

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

+ + + + +

ZONING COMMISSION

+ + + + +

REGULAR MEETING

+ + + + +

MONDAY

SEPTEMBER 9, 2019

+ + + + +

The Regular Meeting of the District of Columbia Zoning Commission convened in the Jerrily R. Kress Memorial Hearing Room, Room 220 South, 441 4<sup>th</sup> Street, N.W., Washington, D.C., 20001, pursuant to notice at 6:30 p.m., 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
- JOEL LAWSON
- MAXINE BROWN-ROBERTS

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

JACOB RITTING, ESQ.  
MAXIMILIAN TONDRO, ESQ.  
ALEXANDRA CAIN, ESQ.

The transcript constitutes the minutes from  
the Regular meeting held on September 9, 2019.

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

6:30 p.m.

1  
2  
3 CHAIRMAN HOOD: Good evening, ladies and  
4 gentlemen. My name is Anthony Hood. This is the one  
5 thousand five hundred and fifth meeting of the D.C. Zoning  
6 Commission.

7 Joining me are Vice Chair Miller, Commissioner  
8 Shapiro, Commissioner May, and Commissioner Turnbull. Office  
9 of Zoning staff, Ms. Sharon Schellin, Office of Attorney  
10 General, Mr. Tondro, Ms. Cain, and Mr. Ritting. Office of  
11 Planning, Ms. Steingasser, Mr. Lawson, and Ms. Brown-Roberts.

12 First, let me welcome everyone back from the  
13 summer vacation, especially my colleagues and all.

14 We do not take any public testimony in our  
15 meetings unless we ask someone to come -- please come  
16 forward. If you need copies of our meeting agenda, they are  
17 on the table to my left.

18 So, with that, Ms. Schellin, do we have any  
19 preliminary -- oh, yes. Let's do those preliminary matters.

20 MS. SCHELLIN: Staff does not have any --

21 CHAIRMAN HOOD: Oh.

22 (Laughter.)

23 MS. SCHELLIN: -- other than the request for --  
24 if you want me to bring up the request we had from OP  
25 regarding the two cases --

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1 CHAIRMAN HOOD: Yes.

2 MS. SCHELLIN: -- do you want to --

3 CHAIRMAN HOOD: Yes.

4 MS. SCHELLIN: We did have a request from OP  
5 regarding case numbers 18-18 and 18-19, asking if we could  
6 defer those to allow them to work with, is it DCHD, to allow  
7 them some time to work some things out with them.

8 I forgot to ask how much time they needed. If  
9 they wanted it for the 9/23 meeting or the October.

10 (No audible response.)

11 MS. SCHELLIN: 9/23? So, if we could defer those  
12 two cases to 9/23.

13 CHAIRMAN HOOD: So, I was made aware of this --  
14 I know I was kind of taken aback, but --

15 MS. SCHELLIN: Right. When you arrived, the  
16 seating, sorry.

17 CHAIRMAN HOOD: Right, right. So, I'm hoping that  
18 we didn't cause anyone an inconvenience. We will be taking  
19 this up, unless my colleagues disagree, on the -- you've  
20 heard the recommendation for our September -- well, the 23rd  
21 --

22 MS. SCHELLIN: The 23rd.

23 CHAIRMAN HOOD: -- and can we make sure, because  
24 I want to do this, I mean, let's make sure we move these two  
25 to the front regardless of the agenda. I know that doesn't

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1 help you tonight though, but that's where we are.

2 Anything else on that, Ms. Schellin?

3 MS. SCHELLIN: No, sir.

4 CHAIRMAN HOOD: Okay. Let's go the  
5 first case concerning minor modification and technical  
6 correction, Zoning Commission Case Number 11-15I, Howard  
7 University minor modification or technical correction of  
8 Zoning Commission order number 11-15G at Square 3065.

9 Ms. Schellin?

10 MS. SCHELLIN: Yes. The applicant is requesting  
11 a minor modification or a technical correction to Zoning  
12 Commission order number 11-15G to clarify that  
13 dormitory/residential uses may be provided on the third and  
14 fourth floor levels of the Howard Center, located at 2225  
15 Georgia Avenue NW.

16 ANC 1B, the only party, was properly served on  
17 July 24th. However, no response has been received as of yet.

18 In this case, 11-15I, we'd ask the commission to  
19 consider this case, one, whether it is, in fact, a minor  
20 modification or technical correction and move forward.

21 CHAIRMAN HOOD: Okay, Commissioners, I guess first  
22 the question is, does anyone believe that this is not a  
23 modification and needs to come off as an item? Let me ask  
24 that question first.

25 (No audible response.)

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1           CHAIRMAN HOOD: Okay. So, I'm not seeing anyone.  
2 Colleagues, let's go ahead and have a discussion on this. I  
3 think it's very minor, but let me hear what others have to  
4 say and, you know, what language we have to propose,  
5 Commissioner Shapiro.

6           COMMISSIONER SHAPIRO: Thank you, Mr. Chair. I'm  
7 fine with considering this minor modification. There's been  
8 some, in discussion with the Office of the Attorney General,  
9 the Office of Planning, and their suggestion for alternate  
10 language for the minor mod, and I'd be happy to read that,  
11 Mr. Chair. And it may be helpful to see if the applicant is  
12 okay with the language as we're suggesting.

13           So, the language would read: The Commission's  
14 approval permits any combination of the designated retail  
15 support facilities, including conference and hospitality and  
16 residential/dormitory uses throughout the building, except  
17 that only retail uses must be provided on the ground floor  
18 along the Georgia Avenue N.W. frontage.

19           So, it provides the flexibility, but also holds  
20 to what our intent was previously, especially related to the  
21 retail on the ground floor.

22           CHAIRMAN HOOD: Any other questions on that? Let  
23 me see, is the counsel here for Howard University? Is their  
24 counsel here?

25           MS. SCHELLIN: Ms. Giordano is not here yet.

1 CHAIRMAN HOOD: Okay. So, we may need to go back  
2 and read that. Why don't we have discussions -- I don't know  
3 what to do. I think hold it off initially because I think  
4 this is worth having a discussion after. Let's just see if  
5 she has time to get here and let's move on.

6 MS. SCHELLIN: Okay.

7 CHAIRMAN HOOD: So, we can put that in the parking  
8 lot. Okay. All right. Let's move right along. Okay. On  
9 the final actions on Commission Case 19-03, Masjid Muhammad,  
10 Inc., Map Amendment of Square 5700.

11 Ms. Schellin?

12 MS. SCHELLIN: Yes, sir. At Exhibit 46, the only  
13 new exhibit that came in is an NCPC report advising that this  
14 case falls under one of the exceptions of their Chapter 8 of  
15 their Submission Guidelines and therefore their staff has  
16 determined the project is exempt from their review.

17 So, they'd ask the Commission to consider taking  
18 final action this evening.

19 CHAIRMAN HOOD: Okay. Colleagues, we have the  
20 request before us and Ms. Schellin has already mentioned the  
21 guidelines from NCPC. Any other questions or comments?

22 I think this is pretty straight forward. It's a  
23 lot of support we have and some reservations, but I think  
24 this warrants a -- it warrants my vote for approval. I don't  
25 know about others, but anyway, let me open it up for

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1 discussion. If not, I'll accept the motion.

2 COMMISSIONER TURNBULL: Mr. Chair, I would agree  
3 with you.

4 CHAIRMAN HOOD: Okay. I think we've had a lot of  
5 this discussion when were speaking about this earlier. So,  
6 I don't believe we need to -- I think the record speaks for  
7 itself. So, would somebody like to make a motion?

8 COMMISSIONER TURNBULL: Mr. Chair, I would move  
9 that we take final action on zoning case 19-03 Masjid  
10 Muhammad, Inc., Map Amendment of square 5798.

11 COMMISSIONER SHAPIRO: I second.

12 CHAIRMAN HOOD: Okay. It's been moved and  
13 properly seconded. Any further discussion? All in favor?

14 (Chorus of aye.)

15 CHAIRMAN HOOD: Any opposition?

16 (No audible response.)

17 CHAIRMAN HOOD: Not hearing any.

18 Ms. Schellin would you please record the vote?

19 MS. SCHELLIN: Staff records the vote 5-0 to 0 to  
20 approve final action on Zoning Commission case number 19-03.  
21 Commissioner Turnbull moving, Commissioner Shapiro second,  
22 Commissioners Hood, May, and Miller in support.

23 CHAIRMAN HOOD: Okay. Thank you. Next let's go  
24 to Zoning Commission case number 19-06. Office of Planning  
25 Text Amendment re: FAR aggregation.

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1 Ms. Schellin?

2 MS. SCHELLIN: Yes, sir. On this case, the Notice  
3 of Proposed Rulemaking was published in the D.C. Register on  
4 July 5th. At Exhibit 31 there's an NCPC notice of delegated  
5 action which file no adverse impacts to federal interest and  
6 then there were some comments received, Exhibit 32 from the  
7 Committee of 100, Exhibit 33 from the Citizens of Responsible  
8 Development, Exhibit 34 from Spring Valley-Wesley Height  
9 Citizen Association, Exhibit 35 from Neighbors for a Liveable  
10 Community, 36 from Alma Gates, 37 from Stoop Law, 38 from  
11 D.C. for Reasonable Development, 39 was an ANC 3B report,  
12 Exhibit 40 was from Ann Lane, I'm sure I'm going to mess this  
13 one up, but Mladinov, Exhibit 41 Kalorama Citizens  
14 Association, Exhibit 42 from Andrea Rosen, and Exhibit 43  
15 from Laura Richards.

16 They ask the Commission to consider taking final  
17 action this evening.

18 CHAIRMAN HOOD: Okay. Does anyone -- I'm not sure  
19 how the vote will fall, I know how it fell previously, but  
20 is anyone with a submission to change or would like to  
21 comment on anything differently?

22 It usually doesn't happen, but I will open it up.  
23 Commissioner May?

24 COMMISSIONER MAY: Mr. Chairman, I do have one  
25 question in reading the various comments, and it was a

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1 suggestion, and this relates to a case that's now been  
2 withdrawn, but the suggestion was that in that case, they  
3 could have moved, you know, based on the way the FAR  
4 aggregation rules are written, that it would have been  
5 possible to aggregate FAR from the south side of  
6 Massachusetts Avenue to that site, and I have to say, I was  
7 not really thinking through the implications of including  
8 street as something between lots that could be aggregated.

9 I certainly understand an alley or a right of way  
10 that might not be an alley or a street, but doing it across  
11 the street sounds like it pushes it more definitively into  
12 PUD territory.

13 So, I'm inclined, I think, to take the word street  
14 out of that. I think we might have to clarify right of way,  
15 parens, not a street because streets are a form of right of  
16 way.

17 That's the one thing that gave me some pause in  
18 reading all of the comments and I'm wondering if that  
19 resonated with anyone else.

20 VICE CHAIR MILLER: It resonated with me, so I'm  
21 glad you brought it up. I was trying to figure out how I was  
22 going to bring it up also in a different way, but --

23 CHAIRMAN HOOD: Anybody else? Any comments?

24 (No audible response.)

25 CHAIRMAN HOOD: So, that doesn't -- let me ask

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1 this. Does that change require us to do any re-advertising  
2 or anything of that nature, and I'm going to ask OAG with  
3 something like that. Because in my resignation I voted  
4 against it and I was hoping that's where we were going, but  
5 I see that didn't change.

6 If we need time to think about that, we can move  
7 on to something else and come back.

8 MR. TONDRO: Perfect.

9 CHAIRMAN HOOD: Okay. Let's do that.

10 COMMISSIONER SHAPIRO: Our parking lot's getting  
11 full.

12 CHAIRMAN HOOD: Parking lot's getting full.

13 (Laughter.)

14 CHAIRMAN HOOD: Okay. Let's go to Zoning  
15 Commission case number 19-02, Milestone East Capitol 2, LLC,  
16 Map Amendment of Square 5411, 5412, 5413, and 5413N.

17 Ms. Schellin?

18 MS. SCHELLIN: Yes, sir. So, Exhibit 31, the  
19 applicant submitted a draft order. Exhibit 33 is NCPC report  
20 advising that this case also falls under one of the  
21 exceptions of Chapter 8 of NCPC Submission Guidelines and  
22 therefore their staff has determined the project is exempt  
23 from review and to ask the Commission to consider final  
24 action this evening.

25 CHAIRMAN HOOD: Okay. Commission, is there any

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1 questions or any further followup on this? Again, this is  
2 one of those cases I think we flushed a lot out and I think  
3 this was -- was this was a -- was this a -- decision? Yes,  
4 well, anyway, okay.

5 All right. So, any other followup questions or  
6 comments?

7 (No audible response.)

8 CHAIRMAN HOOD: Okay. Would someone like to make  
9 a motion?

10 COMMISSIONER SHAPIRO: Mr. Chair, I move that we  
11 take final action with Zoning Commission Case Number 19-02,  
12 Milestone East Capitol 2, LLC, Map Amendment of Squares 5411,  
13 5412, 5413, and 5413N and look for a second.

14 VICE CHAIR MILLER: Second.

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

17 (Chorus of aye.)

18 CHAIRMAN HOOD: Any opposition?

19 (No audible response.)

20 CHAIRMAN HOOD: Not hearing any.

21 Ms. Schellin would you please record the vote?

22 MS. SCHELLIN: Staff records the vote 4 to 0 to  
23 1 to approve final action on Zoning Commission Case Number  
24 19-02. Commissioner Shapiro moving, Commissioner Miller  
25 seconding, Commissioners Hood and Turnbull in support.

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1 Commissioner May not voting, having not participated.

2 CHAIRMAN HOOD: Okay. Next is Zoning Commission  
3 case number 04-33I, Office of Planning Text Amendment re:  
4 Inclusionary Zoning Subtitles A through H and K.

5 Ms. Schellin?

6 MS. SCHELLIN: Excuse me. The notice of second  
7 proposal we're making was published in the D.C. Register on  
8 August 2nd. There was one comment received at Exhibit 24  
9 from Marilyn Simon.

10 We'd ask that the Commission would consider  
11 approving or taking final action on this case this evening.

12 CHAIRMAN HOOD: Okay, Commission any comments or  
13 questions we did have and receive Exhibit 24 from Ms. Simon,  
14 but let me open up any questions or comments on this and  
15 Commissioner Shapiro?

16 COMMISSIONER SHAPIRO: Thank you, Mr. Chair. I'm  
17 ready to take final action on this. I think it's worth  
18 noting that the comments that were received from Ms. Simon,  
19 who is actually in the room, she noted two corrections that  
20 need to be made and those corrections were noted and actually  
21 have been included in the final draft text that's before us  
22 and I'm ready for us to take final action.

23 I'm ready to make a motion which would include  
24 those corrections that are in the final draft.

25 CHAIRMAN HOOD: Okay. All right, any other

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1 comments first? Okay. And again, before we make the motion,  
2 I want to thank Ms. Simon for all of her hard work to help  
3 us move this along. Okay.

4 COMMISSIONER SHAPIRO: Thank you. So, I move that  
5 we take final action on Zoning Commission Case Number 04-33I,  
6 Office of Planning Text Amendment regarding Inclusionary  
7 Zoning Subtitles A through H and K, and again, noting that  
8 there are corrections that have been included in the final  
9 draft.

10 CHAIRMAN HOOD: I'll second it. Okay. It's been  
11 moved and properly seconded. Any further discussion? All  
12 in favor?

13 (Chorus of aye.)

14 CHAIRMAN HOOD: Any opposition?

15 (No audible response.)

16 CHAIRMAN HOOD: Not hearing any.

17 Ms. Schellin would you please record the vote?

18 MS. SCHELLIN: Staff records the vote 5 to 0 to  
19 0 to approve final action of Zoning Commission 04 -- Case  
20 Number 04-33I, with the corrections noted from Ms. Simon's  
21 submission.

22 Commissioner Shapiro moving, Commissioner Hood  
23 seconding, Commissioners May, Miller, and Turnbull in  
24 support.

25 CHAIRMAN HOOD: Okay. Before we go to hearing

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1 action, I would like for us to go back to those other two we  
2 left in the parking lot.

3 I really would have liked to try to deal with the  
4 Howard University case this evening, but I think we might  
5 have to take another course. We may be able to do it in two  
6 weeks, but let me open it up first. Any -- well, any  
7 discussion or comments, Commissioner Miller -- Vice Chair  
8 Miller?

9 VICE CHAIR MILLER: Thank you, Mr. Chairman. I  
10 would support putting it off for two weeks and to get the  
11 applicant's to sign off on language suggested for the retail  
12 use, and also the ANC meets on Monday, as I understand it,  
13 even though the ANC has been totally supportive of this  
14 project all along, according to Maybelle Bennett's letter  
15 that we just received.

16 I think two weeks would not do any harm to this  
17 minor modification.

18 CHAIRMAN HOOD: So, let me ask this question. Is  
19 there any way we can send this information to them so we  
20 won't -- they won't hear it the first time in two weeks and  
21 then we have to do another two weeks?

22 MS. SCHELLIN: Sure.

23 CHAIRMAN HOOD: Okay. And I do take Ms. Bennett's  
24 letter very heavily, I weigh it very heavily because since  
25 I've been here, I've watched how she's worked with the

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1 community and we've actually referred her to others in the  
2 city.

3           So, I'm sure that that is definitely not a  
4 misrepresentation and I'm sure that people are supportive,  
5 but we just want to make sure we do our due diligence.

6           So, if we can notify everybody what's on the table  
7 then we can deal with that in two weeks. Is that okay?

8           (No audible response.)

9           CHAIRMAN HOOD: Okay. All right. What was the  
10 other one?

11           MS. SCHELLIN: 19-06.

12           CHAIRMAN HOOD: What was it?

13           MS. SCHELLIN: 19-06.

14           CHAIRMAN HOOD: Okay. 19-06. Let's go back to  
15 19-06. Okay. Let's go back to Zoning Commission case number  
16 19-06.

17           Did we come up with -- are we ready, Mr. Tondro?

18           MR. TONDRO: Pardon me. Yes, I think there would  
19 have to be -- that would count as a substantial alteration  
20 and would require a new Notice of Proposed Rulemaking, but  
21 you can shorten the time period to -- for comment to seven  
22 days.

23           So, if you would authorize the second Notice of  
24 Proposed Rulemaking, we can issue that with the seven-day  
25 comment period and then schedule it for final action based

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1 on that Notice of Proposed Rulemaking.

2 CHAIRMAN HOOD: Okay. Any objections to what Mr.  
3 Tondro mentioned? I think that's the way we can go and we  
4 can deal with that also on the -- oh we can't?

5 MS. SCHELLIN: We would probably have to the  
6 October meeting because it would not get published until the  
7 20th, and then the seven-day period would be the 27th.

8 So, it wouldn't be -- come up again until October  
9 21st.

10 CHAIRMAN HOOD: Okay. Personally, I'm in no rush  
11 either way, so, okay. All right, that's good. Anything else  
12 on that?

13 COMMISSIONER MAY: No one else had any other  
14 concerns about the language of it? I mean, I was the only  
15 one?

16 MR. TONDRO: No.

17 COMMISSIONER MAY: Okay.

18 MR. TONDRO: And just to clarify too that the  
19 correction is just to remove street so that it's only alley  
20 or right-of-way other than a street.

21 COMMISSIONER MAY: Exactly. Right-of-way other  
22 than a street, yes.

23 VICE CHAIR MILLER: Mr. Chairman, I guess I had  
24 one question based on all the comments that we received in  
25 addition and I'm glad we're dealing with the street issue,

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1 but I guess it's -- and it may be a question for OP, and you  
2 may have -- I may have asked this before and you may have  
3 answered before and I just forgot.

4           So, in a case where an applicant can get the  
5 density they're seeking through a PUD, let me put it this  
6 way, why should we not -- if they can achieve the same  
7 density through a PUD, why should we not go that route versus  
8 the voluntary design review route?

9           I think it goes back to the original purpose of  
10 the whole expediting development and incentivizing the  
11 development to go forward, but can you just give me your  
12 rationale for that?

13           MS. STEINGASSER: Well, you can always get the  
14 matter of right development under a PUD because it's a matter  
15 of rights.

16           So, what this does is allow for the movement of  
17 that matter of right density within the defined boundary.  
18 That boundary is the application and the Commission has an  
19 opportunity to review that.

20           The PUD typically involves upwards of a 44  
21 percent. It go that high, much higher than the matter of  
22 right. You can't go higher than the matter of right under  
23 the design review. It really is to allow, excuse me, for the  
24 aggregation of matter of right density within a project  
25 boundary, subject to the Zoning Commission's discretion and

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1 review.

2 VICE CHAIR MILLER: Okay. All right, thank you.

3 CHAIRMAN HOOD: Any other questions or comments  
4 on this? I think I'm going to ask Commissioner May if he can  
5 kind of rephrase what changes -- I've been advised by council  
6 that we have to vote on the change.

7 COMMISSIONER MAY: Okay. So, I would, oh gosh,  
8 I have to look at the -- I don't know what clause it is.

9 CHAIRMAN HOOD: So, you want to take -- you want  
10 me to go to hearing action and we come back or?

11 MR. TONDRO: I believe --

12 CHAIRMAN HOOD: We can wait. We can wait. We're  
13 in no rush.

14 MR. TONDRO: Well, you can tell me. I believe  
15 it's 601.4 all of the property included in design review  
16 application?

17 COMMISSIONER MAY: Yes. It's 601.4.

18 MR. TONDRO: Okay. Yes, so I would -- the  
19 specific language I would suggest changing is 601.4, the last  
20 part of that phrase where it says that -- well, I'll just  
21 read the whole thing.

22 All property included in a design review  
23 application, blah, blah, blah, shall be continuous except  
24 that the property may be separated only by a public alley or  
25 right-of-way, parens, not a street.

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1 CHAIRMAN HOOD: Okay. You've heard the  
2 recommendation, colleagues. That's the motion, is there a  
3 second?

4 VICE CHAIR MILLER: I would second that.

5 CHAIRMAN HOOD: Okay. It's been moved and  
6 properly seconded. Any further discussion? All in favor?

7 (Chorus of aye.)

8 CHAIRMAN HOOD: All opposed, opposed.

9 (No audible response.)

10 Ms. Schellin would you please record the vote?

11 MS. SCHELLIN: Staff records the vote 4 to 1 to  
12 0 for re-advertise -- for a specific advertisement, second  
13 Notice of Proposed Rulemaking in Zoning Commission Case  
14 Number 19-06 with regard to Section 601.4 as stated by  
15 Commissioner May.

16 Commissioner May moving, Commissioner Miller  
17 seconding, Commissioners Shapiro and Turnbull in support,  
18 Commissioner Hood opposed. That's for a seven-day  
19 publication period.

20 CHAIRMAN HOOD: All right. I think we're ready  
21 for hearing action. Hearing action Zoning Commission Case  
22 Number 12-08C, Office of Planning, Text Amendment to Subtitle  
23 K, Chapter 6, Zones.

24 Ms. Brown-Roberts?

25 MS. BROWN-ROBERTS: Thank you, Mr. Chairman, good

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1 evening, and members of the Commission.

2           The Office of Planning recommends the Zoning  
3 Commission sit down for public hearing Text Amendment to  
4 subtitle K, chapter 6, the St. Elizabeth East Campus Zone.

5           The proposed text amendment would amend the  
6 maximum FAR allowed on parcels in the vicinity of the  
7 Congress Heights Metro Station, an average of 0.50 FAR to  
8 reflect their proximity to the Metro Station and the St.  
9 Elizabeth East Master Plan and Design Guidelines which  
10 recommend these parcels for significant development due to  
11 their proximity to the Metro Station.

12           In the ST13 and 15 zones, half of the additional  
13 FAR would be allotted to required residential use.

14           Second, the amendment would clarify that the  
15 maximum lot occupancy for each zone applies to residential  
16 use only and would be consistent with a lot of occupants and  
17 requirements of the mixed use zones.

18           The amendment proposes to transfer the location  
19 of required preferred uses to concentrate them around the  
20 Metro Station area and the proposal would amend restrictions  
21 to and allow access to parking and loading areas directly  
22 from adjacent streets on which they front.

23           Mr. Chairman, OAG has also brought to our  
24 attention an erroneous cross-reference for special exception  
25 in Section 614 and 618.

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1 OP requests the flexibility to continue to work  
2 with the OAG and other district agencies to refine the  
3 language. These will also be included in the public hearing  
4 notice.

5 Thank you, Mr. Chairman. And I'm available for  
6 questions.

7 CHAIRMAN HOOD: Okay. Thank you, Ms. Brown-  
8 Roberts. Commission is there any questions or comments of  
9 the report?

10 (No audible response.)

11 CHAIRMAN HOOD: All right. Great job, Mr. Brown-  
12 Roberts. Anytime you don't get a question, you did a great  
13 job, believe me.

14 All right. So, with that, I will move that we set  
15 that as Zoning Commission Case Number 12-08C with the  
16 references and changes that Ms. Brown-Roberts mentioned in  
17 her report and ask for a second.

18 VICE CHAIR MILLER: Second.

19 CHAIRMAN HOOD: It's been moved and properly  
20 seconded. Any further discussion? All in favor?

21 (Chorus of aye.)

22 CHAIRMAN HOOD: Any opposition?

23 (No audible response.)

24 CHAIRMAN HOOD: Not hearing any. Ms. Schellin  
25 would you please record the vote?

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1 MS. SCHELLIN: Yes, sir. I believe, was that  
2 Commissioner Miller who seconded it? Yes, okay.

3 So, staff records the vote 5 to 0 to 0 to set down Zoning  
4 Commission case number 12-08C as a rulemaking case.

5 Commissioner Hood moving, Commissioner Miller  
6 second, Commissioners May, Shapiro and Turnbull in support.

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

9 MS. SCHELLIN: The staff does not.

10 CHAIRMAN HOOD: Mr. Tondro, do we have anything  
11 else?

12 MR. TONDRO: No.

13 CHAIRMAN HOOD: Okay. Ms. Steingasser, do you  
14 have anything?

15 MS. STEINGASSER: No.

16 CHAIRMAN HOOD: Okay. So, we've got everyone.  
17 Thank you everyone. Again, I welcome you back and thank you  
18 every one for their participation for their position in the  
19 meeting tonight and this meeting is adjourned.

20 (Whereupon, the above-entitled matter went off the  
21 record at 6:58 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: Regular Meeting

Before: DCZC

Date: 09-09-19

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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