

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

+ + + + +

REGULAR MEETING

+ + + + +

MONDAY

FEBRUARY 10, 2020

+ + + + +

The Regular Meeting of the District of Columbia Zoning Commission convened in the Jerrily R. Kress Memorial Hearing Room, Room 220 South, 441 4th 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:

- HARRIET TREGONING, Director
- JENNIFER STEINGASSER, Deputy Director, Development  
Review & Historic Preservation
- JOEL LAWSON
- STEPHEN COCHRAN
- MATT JESICK

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

JACOB RITTING, ESQ.

PAUL GOLDSTEIN, ESQ.

The transcript constitutes the minutes from the Regular or meeting held on February 10, 2020.

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

6:30 p.m.

CHAIRMAN HOOD: Good evening, ladies and gentlemen. This is the Public Meeting of the Zoning Commission of the District of Columbia.

My name is Anthony Hood. Joining me are Vice Chairman Miller, Commissioner Shapiro, Commissioner May, and Commissioner Turnbull. We are also joined by the Office of Zoning staff, Ms. Sharon Schellin, as well as the Office of Zoning staff in the back, who is running all of our streaming devices is Mr. Paul Young.

I will now ask the Office of Attorney General to introduce themselves.

MR. RITTING: Hi, I'm Jacob Ritting, Assistant Attorney General.

MR. GOLDSTEIN: Paul Goldstein, Assistant Attorney General.

CHAIRMAN HOOD: I ask Office of Planning.

MR. COCHRAN: Steve Cochran, Office of Planning.

MR: JESICK: Matt Jesick, Office of Planning.

MR: LAWSON: Joel Lawson with the Office of Planning.

MS. STEINGASSER: Jennifer Steingasser, with the Office of Planning.

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1 CHAIRMAN HOOD: Okay. Thank you.

2 Copies of today's meeting agenda are available in  
3 the bin in the door.

4 For hearing actions, the only documents before us this  
5 evening are the application, ANC set down report, and the  
6 Office of Planning report. All other documents will be  
7 reviewed at the time of the hearing.

8 We will not take any public testimony in these  
9 meetings unless the Commission requests someone to come  
10 forward.

11 This proceeding is being recorded by a court  
12 reporter. It is also webcast live. We ask you to refrain  
13 from disruptive noises. At this time, please turn off all  
14 electronic devices.

15 Does the staff have any preliminary matters?

16 MS. SCHELLIN: The only preliminary matter that  
17 staff has is that it is time to vote on the officers for this  
18 year.

19 CHAIRMAN HOOD: Okay. Thank you, Ms. Schellin.

20 Okay, I will -- I guess as the Chair, I will now  
21 vacate all -- we only have two officers, chair and vice chair  
22 -- I will now vacate all officers and answer any nominations.

23 VICE CHAIR MILLER: Mr. Chairman, colleagues and  
24 those here watching, and who may be watching elsewhere, it  
25 is truly my distinct honor and privilege to nominate the

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1 vacated chairman, Anthony Hood, as the chairman for the  
2 following year.

3           You've served with distinction for, I think, 22  
4 years -- most of them as chairman. Most of them, I was  
5 sitting up on the council dais at your confirmation hearings,  
6 including that illustrious first one -- where some people had  
7 to recant their negative testimony at the next confirmation  
8 hearing.

9           But anyway, it's a -- I nominate Chairman Hood as  
10 chairman for the following year as well. Again.

11           And ask for a second.

12           COMMISSIONER TURNBULL: I would second that.

13           CHAIRMAN HOOD: It has been moved and properly  
14 second. Any further discussion?

15           All in favor?

16           (Chorus of aye.)

17           CHAIRMAN HOOD: Any opposition?

18           (No audible response.)

19           CHAIRMAN HOOD: So ordered.

20           Ms. Schellin, could you record the vote?

21           MS. SCHELLIN: Staff records the vote five to zero  
22 to zero to approve Chairman, or to approve Commissioner Hood  
23 as the chairman for the next year. Commissioner Miller,  
24 moving. Commissioner Turnbull, seconding. Commissioners  
25 Hood, May and Shapiro in support.

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1 COMMISSIONER SHAPIRO: Thank you, Mr. Chair.

2 If I may, I would like to nominate the recently --  
3 the recently vacated, Rob Miller, who I would share similar  
4 remarks.

5 His longstanding service to the District of Columbia  
6 and the Zoning Commission and also many other roles, and  
7 appreciate his tutelage for the time that I have been here  
8 as well. And I would nominate him for vice chair.

9 I look for a second.

10 COMMISSIONER TURNBULL: Second.

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

13 (No audible response.)

14 CHAIRMAN HOOD: All in favor?

15 (Chorus of aye.)

16 CHAIRMAN HOOD: Any opposition?

17 (No audible response.)

18 CHAIRMAN HOOD: Not hearing. Ms. Schellin, would  
19 you please record the vote?

20 MS. SCHELLIN: Staff records the vote five to zero  
21 to zero to approve Commissioner Miller as the vice chairman  
22 for the next year. Commissioner Shapiro moving.  
23 Commissioner Turnbull seconding. Commissioners Hood, May  
24 and Miller in support.

25 CHAIRMAN HOOD: I will just say, I don't take --

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1 the Vice Chair and I don't take this lightly. We appreciate  
2 our other three colleagues who are -- entrusted us to be in  
3 these roles. We don't take it lightly and I appreciate the  
4 Vice Chair for taking me back down memory lane, since that  
5 is definitely something -- very interesting.

6 But anyway, I appreciate all the work that we do  
7 on the -- again, I think, even though sometimes we are on  
8 opposite ends of the spectrum, I think at the end of the day  
9 we come out with a better outcomes, so.

10 VICE CHAIR MILLER: And I would second that, as  
11 my role as vice chair, I would second that.

12 CHAIRMAN HOOD: Thanks.

13 All right. Do we have anything else, Ms.  
14 Schellin, in preliminary?

15 MS. SCHELLIN: No, sir.

16 CHAIRMAN HOOD: Okay. Let's go to a final action.  
17 Zoning Commission Case Number 19-11, Office of Planning Text  
18 Amendment, re: Public School Zoning Regulations.

19 Ms. Schellin.

20 MS. SCHELLIN: Yes. This -- the Notice of  
21 Proposed Rulemaking was published in the DC Register on  
22 January 3rd. No public comments were received, but at  
23 Exhibit 13 we have an OP supplemental report. And at Exhibit  
24 14 there is an NCPC report advising that no inconsistencies  
25 with the comp plan for the National Capital, nor adverse

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1 impacts to other federal interests exists with regard to this  
2 proposed text, and so it ask the Commission to consider  
3 taking final action this evening.

4 CHAIRMAN HOOD: Okay. Thank you, Ms. Schellin.

5 Colleagues, we have before us a request to take  
6 final action. We did have some letters in from the ANC --  
7 I think it was, was it 6C and -- 6B and 6C. In their  
8 responses they talk about the concern of the addition of this  
9 legislation, but I think as the Office of Planning put it in  
10 every port, I think the promulgation and everything I think  
11 it -- for me, I believe it would be out-coming -- might even  
12 need to go further, but that's not before us tonight.

13 I think it's -- I think this is ready for us to  
14 move forward. Let me hear from others.

15 COMMISSIONER SHAPIRO: I concur, Mr. Chair. And  
16 I join with the comments of the Office of Planning, and I am  
17 happy to take action on this tonight.

18 CHAIRMAN HOOD: Anybody else?

19 (No audible response.)

20 CHAIRMAN HOOD: Okay. If I don't hear anybody  
21 else, somebody like to make a motion, then?

22 COMMISSIONER SHAPIRO: Mr. Chair, I move that we  
23 take final action on Zoning Commission Case Number 19-11,  
24 Office of Planning Text Amendment, regarding Public School  
25 Zoning Regulations. Look for a second.

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1 VICE CHAIR MILLER: Second.

2 CHAIRMAN HOOD: Okay, it's been moved and properly  
3 seconded. Any further discussion?

4 (No audible response.)

5 CHAIRMAN HOOD: All in favor?

6 (Chorus of aye.)

7 CHAIRMAN HOOD: Any opposition?

8 (No audible response.)

9 CHAIRMAN HOOD: Not hearing any. Ms. Schellin,  
10 would you please record the vote?

11 MS. SCHELLIN: Staff records the vote five to zero  
12 to zero to approve final action on Zoning Commission Case  
13 Number 19-11. Commissioner Shapiro moving. Commissioner  
14 Miller seconding. Commissioners Hood, May and Turnbull in  
15 support.

16 CHAIRMAN HOOD: Okay, next we have Zoning  
17 Commission Case Number 19-23, Wells REIT II, 80 M Street,  
18 Southeast, Design Review at Square 699.

19 Ms. Schellin.

20 MS. SCHELLIN: Yes, sir. On this case we have the  
21 preliminary matter.

22 At Exhibit 26, ANC 6D submitted a motion for  
23 postponement of final action until after their March 9th  
24 meeting.

25 At Exhibit 27, you have the Applicant's opposition

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1 to the ANC's postponement request and just quickly, after the  
2 Commission --after you consider the preliminary matters, the  
3 only other submissions received were Exhibits 25 through 25D,  
4 which was the Applicant's supplemental submissions in  
5 response to the Commission's request from January 27th.

6 CHAIRMAN HOOD: Thank you, Ms. Schellin.

7 Let's hear from -- let me hear from my colleagues.  
8 We have the request before us to postpone until after our --  
9 well, until after March the 9th. We have postponed this one  
10 time, and I think -- two times -- for necessary reasons. I  
11 can't remember exactly. I know one of them was to get input  
12 and deal with some issue.

13 I think this Applicant has dealt with much more --  
14 I'm much more pleased with what I see -- at least the  
15 discussion about the blinds and what I see now -- as opposed  
16 to response I got previously.

17 But I know that the neighbors are not all happy.  
18 I think in the Velocity -- are not all happy, but I believe  
19 that we did make some headway, much more than what I saw  
20 previously, which is like, it was just a meeting and that was  
21 it.

22 So, but I'm always concerned and I want to hear  
23 from others -- I'm always concerned, I am, when the ANC has  
24 a concern, and they need more time because they are  
25 volunteers. And I can go into all of that, but I won't do

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1 that now. But let me hear from others.

2 Mr. Shapiro.

3 COMMISSIONER SHAPIRO: Thank you, sir. I agree  
4 with you. I think that the Applicant has, at this point, has  
5 responded quite thoroughly to some of the concerns that have  
6 been raised by the residents.

7 I don't see a reason to grant the motion to  
8 postpone and I would like to see us take action on this --  
9 to consider action on this tonight.

10 CHAIRMAN HOOD: Okay. Any other comments?

11 Vice Chairman Miller.

12 VICE CHAIR MILLER: Yes, Mr. Chairman, yes,  
13 normally I would be inclined to provide some more opportunity  
14 when an ANC is asking for more opportunity to consider it.  
15 But I think from the -- they -- we originally were going to  
16 consider this in January, and we postponed it until now --  
17 for them to respond to both our concerns and ANC -- or  
18 neighbors' concerns, not ANC concerns. This is a  
19 neighborhood's, Velocity concerns. And I think they did  
20 respond to the Zoning Commission's concerns, Commissioner  
21 Shapiro to install the solar panels on the penthouse, to  
22 install the programmable mechanical blinds on the north side  
23 of the proposed addition to minimize visibility between the  
24 project and the Velocity building and it would ensure that  
25 all the light switches on that north side of the building

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1 operate on motion sensors and replace any lights that are not  
2 motion triggered.

3           So, as long as we make all of those conditions --  
4 which were responsive to our hearing concerns -- both ours  
5 and the some of the neighbors -- I think we can move forward  
6 on this and with the assurance that there will continue to  
7 be dialogue between both the Applicant and their neighbors --  
8 as good neighbors, so, I'm ready to move forward.

9           CHAIRMAN HOOD: Any other comments?

10           Commissioner May.

11           COMMISSIONER MAY: Yes, I agree with what's been  
12 said so far. I think it is important to remember exactly  
13 what the type of review is that we are doing here, and I  
14 think that the only thing that was really a concern when we  
15 wrapped up the hearing was, in terms of the true impacts of  
16 this and the reasons why the neighbors would be concerned,  
17 did have to do with the lighting.

18           And I think what was submitted by the Applicant  
19 was satisfactory to me to demonstrate that lights on in the  
20 building across the way would not have an undue effect on the  
21 occupants of Velocity.

22           So, I do agree that it would be -- I tend to want  
23 to get that extra input from the ANC, but at this point I  
24 don't believe that it's necessary based on the evidence that  
25 we have on the record.

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1 CHAIRMAN HOOD: Any other comments?

2 Commissioner Turnbull.

3 COMMISSIONER TURNBULL: Yes, thank you Mr.  
4 Chairman. I would agree with all the comments of the other  
5 members of the Commission.

6 I think that the Applicant has done its best to  
7 respond to all of the concerns and come back with some  
8 changes to what they have --to its proposal to address those  
9 issues.

10 I am a little sorry that the ANC can't vote on it.  
11 I always hate -- I mean they had not voted originally,  
12 suspending their -- a vote. And I just hate to leave it out  
13 in the open like that -- leaving them hanging, but I think,  
14 again, as my colleagues have said, I think that we have  
15 addressed it, or the Applicant has addressed it. I think we  
16 can move on.

17 CHAIRMAN HOOD: Okay. What I will ask, while we  
18 are voting -- sounds like we are going to voting in favor of  
19 this. So, I will ask the Applicant to continue to work with  
20 some of the things as the Vice Chair has already mentioned --  
21 some of the things that can be explained and dealt with.

22 Even though we are voting on it, I would continue  
23 to still impress upon this action and still continue to be  
24 a good neighbor, because you remember, there may be some  
25 other things you may need to do and you are going to need

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1 that ANC support. So, I would just say that and leave that  
2 for you to dwell on and remember. Even though you got this  
3 approval, there is some other things you are going to need  
4 from that ANC, so continue to work with them, even in this  
5 case.

6 All right. So, work that out -- when I ask  
7 somebody to make a motion.

8 (Off mic comment.)

9 CHAIRMAN HOOD: Oh, that's right. We are doing  
10 the postponement -- okay, specifically, thank you.

11 All right. So -- somebody that can make a motion  
12 to deny the postponement? The request for postponement. I  
13 don't think I can do it.

14 COMMISSIONER SHAPIRO: Mr. Chair, I move that we  
15 deny the request for postponement on this case.

16 VICE CHAIR MILLER: Second.

17 CHAIRMAN HOOD: Okay. There is a movement and a  
18 properly second. Any further discussion? All in -- Vice  
19 Chair Miller.

20 CHAIRMAN HOOD: All in favor?

21 (Chorus of aye.)

22 CHAIRMAN HOOD: Any opposition -- and that's for  
23 a postponement?

24 (No audible response.)

25 CHAIRMAN HOOD: Not hearing any. Ms. Schellin,

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1 please record the vote.

2 MS. SCHELLIN: Staff records the vote five to zero  
3 to zero, to deny the ANC's postponement request.  
4 Commissioner Shapiro moving. Commissioner Miller seconding.  
5 Commissioners May, Hood and Turnbull in support of denial.

6 CHAIRMAN HOOD: Okay. I think this is -- I think  
7 we actually discussed a lot on this. If somebody wants to  
8 add anything extra to this in doing the postponement. So,  
9 let's make a motion to approve final action in this case.

10 Who made the motion to postponement --- can you  
11 make a motion?

12 COMMISSIONER MAY: Yes, sir.

13 I move, Mr. Chairman, that we take final action  
14 on zoning, to approve Zoning Commission Case Number 19-23  
15 Wells REIT II 80 M Street, Southeast Design Review at Square  
16 699, I look for a second.

17 VICE CHAIR MILLER: Second.

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

20 (No audible response.)

21 CHAIRMAN HOOD: All in favor?

22 (Chorus of aye.)

23 CHAIRMAN HOOD: Any opposition?

24 (No audible response.)

25 CHAIRMAN HOOD: I'm not hearing any. Ms.

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1 Schellin, would you please record the vote?

2 MS. SCHELLIN: Staff records the vote five to zero  
3 to zero to approve final action in Zoning Commission Case  
4 Number 19-23. Commissioner Shapiro moving. Commissioner  
5 Miller seconding. Commissioners Hood, May and Turnbull in  
6 support.

7 CHAIRMAN HOOD: Okay, next we are going to go to  
8 hearing action, Zoning Commission Case Number 19-19, Terrace  
9 Manor Redevelopment LP, Consolidated PUD at Square 5894.

10 Mr. Cochran.

11 MR: COCHRAN: Thank you, Mr. Chair.

12 OP recommends that the Commission set down a PUD  
13 application 19-19 for a public hearing. A W.C. Smith  
14 affiliated company is proposing to develop a 130 unit  
15 apartment building at the site that is outlined in blue on  
16 the monitor that -- on the map that is on the monitor. The  
17 site is on the northwest corner of 23rd and Savannah Streets,  
18 Northeast, in the Randall Highlands neighborhood.

19 The proposed new units would be reserved for at  
20 least 40 years for households earning no more than 60 percent  
21 of the median family income.

22 The proposed building would replace an existing  
23 61 unit Garden Apartment Complex that suffered extensive  
24 deterioration under its previous owner. The 13 residents who  
25 had remained in that complex have already been relocated to

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1 a nearby W.C. Smith property.

2           The Applicant is seeking a PUD under the site's  
3 existing RA-1 zoning. To access approximately .2 more FAR  
4 and seven and a half additional feet of height that it could  
5 achieve as a matter of right, but that could be permitted as  
6 a PUD in the zone. No other zoning flexibility is requested.

7           The proposal is not inconsistent with the city  
8 wide and near southeast/southwest elements of the  
9 comprehensive plan and with the Mayor's housing and  
10 affordable housing goals.

11           The building's size and use would be appropriate  
12 for a site designated moderate density residential in the  
13 generalized future land use map and shown as neighborhood  
14 conservation area in the generalized policy map.

15           OP's report notes a few areas where the proposal  
16 would benefit from additional consideration prior to the  
17 hearing. These relate primarily to design requirement  
18 refinements, further exploration of on-site outdoor space for  
19 resident use, and a commitment to achieving LEED Gold -- not  
20 just setting that as a goal for a level.

21           The Applicant has already committed to working  
22 with OP and other District agencies on these things if the  
23 application is set down.

24           That concludes our testimony and, of course, we  
25 would be happy to answer any questions.

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1 CHAIRMAN HOOD: Thank you, Mr. Cochran.  
2 Commissioners, any questions, comments to the Office of  
3 Planning?

4 Vice Chairman Miller.

5 VICE CHAIR MILLER: Thank you, Mr. Chairman and  
6 thank you, Mr. Cochran, for your report.

7 And I tend to agree with all of OP's  
8 recommendations of what further information or exploration  
9 we would like to see -- at least I would like to see, before  
10 -- I support setting it down. But I -- before we get to the  
11 public hearing, or at the public hearing -- particularly,  
12 just for the clarification of the affordable -- it's an all  
13 affordable housing element, and I understand that it's a --  
14 it's a low income, tax credit project and that the all 130  
15 units will be at that 60 percent MFI income level or lower  
16 for 40 years. But we just need some clarification as to the  
17 inclusionary zoning that will continue in perpetuity  
18 afterwards.

19 We need a clarification that there will be, at  
20 least, the minimum number of inclusionary zoning units that  
21 will continue in perpetuity -- where they are, and the types  
22 of units that they will be in this particular project.

23 I also, particularly agree with the Office of  
24 Planning's suggestion that usable balconies, rather than  
25 Juliet balconies -- be added to the project if at all

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1 possible. I guess that might affect the FAR relief. Is that  
2 true, Mr. Cochran? So, that might result in more relief ---

3 MR. COCHRAN: It depends on how deep they are.

4 VICE CHAIR MILLER: Yes, so, anyway ---

5 (Simultaneous speaking.)

6 VICE CHAIR MILLER: So, I would support more  
7 relief for that purpose instead of the -- useable balconies  
8 -- which would get to your other concern about the outdoor --  
9 outdoor spaces.

10 I think they made a fairly decent response to your  
11 request for the outdoor space that they've got -- that there  
12 is a Heritage Tree in that location and other topography  
13 issues and that they've got a playground within a two minute  
14 walk, that they built, and that would be available to the  
15 tenants of this project. Plus they've got another -- there  
16 is a YMCA, I think that they also built -- that is four  
17 minutes walk, so.

18 But in terms of outdoor space is on the -- in the  
19 project itself -- I think the balconies would be a good  
20 addition. Even though, I think the Juliet balconies was a  
21 change that they added maybe in response to your original  
22 comments, or in trying to create a breakup of that massing  
23 that is going along that whole way, so. In any event, I am  
24 supportive of that.

25 The only other comment I would make since this is

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1 at the higher end of the moderate density residential, where  
2 we always seem to -- not always -- but we often seem to find  
3 our self in that -- not predicament -- but challenge of  
4 consistency with the comp plan. I think that they should  
5 provide information at the hearing on how this satisfies the  
6 McMillan test of balancing -- of meeting the comp plan high  
7 priority affordable housing -- which they are doing here.  
8 And how the adverse impacts, if any, are being mitigated in  
9 all that balancing that goes into that upheld McMillan  
10 decision.

11 Thank you.

12 CHAIRMAN HOOD: Okay, any other --Commissioner  
13 Shapiro.

14 COMMISSIONER SHAPIRO: Yes, just to --I'd like to  
15 hear from the Applicant what the plans are regarding the BZA  
16 case that was -- that is set to expire in three months. That  
17 is essentially the same project as we see here. And so, to  
18 hear from the Applicant about what their intentions are  
19 regarding the BZA order will be helpful for us -- important  
20 for us to hear.

21 CHAIRMAN HOOD: Any other comments or questions?  
22 Commissioner Turnbull.

23 COMMISSIONER TURNBULL: Thank you, Mr. Chair.

24 I would just agree with the Vice Chair. If they  
25 can look at the architecture a bit and design -- see about

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1 breaking it up or -- the length of it -- trying to get some  
2 interest into that building. Um, and the balconies. I think  
3 balconies are needed.

4 I want to -- they have done a great job of looking  
5 at the road plan. There is a tremendous amount of solar  
6 arrays for Mr. Shapiro. There is a tremendous amount of  
7 solar panels up there.

8 And a lot of condenser units -- so maybe they  
9 could address how they are going to do the green roof.  
10 They've talked about doing it, but there is a lot of stuff  
11 up there, so. A lot of that stuff will be interfering with  
12 the green roof, but do really compliment them for the amount  
13 of solar arrays that they are planning to use.

14 CHAIRMAN HOOD: Any other comments?

15 Commissioner May.

16 COMMISSIONER MAY: Yes, I mean, I am interested  
17 in that the -- I mean, I agree with pretty much everything  
18 that has been said up to this point. I would say that I'm --  
19 I'd like the Office of Planning to continue to work on that  
20 issue of outdoor space on-site that is usable by the  
21 residents. I mean, it may not be a -- may not be possible --  
22 it may be that in the end Office of Planning can accept what  
23 the Applicant has said to justify not doing that, but I  
24 wouldn't want to just give up on the issue at this moment.  
25 I would like to see that pursued a bit further.

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1 CHAIRMAN HOOD: Okay. And I'm sure that if it's  
2 set down -- we have a hearing -- I am very interested in the  
3 materials board. I won't comment yet, but I want to see the  
4 materials board so that I can get a -- I see the pictures and  
5 I do have a concern about some of the lighter material, but  
6 I want to see the materials board.

7 All right, anything else?

8 VICE CHAIR MILLER: Yes, I was going to bring that  
9 up. That white ---

10 CHAIRMAN HOOD: Right, right.

11 VICE CHAIR MILLER: -- rooftop element, or lining,  
12 I think that may need to be looked at again, or some  
13 alternative of a darker color. It just kind of like looks  
14 out of place and all the concerns that you and Commissioner  
15 May have raised about lighter colors getting dirty,  
16 especially up top and so, anyway, I think it -- that needs  
17 to be looked at.

18 CHAIRMAN HOOD: Okay. All right.

19 Anything else?

20 Somebody like to make a motion to set it down?

21 COMMISSIONER TURNBULL: Mr. Chairman, I would move  
22 that we take proposed action on Zoning Case Number 19-19,  
23 Terrace Manor Redevelopment LP, Consolidated PUD at Square  
24 5894, and look for a second on that.

25 CHAIRMAN HOOD: I -- we going to second that, but

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1 we are going to correct it. I'm sure the Applicant's happy  
2 that we are going to do a proposed action. We are going to  
3 it set down.

4 COMMISSIONER TURNBULL: I mean, we are going to  
5 set it down. I'm sorry.

6 (Simultaneous speaking.)

7 CHAIRMAN HOOD: We are going to set it down for  
8 a hearing. So, we are going to -- let's just restate that  
9 whole -- I don't want them to think that they already got  
10 approval.

11 COMMISSIONER TURNBULL: Let me restate that. I  
12 want to -- that we set down Zoning Case Number 19-19, Terrace  
13 Manor Redevelopment LP, Consolidated PUD at Square 5984.

14 Look for a second.

15 VICE CHAIR MILLER: Second.

16 CHAIRMAN HOOD: Okay, it's been moved and properly  
17 seconded. Any further discussion?

18 (No audible response.)

19 CHAIRMAN HOOD: All in favor?

20 (Chorus of aye.)

21 CHAIRMAN HOOD: Any opposition?

22 (No audible response.)

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

25 MS. SCHELLIN: Yes. Staff records the vote five

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1 to zero to zero to set down Zoning Commission Case Number 19-  
2 19, as a contested case. Commissioner Turnbull moving.  
3 Commissioner Miller seconding. Commissioners Hood, May and  
4 Shapiro in support.

5 CHAIRMAN HOOD: Okay, next we have Zoning  
6 Commission Case Number 20-04, Office of Planning Text  
7 Amendment, Subtitle K, Chapter 5, Capital Gateway Zone,  
8 preferred uses.

9 Mr. Jesick.

10 MR. JESICK: Thank you, Mr. Chairman and members  
11 of the Commission.

12 The Office of Planning is proposing a Text  
13 Amendment to the Capital Gateway Zone to add Potomac Avenue,  
14 Southwest, to the list of street for which preferred uses  
15 would be a requirement of the ground floor. In addition to,  
16 of course, requiring preferred uses, this amendment would  
17 also have the effect of eliminating the plaza requirement in  
18 the CG-4 zone, which is removed when a preferred uses are  
19 required and provided.

20 We are aware that development is coming to this  
21 part of Potomac Avenue. We hope that this Text Amendment can  
22 get out ahead of that development and hopefully resolve to  
23 any more vibrant streetscape and a visually more cohesive  
24 street wall.

25 And all of this would be in furtherance of the

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1 policies of the comprehensive plan and the Buzzard Point  
2 vision framework, which site Potomac Avenue as a critical  
3 link between the two stadiums and also between Southeast and  
4 Southwest more generally in the Buzzard Point area.

5           So, therefore, I hope you recommend set down of  
6 the Text Amendment.

7           Thank you.

8           CHAIRMAN HOOD: Thank you, Mr. Jesick. Let's see  
9 if we have any comments or questions up here.

10           All right. So, I think it is pretty straight.  
11 Does somebody can make a motion, or comments?

12           COMMISSIONER SHAPIRO: Just a quick question,  
13 actually. A very quick question.

14           Is there a -- pardon the lack of scientific term  
15 here, but this feels like a no-brainer -- but is there a  
16 specific project or projects that has triggering the timing  
17 of this?

18 Or, just, to your point, you are trying to just to get ahead  
19 of what you see coming?

20           MR. JESICK: We are aware of a project that is  
21 likely coming forward on Square 658, which is between Half  
22 and First, on Potomac. And I believe there have also been  
23 proposals for Square 660, but I haven't personally seen  
24 those.

25 So, development is coming.

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1 COMMISSIONER SHAPIRO: Okay. This is helpful to  
2 hear. Thank you.

3 I will make a motion, Mr. Chair, if you would  
4 like. I move that we set down Zoning Commission Case Number  
5 20-04, Office of Planning Text Amendment, Subtitle K, Chapter  
6 5, Capital Gateway Zone, preferred uses.

7 Look for a second.

8 COMMISSIONER TURNBULL: Second.

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

11 (No audible response.)

12 CHAIRMAN HOOD: All in favor?

13 (Chorus of aye.)

14 CHAIRMAN HOOD: Any opposition?

15 (No audible response.)

16 CHAIRMAN HOOD: Not hearing. Ms. Schellin, would  
17 you please record the vote.

18 MS. SCHELLIN: Staff records the vote five to zero  
19 to zero, to set down Zoning Commission Case Number 20-04 as  
20 a rulemaking case. Commissioner Shapiro moving.  
21 Commissioner Turnbull seconding. Commissioners Hood, May and  
22 Miller in support.

23 CHAIRMAN HOOD: Okay. Let me first ask Office of  
24 Planning -- do you have anything else tonight?

25 MS. STEINGASSER: No, sir.

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1 CHAIRMAN HOOD: Okay. Office of Attorney General,  
2 I don't think you have anything?

3 Ms. Schellin, do we have anything?

4 MS. SCHELLIN: No, sir.

5 CHAIRMAN HOOD: All right. I want to thank  
6 everyone for their participation tonight and this hearing is  
7 adjourned.

8 (Whereupon, the above-entitled matter went off the  
9 record at 6:57 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: 02-10-20

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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