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ZONING COMMISSION
District of Columbia

CASE NO. 03-104

EXHIBIT NO. 4

GOVERNMENT OF THE DISTRICT OF COLUMBIA
ZONING COMMISSION

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REGULAR MEETING
1145th MEETING SESSION (3rd of 2003)

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Monday

March 10, 2003

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The Regular Meeting of the District of Columbia Zoning Commission convened at 1:30 p.m. in Room 220 South, 441 4th Street, N.W., Washington, D.C. 20001, Carol J. Mitten, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

CAROL J. MITTEN	Chairperson
ANTHONY J. HOOD	Vice Chairperson
JAMES H. HANNAHAM	Commissioner
PETER G. MAY	Commissioner
JOHN G. PARSONS	Commissioner

ZONING COMMISSION STAFF PRESENT:

ALBERTO BASTIDA	Secretary
SHARON SANCHEZ	Office of Zoning

OFFICE OF PLANNING STAFF PRESENT:

ELLEN MCCARTHY	Deputy Director
STEVEN COCHRAN	Office of Planning
STEPHEN MORDFIN	Office of Planning
JENNIFER STEINGASSER	Office of Planning

D.C. OFFICE OF CORPORATION COUNSEL:

ALAN BERGSTEIN, ESQ.
COREY BUFFO, ESQ.

ZONING COMMISSION
District of Columbia

CASE NO. 03-104

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1 VICE CHAIR HOOD: Aye.

2 COMMISSIONER MAY: Aye.

3 COMMISSIONER HANNAHAM: Aye.

4 CHAIRPERSON MITTEN: Aye. Those opposed,
5 please, say no.

6 Ms. Sanchez?

7 MS. SANCHEZ: The staff would record the
8 vote 5 to 0 to 0 to set down case 03-09, Commissioner
9 Mitten moving, Commissioner Parsons seconding,
10 Commissioner Hannaham, Hood and May in favor.

11 CHAIRPERSON MITTEN: Thank you. And now
12 Zoning Commission Case 03-10, which addresses public
13 libraries as a Matter-of-Right in various zones.

14 Ms. McCarthy?

15 MS. MCCARTHY: Thank you, Madam Chair.
16 This is Mr. Mordfin's case, but let me begin going
17 through it. Oh, he's coming. But basically, the
18 libraries that have been constructed already in the
19 District were constructed in that period of time in
20 which D.C. Government Buildings did not require
21 zoning, and now there are plans a foot to renovate or
22 in some cases reconstruct a substantial number of
23 those libraries, a very large number of which are in
24 residential zones.

25 Right now, libraries are a Matter-of-

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1 Right in commercial zones, but not in residential
2 zones, so the Office of Planning was introducing a
3 text amendment that would establish library use as a
4 Matter-of-Right in those zones, and let me pass it
5 over to Mr. Mordfin for some additional details.

6 MR. MORDFIN: Good afternoon.

7 CHAIRPERSON MITTEN: Good afternoon.

8 MR. MORDFIN: Chair and members of the
9 Commission. My name is Stephen Mordfin with the
10 Office of Planning, and this is the set down for text
11 amendment to permit the public libraries within the
12 zoning regulations, and this text amendment is to add
13 the use of public libraries to the zoning regulations
14 as use permitted as a Matter-of-Right within the
15 residential, special purpose, mixed use, commercial,
16 industrial and waterfront districts, and it has been
17 filed by the District of Columbia Public Library.

18 Currently, the zoning regulation permits
19 the use of library within the mixed use, commercial,
20 industrial and waterfront districts, but not within
21 residential or special purpose districts.

22 Approximately, 45 percent of the cities public
23 libraries are located wholly within residential
24 districts with others split zone between commercial
25 and residential districts. As a result, the city

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1 cannot rebuild any of its libraries that are located
2 within residential districts as it is not use
3 permitted.

4 The new use public libraries proposed as
5 a separate use from the existing library use, so as
6 to differentiate it from private libraries, and the
7 use of public libraries proposes use permitted as a
8 Matter-of-Right within all districts that permit
9 residential uses as libraries are considered to be a
10 positive amenity to any residential neighborhood.

11 It is also proposed as use permitted as a
12 Matter-of-Right within districts that do not permit
13 new residential construction, such as industrial
14 districts, as industrial districts are often mapped
15 across the street from a residential neighborhood and
16 may provide an appropriate location for a new
17 facility some time in the future. The District of
18 Columbia Public Library has created three library
19 definitions for the three types of libraries that it
20 operates throughout the city for inclusion within the
21 zoning regulations.

22 The parking requirements proposed for
23 public libraries are based on each of those three
24 different types of public library facilities, and the
25 amount of parking required is based on the type and

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1 size of any future library facility and its distance
2 from a Metro Rail Station. It is also proposed that
3 the BZA be empowered to approve special exceptions
4 for the reduction of parking at public libraries,
5 where such a request is justified due to the physical
6 constraints of the site. And that concludes the
7 presentation from the Office of Planning.

8 CHAIRPERSON MITTEN: Thank you, Mr.
9 Mordfin. I had a question, and maybe this is just
10 something to consider when you do your further
11 analysis of this, but the full service neighborhood
12 public library potentially has meeting rooms and
13 gathering spaces in it. I think it says meeting
14 rooms. I guess meetings rooms, the thing that's
15 specifically called that, but where people could come
16 in groups. I just would ask that you, in thinking
17 about the parking space requirement, give that some
18 specific thought, because it's not just the routine
19 use of people coming and going and taking books out
20 of the library, but perhaps larger groups and maybe
21 there's a threshold size of a meeting room that would
22 sort of tip the scale and require some separate
23 parking.

24 Then, I guess, the other thing is that
25 since there is a different requirement for the full

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1 service neighborhood public library in all other
2 districts, I would just ask you to give some thought
3 to, since you had mentioned that libraries, without
4 distinguishing whether they are a public library or
5 private library, don't have a parking requirement at
6 all. Do we want to think about having a parking
7 requirement for non public libraries in the zones
8 where they are permitted? Because there would be a
9 requirement for the full service neighborhood public
10 library that would not apply to the non public
11 library. Did you follow me on that one?

12 MR. MORDFIN: Yes, I did.

13 MS. STEINGASSER: Yes, we did.

14 CHAIRPERSON MITTEN: Okay. Did anyone
15 else have questions? Mr. May?

16 COMMISSIONER MAY: Yes, I have questions.

17 At the end of the report there's a chart that lists
18 the libraries and then the zones that they are in and
19 how many parking spaces, and I thought that was a
20 very interesting chart, but I was hoping, for the
21 purposes of the hearing, that we could get some
22 further information, because while, you know, the
23 different branches fit into the categories that
24 you've created, we don't really have any sense of,
25 you know, which one is a, you know, 2,000 square foot

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1 library and which one is, you know, a 15,000 square
2 foot library, and that does relate significantly to
3 some of the issues that the Chairman has raised, and
4 all of that sort of figures into it.

5 It would be useful to know, for example,
6 if there's an auditorium in any of these, that kind
7 of information, I think, is relevant. I also think
8 some of them are misclassified, but that's a minor
9 point. I think there are some kiosks in there that
10 are listed as something other than a kiosk, unless
11 those big blue flying saucer buildings are not the
12 actual kiosk things, but that's what I think they
13 are.

14 I guess the other question I would have
15 is is there any way for the sake of -- let me back up
16 for one second. It seems to me that if there's any
17 contentious component to this it will be the aspect
18 of parking, and understanding more about how parking
19 works at the existing libraries and whether it is
20 adequate to those that have parking, just as a way of
21 gauging whether the parking requirements that you are
22 writing in here are the right ones, because I don't
23 know what the basis is for these necessarily.

24 MS. MCCARTHY: All right. One thing that
25 we should be clear about is that the parking

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1 requirements that we are writing in are written to
2 apply to new library construction or complete
3 reconstruction only. We didn't want to retard the
4 ability to improve or renovate existing structures,
5 even if they happen to occupy most of their lot, and
6 therefore there was no possibility to include
7 additional parking, and we didn't want them to have
8 to go through with a special exception if we're
9 talking about a situation that had already been in
10 existence for years and years.

11 COMMISSIONER MAY: Right, I agree. I
12 mean, I understand there are some that are virtually
13 land locked or have no space to add parking without
14 significant detriment to the neighborhood. I'm just
15 talking about, you know, new construction and whether
16 the parking requirements that we're establishing here
17 are the right ones, based on the way we know the
18 existing libraries to be used and parked.

19 MS. MCCARTHY: Yes. So you would like us
20 to, for the hearing, update this chart and to include
21 square footages and whether there are auditoriums or
22 large public assembly rooms as part of these
23 facilities?

24 COMMISSIONER MAY: Yes, yes.

25 MS. MCCARTHY: Will do.

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1 COMMISSIONER MAY: Thanks.

2 CHAIRPERSON MITTEN: Mr. Hood?

3 VICE CHAIR HOOD: Madam Chair?

4 CHAIRPERSON MITTEN: Yes.

5 VICE CHAIR HOOD: Mr. Mordfin, I'm
6 looking here on the set down report and in different
7 zones you have GOV. Could you help me with that? I
8 think I know, but I don't know exactly what GOV
9 means.

10 MR. MORDFIN: Actually, that's the way it
11 shows on the maps. What GOV means is it's unzoned.

12 VICE CHAIR HOOD: Oh, a Government zone,
13 so it's unzoned.

14 MR. MORDFIN: It's unzoned.

15 VICE CHAIR HOOD: Okay. I thought that
16 meant Government. How are we going to approach that?
17 How is that going to be dealt with?

18 MR. MORDFIN: Well, what those libraries
19 would have to do if something were to change and then
20 they wanted to obtain building permits, we would
21 first have to place them within the zoning district,
22 whichever one might be applicable to the neighborhood
23 that it's in.

24 VICE CHAIR HOOD: And that will require
25 coming in front of the Commission, I believe?

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1 MR. MORDFIN: Yes.

2 VICE CHAIR HOOD: Okay. I would like to
3 see us look at another way to handle this, because
4 you have quite a few there. Maybe we can take care
5 of this at the hearing. I'm not sure how it can be
6 done, but you have a number of them down here. These
7 libraries have been in existence. So maybe you might
8 be able to make a proposal at the hearing. This is a
9 suggestion, because that's quite a bit of coming back
10 and forth.

11 Thank you, Madam Chairman.

12 CHAIRPERSON MITTEN: Thank you, Mr. Hood.

13 Anyone else? All right. We have a recommendation
14 from the Office of Planning to set down the text
15 amendment to permit public libraries as a Matter-of-
16 Right in all zones, along with the parking
17 requirements.

18 VICE CHAIR HOOD: Madam Chair, I make a
19 motion that we set down Zoning Commission Case 03-10.

20 COMMISSIONER PARSONS: Second.

21 CHAIRPERSON MITTEN: It's been moved and
22 seconded to set down Zoning Commission Case 03-10.
23 All those in favor, please, say aye.

24 VICE CHAIR HOOD: Aye.

25 COMMISSIONER PARSONS: Aye.

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1 COMMISSIONER MAY: Aye.

2 COMMISSIONER HANNAHAM: Aye.

3 CHAIRPERSON MITTEN: Aye. Those opposed,
4 please, say no.

5 Ms. Sanchez?

6 MS. SANCHEZ: Yes, the staff would record
7 the vote 5 to 0 to 0 to approve for set down case 03-
8 10, Commissioner Hood moving, Commissioner Parsons
9 seconding, Commissioners Hannaham, May and Mitten in
10 favor. And I'll just confirm that both of these
11 cases will be rule making.

12 CHAIRPERSON MITTEN: Yes. Thank you.
13 All right. We're ready to move to proposed action.
14 The first case under proposed action is Zoning
15 Commission Case 02-46, and this is a request from the
16 Department of Public Works to zone a site that is
17 currently unzoned on which the Benning Road Trash
18 Transfer Station is located in order to accommodate
19 an expansion of the building.

20 And, Mr. Bastida, did you have something
21 that you wanted to put on the record?

22 SECRETARY BASTIDA: The staff requested a
23 comment from the City Council and the City Council,
24 Mr. Rod Miller, was opposed to providing something
25 for this afternoon, but I have not received it as

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