

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

+ + + + +

REGULAR MEETING

+ + + + +

MONDAY

MARCH 10, 2014

+ + + + +

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 6:41.m., Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

- ANTHONY J. HOOD, Chairman
- MARCIE COHEN, Vice Chair
- MICHAEL G. TURNBULL, FAIA,
Commissioner (AOC)
- PETER G. MAY, Commissioner (NPS)
- ROBERT MILLER, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

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WASHINGTON, D.C. 20005-3701

OFFICE OF PLANNING STAFF PRESENT:

JOEL LAWSON
KAREN THOMAS
STEVE COCHRANE

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

JACOB RITTING, ESQ.

The transcript constitutes the minutes from the Regular meeting held on March 10, 2014.

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

2 6:41 p.m.

3 CHAIRMAN HOOD: Okay, we=re ready to
4 get started. I apologize for being a few
5 moments late. This meeting will please come to
6 order.

7 Good evening ladies and gentlemen,
8 this is the 1,380th meeting of the Zoning
9 Commission for the District of Columbia for
10 Monday, March 10, 2014. The time now is
11 approximately 6:41 p.m.

12 We=re located in the Jerrily R.
13 Kress Memorial Hearing Room.

14 Joining me this evening are Vice
15 Chair Cohen, Commissioner Miller, May and
16 Turnbull. We=re also joined by our Office of
17 Zoning Staff, Mr. Sharon Schellin, the Office
18 of Attorney General, Mr. Ritting, the Office of
19 Planning, we are joined by Mr. Lawson and Mr.
20 Thomas.

21 Copies of today=s meeting agenda
22 relevant to you and are located in the bin near

1 the door. We do not take any public testimony
2 at our meetings unless the Commission requests
3 someone to come forward.

4 Please be advised that this
5 proceeding is being recorded by a Court
6 Reporter and is also webcast live.
7 Accordingly, I must ask you to refrain from any
8 disruptive noise or actions in the hearing room
9 including display of any signs or objects.

10 Please turn off all beepers and cell
11 phones.

12 Does the staff have any preliminary
13 matters?

14 MS. SCHELLIN: Yes, sir, we do.

15 We would ask the Commission to
16 consider voting on a Closed Meeting for the
17 purpose of training on April 8th.

18 CHAIRMAN HOOD: Okay, thank you, Ms.
19 Schellin.

20 As Chairman for the Zoning
21 Commission for the District of Columbia in
22 accordance with 407 of the District of Columbia

1 Administrative Procedures Act, I move that the
2 Zoning Commission hold a Closed Meeting on
3 Tuesday, April the 8th, 2014 at 9:30 a.m. for
4 the purpose of receiving training as permitted
5 by D.C. Official Code 2-575(b)(12). Is there
6 a second?

7 VICE CHAIR COHEN: Second.

8 CHAIRMAN HOOD: Will the Secretary
9 please take roll call vote on the Motion before
10 us now and that has been seconded?

11 MS. SCHELLIN: Sure.

12 Chairman Hood?

13 CHAIRMAN HOOD: Yes.

14 MS. SCHELLIN: Vice Chair Cohen?

15 VICE CHAIR COHEN: Yes.

16 MS. SCHELLIN: Commissioner Miller?

17 COMMISSIONER MILLER: Yes.

18 MS. SCHELLIN: Commissioner May?

19 COMMISSIONER MAY: Yes.

20 MS. SCHELLIN: Commissioner

21 Turnbull?

22 COMMISSIONER TURNBULL: Yes.

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1 MS. SCHELLIN: The vote carries.

2 CHAIRMAN HOOD: Okay, thank you, Ms.
3 Schellin.

4 As it appears the Motion has passed,
5 I request that the Office of Zoning provide
6 notice of this Closed Meeting in accordance
7 with the Act.

8 Do we have anything else, Ms.
9 Schellin?

10 MS. SCHELLIN: No, sir.

11 CHAIRMAN HOOD: Okay, let's go right
12 to the agenda.

13 Final actions on the Commission
14 Case No. 10-31, this is 1244 South Capital
15 Residential, LLC Capital Gateway Overlay
16 Review at Square 700.

17 This is a request to withdraw, Ms.
18 Schellin.

19 MS. SCHELLIN: Yes, sir.

20 The Commission will recall, this
21 case was on the January 13th agenda. At that
22 time, the Commission deferred action to the CV

1 to allow for some additional information to
2 come in.

3 On February 24th, the applicant,
4 which is now the new owner of the property filed
5 a letter requesting approval to withdraw the
6 current application.

7 Pursuant to Section 30.29.3, once a
8 hearing has been advertised as in this case,
9 withdrawal requires the Commission=s approval
10 and that=s what you have before you this
11 evening.

12 CHAIRMAN HOOD: Okay,
13 Commissioners, I would move that we request the
14 applicant=s request of 30.29.3 which is to
15 withdraw this case and ask for a second.

16 COMMISSIONER TURNBULL: Second.

17 CHAIRMAN HOOD: It=s been moved an
18 properly seconded. Further discussion? All
19 those in favor?

20 (CHORUS OF AYES)

21 CHAIRMAN HOOD: Not hearing any
22 opposition, Ms. Schellin, would you record the

1 vote?

2 MS. SCHELLIN: Yes, sir. The Staff
3 records the vote at 5-0-0 to grant the
4 applicant=s request to withdraw Case No. 10-31,
5 Commissioner Hood moving, Commissioner
6 Turnbull seconded, Commissioners Cohen, May
7 and Miller in support.

8 CHAIRMAN HOOD: Okay, next, we=ll
9 call both cases together. Zoning Commission
10 Case No. 07-13D, this is a PUD Modification at
11 Square 643S and also Zoning Commission Case No.
12 -- I=m sorry.

13 Zoning Commission Case No. 07-13D,
14 this is the PUD Modification and also Zoning
15 Commission Case 07-13E, this is Trustees of the
16 Corcoran Gallery of Art, TR SW 2, LLC two year
17 PUD time extension at Square 643S. Again,
18 we=re doing a Modification and a Time
19 Extensions, we=ll call team at the same time.

20 Ms. Schellin?

21 MS. SCHELLIN: Yes, sir, in the
22 Modification Case, in Exhibit 35, you have an

1 NCTC report and they have reported no issues
2 with the case. Exhibits 36 through 38 are the
3 post-hearing submissions from the applicant
4 and the ANC.

5 In 07-13E, the time extension
6 request, the applicant is requesting the two
7 year time extension. They filed that because
8 they were afraid that the Modification case
9 would not be finalized in time before the case
10 expires.

11 CHAIRMAN HOOD: Let=s wait and see if
12 we=re asked to leave. Okay, we=re going have
13 to evacuate and we=ll be back the minute they
14 let us come back.

15 (Whereupon the foregoing matter
16 went off the record at 6:46 p.m. and went back
17 on the record at 6:55 p.m.)

18 CHAIRMAN HOOD: Okay, we=re ready,
19 let=s go back on the record.

20 I think I called those cases, Ms.
21 Schellin?

22 MS. SCHELLIN: The Court Reporter

1 just advised that she did not get what I said
2 regarding the time extension case.

3 And what I stated was that the Case
4 No. 07-13E, the time extension that the
5 applicant submitted that request, a two year
6 time extension to make sure that there was
7 enough time for the Commission to act on the
8 Modification Case.

9 I believe that the time runs out
10 March 31st or sometime around there and in all
11 probability, the Order will not be finalized by
12 then. So that=s why they filed that.

13 CHAIRMAN HOOD: Okay. Thank you,
14 Ms. Schellin.

15 Commissioners, let=s talk about the
16 Modification first. Let=s open it up, any
17 discussion? No discussion?

18 VICE CHAIR COHEN: Well --

19 CHAIRMAN HOOD: Okay?

20 VICE CHAIR COHEN: -- I just have one
21 question actually for our attorney. The
22 Zoning Order itself on Page 11, Paragraph K,

1 states prior to the issuance of a Certificate
2 of Occupancy, the applicant shall contribute to
3 the Community Benefits Coordinating Council
4 \$1,000.00 per month for a period of five years
5 to help fund the Arts Program and etc.

6 And I was just wondering, I presume
7 you need to clarify that it=s the first payment
8 that they would have to make prior to the
9 Certificate of Occupancy?

10 MR. RITTING: No, it=s all of the
11 payments and then there=s a provision that=s
12 been added to the condition that as the
13 acceleration of the payments enable to ensure
14 that all payments are made prior to the issuance
15 of the Certificate of Occupancy.

16 VICE CHAIR COHEN: And the applicant
17 agreed to that?

18 MR. RITTING: Yes.

19 VICE CHAIR COHEN: Thank you.

20 CHAIRMAN HOOD: Okay, anything else?

21 COMMISSIONER MILLER: Mr. Chairman?

22 CHAIRMAN HOOD: Yes?

1 COMMISSIONER MILLER: Was this the
2 case we were supposed to evaluate whether we
3 liked the roof elevation of the January
4 submission versus the most more recent one?

5 CHAIRMAN HOOD: Yes.

6 COMMISSIONER TURNBULL: Yes, it=s
7 the penthouse.

8 COMMISSIONER MILLER: Okay. I
9 hesitate to go first, but I can go either way,
10 but I think the revised elevation is,
11 particularly on the south side is better, but
12 that=s just my personal --

13 COMMISSIONER MAY: The most recent
14 elevation is your preference?

15 COMMISSIONER MILLER: Yes.

16 COMMISSIONER MAY: That would be my
17 preference, too.

18 COMMISSIONER MILLER: Okay, I
19 guessed like where you wanted to go.

20 COMMISSIONER MAY: We will make an
21 architect out of you yet.

22 COMMISSIONER HOOD: Okay, anything

1 else?

2 I will tell you that I did not
3 necessarily care too much for the submission
4 where it=s saying about, if you look at two, the
5 agreement between ANC and what they=re saying.
6 It says the amended agreement is presently
7 being circulated for signature and will be
8 submitted to te record prior to final action.

9 Now this is final action. Do we
10 have it? Okay.

11 Also, I=m really not sure about this
12 agreement and I want to make sure that the ANC
13 are, from our perspective, these things are
14 actually happening, support residential
15 parking permit restrictions prior to issuance
16 of Certificates of Occupancy and provide
17 evidence to the ANC that rent restrictions
18 shall be included in residential leases.

19 It sounds good here, but actually,
20 as this Commission knows, we don=t know if those
21 things really happened. So I have a lot of
22 reservation in moving forward with this

1 tonight. I need to see that agreement. It
2 needs to be signed as stated in the submission
3 which was dated.

4 We don=t what may happen and I=m
5 just hesitant in moving final action for those
6 two points. I don=t know if I can hold up so
7 much for the parking permit restrictions.

8 But I don=t know, that=s just where
9 I am.

10 Any other comments?

11 COMMISSIONER MAY: Well maybe I
12 misunderstood, but I thought that the agreement
13 has been finalized, everybody=s agreed to it
14 and we=re just waiting for the final signed
15 copy.

16 Do we have correspondence in the
17 file from both the applicant and the ANC stating
18 that it=s been agreed to?

19 CHAIRMAN HOOD: That=s not the way I
20 understood it. But we don=t have --

21 COMMISSIONER MAY: I think I have a
22 misunderstanding.

1 CHAIRMAN HOOD: This is final
2 action.

3 COMMISSION MAY: Right.

4 CHAIRMAN HOOD: And that we don=t
5 have it. I have a problem with us moving
6 forward. We do stuff in the blind, it=s like
7 stripping in the blind, well, that=s a
8 printer=s term. That=s a printer=s term.
9 It=s a printer=s term, stripping in the blind,
10 you strip and you don=t know where the image is.
11 So that=s just where I am with that.

12 VICE CHAIR COHEN: Mr. Chairman, you
13 know, I reviewed the record and came to the same
14 conclusion as Commissioner May that both had
15 agreed but there was the necessary signature
16 collection. I believe somebody on the
17 development team is in Florida. So I really
18 didn=t have as much of a problem with it and you
19 appear to do.

20 CHAIRMAN HOOD: Okay.

21 VICE CHAIR COHEN: To have.

22 CHAIRMAN HOOD: Commissioner

1 Miller?

2 COMMISSIONER MILLER: Yes, I would
3 only add that the old commitment of the
4 applicant and its agreement with the ANC are
5 reflected in the Order is my understanding.

6 CHAIRMAN HOOD: But again, we don't
7 have a signed agreement as stated. I know we
8 have a lot of promises on the Promised Land. I
9 don't see a signed agreement and here we are
10 again, going down the Promised Land and even
11 with the resident permit parking.

12 COMMISSIONER MILLER: Can we delay
13 the issuance of a written Order until that. I
14 mean we did that once before.

15 CHAIRMAN HOOD: I don't mind doing
16 that but I'm just putting my concerns on the
17 record. We need to stop, in my opinion, we need
18 to get away from just doing stuff on the
19 Promised Land. We need to start having stuff
20 physically in the document because sometimes
21 that comes back to hurt this Commission. It's
22 just where I am on this.

1 VICE CHAIR COHEN: So, Commissioner
2 Miller, am I under the impression that you're
3 willing to move ahead but we are not going to
4 issue the Zoning Order, is that correct?

5 COMMISSIONER MILLER: That was my
6 suggestion because it was one way to address
7 both the Chairman=s concerns and --

8 VICE CHAIR COHEN: I would go along
9 with that.

10 CHAIRMAN HOOD: Okay, that=s fine.
11 But let me ask you this, support residential
12 parking permit. Does that happen? Does that
13 actually take place? Is that legitimate? Do
14 we know or are we just up here approving
15 something that we don=t know whether it=s going
16 to take place or not?

17 VICE CHAIR COHEN: I believe it will
18 take place, it=s the enforcement that sometimes
19 that we need to get a better handle on from the
20 Department of Transportation how they are
21 managing the promises that have been made to us.

22 So I share your concern there. I

1 believe that there=s a lot of things that we=re
2 unclear about with enforcement and that=s with
3 the B

4 CHAIRMAN HOOD: Okay, well, you
5 know, I=m not going to belabor it. I=ll just
6 vote against it.

7 VICE CHAIR COHEN: No, I just wanted,
8 you know, to share with you my concerns also is
9 with the minority business hiring. We don=t
10 get that feedback. We don=t get the feedback
11 as to do they need sustainability requirements
12 in their certifications?

13 So there=s loose ends that we are,
14 I believe making the effort to get more
15 information from the enforcement entities.

16 So that=s where I=m coming from is
17 that I believe that, you know, if the applicant
18 moves ahead, it=s because of enforcement issues
19 and that=s DDOT.

20 COMMISSIONER MAY: Mr. Chair?

21 CHAIRMAN HOOD: Yes?

22 COMMISSIONER MAY: I don=t think we

1 want to vote around you. I wonder if the Office
2 of Attorney General could weigh in on this?

3 MR. RITTING: Yes, I did want to
4 mention one thing with respect to the RPP
5 restrictions provision and that there is a
6 condition at 7M in the draft Order that=s in
7 front of you, it=s on Page 27.

8 And I=ll read it now just to give you
9 a few moments to look at it. And it does
10 address the issue of enforcement of the RPP
11 restrictions and it says, prior to the issuance
12 of a Certificate of Occupancy for the
13 residential portion of the PUD, the applicant
14 shall provide evidence that restrictions will
15 be included in the residential leases or
16 condominium documents prohibiting an RPP from
17 the Department of Motor Vehicles.

18 The applicant shall provide
19 evidence it has requested that the building be
20 removed or excluded from the RPP program.

21 So there is a condition that does
22 have enforcement mechanisms built into the

1 Order that you're considering this evening.

2 CHAIRMAN HOOD: Mr. Ritting, I don't
3 usually disagree with OAG, but I've been here
4 long enough to know that we've been down that
5 road before. We have also talked to DDOT. We
6 also know that they don't know whether it's
7 enforceable or not.

8 So it sounds good, but we -- and I
9 think everybody up here knows, we just went
10 through training. We know that that is not a
11 readily an enforceable item. We don't know.
12 Nobody up here can really assure us that. You
13 know why? Because DDOT can't assure us of it.

14 MR. RITTING: Yes, I didn't mean to
15 suggest that, you know, it was completely
16 adequate in the Commission's eyes to be
17 enforceable. I just wanted to let you know
18 that that was what the Order does say on the
19 issue.

20 CHAIRMAN HOOD: I appreciate it. We
21 had some other Orders to say the same thing and
22 we also had a District Department of

1 Transportation that says they don=t know
2 whether or not this can be enforced. So that=s
3 where my dilemma is.

4 I=m not trying to make it difficult.
5 I think we put stuff in place for a reason down
6 here and it should be followed.

7 But, you know, and obviously, I=m in
8 the minority and I appreciate Mr. Turnbull for
9 taking that into consideration. I really
10 appreciate it.

11 If somebody wants to make a motion
12 to move forward with this, that=s fine.

13 VICE CHAIR COHEN: Mr. Chairman, I
14 move to approve the Zoning Case Nos. 07-13 PUD
15 Modification at 65 I Street, SW, Square 643-S,
16 Lot 801 and we will not release the Zoning Order
17 until we have in hand the signed agreement
18 between the applicant and the ANC.

19 And in addition, I move that we
20 approve Zoning Case No. 07-13E, Trustees of the
21 Corcoran Gallery of Art and TR SW 2, LLC 2-year
22 PUD time extension at Square 643S.

1 COMMISSIONER TURNBULL: Second.

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

5 Our discussion is I would like for
6 you to separate those motions because I plan on
7 voting against the first one and I=m going to
8 vote for the second one.

9 VICE CHAIR COHEN: Oh, okay, I will
10 move with the Case No. 07-13D and hold back on
11 the second one. Is that okay?

12 CHAIRMAN HOOD: Okay, it=s bee
13 moved. Yes, thank you.

14 COMMISSIONER MAY: Second.

15 CHAIRMAN HOOD: Thank you for being
16 considerate at least at that point.

17 It=s been moved and properly
18 seconded. Any further discussion? All those
19 in favor?

20 (CHORUS OF AYES)

21 CHAIRMAN HOOD: Any opposition?
22 Opposed.

1 So our staff will record the vote.

2 MS. SCHELLIN: Staff records the
3 vote 4-1-0 to approve Zoning Commission Case
4 07-13D for final action. Commissioner Cohen
5 moving, Commissioner May seconding.
6 Commissioners Miller and Turnbull in support,
7 Commissioner Hood opposed.

8 COMMISSIONER MAY: Can I clarify one
9 question which is the -- it wasn=t stated
10 specifically in the Motion but the question
11 about which roof plan. I mean we would -- I
12 mean I don=t know if you need that to be in the
13 Motion or whether you can simply take the
14 consensus of the Commission, but I thought the
15 majority of the Commissioners who spoke, spoke
16 in favor of the most recent plan.

17 So maybe Mr. Ritting --

18 MR. RITTING: Yes, I understood that
19 and I will enter the Order when it=s issued,
20 reads that way.

21 CHAIRMAN HOOD: Okay. Next Motion?

22 VICE CHAIR COHEN: I will move to

1 approve Zoning Commission Case No. 07-13E,
2 Trustees of the Corcoran Gallery of Art and TR
3 SW 2, LLC 2-year PUD Time Extension at Square
4 642-S.

5 CHAIRMAN HOOD: It=s been moved and
6 I=ll second.

7 It=s been moved and properly
8 seconded. Any further discussion? All those
9 in favor?

10 (CHORUS OF AYES)

11 CHAIRMAN HOOD: Not hearing any
12 opposition, Ms. Schellin, record the vote.

13 MS. SCHELLIN: The Staff records
14 5-0-0 to approve final action in Zoning
15 Commission Case No. 07-13E.

16 Commissioner Cohen moving,
17 Commission Hood seconding; Commissioners May,
18 Miller and Turnbull in support.

19 CHAIRMAN HOOD: Okay, next on the
20 hearing action Zoning Commission Case 13-18 WBJ
21 Wheeler Road, LLC Consolidated PUD and Related
22 Map Amendment at Square 5925. Ms. Thomas?

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1 MS. THOMAS: Good evening, Mr.
2 Chairman and fellow Commissioners.

3 OP is recommending the Commission
4 set down for public hearing, the Washington
5 Business Group=s redevelopment proposal for
6 its property at the corner Wheeler Road and
7 Barnaby Street in Square 5925.

8 The applicant=s request for a
9 Consolidated PUD and Related Map Amendment from
10 the site=s existing C1 Zone to the C2D Zone
11 would facilitate rebuilding the dated
12 one-story commercial structure as a
13 contemporary six-story mixed use building with
14 85 affordable units, above-ground floor retail
15 with some of the existing retail operations
16 will be retained within the new commercial
17 space.

18 The proposed map amendment is
19 generally not inconsistent with the
20 comprehensive plans generalized venues maps
21 category of low density commercial which
22 complements an end use policy for neighborhood

1 commercial center on underutilized properties
2 where development of mixed use projects with
3 upper story housing is encouraged.

4 The PUD would allow a map minimal
5 increase in FAR beyond the C2A designation to
6 support a residential unit with a commendable
7 number of family-sized three bedroom units for
8 families at or below 80 percent EMI.

9 The project also supports the mixed
10 use development and production target policies
11 of the housing element of the comprehensive
12 plan.

13 Preliminary details of the
14 building=s design and materials are included in
15 our report and we have asked the applicant to
16 expand on these aspects as well as to refine the
17 program end of the penthouse as indicated on the
18 plan.

19 The development would include an
20 improved street-scape with a more inviting
21 pedestrian way for the neighborhood which is
22 located within a mile of the Southern Avenue

1 Metro Station.

2 New onsite soil and water
3 management, pervious pavement and a
4 significant roof area devoted to green roof are
5 some of the project=s environmental benefits.

6 The applicant has applied the green
7 communities criteria to the project=s
8 environmental elements.

9 Flexibility is requested from the
10 off street parking and loading requirements as
11 well as from the roof structure set back
12 requirement. And again, we request the detail
13 drawing of the roof plan with allocations to
14 show the setbacks of all new structures. DDOT
15 also recommended to curb side loading to
16 eliminate the need for a curb cut on Barnaby
17 Street.

18 OP requested the applicant to
19 clarify its amenities package agreed to with
20 the community, including the provision of
21 support services for residents, as this also
22 relates to the penthouse programming.

1 OP supports set down of this
2 application for applied map amendment as
3 appropriate for the site and not inconsistent
4 with the comp plans written elements, land use
5 and policy map.

6 This concludes our recommendation
7 and I am available for any questions. Thank
8 you.

9 CHAIRMAN HOOD: Okay, thank you Ms.
10 Thomas. Commissioners, any questions?

11 COMMISSIONER MAY: Mr. Chairman?

12 CHAIRMAN HOOD: Go ahead.

13 COMMISSIONER MAY: Yes, I'm not sure
14 how many of these are questions, mostly just
15 comments.

16 First of all, there are a lot of
17 things about this project to like, at least in
18 terms of the intentions. You know the number
19 of two and three bedroom units and the housing
20 in general and, of course, redevelopment of
21 this particular site.

22 It is pretty big given the -- it=s

1 permit Zone C1 and I think the case has to be
2 made strongly that this is an appropriate
3 development for that. But it=s withing reach,
4 but there are just all sorts of issues with what
5 we are shown here in terms of the building
6 design.

7 You know, I appreciate the fact that
8 I think I heard you say that DDOT is suggesting
9 street loading rather than loading directly off
10 of Barnaby Street which is, I guess that=s an
11 alternative. I=m surprised to hear that DDOT
12 would recommend street loading ever.

13 I always thought it we=d want to see
14 it loaded off the alley and maybe that=s
15 feasible, maybe it=s not but I think it=s
16 something that needs to be examined more
17 closely because I don=t think street loading is
18 desirable in any circumstance or only in rare
19 circumstances.

20 The way the penthouse is drawn, the
21 uses that are shown in the penthouse, I don=t
22 understand how that could be considered a

1 penthouse. It seems to me that that=s a four
2 story building given the extensive use there.
3 It=s not the communal use accessory to outdoor
4 space or anything like that. It=s just a big
5 common space.

6 So I don=t understand how that fits
7 and, I mean maybe it=s fine to have an extra
8 story of that building, but that=s the way it
9 should be treated.

10 The setback of the penthouse from
11 Barnaby Street, I don=t see any reason why that
12 can=t be -- the building can=t be designed so
13 that there=s a complete setback or the required
14 setback. Again, assuming it=s a penthouse.
15 Maybe we=re going to say it=s not a penthouse
16 and the building is just that much taller. I
17 don=t know.

18 The drawing set itself is lacking.
19 We don=t see all of the elevations of the
20 building as we would normally expect so in even
21 the interior courtyard elevations and so on.

22 The section on Page 21 is incorrect

1 and it=s missing the mezzanine in the retail
2 space. I appreciate the submission of GAR
3 information, but what we have is a chart that=s
4 unreadable, so maybe that needs to be
5 resubmitted.

6 The elevation on Barnaby Street
7 with the loading dock and just a couple of
8 doors, I mean this isn=t a street elevation, it
9 should look like it=s a building facing the
10 street. It shouldn=t look like an alley side
11 of the building and that=s what it looks like.
12 So that elevation needs to look like it=s really
13 addressing the street.

14 And then, I mean we normally don=t
15 get too far into the interior plans of the
16 apartments in a building like this, but if I=m
17 reading the plans correctly and, again, I=m
18 basing this only on plans because we don=t have
19 a complete set of elevations, there are
20 bedrooms without windows and there are living
21 rooms, dining room spaces that are blocked off
22 from the windows by bedrooms. So there=s no

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1 light to the living room, dining room spaces of
2 some of these units.

3 I mean maybe that=s okay by Code,
4 but boy, it just seems like a really
5 unattractive unit and I don=t think that, I mean
6 surely there=s a way, I mean this is a fairly
7 large rectangular site. I would hope that
8 there=d be a way to get some sort of light and
9 air to all of the habitable rooms and not just
10 the bedrooms in some of these units. And
11 again, the bedrooms that can have windows don=t
12 have windows in some circumstances.

13 So, sorry, none of those were
14 questions and I hope you got all my comments.
15 Thanks.

16 CHAIRMAN HOOD: Okay, any other
17 comments? Vice Chair Cohen?

18 VICE CHAIR COHEN: Thank you, Mr.
19 Chairman.

20 Yes, I also caught the window issue
21 with some of the units. But I just -- in Phase
22 I, we=re building a one-story building and I

1 really understand wanting to accommodate the
2 businesses and actually construct space for
3 them to move to. But the applicant has a great
4 deal of experience in adding value to different
5 buildings that they've owned and, yet, this is
6 a very inefficient use of space, in my opinion
7 having one-story.

8 So I just would like greater
9 explanation or maybe the explanation is just to
10 put up a building quickly so that the Phase II
11 can move forward and the retail tenants only
12 have to move once. But I said, it doesn't seem
13 very efficient as a land use issue.

14 And what I'd like to know more about
15 the competitiveness of this project in
16 receiving, because it's all affordable and,
17 therefore will likely be a low-income housing
18 tax credit project.

19 There's plenty of four percent tax
20 exempt financing and tax credit interest, I'm
21 sure in purchasing the tax credits but I would
22 assume that DHCD has to come up with some

1 financing of DCHA has to come up with some
2 vouchers to make this an economic project.

3 So I=d like to know more about where
4 they stand with different agencies.

5 I think really, you know,
6 Commissioner May covered a few questions that
7 I had and I think that=s about it for me at this
8 point.

9 Thank you.

10 CHAIRMAN HOOD: Okay,
11 Commissioners, is anything different?
12 Anybody else? Mr. Turnbull?

13 COMMISSIONER TURNBULL: Thank you,
14 Mr. Chair.

15 I would agree with the comments of
16 my colleagues. I think this is a noble
17 project, I think what it=s trying to do and
18 what=s its trying to achieve on one hand as it
19 is something very significant.

20 But I would agree that on a lot of
21 aspects, this project is not right for prime
22 time.

1 I think the whole thing with the
2 penthouse, I mean it looks like the mechanical
3 systems are often little closets in each unit
4 that are venting to the outside or whatever.
5 So there=s really no penthouse up on the roof.
6 There=s no -- I can=t see the mechanical
7 equipment up there per se. So you wonder
8 what=s going on.

9 And the whole thing about the
10 setback on Barnaby street is absolutely
11 correct. I mean, this thing needs to be massaged.
12 There=s a flex-space in there.

13 The units, they don=t -- they can=t
14 -- I think they can save a lot of the units if
15 they massage this plan and if the architect gets
16 to work and they could come within the Zoning
17 Regs.

18 I=m confused, the whole thing about
19 the parking and the retail with all the parking
20 at the back off the alley, I think these retail
21 units are going to be very awkward to serve.
22 You can=t get to them from the alley so if you=re

1 going to do it on Barnaby Street, that=s the
2 main residential entrance, it just seems like
3 you=re tying up -- you=re not making this thing
4 efficient as a working unit for all residents
5 who are going to live here.

6 So I=m a little bit concerned about
7 the program and how this thing really gets to
8 work.

9 And the architectural drawings, we
10 need better drawings. I would just reiterate
11 that. The paneling system, I need some more
12 information, some blow ups of how these
13 paneling systems works. I=m just concerned
14 about, it=s odd that this hardy plank or
15 whatever they=re going to be using, the
16 maintenance of this. I think this has to be
17 done correctly. And so I=d like see how
18 they=re doing that.

19 And I would just repeat about the
20 amenities package that you had said that we
21 really need to know more about that. But,
22 other than that, I would agree with

1 Commissioners May and Cohen on this.

2 COMMISSIONER MAY: Commissioner
3 Turnbull, so you're suggesting that it's not
4 ready to be set down? Because if you were
5 saying that, I would agree that this is not
6 quite ready.

7 COMMISSIONER TURNBULL: Well, I
8 don't want to hamper it, but it just seems to
9 me that there's a lot of open items on this with
10 how this thing is being done that it just really
11 needs more attention.

12 COMMISSIONER MAY: Well and I think
13 our experience has been that sometimes the best
14 thing to do is to not set down so that they can
15 focus on getting it ready.

16 COMMISSIONER TURNBULL: I think that
17 -- no you've got a point.

18 CHAIRMAN HOOD: Okay. Commissioner
19 Miller?

20 COMMISSIONER MILLER: Well, I would
21 agree, I would agree with almost all of the
22 comments that my colleagues have made, both

1 positive ones about the revitalization of this
2 area and their critical questions and including
3 the need for a lot more information and visual
4 illustrations of the elevations and what the
5 rooftop looks like and all that.

6 I'm not sure I'm there on not on
7 putting it off yet, but because I would like the
8 momentum of the project to continue.

9 But I have a couple of questions,
10 additional questions beyond those that have
11 already been asked. And one was, it is
12 commendable that this all affordable with the
13 number of two and three bedroom units trying to
14 attract families. I think that is
15 commendable.

16 But at the 80 percent AMI Level, and
17 this is the problem with our -- it's a problem
18 city-wide, but at the 80 percent AMI Level and
19 for this particular neighborhood, I think
20 that's really virtually market rate or I wonder
21 if we're talking about market rate housing and
22 we're merely not talking about affordable --

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1 what people consider as low and moderate or even
2 workforce housing.

3 So I would like to have more
4 information on that when we get to the hearing.
5 And I would like if the applicants can somehow
6 shoot for a certain percentage of at a lower --
7 of a deeper affordability level than 80, I would
8 think that=d be welcome and still make it
9 eligible for some of these other tax credits
10 that the Vice Chairman was referring to.

11 VICE CHAIR COHEN: Well, tax credits
12 are really for lower than 80 percent of median
13 income. So and I guess I read into it a little
14 bit about the DCHA involvement with vouchers
15 that that makes it even lower. So I didn=t have
16 as many concerns as you did about that.

17 COMMISSIONER MILLER: So then maybe
18 if we get a better, maybe a more accurate --

19 VICE CHAIR COHEN: A deeper --

20 COMMISSIONER MILLER: --
21 representation of what --

22 VICE CHAIR COHEN: Okay.

1 COMMISSIONER MILLER: -- the
2 affordability level really will be.

3 VICE CHAIR COHEN: I agree with that.

4 COMMISSIONER MILLER: And the only
5 other question I had was on the -- and Mr.
6 Turnbull might have alluded to this, on the --
7 providing zero -- I realize this is
8 neighborhood serving retail, both the existing
9 retail that=s there that=s going to be
10 relocated to the once-story and the new retail
11 that will be coming. But to have zero parking
12 spaces for it just seems maybe unrealistic but
13 that=s just another question that I had. So I
14 would to have them address that at the hearing.

15 Thank you, Mr. Chairman.

16 CHAIRMAN HOOD: Okay, thank you,
17 Commissioner Miller. I would agree with your
18 comments, especially about the affordability.
19 Hopefully, we can find some deeper ways other
20 than 80 percent of AMI.

21 I would be looking for a materials
22 board. I looked at a lot of the pictures and

1 the renderings that were provided to us. I
2 want to make sure thing over here that we do
3 around town.

4 But for me, this is not a
5 showstopper. I would be afraid of setting this
6 down without any hesitation and I hope that the
7 applicant has heard everyone=s comments and
8 hopefully a lot of this will be resolved,
9 especially the materials board at the hearing.

10 So I would move that we set down
11 Zoning Commission Case No. 13-18 and I ask for
12 a second.

13 VICE CHAIR COHEN: Second.

14 CHAIRMAN HOOD: It=s been moved and
15 properly seconded. Any further discussion?

16 Are you ready for the for the
17 question? All those in favor?

18 (CHORUS OF AYES)

19 CHAIRMAN HOOD: Any opposition?
20 So Ordered. Staff would you record the vote?

21 MS. SCHELLIN: Staff records the
22 vote 5-0-0 to set down Zoning Commission Case

1 No. 13-18 as a contested case. Commissioner
2 Hood moving, Commissioner Cohen seconding.
3 Commissioners May, Miller and Turnbull in
4 support.

5 COMMISSIONER MAY: Mr. Chairman?

6 CHAIRMAN HOOD: Yes?

7 COMMISSIONER MAY: I did have a
8 comment, I did vote in favor of sitting this
9 down, but with great reluctance and I think
10 that, you know, just as we said that we want to
11 treat this project as we would projects in other
12 parts of the city. I think that same level of
13 scrutiny is appropriate here. And this
14 project has a ways to go before it can get to
15 the stage of approval and I think that hopefully
16 that message is loud and clear to the applicant
17 because we're expecting this to really improve
18 substantially by the time we see it again.

19 CHAIRMAN HOOD: Okay, and I think
20 that's very well heard. I think everyone can
21 see this 5-0 up here. We voted in favor of
22 doing it and we'll deal with it when it comes

1 in front of us.

2 I think they=ve heard all of our
3 comments and I think they were so noted as well
4 as the comments of all of us, I think has already
5 been so noted.

6 Anything else? Okay. Ms.
7 Schellin? We=re good?

8 MS. SCHELLIN: We=re good.

9 CHAIRMAN HOOD: Next, we have Zoning
10 Commission Case -- all right, this is Zoning
11 Commission Case No. 14-03. This Office of
12 Planning Text Amendment to add new 2802.1 on --
13 we have a request for emergency action as well
14 as the set down.

15 Mc. Cochran -- oh, I=m sorry, Mr.
16 Lawson?

17 MR. LAWSON: That=s okay.

18 In the absence of Ms. Brown-Roberts
19 who wasn=t able to attend tonight, I=ll
20 basically just stand on the record, I notice
21 that there may be some clarification needed of
22 the numbering that was proposed in the report.

1 I think we may have used an older version of the
2 proposed text for the lease as opposed to the
3 version that was finally adopted by the Zoning
4 Commission.

5 But the gist of the text would
6 remain. This proposal is to allow for the
7 women=s emergency shelter on Hill East to move
8 to another site on Hill East temporarily while
9 the existing facility is renovated and
10 rehabilitated to bring it up to current
11 standards and proper standards so we very much
12 support this request and recommend that it
13 would be set down for a hearing.

14 CHAIRMAN HOOD: Okay. Let me start
15 off, Mr. Lawson, this is going to be -- the way
16 I understood is this was going to be temporary
17 and it=s going to revert back once the
18 renovations or whatever is --

19 MR. LAWSON: That=s my understand as
20 well. To be honest, I wasn=t in on the
21 conversations around this one but from what I=m
22 reading and what I=m seeing in the report, it

1 is a temporary situation and that it would move
2 back to the existing location or to another
3 location which would be, you know, again, up to
4 proper health standards.

5 CHAIRMAN HOOD: I guess there=s
6 going to be situations are the best example of
7 how things are done.

8 This happened once before in this
9 setting where an emergency shelter was -- I have
10 no problems with it, we all need a place to stay,
11 but when the community is under the expectation
12 that something=s going to revert back and it
13 doesn=t happen like in this particular
14 situation that happened some years ago, then
15 that causes a problem. I just want to make sure
16 it was going to revert back.

17 Okay, Vice Chair?

18 VICE CHAIR COHEN: Thank you, Mr.
19 Chairman.

20 Mr. Larson, I=m assuming and I do
21 believe there was some reference that the
22 Building 27 is standard and up to code and

1 doesn't have environmental issues. Is that
2 correct?

3 MR. LAWSON: That=s my understanding
4 that it would require only relatively minimal
5 interior renovations to make it, you know,
6 acceptable for this purpose, yes.

7 VICE CHAIR COHEN: And then the women
8 that are now living in Building 9, are they
9 going to be tested to make sure that they are
10 free of any hazard risks consequences?

11 MR. LAWSON: I don=t know. Becuase
12 they=re going to provide that information at
13 the hearing.

14 VICE CHAIR COHEN: Thank you.

15 CHAIRMAN HOOD: Okay. That was a
16 good question, Dr. Cohen. I don=t know --
17 anyway.

18 Commissioner Miller?

19 COMMISSIONER MILLER: Thank you, Mr.
20 Chairman.

21 Yes, I had some other questions
22 about Building 27. Do you know, Mr. Lawson,

1 when it was -- is it currently vacant I assume?

2 MR. LAWSON: I believe so, yes.

3 COMMISSIONER MILLER: And do we know
4 when it was last used and what it was used for?

5 MR. LAWSON: I do not. I'm sorry.
6 But we can, you know, we can certainly have all
7 that information --

8 COMMISSIONER MILLER: Right.

9 MR. LAWSON: -- prior to the
10 hearing.

11 COMMISSIONER MILLER: And did I read
12 this report correctly? It said that the
13 existing zoning doesn't permit either? It
14 doesn't permit the current use of the shelter
15 that's been there for these many years?

16 MR. LAWSON: IT seems that way. I
17 suspect it was a case of when the zoning was put
18 in place, quite recently, actually, that that
19 was an existing use. So it was simply a
20 grandfathered use, it didn't need to be worked
21 into the zoning. However, now to move the use
22 of the property, that would require permits and

1 so that would require that the use be permitted
2 under zoning and hence, this case.

3 COMMISSIONER MILLER: Right, okay,
4 thank you very much.

5 COMMISSIONER HOOD: Okay, anybody
6 else? Commissioner May?

7 COMMISSIONER MAY: Yes, so the, if we
8 set this down then this is more or less
9 immediately in effect. Is that right? Does
10 that mean they can draw permits right away or
11 do we have to wait for the hearing before we
12 introduce it?

13 MR. LAWSON: If you take emergency
14 action then they would be able to draw permits
15 right away.

16 COMMISSIONER MAY: Right, so then
17 why bother have a hearing then to draw new
18 permits?

19 MR. LAWSON: Well, it=s to make sure
20 that the text amendment is what you would want
21 to see in the long term.

22 COMMISSIONER MAY: Okay. Has there

1 been any discussion with the ANC about this?

2 MR. LAWSON: I am not sure.

3 COMMISSIONER MAY: Okay. I mean I
4 saw no mention of it in the report and it makes
5 me fairly uncomfortable knowing how much
6 attention the neighbors pay to what=s going on
7 with the homeless who are housed on campus
8 there.

9 It doesn=t mean that we shouldn=t be
10 doing this, I mean, you know, we do it on
11 obligation to look out for the women who need
12 to be housed in this location. But I think that
13 they=re -- I=m not thrilled about the fact that
14 we have no mention of whatever discussions
15 there might have been with the neighbors.

16 What=s the state of the development
17 plans for the area? I mean how quickly is
18 Building 27 going to go away? Because I=m
19 curious when was it going to go away?

20 MR. LAWSON: I haven=t heard of any
21 development plans for that part of Hill East.
22 I know the Deputy Mayor=s office is working on

1 plans for other portions of the site closer to
2 the metro station. I'm not sure that there=s
3 an RFP right now.

4 And you know, again, I haven=t
5 really had much to do with this site but I
6 believe I=ve heard of plans for projects,
7 residential projects much closer to the metro
8 station.

9 Again, we can provide, you know, a
10 more comprehensive, I guess, discussion of the
11 Hill East development and how this would fit in
12 over time.

13 COMMISSIONER MAY: Okay. Who
14 actually operates the shelter? Is it run by
15 the City or is it run by an outside?

16 MR. LAWSON: I believe it=s run by
17 the City.

18 COMMISSIONER MAY: Okay. I mean,
19 the other thing that -- it=s in that section of
20 the Campus that is where there are various
21 clinics and I cannot remember exactly what
22 clinics are there but the psychiatric emergency

1 clinic was there and that actually may have been
2 in 27.

3 And there=s a drug treatment clinic
4 and I think there was actually a women=s health
5 in that vicinity.

6 And I mean, I guess the concern I
7 have is that we=re moving ahead on this and
8 presumably taking emergency action with
9 relatively little information and relatively
10 little feedback other than the fact that the
11 agency of the district government that wants to
12 pull a permit and build this has an urgent need
13 to see the action taken.

14 And I=m just a little reluctant with
15 out knowing that there is -- I mean without
16 having some better input on whether this is
17 really the right move for the shelter and
18 particularly if there=s a chance that it may not
19 go back to Building 9. I=m just, I=m -- and no
20 input from the ANC, I=m just kind of
21 uncomfortable.

22 I mean there are a number of

1 homeless advocates in the -- I mean
2 organizations that are advocates for the
3 homeless in the City and, you know, I mean do
4 they have an opinion about whether this is the
5 appropriate location? Maybe it doesn't make
6 sense for them to be in that same stretch with
7 the other clinics. I don't know. I'm a little
8 uncomfortable.

9 CHAIRMAN HOOD: Okay, anybody yet
10 who hasn't spoken on this issue? Mr. Turnbull?

11 COMMISSIONER TURNBULL: No, and I
12 was listening to Mr. May's comments and he
13 brings up some good points. I mean I think I'm
14 ready to move with the emergency need for this
15 because of the need for it but he does raise some
16 good concerns.

17 CHAIRMAN HOOD: Okay, Vice Chair?

18 VICE CHAIR COHEN: I agree with the
19 concerns that have been expressed but I believe
20 we can deal with them at the public hearing and
21 it's my understanding that the City is not only
22 responsible for housing, there's a law on the

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1 books that they must house everybody and if
2 these are very unhealthy conditions, I really
3 think we need to move quickly on this and deal
4 with the land use issues at the public hearing.

5 CHAIRMAN HOOD: I'm going to go back
6 to what I said previously about being
7 persistent. We did this in another
8 neighborhood, we can do it here.

9 And I would agree with Mr. Turnbull
10 and the Vice Chair that there's a need for this
11 and I actually voted on another case like
12 this, same situation, same scenario and I hate
13 to keep going back and bringing up the past, but
14 you know, you have to know what you did in the
15 past to get to the future.

16 I understand Commissioner May's
17 points. Some of those points were brought up
18 previously in another situation as this.

19 But I think that the underlying and
20 most important needs what the Vice Chair said,
21 I'm going to associate myself with her comments
22 and I'm ready to set this down for emergency as

1 well as set it down for a hearing.

2 Any further discussion?

3 COMMISSIONER MAY: Yes, so I mean I'm
4 fully in favor of setting this down for a
5 hearing, that makes perfect sense, but taking
6 the emergency action, I am not in favor of. So
7 if that's the way it's got to be set down, I'm
8 going to be voting against it.

9 But if it's set down for hearing and
10 then separately to adopt the text on an
11 emergency basis, I'm not in favor of that.

12 CHAIRMAN HOOD: Okay. Would
13 someone like to make a Motion? If not,
14 somebody make a motion?

15 COMMISSIONER TURNBULL: Mr. Chair, I
16 will make a Motion, or is it really two Motions?

17 CHAIRMAN HOOD: Yes, it's two
18 Motions, the emergency set down and the
19 hearing.

20 COMMISSIONER TURNBULL: Well, I
21 would move that we set down Zoning Case No.
22 14-03 Office of Planning text amendment to add

1 new paragraph 2802.1(r)(iv) and look for a
2 second.

3 VICE CHAIR COHEN: Second.

4 CHAIRMAN HOOD: It=s been moved and
5 properly seconded.

6 And Mr. Turnbull, I have a question.
7 Would you take a friendly amendment of the
8 emergency?

9 COMMISSIONER TURNBULL: Well, that
10 was going to be my next Motion.

11 CHAIRMAN HOOD: Oh, okay, you=re
12 going to do both of them? Okay, go ahead.

13 COMMISSIONER TURNBULL: All right.
14 I mean, and then I=d like to move that we -- I=m
15 sorry --

16 CHAIRMAN HOOD: You wanted two
17 separate --

18 COMMISSIONER MAY: Well, I mean you
19 have a Motion and a second to just set it down.

20 COMMISSIONER TURNBULL: For set
21 down.

22 CHAIRMAN HOOD: That was the set

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1 down. Would you like for us to break them up?

2 COMMISSIONER MAY: No, I would like
3 to vote on this one as it was moved and seconded,
4 yes.

5 CHAIRMAN HOOD: Okay, I=ll withdraw
6 my friendly amendment and you can just stick
7 with that knowing that I=m going to come back
8 with the emergency.

9 Okay, it=s been moved, can I get a
10 second?

11 MS. SCHELLIN: He got a second.

12 CHAIRMAN HOOD: Okay, it=s been
13 moved and properly seconded. Any further
14 discussion? All those in favor?

15 (CHORUS OF AYES)

16 CHAIRMAN HOOD: Any opposition?
17 So the staff, will you record the vote?

18 MSS. SCHELLIN: The staff records
19 the vote 5-0-0 to set down Zoning Commission
20 Case No.14-03 as a Rule Making Case.
21 Commissioner Turnbull moving, Commissioner
22 Cohen seconding. Commissioners Hood, May and

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1 Miller in support of set down.

2 CHAIRMAN HOOD: Okay.

3 COMMISSIONER TURNBULL: Mr. Chair, I
4 would like --

5 MR. RITTING: I'm sorry to
6 interrupt, but I just wanted to ask for a point
7 of clarification and that is in the Office of
8 Planning report, they also requested
9 permission to authorize the immediate
10 publication.

11 CHAIRMAN HOOD: We will do that after
12 we get through with --

13 MR. RITTING: No, that=s for the --
14 that=s for the set down case because the B

15 CHAIRMAN HOOD: Okay, let us finish
16 B

17 MR. RITTING: -- proposed rule
18 making notice would be --

19 CHAIRMAN HOOD: Mr. Ritting, let us
20 finish this and we=ll come back and add --

21 MR. RITTING: I'm sorry.

22 CHAIRMAN HOOD: -- do another

1 Motion for the -- exactly what you're talking
2 about.

3 MR. RITTING: Okay, thank you very
4 much.

5 COMMISSIONER TURNBULL: All right.
6 Mr. Chair, I would move that we take emergency
7 action on Zoning Case No. 14-03, Office of
8 Planning Text Amendment to add new Section
9 2801.1(r)(iv) and look for a second.

10 VICE CHAIR COHEN: Second.

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

14 (CHORUS OF AYES)

15 CHAIRMAN HOOD: Any opposition?

16 COMMISSIONER MAY: Opposed.

17 CHAIRMAN HOOD: So ordered.

18 Staff would you record the vote?

19 MS. SCHELLIN: Staff records the
20 vote 4-1-0 to take emergency action on Zoning
21 Commission Case No. 14-03, Commissioner
22 Turnbull moving, Commissioner Cohen seconding.

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1 Commissioners Hood and Miller in support,
2 Commissioner May opposed.

3 CHAIRMAN HOOD: Okay. The
4 advertisement --

5 MS. SCHELLIN: And that would be
6 emergency and proposed rule making.

7 CHAIRMAN HOOD: Right. What about
8 the advertisement? Mr. Turnbull would you
9 like to continue?

10 COMMISSIONER TURNBULL: Oh, to make
11 another one? Oh, okay.

12 Mr. Chair, I would move that we
13 authorize the immediate publication of the
14 notice of proposed rule making for the text for
15 Zoning Case No. 14-03, Office of Planning Text
16 Amendment to add new Section 2802.1(r)(iv) and
17 look for a second.

18 VICE CHAIR COHEN: Second.

19 CHAIRMAN HOOD: Okay, it=s been
20 moved and properly seconded. Any further
21 discussion? All those in favor?

22 (CHORUS OF AYES)

1 CHAIRMAN HOOD: Any opposition?

2 So ordered.

3 Staff would you record the vote?

4 First -- well could you record the
5 vote? Did you vote against it?

6 COMMISSIONER MAY: I voted in favor.

7 I=m not opposed.

8 MS. SCHELLIN: Staff records the
9 vote 5-0-0 to authorize immediate publication
10 of the proposed rule making.

11 Commissioner Turnbull moving,
12 Commissioner Cohen seconding. Commissioners
13 Hood, May and Miller in support.

14 CHAIRMAN HOOD: Mr. Ritting, did we
15 get that? Did we get all three that you need
16 and that we needed legally?

17 MR. RITTING: I have to confess that
18 I was a little bit distracted and I didn=t hear
19 the whole thing but from what I did hear it
20 sounded --

21 CHAIRMAN HOOD: Trust me, we got it.

22 MR. RITTING: -- okay.

1 CHAIRMAN HOOD: Don=t trust me with
2 a lot of things, but trust me on this one.
3 Okay.

4 Let=s go next to Zoning Commission
5 Case No. 13-12, 1333 M Street, LLC first stage
6 PUD related map amendment and consolidated PUD
7 as Squares 1025E and 1025S and Reservations 129
8 and 299.

9 Before I go to Mr. Cochran, I do have
10 a statement that I was supposed to read early
11 on and I=m going to read that. Those who are
12 watching this webcast live, I=m going to read
13 that right after we finish this particular
14 case.

15 Mr. Cochran?

16 MR. COCHRAN: Thanks, Mr. Chair.

17 OP recommends the Zoning Commission
18 to set down Application 13-12 for a
19 consolidated and a first stage preliminary PUD
20 at 1333 M Street Southeast with the related map
21 amendment from M to C3C.

22 The 2.9 acre property is between M

1 Street Southeast and the right of way of
2 Virginia Avenue where it ends on a bluff
3 overlooking Water Street and the Anacostia
4 River.

5 Overall, the applicant proposes a
6 four phase 4.13 FAR, 528,000 square foot
7 project. There will ultimately be three
8 residential buildings varying from 90 to 110
9 feet high with a total of 673 units, eight
10 percent of which would be affordable under IZ.

11 The project would include
12 approximately 10,000 square feet of ground
13 floor retail adjacent to public plazas the
14 applicant would build and there would be 212
15 garage parking spaces.

16 The applicant would construct
17 improvements to roadways adjacent to public
18 space into the M Street bicycle trail.

19 There would also be extensive
20 sustainable landscaping that would provide the
21 public with a promenade towards the river
22 front.

1 The consolidated portion of the PUD
2 would comprise about a quarter of the
3 development in the center of the site adjacent
4 to M Street. It would have 218 dwelling units,
5 interim but still significant road and
6 landscaping improvements and would locate some
7 of the required parking in an onsite garage and
8 the remainder on a surface lot on an adjacent
9 theoretical lot.

10 This latter surface parking would
11 be put underground during later phases.

12 The applicant has requested relief
13 for the consolidated PUD to last three years
14 rather than the usual two years for approval.

15 Now the first stage PUD would
16 comprise the remaining three phases for which
17 the development and benefit particulars have
18 been proposed but for which a time frame has not
19 yet been suggested.

20 There would be an addition to the
21 consolidated PUD building in Phase II and then
22 there would be towers at the west and east ends

1 of the site in Phases III and IV.

2 For the overall project, zoning
3 relief has been requested for loading both
4 links, the admission of one service delivery
5 space, bearing roof structure heights and
6 possibly for yard and park relief.

7 There are also matters about which
8 the applicant would need to provide additional
9 information. These are noted on Page 14 of
10 OP=s report.

11 The principle public benefits that
12 have been proffered by the applicant include
13 the quality of the public space improvements,
14 the publically accessible terraces and plazas
15 adjacent and along pedestrian ways, extensive
16 open space and plazas -- excuse me, extensive
17 open space and particularly the grand staircase
18 and accessible ramp down to Water Street from
19 Virginia Avenue.

20 The bulk of these public benefits
21 would be constructed at the beginning of the
22 first stage PUD, that is to say in Phase II of

1 the project.

2 The project would lead silver
3 eligible and as part of Phase II would
4 incorporate an innovative bio-retention
5 facility and water wall that would be designed
6 for public enjoyment and for education.

7 The related C3C map amendment would
8 enable the construction of the residential uses
9 which are prohibited under the existing M Zone
10 and with the exception of 20 additional feet of
11 height. The PUD would be developed with
12 approximately two FAR less than what could be
13 constructed as a matter of right under the
14 existing zoning.

15 The project is not inconsistent
16 with the comprehensive plans future land use
17 map which shows the site as suitable for medium
18 density residential housing and institutional
19 uses or with the generalized policy map which
20 designates the area as one where land use change
21 is both expected and encouraged.

22 It is also consistent with the

1 Anacostia Waterfront Framework Plans proposals
2 for the site which show a mixed use development
3 with improved open space and connections to the
4 waterfront on this site.

5 That concludes OP=s testimony. Of
6 course, I=d be happy to answer any questions.

7 CHAIRMAN HOOD: Okay, thank you, Mr.
8 Cochran.

9 Are there any questions of Mr.
10 Cochran? Commissioner May?

11 COMMISSIONER MAY: All right, I=m
12 happy to go first unless somebody else really
13 wants to go.

14 CHAIRMAN HOOD: Does someone else
15 want to go first? Commissioner May doesn=t
16 want to go first. Commissioner Turnbull?

17 COMMISSIONER TURNBULL: I=ll be
18 happy to go first.

19 Mr. Cochran, I believe on Page 14 of
20 your report, you have a long list of items that
21 you=ve already pointed out for the applicant
22 that we need to get prior to the hearing. Have

1 you gone over any of that with them?

2 MR. COCHRAN: I=ve gone over several
3 of the -- we=ve certainly had discussions about
4 all of these.

5 COMMISSIONER TURNBULL: Okay.

6 MR. COCHRAN: The applicant has
7 provided some information about some of them,
8 but not complete information about all of them.

9 COMMISSIONER TURNBULL: Well, I
10 guess I would -- I mean I guess the one thing,
11 I mean, we can tell is that it=s still early,
12 the overall concept plan are just box-like
13 structures that we=re seeing just blocked out
14 but on the -- on the consolidated.

15 But on this Phase I, the building
16 still looks cartoon-like. The draws really
17 aren=t fleshed out very well, so we really need
18 some better renderings, some architectural
19 material board when this comes before us.

20 MR. COCHRAN: Excuse me, just to be
21 clear --

22 COMMISSIONER TURNBULL: Building

1 one.

2 MR. COCHRAN: -- you said -- oh
3 building one, okay, thank you.

4 COMMISSIONER TURNBULL: Building
5 one. On building one, it just, right now, the
6 drawings are very cartoon-like. They really
7 don=t give you a flavor for what they=re really
8 trying to do and the colors, I don=t know if
9 they=re really the real colors that they=re
10 really trying to do.

11 But the window elevation, that
12 whole -- it=s just really not very well done.
13 So we=re really going to need a better set of
14 drawings, some blow-ups of that.

15 I=m not sure what=s going on with
16 the roof. I saw in the consolidated plans some
17 idea of roof plans but I really don=t see a
18 really good idea of what=s going with the roof.
19 I=d like to see a better blow-up of that, maybe
20 a perspective and a section through the roof so
21 that we really know what=s happening up on that
22 roof plan on building one.

1 MR. COCHRAN: The applicant did
2 supply that to us and was to have filed a
3 rendering of that.

4 COMMISSIONER TURNBULL: What
5 drawing was that? Oh, I mean there is, yes, we
6 did get a submittal but I would still like to
7 see a better plan. I mean it=s a little
8 perspective. You=re right, we got a little
9 sketch that shows either a running track up
10 there but, again, it=s very sketch-like. I
11 think if we=re going to see what this really is,
12 a more definitive plan and elevations of it is
13 included in this.

14 The phasing, it=s a phased project,
15 is there any mention of how long -- what they
16 feel that the time line for the phasing is?

17 MR. COCHRAN: Beyond presumably
18 starting groundbreaking, three years after the
19 consolidated pud is approved, there is no
20 phasing for the next stages of the PUD.

21 COMMISSIONER TURNBULL: Okay.
22 Could we get a proposed layout of how they see

1 it being developed anyway? What projected
2 time line might be for the next phases?

3 There was something shown on the
4 plan for at the circle, something for art at any
5 number of the sheets so that as you get to where
6 Virginia Avenue and M Street come together,
7 there=s the lawn area but then there=s -- looks
8 like in the public way is an art project. Is
9 that something that=s there, or could be
10 proposed or what=s --

11 MR. COCHRAN: There is nothing there
12 now.

13 COMMISSIONER TURNBULL: Well that=s
14 what I thought. So is this something they=re
15 proposing as an amenity?

16 MR. COCHRAN: We have not seen any
17 details on that and the -- well it is shown on
18 the plans, the applicant hasn=t listed it as a
19 public benefit or an amendment at this point.

20 COMMISSIONER TURNBULL: Okay. All
21 right, I was just curious. I saw it and I was
22 like, showed something like free-form sheep

1 and I didn=t know what it was. If we could get
2 some information on that then.

3 The material board, again, let=s
4 just say we=d like to see that and I think other
5 then your list of clarifications and that, I
6 think would be very good and I think, Mr. Chair,
7 I will relinquish my time.

8 CHAIRMAN HOOD: Thank you, Mr.
9 Turnbull.

10 Before we go any further, does
11 anyone have any objection of waiving our
12 rulings for the Office of Management report? I
13 forgot to do that. Okay. All right.

14 Who=d like to go next? Okay, let=s
15 somebody just go, just dive in.

16 COMMISSIONER MAY: I=m going, I=m
17 ready.

18 All right, so I agree with
19 Commissioner Turnbull. You know, the drawing
20 package on this is extremely light,
21 particularly given the scale of this. I mean
22 this is a pretty big project and only part of

1 it is the consolidated. But even for the
2 consolidated, the drawing set is quite thin
3 compared to what we usually see.

4 I=m not sure what I saw that was
5 incorrect but I only say 41 lead points on the
6 lead checklist which would make it certified,
7 not silver, so maybe that should be just
8 clarified at the hearing.

9 I=m really interested in the
10 relationship of this development to the
11 L=Enfant Plan Streets that would intersect it.
12 It=s very hard to tell, but it looks like part
13 of the building is located within the right of
14 way or what would have been the right of way of
15 Virginia Avenue extended through here and there
16 are other, you know, then the North, South
17 Streets. So seeing some sort of overlay so we
18 can understand that, I think would be helpful.

19 Didn=t we actually see this project
20 or a version of this project a few years ago as
21 a potential set down? Because I remember
22 seeing something about the development of this

1 site a long time ago and some of those same
2 questions were raised. This is what brings it
3 up for me is the L=Enfant question.

4 MR. COCHRAN: I would have to defer
5 to Mr. Lawson, but I haven=t seen anything
6 specific for it. It=s certainly been
7 discussed for a long time --

8 COMMISSIONER MAY: Yes.

9 MR. COCHRAN: -- in various
10 formats.

11 COMMISSIONER MAY: Well maybe I saw
12 it in a different context

13 MR. LAWSON: And not that I remember
14 either, the areas we drew a couple of times once
15 some years ago that some of you may remember,
16 although probably only Commissioner Chairman
17 Hood was on the Commission at the time. There
18 was a proposal to extend the category overlay
19 over this area. That was quite some time ago.

20 I can=t think of any other actions
21 down here but we can take a look at that and see
22 if there=s anything else.

1 COMMISSIONER MAY: So have you
2 gotten feedback from the State Historic
3 Preservation Officer about the relationship of
4 to the L=Enfant Plan? I mean I don=t know that
5 it=s subject, I don=t think it=s subject HPRB
6 Review, but if it is that=s be great.

7 MR. COCHRAN: I am not aware of it
8 being subject to HP review.

9 COMMISSIONER MAY: Yes, I didn=t
10 think so.

11 MR. COCHRAN: But certainly, they
12 have seen the plans and I have not --

13 COMMISSIONER MAY: I=m just
14 interested in hearing some perspective on this
15 in that --

16 MR. COCHRAN: Sure.

17 COMMISSIONER MAY: -- from that
18 area of expertise.

19 MR. COCHRAN: Absolutely.

20 COMMISSIONER MAY: I think that
21 would be helpful to understand how this fits
22 into the overall context.

1 Speaking of context, what is the
2 state of the boathouse row planning? Isn't
3 that what is happening along the river front
4 now?

5 MR. LAWSON: There was a planning
6 exercise. That plan is completed. That=s
7 about all I know at this point.

8 COMMISSIONER MAY: Okay, and
9 obviously no development moving forward at this
10 moment. But, so can we see the results of that
11 plan?

12 MR. LAWSON: Absolutely.

13 COMMISSIONER MAY: Okay, that would
14 be helpful as well.

15 I=m going to jump back to the
16 architecture for a second. No, wait a second,
17 I=m sorry, one more thing about L=Enfant plan.
18 I mean one of the things that strikes me about
19 this project is this is extremely low lot
20 occupancy compared to what we typically see.
21 And I, you know, and I=m sort of struggling with
22 why it is configured the way it is.

1 Maybe there=s some overall planning
2 rationale or master planning discussion that
3 we=re missing for this because I mean I just
4 don=t see what it relates to why the buildings
5 are placed the way they are necessarily.

6 I mean I can see some of the
7 rationale for it but it doesn=t -- there=s
8 something missing in that regard.

9 I think the last time we did a big
10 waterfront project, we got into that in great
11 detail and we understood more about what was
12 driving the placement of buildings and so on and
13 I don=t see that here. So maybe there=s more
14 that can be done to describe sort of the master
15 plan of the site, that would be helpful.

16 And okay, and so now I=ll go back to
17 the architecture for a second which is that
18 there are a number of architectural moves that
19 I don=t really quite understand.

20 There are projecting vertical
21 fences, I guess they=re screens of some sort.
22 I don=t really understand why they=re there.

1 What they do. They look like they=re
2 decoration but as decoration goes, I don=t
3 think they=re particularly good. So I mean
4 maybe there=s some -- these are out along the
5 south side of Building One.

6 There is things that project from
7 the building that are vertical and they go for
8 one story, I don=t get it.

9 And then some of the other
10 projections on the north side of that same
11 building which are these box-like projections.
12 Again, I don=t see a real rationale for that.
13 It=s just it seems random and maybe that=s the
14 idea, is that it just pops out occasionally.

15 But it=s not -- if that=s the case,
16 there=s a lack of kind of geometric discipline
17 in the design or something that I=m not seeing.
18 Maybe there=s, again, maybe there=s a rationale
19 to it, it just feels like kind of a random
20 placement of things on the facade and it doesn=t
21 really make that much sense.

22 That being said, I think there are

1 a lot of really great things about this project
2 and the idea of revitalizing this area and doing
3 something with it and it=s a really exciting
4 opportunity because we have some, you know, we
5 have an approach to the river with some
6 topography and an opportunity for a really
7 great stairway.

8 I don=t -- I=m not sure we have the
9 really great stairway yet, but I think that
10 there=s some, I think, unique opportunities
11 that are presented by this project and this site
12 and I really, really hope that the applicant is
13 able to take advantage of that and I would rely
14 on the Office of Planning to work closely with
15 them to further develop it.

16 I also would underscore the
17 importance of getting answers to all the
18 questions that you have about this project.
19 Some of them are questions that we don=t
20 normally see at this stage and so I=m kind of
21 surprised they aren=t already answered but I
22 assume that you will get answers by the time we

1 see it again.

2 Thanks.

3 VICE CHAIR COHEN: I'll go next.

4 I would like to know a bit more about
5 the assumptions, you know, on the IZ
6 requirement.

7 One of the concerns that I have with
8 the home ownership opportunities which are a
9 possibility with this project is the -- would
10 be a condo and the cost increase of maintenance
11 a lot of the eligible households who are
12 eligible for the IZ units cannot afford those
13 maintenance increases. So I would like more
14 information from the Office of Planning or DHCD
15 with regard to feasibility.

16 I just -- I guess what=s really, you
17 know, of concern to me and I know I cannot hold
18 this developer, even though we share the same
19 last name, we are not related.

20 I just feel the City is spending so
21 much time, and this is a concern of mine as well,
22 of providing housing for bicycles whereas, you

1 know, the affordability issues and people who
2 really need housing aren=t being addressed.
3 So that=s just, you know, maybe it=s getting
4 late and I=m getting cranky.

5 I=d like to mention the bump outs
6 that Commissioner May mentioned. I just don=t
7 think the building looks very graceful with
8 them. There may be a reason why they=re there.
9 You know, as Commissioner May said it may be
10 haphazard for a reason, but it=s not graceful.
11 It looks very burdensome to the building. I
12 called it -- they look like carbuncles.

13 The other thing I would like to know
14 more about is the compelling need for a
15 three-year PUD approval. You get it maybe
16 something that we need to seriously consider
17 but why should we treat with more speciality or
18 more special consideration?

19 The arroyos, the one that I am most
20 familiar with that seem to represent what
21 they=re doing in this project is the Dupont
22 Circle, you know, that it is an unplanted except

1 for weeds, but somebody did try to plant on the
2 Dupont Circle when you go up the metro. That
3 looks very much like what they=re attempting to
4 do on the landscaping here and I just want to
5 make sure that the planting is much more
6 sustainable and not going to be replaced with,
7 you know, weeds.

8 And then a bit more explanation on
9 the parking. Again, I think we=re asking for
10 more parking than the zoning requires and I=d
11 like to know why.

12 Those are my comments. Thank you.

13 CHAIRMAN HOOD: Okay, next?
14 Commissioner Miller?

15 COMMISSIONER MILLER: Thank you, Mr.
16 Chairman.

17 Yes, I would generally agree with
18 all of the comments positive by my colleagues
19 and by the Office of Planning and the requests
20 for additional information and potential
21 alternatives in the design. I think this
22 project, you know, with 673 units overall will

1 go a long way to helping increase the housing
2 supply in our City in an area that=s vacant and
3 under utilized now.

4 There are a lot of landscape
5 street-scape improvements which are
6 commendable.

7 I do like the -- I understand why
8 they wanted to do a more brick-type kind of a
9 facade on the part facing Capital Hill and a
10 different more greener, lighter facade facing
11 the water. I actually like the facade facing
12 the water a lot and maybe some of that can be
13 incorporated somehow on the other side as well.

14 But I like all the balconies there.
15 I wouldn=t mind seeing even more balconies.
16 These are water views that would be pretty
17 spectacular, so I think people would appreciate
18 having that.

19 I would agree with -- just to call
20 out a couple of the comments that my colleagues
21 had. I think the LEED absolutely has to be --
22 the checklist has to be a lot stronger. It=s

1 barely making certified and it needs to be
2 either silver -- we need to be striving to
3 achieve silver or gold for this project.

4 And the retail seems a little light
5 compared to how the overall size of the project
6 to only have 10,000 square feet of retail.
7 Maybe that=s enough to sort of to the residence
8 here. I don=t think there=s a lot of retail
9 around here, but maybe if we can just hear more
10 rationale as to why it=s only 10,000 square feet
11 for a project that has over, what a half a
12 million, 600,000 square feet development.

13 And I think -- oh I had one question,
14 how -- what is the length of that first
15 building? I should be able to read these parts
16 that are mapped out -- currently going, but does
17 anybody have any idea what -- it seemed a little
18 long, that=s all. But I=m curious what the
19 actual length is.

20 MR. COCHRAN: Well, I would have to
21 agree that it=s long. I don=t have my scale
22 with me so I can=t give an answer to that.

1 COMMISSIONER MILLER: And there=s
2 going to be the second building next to it
3 connected in an above grade connection so it may
4 even seem longer at that point.

5 MR. COCHRAN: No, because the second
6 building is roughly half, maybe two-fifths the
7 length of the first tower of building one.

8 COMMISSIONER MILLER: All right.
9 And then as your report says, it will read as
10 two buildings even though it has the
11 connection.

12 Well, I guess there=d be some more
13 information at the hearing as to -- that would
14 just demonstrate that the length is not too
15 overbearing and that does need to be broken up
16 even further.

17 That=s it, Mr. Chairman. I=m
18 prepared to move forward with at this step now.

19 CHAIRMAN HOOD: Okay, thank you.

20 I too would like to know how the
21 bio-retention palette is going to work. It=s
22 a lot of mixtures there, I want to know how the

1 combination of all that=s going to work.

2 It looks, from what I see here
3 tonight, it looks very lively and entertaining
4 and it looks like it=s going to be a good deal.
5 But I would like to know how that=s going to work
6 and make sure that it=s livable than just sit
7 there and die, especially on that wall side.

8 The other thing is I do like the slim
9 jim, I think it might be the first tower or tower
10 B but anyway, I do like that slim effect, but
11 I would also note that some of my colleagues
12 have made some points, especially the way it
13 looks on Page 25 of our submission dated October
14 30th, even though that=s a long -- I kind of like
15 that effect, especially around the bridges and
16 the water, that slim jim, I call it a slim jim
17 effect.

18 But other than that, some of the
19 material boards, I think Commissioner
20 Turnbull=s already asked for. I=m looking to
21 see the material boards as we all can get or as
22 we=re supposed to get during the hearing.

1 I would agree that I'm ready to set
2 this down. So somebody would like to make a
3 motion?

4 COMMISSIONER MILLER: I would move
5 that we set down Zoning Commission Case No.
6 13-12 for public hearing on Consolidated
7 Preliminary PUD at 1333 M Street Southeast with
8 associated Amendment? Can I ask for a second?

9 CHAIRMAN HOOD: Okay, second.

10 It=s been moved and properly
11 seconded. Any further discussion? All those
12 in favor?

13 (CHORUS OF AYES)

14 CHAIRMAN HOOD: Not hearing any
15 opposition, Ms. Schellin, would you please
16 record the vote.

17 MS. SCHELLIN: The staff records the
18 vote 5-0-0 to set down Zoning Commission Case
19 No. 13-12 as a contested case.

20 Commissioner Miller moving,
21 Commissioner Hood seconding. Commissioners
22 Cohen, May and Turnbull in support.

1 CHAIRMAN HOOD: Okay. Let=s go to
2 Correspondence. Ms. Schellin?

3 MS. SCHELLIN: Yes sir, we have one
4 correspondence item from the Zoning
5 Administrator. He sent a letter advising of
6 the flexibility that he has granted in Zoning
7 Commission Case No. 06-11J/06-12J and he is
8 advising the Commission pursuant to 2409.8 and
9 just like the Commission to know that,
10 acknowledge it or if you have an issue to let
11 me know so we can let him know.

12 CHAIRMAN HOOD: I think for me, Ms.
13 Schellin, I=m not sure where I read it, it might
14 not even be -- I don=t see it now in this letter
15 about a minor modification. I don=t have a
16 problem with two percent flexibility but maybe
17 it was somewhere else. Maybe it was just
18 mentioned somewhere else as a minor
19 modification.

20 I don=t believe, and Mr. Ritting,
21 you can help me with the Zoning Administrator
22 and then it doesn=t spell out minor

1 modification. We went through that --

2 MR. RITTING: Yes, the last sentence
3 in his letter does use the words minor
4 modification which is confusing. But I don=t
5 read the rest of the description in the letter
6 is pretty clear that he isn=t -- he=s requesting
7 that the flexibility that=s permitted for the
8 rules so I --

9 CHAIRMAN HOOD: Which is two
10 percent.

11 MR. RITTING: Yes, and I agree that
12 the wording at the end is confusing, but I don=t
13 believe that that=s the intent of the letter to
14 request minor modification authority.

15 CHAIRMAN HOOD: If we could just let
16 him know that we need to make sure we=re not
17 using the words minor modification because I
18 know he wants to take our job, no, but if you
19 could just ask him not to do that.

20 MR. RITTING: I will do that.

21 CHAIRMAN HOOD: Okay, thank you.

22 All right, anything else

1 Commissioners?

2 Okay, I have a quick announcement,
3 I probably should have read this earlier but
4 hopefully for the viewing audience.

5 Over the last couple of weeks, we
6 have announced that the Office of Planning will
7 be holding Open Houses. They had one March 4th
8 and will be holding three more on March 11th,
9 12th and 15th. You can check with their office
10 and on their website for locations on the Open
11 Houses.

12 In addition, OP will be holding
13 additional Open Houses at their office every
14 Friday in March from 9:00 a.m. to 5:00 p.m. for
15 people to walk in and have questions and
16 actually also give input, the way I see it, at
17 that time.

18 I would encourage the public to take
19 advantage of the office Open Houses if you still
20 have unanswered questions or would like to
21 continue to give input. You can contact the
22 Office of Planning at 202-442-7600.

1 The Zoning Commission will hold two
2 further hearings. The first one will be held
3 on April 21st at 6:00 p.m. at the Thurgood
4 Marshal Academy in Ward 8. The Commission will
5 first hear from residents who reside in Ward 7
6 and 8 first, who have not previously testified
7 and then from those who reside in the other
8 Wards who have not previously testified.

9 Second, on April 24th at 6:00 p.m.,
10 the Commission will hold a hearing here in this
11 room and hear from anyone who has not previously
12 testified. We're going to make ourselves
13 available.

14 The exception to hearing from those
15 who have not previously testified before the --
16 will be the Advisory Neighborhood
17 Commissioners. Any ANC Commissioner may
18 testify again even if they previously testified
19 as they represent many district residents.

20 In addition, the Commission will
21 keep the record open until 3:00 p.m. on Friday,
22 April 25th. We will then decide the next steps

1 at our April 28th meeting. If you have any
2 questions, you can check the website or call
3 either Office of Planning office or the Office
4 of Zoning office.

5 And also, I want to put this out
6 there for those who may be watching. At the
7 oversight hearing, I made a mistake and I will
8 be going back to correct that at the budget
9 hearing.

10 This Commissioner did allow for
11 different subtitles, everyone to be able to
12 comment whether you testified any night, if you
13 testified on Subtitle J, you can come back and
14 testify on Subtitle H the following night. I
15 don't have that exactly, the subtitles exactly
16 how we did in that order, but everyone was able,
17 if we had, I think we had four subtitle
18 meetings.

19 MS. SCHELLIN: Five.

20 CHAIRMAN HOOD: Five. If we have
21 five subtitle meetings, the same person could
22 testify five times and I'm going to be

1 straightening it out at the Council=s budget
2 hearing and I=ve asked for a time line to submit
3 that in writing to Chairman Mendelson.

4 So any questions, Commissioners?

5 Mr. Lawson, do you have anything you
6 want to add?

7 MR. LAWSON: No, thanks for the
8 reminder to people about the Open Houses,
9 they=ve been pretty successful so far. We=ve
10 had great discussions with people from all over
11 the City on a broad range of issues. People
12 tend to be coming in and staying for half an hour
13 or longer talking to OP, mostly about zoning
14 issues, although it=s really nice that a number
15 of the Open Houses are at our offices.

16 We=ve been able to pull in other
17 staff when they have questions about historic
18 preservation or long-range planning. So those
19 have actually been particularly helpful so far.

20 We=re looking forward to our
21 meeting in Petworth on Tuesday night.

22 I=ll also note that we=ve kind of

1 continued on our process of preparing summaries
2 of the Zoning Regulations. So far we've done
3 summaries on a Ward basis and on a topic basis.
4 We've taken that one step further and provided
5 some pretty detailed summaries of the proposals
6 at the ANC level, so there's 40 all together.

7 It covers all the major issues,
8 parking, etc., apartments, corner stores, zone
9 naming, campus plans, downtown, you name it, it
10 covers all those. It includes maps that show
11 where all of those provisions may or may not
12 apply. Those were all mailed. A paper copy
13 was mailed to each ANC Commissioner in the
14 district. And the proper one, of course, for
15 each individual ANC member.

16 We also e-mailed a copy to all of the
17 -- a copy of the same document to all of the ANC
18 Commissioners. We've uploaded it to the
19 Office of Zoning website on ISIS. It's on our
20 blog site. It's on our website.

21 A number of ANCs and community
22 groups have already notified us that they've

1 uploaded the document to their own websites and
2 blog sites.

3 And finally, I would just note Ms.
4 Steingasser isn't here to night because she's
5 out meeting with ANC, I think, 4B tonight on the
6 proposed changes. So all of those discussion
7 continue.

8 But I think that's what I've got.
9 Thank you.

10 CHAIRMAN HOOD: Okay. Thank you,
11 Mr. Lawson. Commissioners, any questions of
12 Mr. Lawson?

13 All right, thank you very much, Mr.
14 Lawson and the Office of Zoning for the effort
15 that's being put in to make sure the word gets
16 out.

17 Ms. Schellin, do we have anything
18 else tonight?

19 MS. SCHELLIN: No, sir.

20 CHAIRMAN HOOD: Okay, so with that,
21 this meeting is adjourned. Thank you.

22 (Whereupon the foregoing matter

1 went off the record at 8:12 p.m.)

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