17 one. Okay? And it's in Ward 1.

18 Okay. Let's go to Zoning Commission Case No.  
19 16-11, Parkview Community Partners and District of  
20 Columbia Consolidated PUD and Related Map Amendment  
21 at Square 2890 Bruce Monroe. Ms. Schellin.

22 MS. SCHELLIN: Yes, sir. Exhibits 243  
23 through 248 are the applicant's post-hearing  
24 submissions. Exhibit 249 is an NCPD delegated action  
25 advising of no federal interest, and we'd ask the

1 Commission to consider final action this evening.

2 CHAIRMAN HOOD: Okay, Commissioners, any  
3 comments on this? I think in this order they ask for  
4 a lot of flexibility, well, some flexibility. And we  
5 typically don't -- I don't like to see a lot of  
6 flexibility, so I'm going to ask --

7 MR. SHAPIRO: Related to parking? Bicycle?

8 CHAIRMAN HOOD: Yeah, parking and bicycles.  
9 But they ask for some flexibility to do some things  
10 and those -- that type of flexibility I would ask  
11 that it be removed, unless anyone disagrees.  
12 Parking, bicycles, and I forgot what else. Okay.

13 Anything else on this? Mr. Turnbull?

14 MR. TURNBULL: I had also pointed out to the  
15 Office of Attorney General some changes to the  
16 architectural section, what flexibility required on  
17 that.

18 CHAIRMAN HOOD: So, you want that removed  
19 too?

20 MR. TURNBULL: Yeah, I changed it. I  
21 modified it.

22 CHAIRMAN HOOD: Oh, that's right. Yeah.

23 MR. TURNBULL: Gave it to OAG.

24 CHAIRMAN HOOD: You did that last time I  
25 think, right?

1 MR. TURNBULL: Yes.

2 CHAIRMAN HOOD: Yes.

3 MR. TURNBULL: And I also did that on the  
4 last case also.

5 CHAIRMAN HOOD: I think we don't like a lot  
6 of flexibility. I mean, because flexibility could  
7 mean anything. You know, what's flexible to you  
8 might not be flexible to me. So, or you know, so we  
9 would like for you to just make sure these orders are  
10 consistent so we won't have misreadings, like we have  
11 on 13th Street, and other things of that nature. So,  
12 I don't think this Commission likes a whole lot of  
13 flexibility. At least, that's what I'm grappling  
14 with, or I'm hearing. At least, I know I don't. I'm  
15 not sure about others. Vice Chair Miller?

16 MR. MILLER: Thank you, Mr. Chairman. Yeah,  
17 I agree that we should remove the language about  
18 flexibility for the parking, specifically that was a  
19 concern of the neighbors as well. But I just wanted  
20 to reiterate what I iterated, I guess is the word, at  
21 proposed action and during the public hearing that  
22 this Bruce Monroe project is really the epitome of  
23 what a new community's project should be in terms of  
24 build first and preventing displacement of public  
25 housing residents, having mixed income, mixed-use

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1 community, you know, almost one-third replacement  
2 units, one-third other affordable housing, and a one-  
3 third market rate, and the preservation of the park,  
4 which was very important to everyone is a condition  
5 of the order. It's clearly required, and that will  
6 be a public benefit and public amenity for that  
7 community. So, I'm ready to move forward.

8 CHAIRMAN HOOD: Okay. Anybody else?  
9 Commissioner Shapiro?

10 MR. SHAPIRO: I'd just like to say that I  
11 would join with the laudatory comments of Vice Chair  
12 Miller, and I also support removing any language that  
13 offers -- provides flexibility related to automobile  
14 parking or to bicycle parking.

15 CHAIRMAN HOOD: Okay. Commissioner May?

16 MR. MAY: Yeah, I would agree with what my  
17 commissioners had to say, and also just add that --  
18 appreciate the fact that we now have finally gotten  
19 the reviews that we requested of the courtyards and  
20 the fence designs for those courtyards. So,  
21 everything is checked off on my list.

22 CHAIRMAN HOOD: So, Commissioner May has  
23 checked everything off. I guess they can move  
24 forward. Mr. Turnbull, did we check everything off?

25 MR. TURNBULL: I am in support of going



1 ahead.

2 CHAIRMAN HOOD: Okay. Somebody like to make  
3 a motion?

4 MR. MILLER: Yes, Mr. Chairman, I would move  
5 that the Zoning Commission take final action on  
6 Zoning Commission Case No. 16-11, Parkview Community  
7 Partners and District of Columbia Consolidated PUD  
8 and Related Map Amendment at Square 2890 Bruce  
9 Monroe, and ask for a second.

10 MR. TURNBULL: Second.

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

13 [Vote taken.]

14 CHAIRMAN HOOD: Ms. Schellin, would you  
15 record the vote?

16 MS. SCHELLIN: Yes. Staff records the vote  
17 five, to zero, to zero, to approve final action in  
18 Zoning Commission Case No. 16-11, Commissioner Miller  
19 moving, Commissioner Turnbull seconding,  
20 Commissioners Hood, May, and Shapiro in support.

21 CHAIRMAN HOOD: Okay. Next, Zoning  
22 Commission Case No. 16-12, Parkview Community  
23 Partners and the District of Columbia Consolidated  
24 PUD and Related Map Amendment at Square 3039 and  
25 3040, Park Morton. Ms. Schellin.

1 MS. SCHELLIN: Yes. Yes, on this one,  
2 Exhibits 180 through 183 are the applicant's post-  
3 hearing submissions. And at Exhibit 184 we have the  
4 NCPC delegated action advising of no federal  
5 interests.

6 CHAIRMAN HOOD: Okay, Commissioners, any  
7 comments or questions on this? Commissioner Shapiro?

8 MR. SHAPIRO: Thank you, Mr. Chair. I would  
9 just similarly to what Vice Chair Miller said in the  
10 previous project I would expand these laudatory  
11 comments to this as well.

12 And also, there is request for perhaps less  
13 flexibility than on the previous case, but we want to  
14 remove the language related to flexibility for the  
15 automobile parking and the bike parking on this as  
16 well.

17 CHAIRMAN HOOD: Okay. Any other comments?  
18 Mr. Turnbull?

19 MR. TURNBULL: I would just add the same  
20 architectural comments as previous too.

21 CHAIRMAN HOOD: Okay. Any other comments?  
22 Okay. Commissioner May, your checklist all taken  
23 care of?

24 MR. MAY: [Speaking off microphone.]

25 CHAIRMAN HOOD: Oh, it was. All right. So,

1 any other comments from this case? I think it's  
2 ready for our final decision, so I would move  
3 approval of Zoning Commission Case No. 16-12,  
4 Parkview Community Partners in District of Columbia  
5 Consolidated PUD and Related Map Amendment at Squares  
6 3039 and 3040, Park Morton, and ask for a second.

7 MR. MILLER: Second.

8 CHAIRMAN HOOD: Moved and properly seconded.  
9 Any further discussion?

10 [Vote taken.]

11 CHAIRMAN HOOD: Ms. Schellin, would you  
12 record the vote?

13 MS. SCHELLIN: Yes. Staff records the vote  
14 five, to zero, to zero to approve final action in  
15 Zoning Commission Case No. 16-12, Commissioner Hood  
16 moving, Commissioner Miller seconding, Commissioners  
17 May, Shapiro, and Turnbull in support.

18 CHAIRMAN HOOD: Okay. Next, let's go to  
19 hearing action in Zoning Commission Case No. 16-26,  
20 Wisconsin Owner, LLC, Consolidated PUD and Related  
21 Map Amendment at Square 1732. Mr. Golden.

22 MR. GOLDEN: Good evening, Mr. Chair and  
23 Commissioners. The Office of Planning is  
24 recommending the set down of Wisconsin Owner, LLC's  
25 proposal to redevelop a site at 4620 Wisconsin Avenue

1 within the Tenleytown Neighborhood. The project is  
2 proposed as an eight-story mixed-use building  
3 consisting of 130 to 140 multi-family units, and  
4 roughly 12,000 square feet of ground floor retail.

5 Included within this proposal are approximate  
6 12 affordable rental units of which half would be for  
7 families earning 50 percent or less of the median  
8 family income. To do this, the applicant is  
9 requesting a consolidated PUD and related map  
10 amendment from the MU-4 District to the MU-7  
11 District. Flexibility from the lot occupancy,  
12 penthouse setback, and rear yard requirements are  
13 also requested.

14 The site is designated as a Main Street  
15 mixed-use corridor and identified for a mixed-use,  
16 including medium density residential and moderate  
17 density commercial on the future land use map.

18 The proposal is generally not inconsistent  
19 with the Comprehensive Plan's policy objectives for  
20 the Rock Creek West area element. It includes  
21 recognizing opportunities for in-fill development,  
22 development of retail, and housing near Metro  
23 stations, and conserving neighborhood commercial  
24 centers.

25 The development would offer new

1 streetscaping, including landscaping and  
2 opportunities for outdoor seating. As noted in the  
3 Office of Planning report, however, a portion of the  
4 public space improvements along Wisconsin may be  
5 considered noncompliant with public space  
6 regulations. We believe that this matter can be  
7 addressed, however, prior to the public hearing  
8 should the Commission choose to set the case down.

9 Proposed for the benefits and amenities  
10 package, the building will be LEED Gold certified and  
11 the applicant is currently in discussions with the  
12 community regarding potential contributions, as well  
13 as public access for the penthouse amenity space.  
14 The Office of Planning has requested additional  
15 information relating to the specifics of the stated  
16 benefit proposals.

17 We're encouraging the applicant to continue  
18 work with ANC 3E to refine the amenities package and  
19 have asked for additional information.

20 We believe that this proposal is not  
21 inconsistent with the Comprehensive Plan. We  
22 anticipate working with the applicant regarding the  
23 issues raised in the report, and any other  
24 considerations and concerns the Commission may have  
25 prior to the public hearing. Thank you, and I can

1 answer any questions you may have.

2 CHAIRMAN HOOD: Okay. Thank you, Mr. Golden.  
3 Let's see if there are any comments or suggestions or  
4 questions up here.

5 Commissioner Shapiro?

6 MR. SHAPIRO: I may be going out of order. I  
7 had a few questions about this that I would want the  
8 applicant to be looking at.

9 So, one is I was concerned about what the  
10 additional alley traffic might be and how that might  
11 affect the neighborhood as well. So, if I could get  
12 a sense of what the current traffic count is, and  
13 what the garage use is expected to be so we could  
14 just be able to measure that as well.

15 Secondly, the proffer for the IZ units, my  
16 read on it I think is what the minimum standard is,  
17 unless I'm reading that wrong. So, I'm not sure  
18 where my fellow commissioners are, but I'd like to  
19 see if there's more that they can offer in terms of  
20 Inclusionary Zoning.

21 And then the last thing is, I appreciate the  
22 LEED Gold certification, and specifically I'd like to  
23 have the applicant see if it is possible to have  
24 solar panels on the roof of the building that they're  
25 proposing.

1           And related to the signage specifically for  
2 the parking, I imagine that the parking is going to  
3 be to support the retail as well, and again, part of  
4 this is related to how much more parking we're going  
5 to see, but then what kind of wayfinding there would  
6 be, what kind of signage there would be for the  
7 retail parking.

8           And those are the questions that I have, Mr.  
9 Chair.

10           CHAIRMAN HOOD: Okay. And I'm sure that the  
11 applicant took good notes because I was watching.  
12 Looks like everybody that was in the audience was  
13 right. So, I'm sure that they got that.

14           Okay. Any other questions or comments?  
15 Yeah, I was watching you all, you all was right.  
16 Everybody was right.

17           [Discussion off the record.]

18           CHAIRMAN HOOD: Commissioner May?

19           MR. MAY: So, I'm curious, and maybe it was  
20 in the Office of Planning's report, but I missed it.  
21 But, have we had much feedback yet from the community  
22 from the ANC, from -- do we know how this has been  
23 received so far?

24           MR. GOLDEN: I can't recall that right now.

25           MR. MAY: Okay. So, that's fine. You know,

1 because just looking at this and look at the solar  
2 diagram, things like that, it does feel very tall.  
3 It feels taller than the building next to it. It's  
4 also closer to the single-family housing that's  
5 directly to the west. So, I think there's going to  
6 be a little bit of concern about that.

7 MR. LAWSON: I also don't remember if we've  
8 heard from ANC. We have heard from some neighbors  
9 who have expressed concerns --

10 MR. MAY: Yeah. Yeah.

11 MR. LAWSON: -- for this application. I  
12 believe the Tenley Neighborhood Association has  
13 also --

14 MR. MAY: Right.

15 MR. LAWSON: -- actually filed something to  
16 the record with concerns.

17 MR. MAY: Okay. And then, the -- the only  
18 thing about this is that I am kind of troubled by the  
19 main façade along Wisconsin Avenue because it is just  
20 trying to do so much with so many different scales  
21 and it's not quite holding together for me. Now, I  
22 don't want to get too far into the particulars of it,  
23 but you know, you're mixing the sort of the super  
24 frame structure, which is kind of a brutalist move  
25 and you know, it's got a -- you know, you've got two

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1 different components of that, and one is bent with  
2 the street, and one is one color brick, and the other  
3 is a different color and I'm not even sure if it's  
4 brick. And then you've got the, you know, projecting  
5 bay that's kind of this bronze framed thing.

6           And in one case, sticking out pretty far and  
7 maybe it's still within the property line on that  
8 northern-most projection. But, I mean, it feels like  
9 it's sticking out really far. And those are, you  
10 know, they span like one and a half of the super  
11 structure or frame thing. I mean, it just seems like  
12 it's all over the place and I just would -- I mean,  
13 there are some, I think, good ideas embedded in this  
14 that you know, that should be retained. I'm not  
15 saying the whole thing is, you know, shouldn't be  
16 retained. But, it just needs some serious refinement  
17 and I'm hopeful that the Office of Planning can work  
18 with the applicant to address some of this sort of  
19 mixture of too many things.

20           So, I don't know, maybe other commissioners  
21 feel differently about it, but I just felt like it  
22 was a little bit too much all over the place.

23           CHAIRMAN HOOD: Okay. Any other comments,  
24 questions? Vice Chair Miller?

25           MR. MILLER: Thank you, Mr. Chairman. I'm

1 glad this block is finally going to see redevelopment  
2 along Wisconsin Avenue. It's been too long. But, I  
3 would associate myself with both Commissioner  
4 Shapiro's comments, particularly about the seeing if  
5 it can do more with the IZ and complimenting them on  
6 the gold, LEED Gold, and seeing if they can do any  
7 solar on the roof.

8           And, I was -- I think I -- I associate myself  
9 with Commissioner May's comment about the façade on  
10 Wisconsin Avenue and a concern about the height. I  
11 think I need to care more about that at the hearing  
12 as to how that height -- recognizing that there are  
13 step backs and setbacks and step downs on the back  
14 side of this, where the single-family homes are. And  
15 I see one rendering but I think I need more  
16 renderings to understand that that's not going to be  
17 out of character and a better rendering, maybe, even  
18 of the adjacent building which this Commission  
19 approved as a PUD, which is I think at least 16 feet,  
20 I think less height.

21           So, but I think some simplification of that  
22 façade might be helpful and a reduction of that  
23 height might be called for. But I just need more  
24 information about that as to why that fits into the  
25 neighborhood.

1           There's also that façade that has, I guess,  
2 the blank wall. The façade that's facing north on  
3 Wisconsin Avenue. There's some windows at the top.  
4 I guess that's an at-risk wall, and I do see some  
5 articulation there in the brick or whatever material  
6 that is. But, that seems somewhat imposing too, and  
7 if that may need to have some further articulation to  
8 fit into the neighborhood, although I guess it's  
9 anticipated that there might be redevelopment of that  
10 adjacent -- on top of that adjacent property.

11           So, those are my comments in general.

12           CHAIRMAN HOOD: Okay. I think, let me go to  
13 Mr. Turnbull and then I'll --

14           MR. TURNBULL: Oh, thank you, Mr. Chair. I  
15 would -- I think my colleagues have covered most of  
16 the critical points, and I would agree with the Vice  
17 Chair that it's nice to see this section of Wisconsin  
18 being developed, and something that's been waiting  
19 for a long time.

20           And I appreciate the LEED Gold that we're  
21 driving for, but I would also agree that I think  
22 everybody has talked about trying to increase the  
23 affordable housing element. So, I would agree with  
24 that.

25           I would also agree with the comments on the

1 elevation along Wisconsin Avenue that it looks like,  
2 I mean, there are some interesting elements to it but  
3 it looks like a collection of shadow boxes and  
4 they're not always consistent. There's -- and maybe  
5 that's what they're trying to achieve, but it looks  
6 like it's -- there's not a rational aspect to it, so  
7 I think they need to take another look at that and  
8 try to integrate, maybe some of the aspects to that  
9 relief that they're trying to do, and make it more  
10 consistent.

11 I would also like to see some better views of  
12 the rooftop, the penthouse area, maybe some better  
13 sections and some perspectives looking up closer at  
14 the roof. And those are my comments, Mr. Chair.

15 CHAIRMAN HOOD: Okay. Commissioner Shapiro.

16 MR. SHAPIRO: Thank you, Mr. Chair. Just one  
17 more quick -- first of all, I would join with my  
18 architect colleagues around the concern related to  
19 the east façade. Just something that -- maybe  
20 softer. I'm not sure, but my main question though is  
21 on the south, the side that faces the new building.  
22 And I'm trying to understand exactly how those two  
23 buildings are going to speak to each other and  
24 there's part of it is I guess, some of these units  
25 are going to be facing a blank wall on the other

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1 building. Some not. I'm just trying to get a sense  
2 of how you are figuring that out. So, I'd like to  
3 see more detail around that, the interaction between  
4 those two buildings. So, this is the south side of  
5 your building. Thank you, Mr. Chair.

6 CHAIRMAN HOOD: Okay. Any other comments up  
7 here? Okay. We have a recommendation, Office of  
8 Planning, recommending to set it down. So, somebody  
9 like to make a motion?

10 MR. TURNBULL: Mr. Chair, I would move that  
11 we set down Zoning Case No. 16-26, Wisconsin Owner,  
12 LLC, Consolidated PUD and Related Map Amendment at  
13 Square 1732. Look for a second.

14 MR. MILLER: Second.

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

17 [Vote taken.]

18 CHAIRMAN HOOD: Ms. Schellin, would you  
19 record the vote?

20 MS. SCHELLIN: Yes. Staff records the vote  
21 five, to zero, to zero to set down Zoning Commission  
22 Case No. 16-26 as a contested case, Commissioner  
23 Turnbull moving, Commissioner Miller seconding,  
24 Commissioners Hood, May, and Shapiro in support.

25 CHAIRMAN HOOD: Okay. Do we have anything

1 else before us?

2 MS. SCHELLIN: We do not.

3 CHAIRMAN HOOD: Office of Planning has  
4 anything? Okay. So, with that I want to thank  
5 everyone for their participation and this meeting is  
6 adjourned.

7 [Whereupon, the regular public meeting  
8 adjourned at 7:36 p.m.]

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