

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

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IN THE MATTER OF :
:
Comprehensive Zoning : Case No.
Regulations Review: Chapters : 08-06
B-15, B-16 & B-17 :
:
-----:

Monday,
November 15, 2010

Hearing Room 220 South
441 4th Street, N.W.
Washington, D.C.

The Public Hearing of Case No.
08-06 by the District of Columbia Zoning
Commission convened at 6:30 p.m. in the
Office of Zoning Hearing Room at 441 4th
Street, N.W., Washington, D.C., 20001,
Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson
KONRAD SCHLATER, Vice Chairperson
PETER MAY, Commissioner (NPS)
GREG SELFRIDGE, Commissioner (District

Resident)
ZONING COMMISSION MEMBERS PRESENT (cont'd):
MICHAEL G. TURNBULL, FAIA,
Commissioner (AOC)

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary
ESTHER BUSHMAN, General Counsel

OFFICE OF PLANNING STAFF PRESENT:

DAN EMERINE
TRAVIS PARKER
JENNIFER STEINGASSER

DDOT STAFF PRESENT:

CHRISTOPHER DELFS
KARINA RICKS

The transcript constitutes the
minutes from the Public Hearing held on
November 15, 2010.

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

2 6:32 p.m.

3 CHAIRMAN HOOD: Good evening,
4 ladies and gentlemen.

5 This is a public hearing of the
6 Zoning Commission for the District of Columbia
7 for Monday, November 15, 2010. My name is
8 Anthony Hood.

9 Joining this evening are Vice
10 Chairman Schlater, Commissioner Selfridge,
11 Commissioner May and Commissioner Turnbull.

12 We're also joined by the Office of
13 Zoning staff, Ms. Sharon Schellin and Ms.
14 Esther Bushman; also, the Office of Planning
15 staff, Ms. Steingasser, Mr. Parker and Mr.
16 Emerine. And I should have know when I used
17 it; but anyway, Mr. Emerine. Thank you.

18 This proceeding is being recorded
19 by a court reporter, and it is also webcast

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1 live. Accordingly, we must ask you to refrain
2 from any disruptive noises or actions in the
3 hearing room.

4 The subject of this evening's
5 hearing is Zoning Commission Case 08-06. This
6 is a request by the Office of Planning for
7 text amendments to the zoning regulations in
8 relations to the regulations governing
9 parking, bike parking and loading.

10 Notice of today's hearing was
11 published in the *D.C. Register* on October 1,
12 2010. And copies of that announcement are
13 available to my left on the wall near the
14 door.

15 This hearing will be conducted in
16 accordance with the provisions of 11 DCMR 3021
17 as follows: preliminary matters, presentation
18 by the Office of Planning, reports of other
19 government agencies, a report of ANC -- all of
20 them, organizations and persons in support,
21 organizations and persons in opposition. The

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1 following time constraints will be maintained
2 in this hearing: organizations, five minutes;
3 individuals, three minutes.

4 All persons appearing before the
5 Commission are to fill out two witness cards.

6 These cards are located to my left on the
7 table near the door. Upon coming forward to
8 speak to the Commission, please give both
9 cards to the reporter sitting to my right
10 before taking a seat at the table.

11 The decision of the Commission in
12 this case must be based exclusively on the
13 public record. To avoid any appearance to the
14 contrary, the Commission requests that persons
15 present not engage the Members of the
16 Commission in conversation during any recess
17 or at any time. The staff will be available
18 throughout the hearing to discuss procedural
19 questions.

20 Please turn off all beepers and
21 cell phones at this time so not to disrupt

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1 these proceedings.

2 At this time, the Commission will
3 consider any preliminary matters. Does the
4 staff have any preliminary matters?

5 MS. SCHELLIN: No, sir.

6 CHAIRMAN HOOD: I have one
7 preliminary matter. I see that we've been
8 joined by a representative of Councilmember
9 Thomas' Office. I'm going to ask if Ms.
10 Chambers will come forward. If we have any
11 other representatives of any other
12 Councilmembers' office, if you can come
13 forward at this time.

14 Also, as she prepares and gets
15 ready, I want to thank Commissioner May. We
16 have a request -- I'll tell you what. I'll
17 wait and we'll do that. But we do have a
18 request to waive our rules for ten days prior
19 to the Zoning Commission's public hearing.
20 The Office of Planning has respectfully
21 requested the Commission waive this rule and

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1 set this report into the record.

2 I think we can do that with any
3 objections of general consensus.

4 Any objections?

5 (No audible response.)

6 CHAIRMAN HOOD: Not seeing any
7 objections, so ordered.

8 Okay, Ms. Chambers, you may begin.

9 MS. LEONARD: I'm Victoria Leonard.

10 And I'm here to read a statement into the
11 record on behalf of Ward 5 Councilmember Harry
12 Thomas, Jr.

13 Good evening, Members of the Zoning
14 Commission. Thank you for giving me the
15 opportunity to share with you my concerns
16 regarding the proposed revisions to the zoning
17 regulations relating to parking and loading.
18 My concerns focus on the potential for an
19 adverse economic impact to the District if
20 some of these provisions are adopted.

21 I have recently spoken with

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1 representatives of several retailers who are
2 interested in developing large, multi-tenant
3 shopping centers in the District. Some of
4 these projects have been announced in the
5 press. Others are still in the early stages
6 and have not yet been announced. In addition,
7 the U.S. government is actively searching for
8 large blocks of office space for a number of
9 federal agencies including Homeland Security
10 and the State Department, among others.

11 The proposed regulations which
12 would place a maximum on the number of parking
13 spaces that could be provided in a new
14 development and a maximum on the number of
15 parking spaces per 1,000 square feet in a
16 development will create a disincentive for
17 these economic development opportunities to
18 locate in the District.

19 Parking limitations may make sense
20 in a downtown location or close to Metrorail.
21 There are however a number of locations in

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1 Ward 5 and other outlying wards with blocks of
2 large land enough to accommodate these
3 developments but without convenient access to
4 Metrorail. Placing a cap on parking citywide
5 in a one-size-fits-all approach would limit
6 the desirability of these locations and have
7 an adverse economic impact on the District.

8 In these difficult economic times,
9 all agencies of the District of Columbia
10 government must be mindful of the ways in
11 which the regulations, policies and decisions
12 may have either a positive or negative impact
13 on economic development. All of us must work
14 everyday to maintain the District's rightful
15 share of regional economic development
16 opportunities so that jobs and tax dollars can
17 remain in the District.

18 I thank you for your careful
19 consideration of these concerns. And I thank
20 you for your service to the District of
21 Columbia.

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1 CHAIRMAN HOOD: Thank you very
2 much, Ms. Chambers.

3 Commissioners, any questions of Ms.
4 Chambers -- Councilmember Thomas'
5 representative?

6 Do we have a copy of that?

7 MS. LEONARD: I have several
8 copies.

9 CHAIRMAN HOOD: Okay. If you could
10 give those to Ms. Schellin, and we can keep
11 those.

12 Any questions?

13 (No audible response.)

14 CHAIRMAN HOOD: Okay. Thank you
15 very much.

16 Okay. Let's go right to the Office
17 of Planning, Mr. Parker.

18 And at some point during this
19 presentation if we could just address for the
20 record the issues that were brought up by the
21 Ward 5 Councilmembers -- my Councilmember.

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1 MR. PARKER: Absolutely.

2 CHAIRMAN HOOD: Okay. Thank you.

3 Okay, Mr. Parker.

4 MR. PARKER: Good evening, Mr.
5 Chairman, Members of the Commission. My name
6 is Travis Parker with the D.C. Office of
7 Planning.

8 We've got three chapters to present
9 here tonight. We're talking about proposed
10 draft text for parking, loading and bicycle
11 parking. We've got some general introductory
12 comments. And after that, we'll stop probably
13 at the end of each chapter to have question
14 and answer with the Commission.

15 Just for your memory, on the screen
16 now is our outline of the entire code. If you
17 recall, the first three subtitles deal with
18 general recommendations or general regulations
19 -- excuse me. The chapters that we're going
20 to be talking to tonight are in Subtitle B.
21 They are general regulations that apply

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1 citywide. And we'll talk about later how that
2 interacts with subsequent subtitles. So the
3 parking, loading and bicycle parking chapters
4 will be located along with other general
5 chapters in Subtitle B.

6 The Land Use Subtitle -- Subtitles
7 D through J -- will each have the specific
8 requirements. So the parking requirements for
9 residential zones will be in the residential.
10 The parking requirements for industrial zones
11 will be in industrial and so on and so forth.

12 Bicycle and loading do not vary by
13 zone. Those are general requirements. So
14 those will only be in the general chapter.
15 We'll not have individual components in the
16 later subtitles.

17 So just as background, this
18 discussion originally started in 2008. This
19 was one of the first working groups that the
20 zoning review process held. We started in the
21 spring of 2008 talking about parking and

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1 loading, had a guidance hearing with you all
2 in July of 2008 and September for loading.
3 And in October and November, we got your
4 guidance on the original set of
5 recommendations that have resulted in the text
6 tonight. Since that point, we've been doing a
7 lot of additional research, done a lot of work
8 with DDOT. And tonight is the culmination of
9 all that work in the form of three new
10 proposed chapters.

11 So just a little background of
12 parking before we get into the actual text.
13 We have a lot of policy guidance in terms of
14 what we should be doing with parking, both
15 regional guidance, city guidance and even city
16 agencies in the form of DDOT working to reduce
17 vehicle trips, increase the mode share of
18 alternate transportation like bicycles, and
19 just basically increasing the efficiency of
20 D.C.'s transportation system.

21 And this is responding to basically

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1 the picture of where we are now in D.C.
2 Currently our city is generally rated as one
3 of the second most congested urban area in the
4 nation. Everyone in the city averages 62
5 hours of lost time per year. And our rush
6 hour in the city has long since become rush
7 hours and extends over significant periods of
8 the day. We also rate consistently at the
9 bottom of any lists of air quality in terms of
10 ground-level ozone and particulate levels. So
11 these are all concerns that this policy
12 guidance is intended to address.

13 So the overall approach that we've
14 been working on since 2008 in the zoning
15 review process is mainly focused on a few
16 areas. First, we've talked about retaining
17 parking minimums for areas where there remains
18 a concern for spillover. These are areas
19 including larger apartment buildings and
20 nonresidential development away from transit-
21 oriented, away from Metro, away from

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1 streetcar.

2 But then conversely eliminating
3 parking requirements in the opposite
4 situations, eliminating them in downtown, in
5 industrial zones, in high-density areas and
6 area with good transit service. Also
7 eliminating them for small residential
8 properties, single-family homes and the like
9 in any parts of the city.

10 Fourthly, we talked a lot and we'll
11 talk more tonight about establishing maximums
12 for parking. And then finally, a lot of the
13 work that's gone into is just basically
14 updating all of the standards -- access in
15 size and location of parking on particular
16 lots. So that's the overall approach.

17 Why get into parking? Mr. Simpson,
18 a former President of the Institute of Traffic
19 Engineers, basically sums it up by saying off-
20 street parking doesn't assist in solving the
21 on-street traffic problem. It actually

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1 generally has the opposite effect of inducing
2 additional unnecessary vehicle usage.

3 We've looked at several areas over
4 the past three years. And among these,
5 managing congestion of our network, promoting
6 more sustainable modes such as biking,
7 reducing the environmental harm that comes not
8 just from heavy auto usage but from a lot of
9 pavement and a lot of surface parking,
10 reducing housing costs and development costs
11 that spike with additional and sometimes
12 unnecessary parking, and finally promoting a
13 walkable and urban environment throughout the
14 city.

15 So with all that in mind as
16 problems we're trying to solve, the problem
17 that off-street parking requirements was
18 originally proposed to solve was maintaining
19 availability of space on the street and
20 preventing what we call spillover of parking
21 onto the street. And right now the city has

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1 multiple -- I've got two slides full of ways
2 that the city is currently addressing
3 spillover and on-street parking availability.
4 I'm not going to go through each one
5 individually. But a lot of it has to do with
6 parking management.

7 COMMISSIONER MAY: Would you mind
8 going through them individually?

9 MR. PARKER: Actually, if you --

10 COMMISSIONER MAY: That's one of
11 the issues that I'd like to know in some
12 detail. I can ask a lot of questions or --

13 MR. PARKER: Absolutely. At the
14 end of this presentation, we may allow DDOT to
15 go into a little more detail, if that's all
16 right, on what they're doing on-street. But
17 talking about things like on-street parking
18 management, traffic safety, transit surfaces,
19 all intended as ways to control the
20 availability of parking, control the demand
21 for parking on the street and ways that have

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1 actually proven to be more successful and much
2 more successful in doing it than providing
3 extra off-street parking.

4 So with that sort of background of
5 where we've been and why we're here, I'm going
6 to walk through the proposed parking chapter.

7 For those of you that have the text, it may
8 help you to walk through it. But I'm going to
9 walk really quickly through the different
10 sections and what's in each one.

11 The first section 1500 is just the
12 introduction. This tells us the intent of
13 regulating parking and provides the general
14 applicability language like you can't get a
15 building permit or SC of O unless you meet
16 your parking requirements, be they minimums or
17 maximums.

18 1501 explains how this general
19 chapter relates to the Subtitles, relates to
20 the individual zones. And again, as I talked
21 about earlier, the parking requirements

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1 themselves, the number of spaces required for
2 minimums are located in the zones. Everything
3 else is located in this chapter. There are
4 some additional use-related conditions and
5 things that will be in the zones.

6 When I say in zone chapters, there
7 are three subtitles that will actually contain
8 minimum parking based on our guidance and the
9 draft text in front of you. Subtitle D which
10 is low-density residential, Subtitle E which
11 is higher-density residential but away from
12 transit, and Subtitle G which is mixed-use and
13 away from transit -- all of those zones will
14 retain parking minimums. Subtitles without
15 parking minimums will include all the TOD
16 zones -- apartment TOD, mixed-use TOD,
17 downtown and then all of the PDR or industrial
18 zones will not have minimums.

19 So that sort of encapsulates where
20 the requirements of Section 1502 are going.
21 Section 1502 lays out how minimums are

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1 required throughout the city and the rules
2 governing them, where they apply for building
3 additions, for changes of use, for how they
4 apply to historic resources, et cetera. All
5 this is listed in 1502. And yet again, in the
6 subtitles themselves is listed how many spaces
7 are required per use.

8 Section 1503, I think we want to
9 spend a bit of time focusing on tonight. This
10 was maximums. And I want to just do a couple
11 slides again talking about reminding people of
12 why we've proposed maximums and why we have
13 this section and why the Zoning Commission
14 gave us approval to look deeper into this
15 subject in 2008.

16 Maximum parking deals with a lot of
17 the things I talked about a few minutes ago.
18 We've got potential impacts from unconstrained
19 parking on our transportation network. DDOT
20 did an indepth study of NoMa, and we're going
21 to talk about future work that DDOT in

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1 conjunction with OP will be doing. We've got
2 potential air quality impacts obviously from
3 parking. Surface parking in general certainly
4 contributes as a major contributor to storm
5 water and urban heat island impacts throughout
6 the city. And also we looked a lot and we'll
7 look on the next slide about success that
8 other cities have had in implementing and in
9 dealing with parking maximums, both in this
10 country and in others actually in the slide
11 after this.

12 But first I wanted to remind you
13 it's in the report, and we talked about it at
14 the setdown. DDOT did do an indepth study of
15 the NoMa area. This is an area with over the
16 next few years it's going to see potentially
17 20 million square feet of development, already
18 has over 7,000 parking spaces and looking at
19 about 16,000 more projected. This has the
20 potential to have a great impact on this
21 area's transportation system including 12,000

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1 new peak auto trips to NoMa on a daily basis.

2 And what this can do is impact the larger
3 transportation system, slowing down people in
4 NoMa, slowing down people in the areas around
5 NoMa and preventing streets from functioning
6 properly. So while not making this case on a
7 city-wide basis, what this does is this sort
8 of shows the potential impacts that can result
9 from the unfettered provision of large amounts
10 of parking and why we need to examine the
11 possibility to limit parking on a citywide or
12 a more nuance basis.

13 Naturally other cities have done
14 this both in this country and in other
15 countries. Often parking maximums are
16 centered around downtown areas, around transit
17 areas. But just as often, they are citywide.

18 You can see Milwaukee has a one space per
19 1,000 per office and two space per thousand
20 for retail throughout the entire city of
21 Milwaukee. So this is a regular practice.

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1 One interesting thing that we found
2 in our work on this subject is D.C. was
3 actually the first major city in the country
4 that we could find to have parking maximums.
5 D.C. adopted parking maximums in 1974.
6 Portland was the next city in 1975. Now D.C.
7 abandoned them in the mid-'80s, and we haven't
8 been able to track down what the thought
9 process was that went into that. But this is
10 something that the city has struggled with
11 before in the past.

12 So with that, I want to talk
13 actually about what we're recommending with
14 1503. In your application, you saw that there
15 were two alternatives. OP had originally
16 suggested one blanket citywide alternative.
17 DDOT had proposed a more nuanced TOD and non-
18 TOD alternative.

19 In our subsequent work since the
20 setdown meeting with DDOT, we've come to the
21 conclusion that we're not yet ready to put the

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1 city's recommendation behind either set of
2 numbers yet. We all generally support a
3 nuanced approach to this where we will have
4 TOD versus non-TOD limits. And I think that
5 gets a little bit to some of the things that
6 Councilmember Thomas was talking about in
7 having higher limits away from TOD than in
8 TOD.

9 But what we're not ready to do is
10 put our recommendation behind any particular
11 numbers, either the numbers in Alternative 1,
12 Alternative 2 or other numbers. And so
13 actually our proposal tonight is going to be
14 that you adopt just the base text. Say that
15 there will be maximums and that we'll reserve
16 Section 1503 for them, but not adopt actual
17 numbers at this stage. We propose actually
18 having a separate hearing and coming forth
19 with additional analysis next spring to talk
20 about what those numbers would be.

21 So Section 1503 under tonight's

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1 recommendation would look something like this.

2 We'd have 1503.1 that sets parameters for
3 non-TOD, 1503.2 that sets parameters for TOD
4 including downtown. But as you can see, blue
5 is a poor choice for highlighting, but the
6 areas that are bolded and underlined at this
7 point we'd just say reserved for later
8 numbers. And both DDOT and OP would plan to
9 come back to you next spring with an
10 additional hearing or at the time of a later
11 subtitle to present you our analysis of
12 exactly what the parking numbers should be.

13 So I'm sure they'll be more
14 discussion on this tonight. But right now
15 this is sort of where we're at. And I want to
16 run through the rest of the parking chapter
17 and what's going on. And then we'll get into
18 questions and discussion.

19 Section 1504 has to do with car-
20 share parking. This is a new policy of
21 requiring car-share spaces for parking lots

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above 50 spaces, an additional space for every
additional 100 spaces.

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1 a use other than parking -- retail or some
2 other use on the ground floor. This is a
3 measure to promote active streetscapes and
4 avoid blank walls and blank parking on the
5 groundlevel of buildings.

6 Section 1507 deals with access
7 requirement -- access to parking. Most of
8 this is largely unchanged from the setdown.
9 But the two areas that we have changed in
10 conjunction and discussion with DDOT, the
11 original proposal called for a requirement
12 that parking be accessed from an alley if it
13 was available and a requirement that you
14 access from the lowest classification of
15 street that was available. We have taken
16 those out for the reason that while in most
17 cases this is the preferable alternative,
18 there are a significant minority where the
19 best alternative does not follow these hard
20 and fast rules. And we jointly came to the
21 conclusion with DDOT that this is probably

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1 something that's better determined on a case-
2 by-case basis through DDOT review than as a
3 zoning regulation that would require special
4 exception. So we've proposed taking those two
5 subsections out of Section 1507.

6 Section 1508 gets into size and
7 layout requirements -- the size and spaces,
8 how they lay out and buffering and protection
9 from pedestrian areas.

10 1509 deals with maintenance
11 surfacing -- striping and trash receptacles.

12 Section 1510 has significant new
13 material. This is landscaping for surface
14 parking lots. And we've significantly
15 enhanced the requirements for surface parking
16 lots. Ten percent of the land area of surface
17 parking lots would have to be landscaped and
18 there's significant tree canopy required here.

19 An additional document that we have available
20 tonight is a proposed list of tree species for
21 that landscaping. We've worked with the Urban

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1 Forester and Casey Trees to present a list of
2 acceptable tree species that's characterized
3 by small, medium and large trees. Basically
4 people could use any of these trees for their
5 surface parking lots as a matter of right or
6 with Urban Forester approval substitute trees
7 that aren't on the list.

8 1511 deals with rules for drive-
9 throughs. We had a discussion at the setdown
10 about whether drive-throughs should be allowed
11 at all. I think there are significant areas
12 of the city where transit areas for example
13 where drive-throughs won't be allowed. But
14 there are a significant number of other areas
15 of the city that are more auto-oriented and
16 will continue to have and need this type of
17 use. So we're proposing that the section
18 remain in place as ruled for drive-throughs
19 where they do exist, not that they will be
20 allowed everywhere.

21 Section 1512 deals with exceptions.

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1 And I make the distinction here between
2 special exceptions. These are administrative
3 matter-of-right exceptions. At the current
4 time, there's only one in this section. It
5 comes from our current code. You can waive
6 your size and layout requirements for parking
7 spaces when you have attendant parking. And
8 so that exception remains from the current
9 code and is the only one right now in Section
10 1512.

11 Section 1513 then deals with
12 special exceptions. There are six possible
13 special exceptions in the parking chapter as
14 we've written it. The first one you asked us
15 to set down two alternatives. This is the
16 general relief from parking minimums. The
17 original guidance said that relief was
18 available up to 50 percent of the minimum.
19 Some task force members gave us guidance that
20 if an applicant could make the case for a
21 parking waiver above 50 percent, they should

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1 be able to make that case through a special
2 exception. We agreed. Both DDOT and OP
3 talked about and agreed that that made sense.

4 So we continue to recommend Alternative 1 for
5 this which would allow a special exception up
6 to 100 percent if the applicant made the case
7 that that level of exception was necessary for
8 one of the reasons listed up on the screen.

9 The second special exception that's
10 available is if curb cut isn't available.
11 Third is if you are dealing with a historic
12 resource you can get a special exception from
13 your parking minimums.

14 The fourth special exception is
15 from parking maximums. And this is generally
16 available. Again, this will provide a great
17 amount of relief. But regardless of where we
18 set the parking maximums, you would always be
19 able to go higher through this special
20 exception.

21 Special exception 5 deals with a

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1 waiver of driveway locations, and number 6, a
2 waiver of screening requirements.

3 So that's the totality of the
4 parking chapter. Since I started, we've been
5 joined by Karina Ricks and Chris Delfs from
6 DDOT. They're here to answer your questions
7 and I'm sure also to talk about on-street
8 parking management.

9 With that, I think we'll stop and
10 have a discussion of the parking chapter and
11 let DDOT --

12 CHAIRMAN HOOD: Let's go right to
13 Commissioner May's questions. He wanted to go
14 into some more detail.

15 COMMISSIONER MAY: Well, the first
16 thing I was hoping for was I was hoping we'd
17 get a more detailed description of the parking
18 management issues and how those are addressed
19 elsewhere within DDOT's enforcement of the
20 regulations.

21 MS. RICKS: So we have a number of

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1 tools that already exist in place for both
2 residential districts as well as commercial
3 districts to manage curb-side parking.

4 The residential parking program --
5 the RPP program -- exists in a number of
6 neighborhoods. It is an opt-in program, so
7 the District doesn't implement or impose that
8 from on high. It's something that the
9 neighborhoods register for with a 51 percent
10 submission of support. What that allows then
11 is for the vehicles owned by residents within
12 the RPP to register and get their placard and
13 they'll able to then use the parking.

14 We have two flavors right now of
15 RPP. Our typical RPP allows for two-hour
16 parking of any vehicle in an RPP zone. And
17 then anything beyond two hours would need to
18 be an RPP -- a vehicle displaying a valid RPP
19 sticker on the car. What that allows is when
20 you have the handyman or someone coming to
21 your home during the hours of enforcement of

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1 the RPP that those visitors are allowed to be
2 allowed for a reasonable amount of time and
3 then move on so that the parking is available
4 for the residents.

5 We also have implemented in both
6 the Convention Center area as well as Columbia
7 Heights and the ballpark district down in
8 Capitol Hill what we called enhanced RPP.
9 This has one side of the street as zone
10 holders only. There is no exception for the
11 occasional visitor. And then the other side
12 retains the two-hour grace period for holders
13 of the vehicle.

14 And then we augment that with a
15 visitor parking program which to date has been
16 through an individual placard that each of the
17 residences -- the valid RPP holders of those
18 districts are sent a single visitor parking
19 pass that they can then put in their window.
20 And the residents have found this to be really
21 a great benefit when they have for instance

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1 nannies or home health care -- someone who's
2 there much longer than two hours -- that they
3 can be on the street in what is usually a
4 lower demand part of the day.

5 We find that the residential areas
6 have a lot of parking ironically during the
7 period that we have the RPP enforcement going
8 which is from 7:00 a.m. to 6:30 p.m. usually.

9 But that's available for them and then they
10 can stay in the District without getting
11 tickets.

12 We now also have unveiled the
13 online visitor parking program so you as a
14 resident of an RPP district can go and get
15 multiple visitor passes for a shorter finite
16 period of time -- one or two. What we've
17 heard from the residents where we have the
18 enhanced RPP is that they like it because
19 there's lot of parking for the residents. But
20 they don't like it because when they have
21 visitors coming for a book club or a dinner

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1 party or something like that where they're
2 going to have more than one guest vehicle
3 coming, they have no means of accommodating
4 them because we've done such a good job of
5 stopping the spillover parking in those areas.

6 So the online system allows then for the
7 occasional event for you to print off however
8 many visitors that you need for that event.
9 It also allows us to track abuses. If Peter
10 May is printing five passes everyday, 365 days
11 a year, we're going to shut him off, and he's
12 not going to be able to do that.

13 So it's also a common practice as
14 you know, Commissioners, that when there are
15 large apartment buildings coming in as a new
16 use in an area and where they're asking for
17 parking reductions, we'll often get the
18 community asking that they be excluded from
19 the RPP database. And have done that on
20 multiple occasions so that a new high parking
21 generator would not be -- the residents of

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1 that building would not be allowed to register
2 for RPP permits, and in that way protect the
3 neighborhood from additional parking pressures
4 coming from those large uses that are asking
5 for reduced parking provision.

6 I think it is worthwhile saying
7 though that an RPP permit is really not much
8 more than a license to fish anyway. We do not
9 have as some other cities do a finite cap on
10 the number of RPP permits that we issue in any
11 one zone. So although the majority of
12 households in the District of Columbia have
13 two and fewer vehicles in their ownership,
14 there are households that have multiple
15 vehicles in their ownership. If they are RPP
16 eligible, there is no limit on the number of
17 vehicles that can be given an RPP sticker.
18 And so there are in any given zone more --
19 especially in our densest neighborhoods --
20 more RPP stickers than there's actual curb-
21 side space available to accommodate all of

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1 those. So we do have that as an existing
2 condition regardless of spillover impacts.

3 In the commercial areas, we have
4 implemented in some areas the very beginnings
5 of what one could loosely call performance-
6 based parking. Due to technology constraints,
7 we haven't made it as sort of dynamics as we
8 would ultimately like to that real-time
9 information from the parking meters will allow
10 us. But we're now going forward with
11 technologies that metered parking spots will
12 be able to tell us in real time how many
13 parking spaces are open in any block and we
14 can price the parking accordingly so that we
15 can achieve a good amount of turnover so that
16 there's sufficient on-street parking spaces
17 available at an appropriate price point so
18 that the curb-side space is available for
19 commercial uses that might need it.

20 And then we do also in those places
21 where we have the residential zones sort of

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1 mixing in with or abutting the commercial
2 zones, we have in a few places, primarily just
3 in Columbia Heights, implemented metered
4 parking where the RPP permit holders are
5 exempt. So RPP permit holders may park at
6 those meters without needing to actually pay
7 for the meters and then that way extend the
8 available of parking for the residential
9 permit holders.

10 I think that's the majority of
11 them. And then yes, and then tickets are a
12 good deterrent.

13 CHAIRMAN HOOD: Okay. Commissioner
14 May, was that in line with that slide that we
15 had? I forgot which one it was now.

16 COMMISSIONER MAY: Yes. I mean, is
17 that everything that was on your slide? Okay.

18 MS. RICKS: Yes, I have it.

19 COMMISSIONER MAY: Can I
20 follow up with a couple of questions on that?

21 CHAIRMAN HOOD: Sure. Go ahead.

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1 COMMISSIONER MAY: Okay. When an
2 area of the city or a block or whatever
3 decides to opt in, is it everybody on a given
4 block? Or is it block-by-block? Or is it in
5 larger groups? Because there are some blocks
6 without any residences on them that have RPP.

7 MS. RICKS: Yes. I mean, there's
8 also some historical sort of unusual blips in
9 the system too that might account for those.

10 We do -- and we're constantly
11 looking again at sort of our policies of
12 governing curb-side space. So for instance,
13 one policy that we have in place that maybe is
14 due for re-visiting is that we do not put RPP
15 around institutions or parks or recreation
16 centers, although they're generally in
17 residential areas -- your local elementary
18 school or your local park. But on the block
19 faces surrounding that resource, we may put
20 meters, but we often will not put RPP.

21 The logic behind that of course is

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1 that this is a community resource that's for
2 all residents of the District and not just the
3 residents of that particular Ward. And so we
4 want to make it accessible to anyone from the
5 city. But it does create those oddities where
6 they become sort of the secret parking places
7 that those without the RPP gravitate toward
8 and find. But generally, I'm sorry in answer
9 to your question is that the residents -- it
10 goes by block generally rather than district.

11 But there have been occasions when large
12 districts may enter into because a major new
13 development is coming in that really changes
14 the character of that area.

15 COMMISSIONER MAY: So if there's a
16 concern about parking in a particular area,
17 you may zone some other streets even though
18 there are no residences there simply to deal
19 with the demand from the residences? Okay.

20 When you do the exclusions for a
21 large apartment building from RPP, how is that

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1 decided?

2 MS. RICKS: So, DDOT maintains and
3 the DMV utilizes a shared database that tells
4 you every block and every address that is
5 eligible in the RPP database. So DDOT updates
6 that. And then the DMV draws down from it and
7 utilizes it.

8 So to date, we've only done that in
9 cases where it's been an agreement between the
10 developer and the community as one of the
11 concessions given in a case of a PUD or a
12 zoning process.

13 COMMISSIONER MAY: So it really
14 only happens with PUDs?

15 MS. RICKS: Yes.

16 COMMISSIONER MAY: Have you given
17 any consideration to setting some sort of
18 policy in that area, or a process for -- I
19 don't know -- for neighbors that address it?

20 MS. RICKS: We have thought about
21 it. I think there's a lot of equity issues

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1 that need to be considered in that regard
2 also.

3 For instance, many of the single
4 family homes that presently exist in the
5 District have accommodations for parking in
6 the rear, though my own home -- I won't tell
7 you where I live -- is full of junk. And so I
8 park on the street although there is parking
9 accommodations in my garage.

10 And so it's sort of one of those
11 questions of although existing residents who
12 are fortunate enough to be in this database
13 may or may not utilize the off-street spaces
14 available to them, new developments we're
15 going to automatically preclude from using
16 that common resource. And we've thought about
17 it. But I think there's a lot of sort of
18 nuances to it that we need to go through
19 before we set a policy saying new large
20 developments is from the beginning excluded
21 from taking advantage of this common resource

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1 we have.

2 COMMISSIONER MAY: Okay. I don't
3 have any particular opinion one way or the
4 other. I was just curious. But I have the
5 sense that it's something that will have to be
6 addressed before too long.

7 With regard to the -- I mean, you
8 said as long as a resident qualifies for RPP,
9 they can get as many as they want. I remember
10 a scheme that was discussed years ago that
11 involved graduated pricing for that. I mean,
12 these are very inexpensive permits. But the
13 second one or the third one or the fourth one
14 or the fifth one might be a lot more expensive
15 under that scheme that was previously
16 discussed. And I'm wondering if that's still
17 under consideration.

18 MS. RICKS: Yes. We do consider it
19 and are still trying to figure out a way to do
20 that. I think Councilmember Graham brought
21 forward a -- I apologize if I'm attributing it

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1 to the wrong Councilmember -- but I think he
2 brought forward some legislation in the past
3 year asking us to do just this. The problem
4 that we encounter is that for instance homes
5 that have garden apartments or some other kind
6 of rental unit have a single address that's
7 attributed to that. And so it's very
8 difficult to know if your tenant has
9 appropriately reassigned their vehicle. If
10 they move away, have they re-registered the
11 vehicle with the new address even if they're
12 in the same zone? There was just a lot of
13 sort of bookkeeping problems associated with
14 that escalating rate.

15 And likewise, we've talked about
16 varying the price of the RPP based on vehicle
17 size. So a Smartcar maybe could have a lower
18 rate than a Hummer. Although thankfully I'm
19 not seeing many of those anymore. But we've
20 looked at it. And we're still trying to
21 figure out how to make those kinds of things

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1 work.

2 I agree that all of these -- this
3 is the era that we're in that they all need to
4 be looked at and considered.

5 COMMISSIONER MAY: Okay. Thanks.
6 That was it for my questions for DDOT. Should
7 I continue with the Office of Planning, or do
8 you want to give someone else a chance?

9 CHAIRMAN HOOD: If you want all the
10 questions up to whatever's presented -- DDOT,
11 Office of Planning, up to this point -- on
12 parking.

13 COMMISSIONER MAY: Okay.

14 CHAIRMAN HOOD: Okay. So you have
15 some for the Office of Planning?

16 COMMISSIONER MAY: Yes. I'll try
17 to be fast.

18 CHAIRMAN HOOD: Okay.

19 COMMISSIONER MAY: First of all, I
20 just want to make the observation that in the
21 beginning when you talked about the issues

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1 with congestion and so on, you made some very
2 broad statements that were I think applied to
3 the region but don't necessarily apply to the
4 city itself. And maybe it's a bit of a pet
5 peeve, but the broader issue of congestion is
6 something that affects the entire region and
7 probably more so than it would in the city.

8 Did I catch this correctly that
9 there's only one avenue for getting an
10 exception -- a special exception to the
11 parking maximums and that would be if there
12 was TDM for the project?

13 MR. PARKER: Well, that's actually
14 the only requirement that anyone could apply
15 for a special exception, and to apply you need
16 to submit a TDM plan -- a plan saying how
17 you're managing your parking demand for that
18 project.

19 COMMISSIONER MAY: So I guess what
20 I'm getting at is the concerns that were
21 raised by Councilmember Thomas and just for

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1 example in a large federal office building or
2 something like that, it might be possible to
3 have higher parking even with that citywide
4 limit provided there were a TDM?

5 MR. PARKER: Absolutely.

6 COMMISSIONER MAY: Right.

7 MR. PARKER: Absolutely.

8 COMMISSIONER MAY: Okay. So I just
9 wanted to make sure that was addressed.

10 I'm a little uncertain about what
11 the implications are of removing the placement
12 of driveways and access to parking and just
13 eliminating that in a blanket fashion. And
14 I'm concerned about the implications of that
15 for the PUD process.

16 And one of the things that we find
17 in PUDs is very often things that involve
18 interaction with DDOT are not very well
19 resolved at the time of hearings. And I don't
20 mean this as a criticism. It's just a
21 statement that that's been what's happened of

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1 late. And I'm a little concerned that more
2 things up in the air might make it more
3 difficult to decide PUDs. And I'm wondering
4 if there is some way to provide some kind of
5 guidance that we can act on in those
6 circumstances that still leave the ultimate
7 decision making up to DDOT for permitting or
8 whatever.

9 It's just a thought, and it was a
10 concern that I had when I saw that that was
11 removed. I may have more thoughts on that
12 before we get to the point of decision making.

13 Can you bring up the slide that
14 mentions the special exception process and the
15 four criteria? There we go.

16 So within one quarter mile of
17 transit, that's easy to understand.
18 Demonstration of reduced demand, I guess
19 that's something that could be argued that a
20 particular use doesn't generate demand.

21 Implementation of TDM, it's getting

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1 a little bit softer because you never know
2 that what's been implemented when a project is
3 built is going to stay in use forever. So I'm
4 a little bit concerned about that.

5 And then the physical difficulty
6 thing, I mean, that's the loophole that
7 everybody's going to hang their hat on. And
8 I'm not sure that we can go that loose and
9 whether there needs to be a greater measure or
10 a more specific way of measuring what that
11 difficulty is. I mean, even though we
12 theoretically have very firm standards of
13 practical difficulty and so on and in BZA
14 cases, it's not always that easy to figure
15 out. And again, go back to the implementation
16 of TDM, I'm going to have to think about that
17 one a little bit more too because I'm not sure
18 that that's going to be strong enough.

19 And waiver number 5, there was
20 another -- if we continue on these -- yes, 5.
21 Okay. So that one is no longer needed if you

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1 wind up axing the driveway location things.

2 MR. EMERINE: Commissioner, there
3 are a couple of driveway location requirements
4 that could still be gotten waivers from --

5 COMMISSIONER MAY: Okay.

6 MR. EMERINE: -- that haven't been
7 deleted.

8 COMMISSIONER MAY: All right.

9 That's fine.

10 This is not specifically in your
11 presentation. But it was a lingering question
12 I had which was -- and it was answered in your
13 report which had to do with historic resources
14 and how those are defined. And that's defined
15 within the zoning regulations though.
16 Historic resources? Or it is?

17 MR. PARKER: Not now, but it would
18 be.

19 COMMISSIONER MAY: It would be.

20 MR. PARKER: Oh, it is.

21 COMMISSIONER MAY: Oh, it is now.

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1 That chapter's currently in there. Okay.

2 I guess my question is whether we
3 want to consider that the definition of
4 historic resource might include something that
5 is eligible for listing on the *D.C. Register*
6 and not just something that is. I don't know
7 if that's a good thing or a bad thing. But if
8 you want to try to promote preservation of
9 historic buildings, that might be helpful.

10 I'm sorry. I'm just trying to get
11 through all the things in my report. That may
12 be it.

13 I don't know what to make yet of
14 the changes that are suggested for the tree
15 planting in parking lots. It seems like we're
16 getting very, very complicated with tree stuff
17 in the zoning regulations. And I just don't
18 know if we really want to get that
19 complicated. I'm not saying that we don't
20 want to require those things. I think
21 generally speaking what you're trying to

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1 require makes sense. It's just a question of
2 execution and how difficult we make it.

3 Okay. That's it for this chapter
4 for me. Thank you.

5 CHAIRMAN HOOD: Okay. Any other
6 questions, Commissioners?

7 VICE CHAIRMAN SCHLATER: Good
8 evening. A couple of questions on I guess
9 Section 1507, driveway requirements. Just so
10 I'm clear on this, the proposal is to
11 eliminate 15.07.5 and 15.07.6 which talks
12 about where you should put your driveway on a
13 square basically.

14 My question is on 15.07.7 through
15 15, there's also a large number of additional
16 requirements on location of driveways. Just
17 refresh my memory. In the current regs, how
18 do we address driveway location requirements?

19 MR. EMERINE: At present, the
20 zoning regulations cover pretty much the same
21 content that you see in 1507.9, although

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1 really at present we're only dealing with the
2 distance from an intersection. We've added
3 the distance from another driveway opening and
4 from an alley opening based on discussions
5 with DDOT about this.

6 1507.10 basically deals with the -
7 - and 1507.11 -- deal with width requirements.
8 Those are in the current requirements. We've
9 made some tweaks to the numbers there.
10 1507.12, that's taken pretty much verbatim
11 from the existing zoning regulations. 1507.13
12 -- let's see -- that one, there is currently a
13 standard for rowhouses that encourages shared
14 driveways. Well, except for the width
15 restriction, this is actually more of a
16 permission than a restriction. It's extending
17 that permission to use shared driveways to all
18 lots rather than just rowhouse lots when it's
19 a more efficient way to access property.

20 And we've recommended deleting
21 1507.14 based on the practical almost

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1 impossibility of meeting that requirement.
2 And 1507.15 is just about grading and
3 surfacing. That's in the current regulations.

4 So the only thing that's really new
5 I guess I would say are the distances from
6 other driveway openings and alley openings and
7 the limits in 1507.7 and .8 about the limit on
8 the total number of driveway openings.

9 VICE CHAIRMAN SCHLATER: If you're
10 a property owner and you have a narrow lot,
11 you don't have control over where your
12 neighbor has placed their driveway. Is that
13 in large part going to drive where you need to
14 locate your driveway where your neighbor chose
15 to if they pushed it to the edge of their lot
16 towards you?

17 MR. EMERINE: If you have a narrow
18 lot, then yes, it might.

19 VICE CHAIRMAN SCHLATER: And you
20 think that's a fair situation? I mean, it
21 would severely constrain your ability to plan

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1 your own site.

2 MR. EMERINE: Well, that may be the
3 case. There would be constraints. But the
4 direction that we're going is on a lot that's
5 narrow enough that it would have an impact,
6 generally we're trying to push that parking
7 access to the back anyway if it has an alley.

8 Now we've removed that requirement that it
9 has to be on the alley. But that's where we
10 would be giving the people the incentive to
11 put that access.

12 VICE CHAIRMAN SCHLATER: And in
13 your working groups, there haven't been
14 concerns raised about this? I'm just curious.

15 MR. EMERINE: I don't think we've
16 had any concerns raised about that.

17 VICE CHAIRMAN SCHLATER: Okay.

18 In the OP report, there was an
19 exhibit that showed the identification of
20 potential TOD areas. And this comes into play
21 on parking maximum discussion and the parking

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1 minimum discussion. I couldn't quite read it
2 on my report because it was in black and white
3 and not color. Do we have a picture of it to
4 look at?

5 MR. PARKER: Yes, I can pull up a
6 picture.

7 VICE CHAIRMAN SCHLATER: Okay.
8 First question on that map -- it's very
9 helpful, thank you -- is when are we going to
10 be determining -- during the course of this
11 re-write, when are we going to be determining
12 which areas are defined as TOD areas?

13 MR. PARKER: Well, we've already
14 set the general parameters in our
15 recommendations. It's areas within a half
16 mile of Metro, within a quarter mile of a
17 streetcar or high-density bus corridor. But
18 that excludes areas that are low- or moderate-
19 density residential or industrial. So what's
20 left is the pink. These are mixed-use and
21 high-density residential areas near transit.

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1 What remains to be done is defining
2 the exact boundaries -- where that half mile
3 or quarter mile splits a lot or splits a group
4 of lots that are clearly one strip. Where do
5 we draw that line? Do we put it in or out?

6 So we've got a lot of work to do
7 around the edges. But the basic parameters we
8 have from our previous guidance hearing.

9 VICE CHAIRMAN SCHLATER: Is there a
10 lot of large format retail located outside of
11 TOD areas? It wouldn't seem likely that that
12 would be the case since they would want to be
13 on a --

14 MR. PARKER: I don't think that's a
15 question I'm prepared to answer.

16 VICE CHAIRMAN SCHLATER: I think
17 it's an important question.

18 MR. PARKER: Yes.

19 VICE CHAIRMAN SCHLATER:
20 Particularly in regards to concerns I'm sure
21 we're going to hear about tonight and raised

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1 by Councilmember Thomas.

2 My hunch is that you're going to
3 find that a lot of retailers want to be
4 located in TOD areas because they're going to
5 be high volume areas. And so it's just
6 something to consider.

7 I mean, I personally think parking
8 maximums are a good approach. But we have to
9 be sensitive and acknowledge the fact that we
10 will be impacting a lot of the areas where the
11 retailers are most likely to be located.

12 So can I get a color copy of that
13 map at some point?

14 MR. PARKER: We'll provide the --
15 yes. Yes.

16 VICE CHAIRMAN SCHLATER: Thank you.

17 There's a requirement to provide
18 car-sharing spaces if you're over a certain
19 size building or make them available to
20 basically -- they count towards your parking
21 requirement, correct -- the car-sharing

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1 spaces?

2 MR. PARKER: Correct.

3 VICE CHAIRMAN SCHLATER: And when
4 you make car-sharing spaces available to the
5 car-sharing company, do they need to be open
6 to the public meaning your garage now is
7 required to be open to people from the
8 surrounding neighborhood to be able to access
9 it?

10 MR. PARKER: They have to be
11 accessible to members of that car-share
12 organization. So I think the way that's it
13 happened in the past is if Zipcar has a space
14 in a secure garage, members are given a pass
15 code or a key card or access to that facility.

16 VICE CHAIRMAN SCHLATER: I think
17 particularly being in a federal government
18 workplace area, there are a lot of buildings
19 that the federal government leases from
20 private landowners that require secure access
21 to the garage. And they may not let people

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1 access those garages from the public or even
2 from the car-sharing organization. It might
3 be something worth looking into.

4 I would also add just in regards to
5 the testimony by Councilmember Thomas'
6 staffer, Ms. Chambers, that I believe U.S.
7 government office buildings are fairly
8 progressive in terms of what their
9 requirements are for parking. They actually
10 want less parking more often than not, not
11 more parking. So I doubt that the institution
12 of parking maximums would discourage the
13 location of U.S. government offices in the
14 District.

15 MR. PARKER: Yes, the effective
16 limit that they work under is about one per
17 1,000 square feet.

18 VICE CHAIRMAN SCHLATER: Okay. I
19 think I'm a little uneasy -- well, let's see.
20 What's the section that deals with drive-
21 through lanes?

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1 MR. PARKER: 1511.

2 VICE CHAIRMAN SCHLATER: Maybe it's
3 just the pictures. But it looks complicated.
4 I don't know.

5 Is this something we do now I guess
6 in the regs or is this new?

7 MR. PARKER: No, this is almost
8 completely verbatim from our existing regs.

9 VICE CHAIRMAN SCHLATER: It is?
10 Okay. We just have pictures to go along with
11 it.

12 MR. PARKER: The pictures are new.

13 VICE CHAIRMAN SCHLATER: Okay. And
14 then the last thing I wanted to address was
15 the flexibility on the reduction from parking
16 requirements. I'll listen to all the
17 testimony tonight. But I'm inclined to give
18 BZA maximum flexibility on that topic.

19 CHAIRMAN HOOD: Any other
20 questions?

21 Commissioner Turnbull?

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1 COMMISSIONER TURNBULL: Thank you,
2 Mr. Chair.

3 I just wanted to qualify, Mr.
4 Parker, in the beginning you were talking
5 about 1503, you're going to be coming back to
6 us on 1503 -- your Alternatives 1 and 2?

7 MR. PARKER: Subject to your
8 approval.

9 I mean, basically in the report and
10 at the setdown, you set down two alternatives.

11 OP had done some analysis and come up with a
12 proposed alternative. DDOT analyzed some
13 different things and came up with different
14 alternatives.

15 Basically we've worked with DDOT.
16 We think there's some more work to be done to
17 combine our two sets of analysis and to come
18 to you with a unified recommendation. So
19 that's where we're at right now is that we
20 think that the case has been made that there
21 should be maximums in general, but we're not

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1 yet ready to put our name behind a particular
2 number.

3 COMMISSIONER TURNBULL: Okay. I

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1 approved using Alternative 2, the neighborhood
2 would be the recipient of considerable
3 overflow parking."

4 Now, we're talking about areas not
5 in the downtown. We're talking about areas --
6 hospitals, schools. And in this case, the
7 hospitals are always kind of troubling. I
8 know we had several nights of hearing on the
9 Sibley Hospital and very concerned about
10 parking in the neighborhoods. And I think we
11 talked permits and trying to control that. So
12 I guess that's just one thing to add to when
13 you're looking at this at a situation similar
14 to Sibley where you've got a very residential
15 neighborhood around there. But --

16 MR. PARKER: I can address that now
17 if you'd like.

18 COMMISSIONER TURNBULL: Okay.

19 MR. PARKER: Basically, I don't
20 know if you recall, but we have another set of
21 recommendations on institutional uses in

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1 general -- universities, hospitals, large
2 church campuses -- that sort of thing. The
3 recommendation there was institutions above a
4 certain size will have to go through special
5 exception, and institutions above 300,000
6 square feet of total gross area will have go
7 through a campus plan process.

8 The Zoning Commission in reviewing
9 either of those will set parking minimum or
10 maximum as appropriate for that facility. So
11 the parking maximums in here at that point
12 would probably be --

13 COMMISSIONER TURNBULL: --

14 MR. PARKER: Well, there would just
15 be guidelines, the same with minimum.

16 So a special exception can be
17 assumed for parking in anything that the
18 Zoning Commission is reviewing. So Sibley
19 would come through as a campus plan. The
20 Zoning Commission could say you must provide
21 this much parking.

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1 COMMISSIONER TURNBULL: Okay.

2 Thank you.

3 CHAIRMAN HOOD: Any other
4 questions?

5 (No audible response.)

6 CHAIRMAN HOOD: Okay.

7 I think everybody's pretty much
8 taken up the challenge that the Ward 5
9 Councilmember has mentioned. But I like to
10 look at real live examples, Mr. Parker. And I
11 appreciate the fact that on page 7 and 8 you
12 actually did an analysis on the Rhode Island
13 Brentwood Shopping Center.

14 Let me just ask. In that analysis
15 because in the beginning there was supposed to
16 be a K-Mart department store. You had Home
17 Depot, K-Mart and Giant. So does that
18 analysis detail what's there now, or is that
19 including what was proposed there when it was
20 approved by the Commission.

21 MR. PARKER: Well, we looked at

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1 what's there now.

2 CHAIRMAN HOOD: What's there now.

3 Okay. And also what's being built there now
4 is a bank I believe coming on line in the
5 parking lot.

6 MR. PARKER: I think we only looked
7 at what's on the ground.

8 CHAIRMAN HOOD: It's actually on
9 the ground. It's the footprint already. And
10 it takes away some of the parking spaces.

11 My rationale is because as the Ward
12 5 Councilmember's already mentioned, I know
13 then I too had a concern and I believe in TOD.

14 And one thing about this re-writing -- I
15 think this has already been brought out but I
16 want to make sure; I know it's been brought
17 out previously -- is that we make sure that
18 it's conducive for the area because
19 particularly I don't see a whole of people
20 carrying plywood on the Metro from Home Depot.

21 So I just think -- and here's another thing.

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1 We don't want our last people who are trying
2 to get in there to get the plywood. Now Mr.
3 May may do it over where he is and plywood on
4 the Metro --

5 COMMISSIONER MAY: No. But copper
6 pipe on a bicycle.

7 (LAUGHTER.)

8 CHAIRMAN HOOD: Okay. Do you have
9 a flag at the end?

10 COMMISSIONER MAY: Yes.

11 CHAIRMAN HOOD: Oh, okay. That was
12 a good answer.

13 But I think this goes back to
14 something you said, Mr. Parker, when we looked
15 at this whole re-write that we need to tailor
16 it to certain neighborhoods. And I would hope
17 that that would also be in line with what the
18 Ward 5 Councilmember mentioned.

19 Also, I want to talk about color
20 copies. I'm glad to find out I am not the
21 only one up here without a color copy because

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1 I think the map looking at it in black and
2 white -- and I know we're saving money; we're
3 going through a deficit and we need to save
4 the money -- but I think one copy -- even if
5 that could be emailed to us. Because when I
6 look at this, I cannot see the boundaries of
7 anything. It's just like a blur.

8 Oh, Mr. May. I knew somebody up
9 here had a copy -- I never get a color copy.

10 (LAUGHTER.)

11 CHAIRMAN HOOD: So I think that
12 would be very helpful for me.

13 And Ms. Ricks, let me just ask.
14 How does the one side of the aggressive RPP,
15 how does that work where you can parking on
16 one side of the street? I've never heard of
17 that. And actually, does that exist?

18 MS. RICKS: It does. We call it
19 enhanced as opposed to aggressive RPP.

20 CHAIRMAN HOOD: Okay. Enhanced.

21 MS. RICKS: It does exist. It

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1 exists primarily in the residential
2 neighborhoods that are high trip-generating
3 destinations. So the ballpark and DC USA and
4 the Convention Center are the three areas
5 where we -- it exists in some other places --
6 but those three areas are predominantly where
7 we've implemented it.

8 And so the way that it works that
9 for instance the west and the north sides of
10 the streets will be the zone permit holders
11 only while the south and the east sides of the
12 streets in the area will be the grace period
13 regular RPP so that there is some daytime
14 parking available for visitors that are coming
15 to the properties.

16 CHAIRMAN HOOD: Okay. That's all
17 the questions that I have.

18 Also, I just want to note if
19 anyone's here from ANCs 6D and 6C, if you
20 don't have your testimony tonight, we're going
21 to leave the record open and we'll decide at

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1 the end of the hearing how long we'll leave
2 the record open.

3 Any other questions, Commissioners?

4 Vice Chairman Schlater?

5 VICE CHAIRMAN SCHLATER: I just
6 want to piggyback on a few of the questions.
7 I'm sure there's going to be significant
8 testimony on the parking maximums this
9 evening. It's generated a lot of interest and
10 discussion.

11 The proposal that's on the table
12 now, is it going to make a distinction between
13 retail uses and other uses?

14 MR. PARKER: That's one of the
15 things we've been looking at. As you saw if
16 you read the report, one of the concerns that
17 we had with Alternative 2 was -- and quite
18 frankly Alternative 1 -- was that it didn't
19 distinguish and that retail -- we've heard the
20 concerns -- generally parks at a higher rate
21 than other uses. So where we had gone on our

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1 report with Alternative 1 was to distinguish
2 retail and have a higher rate for retail.

3 With our new proposal that we come
4 back with DDOT, I think that will be one of
5 the heavy considerations that we're going to
6 have. And I think it's quite likely that we
7 will have a higher number for retail than for
8 nonretail.

9 VICE CHAIRMAN SCHLATER: Just
10 theoretically speaking, for a parking maximum
11 to have any impact, it's going to be lower
12 than what retailers are going to demand,
13 right? I mean, I think we've had a number of
14 cases where we've had a huge number of parking
15 spaces proposed on a retail project. DDOT
16 will submit a report saying it's too many
17 spaces, and then the developer and retailer
18 have come back and say that's the number of
19 parking spots we need to make this location
20 viable. And I guess the concern is that
21 retailers are just not going to locate on

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1 these sites if they don't get the parking they
2 desire.

3 What's been the experience in other
4 jurisdictions where parking maximums have been
5 put in place? Does it hurt the business
6 climate?

7 MS. RICKS: Well, I think there are
8 two reasons why you would want to entertain
9 parking maximums. I would suggest that the
10 most critical reason why we would want to talk
11 about maximums is because we're talking about
12 matter-of-right development here. So this is
13 laying the groundwork for matter-of-right
14 which pre-supposes that the area in which
15 these developments are going into has the
16 capacity to absorb whatever that land use is
17 on its infrastructure system, on its land
18 uses, on its natural systems.

19 And I think that it's fair to say
20 that we can look around the city and see some
21 places where the transportation infrastructure

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1 is -- it's getting full. And so we can't
2 necessarily say that an unlimited number of
3 additional trips particularly in the peak hour
4 are there.

5 Now retail doesn't typically affect
6 the morning peak-hour period. But it does
7 come into conflict with the evening peak-hour
8 periods. So I think that's one thing that we
9 have to keep in mind is that we're talking
10 about matter-of-right developments. And so
11 for projects to go forward as a matter-of-
12 right, I think we need to be certain that the
13 city can absorb that.

14 The other reason of course why if
15 there is abundant capacity on the roadway to
16 observe any of the land uses that are proposed
17 here why you might consider maximums is to
18 assist in the mode shift so to incite people
19 to -- particularly developers -- to provide
20 that transportation demand management system
21 to encourage alternative trips. So that's why

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1 the parking maximums.

2 How has it affected other cities?

3 I think it really depends on what their retail
4 environment is and sort of what the market
5 looks like in those areas. Certainly San
6 Francisco has had maximums in place for three
7 years I think now. A lot longer than that.

8 Sorry, I'm wrong. But they have still seen
9 major retail come in place even in the TOD
10 areas. So I think it really depends on the
11 market and what the District's market has not
12 seen parking maximums. I don't think many of
13 our adjacent jurisdictions have them in place.

14 So it'd be something we'd have to look at of
15 how retail would react here.

16 I think the zoning also as proposed
17 allows and encourages the sharing of parking
18 resources which I think is something that can
19 help offset the way that these maximums are
20 established because you may have a certain
21 maximum for retail on top of a certain maximum

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1 for whatever other uses might be in that
2 mixed-use building. If it's office, that
3 office parking will be available for the
4 retail when the retail is seeing that the
5 higher demand for those trips.

6 So I don't think it has to really
7 be a disincentive for retail. But it is
8 something as Travis has said that we need to
9 look at much more carefully and diligently
10 before we set on a number.

11 VICE CHAIRMAN SCHLATER: I think th
12 ere's an additional distinction that needs to
13 be made between downtown and TOD areas. I
14 think the market is different downtown. I
15 think retailers are clearly paying a huge
16 premium to locate downtown and may be willing
17 to compromise in order to locate downtown
18 because that's where the customer base is and
19 that's where the purchasing power is.

20 But I'm a little concerned that
21 instituting a parking maximum on the outer

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1 reaches of Wards 5, 7 and 8 may in fact create
2 a disincentive to locate there. They may must
3 go to neighboring jurisdictions where it's
4 easier to build.

5 So I don't know if the current
6 construct of TOD versus non-TOD is the right
7 way to look at it. I think there's strong
8 market and weak market. We've been working in
9 the District now for 15 years to try to
10 attract retailers into D.C. We're under-
11 retailed as a city. We lose a lot of sales
12 taxes as a result of it. And we don't want to
13 do anything that's going to hurt that.

14 But on the other hand, I'm in favor
15 of instituting parking maximums. So we need
16 to be able to find the right balance there.

17 MS. RICKS: Right. I think that's
18 where it gets -- if we're able to get some
19 better research to understand what the sort of
20 levels of capacity on these roadways are.
21 Certainly the 1300 block of Rhode Island

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1 Avenue, N.E. has significantly lower
2 congestion than the 1300 block N.W. of Rhode
3 Island Avenue. I think that's appropriate
4 that we maybe look at these regulations and
5 fine tune it even more as you're recommending.

6 CHAIRMAN HOOD: And that might
7 depend on the time of day.

8 Let me ask this too. Mr. Parker, I
9 noticed that you gave me the Brentwood model,
10 and I appreciate it. And we're talking about
11 governments, and this Commission voted on the
12 Department of Transportation's new
13 headquarters. I'm not sure how much parking
14 we did. I know it's right near the Green
15 Line. It's right near the Green Line. How
16 did that work? I mean, let's look at some
17 live examples. We have a track record.
18 Hopefully it's a good one. But just like we
19 took the Brentwood model, let's look at that
20 model over there when we talk about the
21 federal government whether they push maximums.

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1 I'm not sure exactly what we did over there.

2 I don't remember how much parking we allowed
3 in that building. And I know it's right near
4 the Green Line. I just don't remember. But
5 that's a real live situation that was done.
6 We don't have to do any hypothesis with that.

7 Let's just see how that worked out. Okay?

8 MR. PARKER: We can do that.

9 CHAIRMAN HOOD: Any other
10 questions, comments?

11 (No audible response.)

12 CHAIRMAN HOOD: All right. Let's
13 continue, Mr. Parker. Thank you.

14 MR. PARKER: All right. Going on
15 to the bicycle parking chapter then.

16 Many of the same sections you'll
17 see here, we start again with introduction of
18 the bicycle parking chapter. It has the
19 intent of the regulations and the requirement
20 you have to comply before you get a building
21 permit.

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1 1601, again, the relationship of
2 the land use subtitle, there's actually less
3 relationship here. The stuff in this chapter
4 applies citywide. And the ratios are all
5 citywide. So there aren't additional
6 requirements or aren't expected to be
7 additional requirements in the individual
8 subtitles.

9 1602 has the general requirements
10 for bicycle parking. This has the standards
11 that apply to all bike parking. -- so signage,
12 you should always be able to lock it with a
13 certain type of lock, minimum clearance,
14 securely anchored to the ground or the wall.
15 And we're going to try and have the code be
16 more graphics heavy as you've seen. So
17 graphic examples of what's being required.

18 1603 then has the requirements for
19 parking spaces. Right now the code has very
20 minimal requirements. Certain zones require
21 bike parking for retail office and service.

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1 And the requirement is only five percent of
2 the automobile requirement which in often case
3 is low and clearly in the new code will often
4 be nonexistent.

5 So the new code is proposing that
6 each use have two requirements -- one
7 requirement for long-term and one requirement
8 for short-term spaces. And I'll get more into
9 what those are in a second. And standards
10 have been based on a lot of interaction with
11 DDOT, with our parking consultants, Nelson
12 Nygaard, and with other codes from around the
13 country, and actual usage rate of parking and
14 proposed mode split.

15 So the major changes that we've
16 made since you set this down, you gave us some
17 suggestions and we did a little more research.

18 The office parking requirement in this
19 version has doubled to one space per 2500
20 square feet. It was originally set at a goal
21 of five percent commuting by bike. The new

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1 goal is a ten percent commute. So it's been
2 raised to a ratio of about one space per ten
3 employees.

4 For residential, this has been
5 raised from one space per three units to three
6 spaces per four units. This is based on the
7 logic that while not every unit will have
8 bicycles, when units do have bicycles it's
9 often more than one. Usually when one person
10 in a residential unit owns a bike, everyone in
11 that residential unit owns a bike. So one per
12 three units doesn't actually provide us enough
13 space for one out of every three units.

14 We also made some tweaks to
15 education and institutional and to retail
16 service and some other uses. We slightly
17 lowered the short-term requirement.

18 So we've highlighted here on the
19 chart which ones have changed. Again
20 education, some of the short-term ones,
21 institutional, local government, office and

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1 residential for long term, we've made some
2 changes.

3 1604 just like parking, the
4 standard rules of calculation -- how you
5 calculate GFA, how you round when you get a
6 fraction. And those rules are the same as for
7 auto parking.

8 1605 has the rules for short-term
9 parking. And short-term parking is parking
10 generally outdoors. It's parking near your
11 front entrance. It's parking intended for
12 short-term use for visitors, for customers,
13 for people that are just stopping by.
14 Requirements for how you locate that, how you
15 provide signage to it and some flexibility for
16 whether that space could be located on or off
17 your site. And generally with DDOT public
18 space approval you'd be able to locate these
19 spaces in the public space.

20 Section 1606 then deals with long-
21 term parking. This is parking for residents

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1 of the building, for tenants, for office
2 workers. This is typically indoors. It's
3 going to be in the garage or on the main floor
4 or the first underground floor. It has to be
5 secured, has to be separated from automobile
6 parking, has to be lighted, et cetera.

7 Section 1607 is new from existing
8 code. This is requirements for showers and
9 changing facilities. Where you have a
10 requirement for long-term spaces and you have
11 a nonresidential use with over 2500 square
12 feet -- or excuse me -- 25,000 square feet,
13 you'd be required to have two showers, and
14 your shower equipment requirement can raise as
15 the building gets larger. You also have to
16 have lockers for people to store and/or keep
17 their clothing and bicycle helmets, et cetera.
18 And you have to have six tenths of a locker
19 for every space. Or six lockers for every ten
20 spaces.

21 1608 then is the special exception.

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1 Since a lot of these are new requirements, we
2 have allowed for a lot of degree of
3 flexibility. Through special exception, you
4 can request relief from the entire
5 requirement, you can request it when you can
6 show that there's less demand, when you've got
7 a TDM plan in place or subject to Mr. May's
8 concerns if you're physically unable to
9 provide the spaces in the building. And
10 special exception is also available from the
11 showers and changing facilities.

12 So a shorter chapter similar to
13 motor vehicle parking. And I can stop here
14 for questions, or we can go through loading
15 and do them all at once at the Commission's
16 pleasure.

17 CHAIRMAN HOOD: Let's continue to
18 do loading, and we'll come back and comment on
19 both of them.

20 MR. PARKER: All right.

21 Loading chapter, again many of the

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1 same sections. We've got the intro sections
2 same as parking and bike parking. Section
3 1701, the same as those two. The relationship
4 between the land use subtitles and this
5 general. Like bike parking and unlike auto
6 parking, loading requirements are citywide.
7 They don't vary by zone. So all of the
8 requirements will be in this chapter.

9 Section 1702 then has the table of
10 loading requirements and minimum loading
11 requirements and when and where they are
12 required.

13 Section 1703, exactly the same as
14 bike parking and auto parking as the rules
15 includes the rules of measurements.

16 1704 has location of loading, where
17 it can be located within the building or on
18 the lot.

19 1705 has access requirements the
20 exact same as parking. Just like parking, we
21 removed the requirement that it be accessed

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1 from an alley or from a lower street in favor
2 of a contextual review of those things.

3 1706 has size and layout
4 requirements.

5 1707, maintenance requirements,
6 servicing, lighting, et cetera.

7 1708, trash receptacles. This
8 requires you to show a trash room for
9 buildings above a certain size.

10 1709 has to do with screening and
11 lighting requirements for loading.

12 And 1710 deals with special
13 exceptions for loading. Basically you can
14 request it where you have a historic resource,
15 where you cannot get a curb cut or where you
16 have unusual conditions about your lot. You
17 can also, just like parking, request special
18 exception from access requirements or from
19 screening requirements.

20 And with that, I'll turn it back
21 over to the Commission for questions on these

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1 two chapters.

2 CHAIRMAN HOOD: Okay. Colleagues,
3 we're going to ask our questions on bicycles
4 and loading. I'll start with Commissioner
5 May.

6 COMMISSIONER MAY: Thank you. I
7 don't have a lot of questions. Thank you very
8 much for a couple of the specific responses
9 that you had in your report -- the comparison
10 of the current regulations to some of those
11 existing projects in terms of what would the
12 long-term and short-term parking space
13 requirements would be.

14 It's a pretty good demonstration
15 that there's going to be significantly larger
16 requirements for bicycles which I think are
17 going to be increasingly necessary. It might
18 be interesting to think when are we going to
19 have to revisit these because we're not
20 requiring enough parking because I've just
21 seen a lot more bicycles around.

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1 The other one was there was some
2 tweaking of the language on requirements when
3 for an expansion of an historic resource. I
4 had raised that question at setdown how
5 flexible we needed to be in the case of an
6 historic resource, and an expansion of an
7 historic resource and whether in fact we could
8 not go ahead and enforce bicycle requirements
9 at that point. And you changed the language
10 and I'm not sure I understand exactly what
11 your intention was at that point.

12 MR. EMERINE: We actually didn't
13 change the language that relates to historic
14 resources. But all other buildings, it was
15 pointed out that 1603.5 didn't clarify for a
16 nonhistoric building an addition to the
17 building triggers a requirement. So we simply
18 added that in to clarify that.

19 COMMISSIONER MAY: All right. Now
20 I'm really confused.

21 So what paragraph is this now? Is

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1 it 1603.3?

2 MR. EMERINE: If you're looking at
3 the version that we included in the public
4 hearing report, I believe 1603.5 should begin
5 "An addition to an existing building or the
6 expansion."

7 COMMISSIONER MAY: I'm sorry. What
8 paragraph number? 1603 --

9 MR. EMERINE: 1603.5.

10 COMMISSIONER MAY: In the
11 advertised version? Because all I've got is
12 it starts with "The expansion of a use."

13 MR. EMERINE: Okay. Right. No,
14 I'm talking about the amended version that we
15 enclosed along with our --

16 COMMISSIONER MAY: Oh, I'm sorry.

17 MR. EMERINE: -- hearing report
18 that was submitted last week.

19 COMMISSIONER MAY: I have too many
20 versions. Oh, I got it there. "In addition
21 to." Okay.

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1 Okay. But then it says, "A
2 different rule applies to historic resources
3 and is stated in 1603.5." I guess that's a
4 mistake.

5 MR. EMERINE: That's a typo. It
6 should say .6.

7 COMMISSIONER MAY: Right. Okay.

8 And now 1603.6 is different from
9 1603.3A which is what we considered at
10 setdown. That's the difference that I was
11 picking up on. It's only when the addition
12 results in at least a 50 percent increase in
13 gross floor area. So it just raises the bar.

14 If there's an addition of 25 percent to an
15 historic resource, it doesn't trigger the
16 requirement. When it goes up to 50, it
17 triggers it.

18 MR. EMERINE: That's correct.

19 COMMISSIONER MAY: Okay. I'm not
20 sure if that's hitting the mark either. And I
21 think in many circumstances -- and it's all

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1 going to be individual -- even with an
2 historic building, the ability to provide
3 parking even though all you're doing is
4 renovating the building, if you have the
5 opportunity to provide it, it may be sensible
6 to require it. And I guess that was the point
7 I was trying to make when we discussed it at
8 setdown. So I haven't come to a conclusion on
9 this. I'm just raising the question. So I
10 was trying to understand what you had written.

11 Okay. And I don't think I have any
12 other questions on bicycle parking or on
13 loading as a matter of fact. So that's it for
14 me. Thank you.

15 CHAIRMAN HOOD: Okay. Any other
16 questions on bicycles or loading?

17 Vice Chairman Schlater?

18 VICE CHAIRMAN SCHLATER: I don't
19 think I have any questions on bicycle and
20 loading. I like the direction it's going in.
21 Supportive.

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1 I'd like to get a copy of the
2 PowerPoint presentation. And if possible,
3 could you bring it the night of the hearing
4 next time so we can just sort of follow along
5 and write down questions as it raised because
6 we do get some new information from those
7 presentations. So I'd like a copy of
8 tonight's. And then in the future, bring the
9 presentation with you.

10 The other thing is we've got a
11 number of different versions of the text given
12 to us over the last couple days. And it's
13 fine. You're making changes as we go along.
14 It's hard for us to track what's changing and
15 what's not changing. And it's also hard for
16 us to re-read 50 pages of text every time we
17 get a new version. So if you whenever you're
18 giving us a new version, can you give us like
19 a blackline mark-up compared to the setdown
20 version or the previous one that we saw just
21 so we understand and we can just flip through

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1 and understand what changes have been made?

2 I think that's it. Thank you.

3 Those are just process.

4 COMMISSIONER MAY: I wholeheartedly
5 agree with that. I mean, not having the
6 PowerPoint really sort of slows down the
7 thinking. So thanks.

8 CHAIRMAN HOOD: Those were the
9 comments.

10 Commissioner Turnbull?

11 COMMISSIONER TURNBULL: Thank you,
12 Mr. Chair.

13 I just had one question on the
14 loading berths. In 1709.2, "When loading
15 berths or service delivery spaces are not
16 enclosed within a building, the loading area
17 shall have screening around its entire
18 perimeter."

19 I'm just trying to recall a project
20 that we just approved where we were trying to
21 protect a rowhouse by an alley. I don't want

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1 to go into the name. But wasn't there a
2 loading dock that was like tucked -- it's in
3 the middle in the building. There was one
4 loading berth. But I don't think it was
5 enclosed. It was either underneath, but it
6 was wide open.

7 I'm just curious. How are we doing
8 it? I mean, where you've got it open to an
9 alley and the truck's got to pull down and
10 then kind of veer over. So I think it might
11 have been underneath the building. I don't
12 know if we screened the alley side.

13 I'm not sure if that's totally easy
14 to do at all times. I mean, it depends upon
15 the location and how a truck is trying to pull
16 in and how it can see. So some of that might
17 be dependent upon the actual location of how
18 you're -- I mean, I like the idea of the
19 screening it. I think we like to screen a lot
20 of those facilities as much as we can. But I
21 think in some of the areas -- I can't remember

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1 the plan exactly or the site plan, how that
2 worked in. But it seemed to me we had a
3 little bit of a -- there was one loading dock
4 that's totally inside and I think we had one
5 down further that kind of tucked in
6 underneath. But I don't think it was totally
7 screened.

8 It's just something to think about.

9 I mean, I like the intent. But I think there
10 could be situations where it might be awkward
11 from the standpoint of the size of the alley.

12 We do have some very tight alleys. So it's
13 something to consider about how practical it
14 is on a development.

15 MR. PARKER: I'll look into that.

16 CHAIRMAN HOOD: Okay. Any other
17 questions or comments?

18 (No audible response.)

19 CHAIRMAN HOOD: Mr. Parker, can you
20 just tell me on the loading -- 1704.3 -- why
21 is that there?

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1 MR. PARKER: All right. Well,
2 1704.2 has the requirements for where the
3 loading berth can be located on a lot. So it
4 has to be behind a building or if it's on the
5 side of a building, it has to be well
6 screened.

7 1704.3 basically says in PDR zones,
8 you don't have that same limitation.

9 CHAIRMAN HOOD: I thought I was
10 watching the Giants' game. The lights went
11 out. Okay. Go ahead.

12 MR. PARKER: Basically 1704.3 is
13 just saying in industrial zones you can load
14 wherever you want.

15 CHAIRMAN HOOD: And have we taken
16 into consideration the industrial zones which
17 are right next to residential zones?

18 MR. PARKER: Definitely. This
19 screening section definitely -- in fact, the
20 one that Mr. Turnbull was just talking about
21 has requirements for screening in all zones

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1 including screening residential from
2 industrial.

3 CHAIRMAN HOOD: So that doesn't
4 eliminate that from this -- from loading --

5 MR. PARKER: So in other words, in
6 an industrial zone, you can load in the side
7 yard or the front yard of a building, for
8 example, a warehouse. But if you have a
9 residential across the street, you'd have to
10 have screening.

11 CHAIRMAN HOOD: Okay. So --

12 MR. PARKER: You'd have to be
13 screened.

14 CHAIRMAN HOOD: Okay. All right.
15 I think I understand. I might come back to
16 that.

17 COMMISSIONER MAY: Mr. Chairman,
18 I'm confused by that too. I mean, you just
19 sort of raised it and I'm reading it. And
20 1704.2.C2) is the -- or sorry, C1) -- is the
21 one that says that it shall be screened. And

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1 1704.3 is what exempts PDR properties. Is
2 there another section?

3 MR. PARKER: 1709 has to do with -
4 - and there may be a conflict between 9 and C
5 and 4.2C1). But 9 has general screening
6 rules. Where you have outdoor loading berths,
7 you have to screen them. And actually, 1709
8 may remove the need for C1) and 2) or C1).

9 CHAIRMAN HOOD: Let's look at that,
10 Mr. Parker.

11 MR. PARKER: All right. We
12 certainly will.

13 CHAIRMAN HOOD: Okay. Any other
14 questions or comments?

15 (No audible response.)

16 CHAIRMAN HOOD: Okay. Let's go to
17 the audience. Do we have a sign-in sheet?

18 How many people would like to
19 testify tonight? Raise your hand. Okay.

20 It's not that many. We're going to
21 bring eight up at a time actually.

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1 Do we have any ANC Commissioners?

2 We can have all the ANC Commissioners come
3 forward now at this time. We're going to do
4 all the ANC Commissioners first. So if you
5 all can come up, we can get started.

6 And then we'll go by the lists.
7 And what I plan on doing is bringing up eight
8 at a time.

9 Any other ANC Commissioners?

10 Okay. You two are here. And we
11 will begin. Make sure the court reporter gets
12 your cards. I guess Mr. Turnbull gets your
13 submission.

14 Okay, Commissioner, whenever you're
15 ready, you may begin.

16 MS. BLACK: Thank you for the
17 opportunity to testify.

18 My name is Gale Garron Black, and
19 I'm the Advisory Neighborhood Commissioner for
20 ANC 4A-08. And I'm here today in my
21 individual capacity as well as ANC

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1 Commissioner for 4A.

2 This matter was raised at the ANC
3 4A November meeting, but we did not have the
4 time to really review it in total. We
5 authorized participation, but I want to be
6 clear that I'm here tonight representing my
7 single-member district. I also was urged by
8 the Chairman of our ANC, Stephen Whatley, to
9 associate his name with this testimony that
10 I'm about to give you.

11 Let me also begin by telling you
12 that ANC 4A did not receive a full copy of the
13 packet. We received every other page -- only
14 the odd numbered pages. We were able to get
15 the copy, but it raises a question of fair
16 notice to the ANCs.

17 And I'm here to share my concerns
18 and questions regarding the creation of the
19 rules, especially as they pertain to the
20 public parking maximums and imposing
21 requirements for car-sharing and bicycle

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1 storage.

2 I don't think any need has been
3 shown to really justify the imposition of the
4 public parking maximums. And where 4A is
5 located is in Ward 4. We have seniors,
6 individuals with disabilities. We have
7 families and we have many who drive. We rely
8 on cars, and often the public transportation
9 options are not feasible for us.

10 I have provided testimony. I don't
11 know if you all were given the copies. But it
12 is there. And if you'd like, I can go to the
13 table and pull it over.

14 CHAIRMAN HOOD: If you can hand us
15 your testimony -- oh, you took it over there?

16 MS. BLACK: Yes.

17 CHAIRMAN HOOD: Okay. We'll take a
18 moment if you can just pass it to Ms.
19 Schellin. You can pass it to Ms. Schellin
20 down on my left.

21 MS. BLACK: It's a four-page

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1 statement.

2 And D.C.'s transportation network
3 as we already know suffers from congestion.
4 And it's not because the city has added more
5 lanes or more parking. Our situation is
6 basically very close to what was in place
7 since the inception of the L'Enfant Plan. But
8 D.C. has been losing its vehicular lanes and
9 parking, and lately has started to deviate
10 from the comprehensive transportation plans.

11 Now we know we have grown to be one
12 of the most densely populated cities in the
13 nation with more than a half a million
14 residents and three quarters of a million
15 jobs. Parking is a huge issue. And I think
16 this is a short-sighted proposal that could
17 make it a lot worse.

18 In 2000, there were 248,000
19 approximately households in the District.
20 Looking at the additional off-street parking,
21 there's a combined total of only 400,000

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1 spaces in the District.

2 We already have Metrobus which is
3 pretty good. It's the fifth largest bus
4 network in the country.

5 And today, more than 13 percent of
6 District residents already are bicycling to
7 work, walking to work, and more than 43
8 percent use carpools. More than 71 percent
9 though of those who come into the city come in
10 from the suburbs. And I'm not sure if this
11 proposal really addresses that.

12 I'm concerned that this proposal is
13 inconsistent with the transportation mission
14 to actually move people and goods. And I'm
15 underscoring efficiently there.

16 The District also operates 15,000
17 parking meters. And that brings in revenue
18 for the city. The low estimate was \$11
19 million per year. The high estimate that I've
20 seen is \$18 million. This could be taking
21 away that revenue.

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1 I'm going to jump the specifics and
2 concerns.

3 In 1502.2, "The expansion of a use
4 within a building triggers additional parking
5 requirements only when the gross floor area"
6 -- and this is on page 3 of my testimony --
7 "is expanded or enlarged by 25 percent."
8 Wouldn't it make more sense to look at whether
9 or not there's an increased usage coming in,
10 not just whether or not more -- it's been
11 built out. It's exactly how many people are
12 using the space, how many parking spaces are
13 actually required.

14 1502.6 says that we should "when
15 the property changes or adds a new use
16 category, we should assume that the previous
17 use has already provided the appropriate
18 number of spaces." The question is why. Why
19 should we make that assumption?

20 "Car-share parking spaces may be
21 counted toward the fulfillment of minimum

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1 public requirements." It seems to me now
2 we're going to be paying for what we used to
3 be able to do for free. In my residential
4 area, we are not in the zoned --

5 CHAIRMAN HOOD: Commissioner, can
6 you give us your closing thought? And we have
7 your submissions, your concerns and your
8 questions. Can you give us your closing
9 thought?

10 MS. BLACK: Well, I guess jumping
11 to the end that there's no mention in here
12 about seniors, individuals with disabilities,
13 wheelchairs, battery-operated, electric cars
14 -- the needs that we might really have. And
15 instead, we might be forcing people out of the
16 city rather than encouraging them to be here.
17 Empty nesters who return need to know there's
18 a parking space basically. And we need to be
19 able as D.C. to net the tax benefits for our
20 public space and not give our public space
21 away to a commercial vendor.

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1 I thank you for listening, and ask
2 that this be made a part of the record.

3 CHAIRMAN HOOD: Thank you very
4 much, Commissioner. If you can hold your
5 seat, we may have some questions and some
6 good points at the end.

7 Commissioner, you may begin. Mr.
8 Ronneberg?

9 MR. RONNEBERG: I have a
10 presentation.

11 First of all, I'd like to say that
12 ANC 6A supports these regulations. And most
13 of our comments in the letter are for tweaks.
14 We support the parking maximums. We support
15 the TOD waivers for parking minimums.

16 There's actually a couple things
17 I'd like to highlight in my testimony. One is
18 the need for one of these tweaks. And the
19 other is the reason why I think it's a good
20 thing to codify parts of DDOT's design and
21 engineering manuals. And I'll give you a case

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1 study of what we dealt with in my SMD in our
2 ANC.

3 Next one, please. This is the
4 curious case of the curb cut at 701 10th
5 Street. And I think it illustrates both these
6 points of what I want to highlight -- why we
7 need to have the Zoning Administrator require
8 all public space permits be presented to him
9 before relevant building permits are issued
10 and to codify the elements of the design and
11 engineering manual.

12 Next slide, please. So this is a
13 story of falling between the cracks of
14 different agencies. So you have an owner who
15 wanted to build a flat which requires a
16 parking space. It's a corner access -- corner
17 lot lacks alley access. And when construction
18 was started, there was no curb cut.

19 Next slide, please. So what you'd
20 normally take one or two paths -- apply for a
21 zoning variance to permit a flat without a

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1 parking spot or obtain a public space permit
2 for a curb cut before applying for your
3 building permits. But in D.C. there's a third
4 way. It's exploiting agency stovepiping. So
5 what the developer did here is actually
6 showing a plat -- a curb cut that wasn't
7 permitted.

8 Step two is to obtain the building
9 permits from DCRA, build your flat.

10 Step three is to apply for a public
11 space permit for a curb cut based on the fact
12 that you're not going to get a C of O without
13 an offsite parking space and you have a
14 hardship.

15 Step four is to receive a public
16 space permit from DDOT.

17 And five is to build your driveway
18 before applying for your C of O.

19 So this is one of the tweaks and -
20 - next page -- we're asking for is to require
21 changes to 1500.3 where the applicant must

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1 demonstrate to the Zoning Administrator that
2 all necessary public space permits including
3 curb cuts and driveways have been obtained
4 before building permits are granted.

5 And the other issue I want to
6 address in my testimony is the need to codify
7 DDOT's design guidelines -- or excuse me --
8 design and engineering manual in the zoning
9 regulations. And this is really for the
10 following points because DDOT in this case
11 didn't follow its standards. And there's no
12 viable means to appeal these decisions within
13 DDOT. That's because appeals go through the
14 chain of command, and if you're ignored you
15 don't know what to do with your appeal. It's
16 not like the BZA where you have a well defined
17 process. And our appeals have been ignored
18 even though its city agencies are required to
19 respond to the ANC.

20 So it's a bit of a comedy of
21 errors. The 701 10th Street applied for a 12-

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1 foot curb cut. The standard said that it
2 should be no more than ten feet wide. But Mr.
3 Dickerson within DDOT TSA said well, cars
4 can't get past each other unless it's 25 feet
5 wide. So -- next page, please -- so what we
6 ended up getting is a 24-foot curb cut which
7 is the largest one in Capitol Hill for a flat.

8 It's within the 60 foot of the intersection,
9 eliminated more parking spots than it created,
10 it's close to a recreation center, and it was
11 permitted over the unanimous objection of ANC
12 6A.

13 So the next page kind of highlights
14 everything we did to appeal this decision.
15 First appeal it to the Public Space Manager.
16 It was denied. It was denied at the second-
17 level appeal. No response from the acting
18 Director Ms. -- I can't pronounce her last
19 name. I apologize. Director Moneme promised
20 us that it'd be referred to the Public Space
21 Committee, but it never was. And with

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1 Director Klein, we've asked twice and received
2 no response.

3 So codifying these standards in
4 Title 11 provides us with a well-defined
5 appeal process through the Board of Zoning
6 Adjustments, promotes transparency and
7 accountability within DDOT and DCRA. And
8 hopefully it will prevent future curb cuts
9 like 701 10th Street from being constructed in
10 the future.

11 And I hope you've received the rest
12 of our tweaks.

13 CHAIRMAN HOOD: Okay. Great,
14 great.

15 Okay, Commissioners. Thank you
16 very much.

17 Let me see if there are any
18 questions for either one of you.

19 Any questions?

20 (No audible response.)

21 CHAIRMAN HOOD: Okay. And I think

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1 Commissioner Black, you were in opposition
2 somewhat, and especially the concerns of the
3 seniors and the wheelchairs and those who need
4 accommodations or whatever to get to where
5 they need to go to and parking convenience for
6 them. Did I capture that right? I have it
7 here in front of me. But I just want to make
8 sure I captured it.

9 MS. BLACK: That's a good part of
10 it. The other part is that we are taking
11 available spaces and converting them to car-
12 share arrangements and taking them out of use.

13 CHAIRMAN HOOD: Any other
14 questions? Commissioner Selfridge?

15 COMMISSIONER SELFRIDGE: I just had
16 a question.

17 Don't you think the car-sharing
18 would actually alleviate some of those parking
19 pressures? Are you against the car-sharing
20 requirement altogether?

21 MS. BLACK: I don't think the need

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1 has been shown to justify taking what was
2 already available -- parking spaces that had
3 been in use -- and turning them from our
4 public coffers into a commercial venture

5 And as the example of my colleague
6 just showed, sometimes you can take a 24-foot
7 curb cut and you end up losing what you had
8 before. And again, looking through this, it
9 raises more concerns than assures me that
10 we're heading in the right direction. And I
11 ask you to look at a better balance for this.

12 The car-sharing is a big part of it. But the
13 need for maximums and where they are located,
14 especially in residential neighborhoods is
15 important. It's not set forth in this.

16 Thank you.

17 CHAIRMAN HOOD: Any other
18 questions?

19 (No audible response.)

20 CHAIRMAN HOOD: Okay. I'm going to
21 thank both of you, Commissioners. We

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1 appreciate your testimony.

2 Now what we're going to do is we're
3 going to call all the proponents that I have
4 listed: Shane Farthing -- and if I
5 mispronounce it, forgive me -- Ken Archer,
6 Cheryl Cort, David Alpert, Christopher Zieman,
7 Mike Donnelly, Geoffrey Hatchard. And I think
8 that's it. I think that's seven. I think I
9 can get one more. Let me see. I have to look
10 here. And David Garber.

11 Wait a minute. David Garber is an
12 ANC Commissioner. Oh, you haven't been sworn
13 in yet. So you won. Congratulations. Come
14 on forward.

15 He hasn't been sworn in yet. He'll
16 be the SMD. But we'll wait and let him get
17 sworn in first.

18 Okay. Well, I think what I'm going
19 to do is start to my right. And if you all
20 don't mind even though I know how I called it,
21 we're going to go down. Start to my right and

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1 go to my left.

2 MR. FARTHING: Thank you. My name
3 is Shane Farthing. I'm the Executive Director
4 of the Washington Area Bicyclist Association.

5 I'd like to thank the Commission
6 for the opportunity to speak today. And to be
7 clear, I'd like to begin by saying that we
8 support the proposed parking changes. As
9 advocates of a livable, bicyclable District of
10 Columbia, we support the imposition of
11 vehicular parking maximums in the zoning code.

12 We support mandatory car-sharing. And we
13 strongly support the increased bicycle parking
14 and the imposition of requirements for showers
15 and changing areas in buildings.

16 The focus of my testimony will be
17 on this final part and Chapter 16 of the
18 bicycle parking as that is where a lot of the
19 specific expertise relates.

20 The Washington Area Bicyclist
21 Association appreciates the efforts of the

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1 Office of Planning and the Commission to
2 research and develop these proposed
3 improvements to the District's bicycle parking
4 zoning regulations. As the region's largest
5 bicyclist membership association and advocacy
6 organization, we're pleased to state publicly
7 our support for the direction of these
8 proposed regulations and offer a few comments
9 and critiques that we hope will improve both
10 the regulations and the delivery of their
11 stated goal which is to ensure an adequate
12 supply of safe and accessible bicycle parking
13 with minimal negative impacts on the community
14 or residents.

15 In our role as advocates, we work
16 to remove barriers to cycling. And here the
17 Zoning Commission has the opportunity to
18 remove a fundamental barrier to cycling in the
19 District by adopting zoning rules that
20 recognize the bicycle as a legitimate,
21 important part of the District's

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1 transportation infrastructure and ensure that
2 as land use patterns change, cycling is
3 considered and integrated into our
4 neighborhoods as a viable transportation
5 option.

6 So overall to be clear, while it
7 supports the proposed bike parking regulations
8 and look forward to their speeding adoption
9 and implementation. There are, however, three
10 main points in which we'd like to see
11 improvements or clarifications in order to
12 better meet the goals of these regulations.

13 First, the number of long-term
14 spaces in the residential use category should
15 be increased. WABA believes that the proposed
16 three spaces for each four dwelling units or
17 .075 long-term spaces per residential unit
18 should be increased. According to the 2001
19 National Household Travel Survey conducted by
20 the U.S. DOT, the average number of full-size
21 bicycles per household is already 0.86. Even

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1 without adjusting for the age of the survey,
2 the growth of cycling as transportation during
3 the interim period or the increased density in
4 multi-modal focus in the District and the
5 region, the proposed .75 spaces per
6 residential unit is already shown to be
7 deficient.

8 Based on existing residential and
9 bicycle ownership data, we believe that the
10 mandatory ratio should be increased to two
11 spaces per residential unit, and in no case it
12 should fall below the one-to-one ratio based
13 on the results of that 2001 U.S. DOT national
14 survey.

15 The second point we'd like to focus
16 on the exemption or special exception
17 rationale. And we hope the Commission will
18 make clear that the exemption process is
19 limited in scope and design to meet the
20 District's overall needs.

21 If ensuring adequate bike parking

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1 District-wide is the broader goal and purpose
2 of these regulations, then whether an
3 individual use or structure will generate a
4 requisite amount of demand for short-term bike
5 parking is an inappropriate basis for
6 determining exemption. The question that
7 should be asked is not whether this particular
8 use or structure will generate demand for less
9 bicycle parking than the standards require as
10 the proposal is currently drafted, but rather
11 whether the neighborhood as a whole
12 appropriately defined contains sufficient
13 bicycle parking.

14 Where a neighborhood is underserved
15 in bike parking, no exemption from the
16 generally applicable requirements to provide
17 minimum short-term parking should be granted.
18 So in short, the regulations should be
19 changed to clarify that the overall
20 sufficiency of bike parking in the community
21 will be taken into account and that demand of

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1 the particular use or structure is not
2 necessarily controlling.

3 And finally, we'd like to highlight
4 the importance of the provision of showers and
5 changing facilities in encouraging the use of
6 bicycle as transportation. While perhaps
7 overshadowed by the discussion of bike parking
8 and of parking generally, the issue of
9 changing facilities and showers is also of
10 fundamental importance to enabling bicycling
11 to serve as a primary transportation option
12 for much of the District's workforce. Given
13 the professional nature of many jobs in the
14 District, business attire is demanded and
15 professional appearance is valued. Meanwhile,
16 the regional draw of our economy contributes
17 to some lengthy commutes and the District's
18 varied climate makes professional dress for
19 bicycle commuters difficult much of the year.

20 In a 2009 member survey, WABA asked
21 how influential if at all would access to a

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1 shower or changing area be in encouraging you
2 to commute by bicycle. Seventy-eight percent
3 of respondents indicated that access to a
4 shower or changing area would be influential
5 in encouraging them to commute by bike. This
6 demonstrates the overwhelming importance of
7 this facility change to encourage cycling.

8 And here it's important to recall
9 the concept of induced demand. And while in
10 some cases tenant demand has been sufficient
11 to encourage the provision of showers without
12 additional regulation, this is the exception
13 rather than the rule. The fact that so many
14 respondents indicated that their behavior
15 could be influenced by this facility change
16 implies that the facility change must proceed
17 the demand. And this precise sort of
18 regulation is the vehicle to promote that
19 facility change and enable those potential
20 bicycle commuters.

21 Again, I'd like to thank you for

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1 the opportunity to state our support for these
2 regulations. The provision of safe,
3 convenient bicycle parking is vital to
4 enabling more of our community members to
5 forego the motor vehicle in favor of the
6 bicycle, and we look forward to seeing those
7 regulations implemented.

8 Thank you.

9 CHAIRMAN HOOD: Okay. Great.
10 Great timing.

11 Okay, next?

12 MR. ZIEMAN: Hi. Thank you for the
13 opportunity to speak. My name is Christopher
14 Zieman. I live in Petworth, and I work around
15 Dupont Circle.

16 I want to talk a little bit about
17 why we live in D.C. We like to walk down the
18 street. We like to talk to neighbors. We
19 like to listen to the crazy lady on the corner
20 who's throwing flowers into an umbrella. We
21 like to stop in and get a beer on the way home

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1 or walk to the street and get a pack of Ho-Hos
2 or something. But most of all we like to be
3 around people. And basically where you have a
4 lot of parking, you don't have a lot of
5 people. Even in TOD districts -- and I like
6 to bring Arlington up as an example -- you
7 really don't have a lot of people walking
8 around in the street.

9 Now when we talk about minimums,
10 honestly we should get rid of all the minimums
11 in the city. The only reason you keep them is
12 if you think that a church in Forest Hills is
13 going to open up and not build any parking or
14 a WalMart in Congress Heights isn't going to
15 build any parking. That's pretty ludicrous.
16 They know who's going to come to them and the
17 developers know that they need parking if they
18 do.

19 Forcing them to build parking, it
20 just makes it a lot more expensive to build in
21 the District. And honestly it's like saying

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1 every restaurant to serve a dessert with their
2 salad. Now that's just kind of dumb and
3 obviously Americans are fat enough.

4 Now when people say we don't need
5 minimums, people kind of counter that and say
6 well, where are people going to put their
7 cars. That's also kind of a ludicrous answer
8 because it's like saying well, is that really
9 the government's job to figure out where
10 people are going to put their cars? I mean,
11 we could also put in the zoning regulations
12 that every unit is required to have a
13 refrigerator so people have a place to put
14 their eggs or a closet for people to put their
15 shirts. So we really need to think about the
16 government's role in that.

17 But do we really -- when we think
18 about minimums, do we really need -- want to
19 make people spent all this money just to build
20 more parking than they need? Because we all
21 know what happens. You know -- Alex Jones for

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1 -- in Columbia Heights who's down here for his
2 internship is going to say well -- you know --
3 I have -- I have a spot. I might as well take
4 Dad's old car -- you know. Or -- you know --
5 Dane the accountant who lives in Suitland's
6 going to say well -- you know -- I might as
7 well, might as well save ten minutes and drive
8 to work just because I have a parking spot.

14 Now maximums? Like I said, I work
15 in Dupont Circle. I bike there. So I don't
16 really need to worry about parking. But I
17 always laugh every time I look at the circus
18 of traffic jams down there. I feel sorry for
19 the UPS and the FedEx folks. And I just think
20 -- you know -- developers, they still want to
21 build more parking.

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1 It's a mathematical impossibility
2 that we have enough road space to handle all
3 the growth that we're going to see. We can't
4 trust the developers because they just want to
5 build enough parking to make their offices
6 class A. And then they complain to DDOT about
7 traffic. I used to work at DDOT. I know.
8 Yes.

9 So let's think about what kind of
10 city we want to build.

11 CHAIRMAN HOOD: Okay. Thank you
12 very much.

13 Next.

14 MR. ARCHER: Good evening. My name
15 is Ken Archer. I live in Georgetown. I'm
16 here to express my strong support for the
17 proposals to largely remove parking minimums
18 and institute meaningful maximums such as the
19 one-per-1,000 square feet maximum in transit
20 areas initially proposed by DDOT and to enable
21 shared parking and require car-sharing spaces.

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1 My wife and I have chosen to live
2 in Georgetown because it is a livable,
3 walkable community, and it's possible to make
4 nearly all of our trips without driving. I
5 take the Circulator and the 15K to my job in
6 Tyson's Corner where I own a software company.

7 And my wife and two-year-old take the D6 to
8 my son's play group in the Palisades Rec
9 Center and to my wife's work at Sibley
10 Hospital. Like one in five Georgetowners, we
11 own no car and rely on Zipcar for the few
12 times that we need to drive.

13 While Georgetown is increasingly
14 made up of residents seeking a livable,
15 walkable neighborhood, some of my neighbors
16 continue to express a wind chill perspective
17 of our neighborhood that's neither historic
18 nor sustainable. In a letter to this Zoning
19 Commission in 2008 opposing the zoning
20 changes, my friends at the Citizens'
21 Association of Georgetown had this to say:

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1 "Parking is a problem we must frequently
2 address because of the scarcity of curbside or
3 even paid parking. We have supported and will
4 continue to support expansions of public
5 transportation that will enable residents of
6 and visitors to Georgetown to travel by
7 efficient, reliable transit, but we are unable
8 to avoid the conclusion that such a system
9 does not yet exist to serve our community."

10 The truth however is that 20
11 percent of Georgetown households own no car,
12 and 57 percent of Georgetown households only
13 have one car. And this 77 percent of
14 Georgetown households would disagree with this
15 assessment of our transit options.

16 Furthermore, this argument confuses
17 zoning with on-street parking management.
18 Since this 2008 letter, DDOT has taken great
19 steps towards better managing on-street
20 parking. This includes a Georgetown pilot of
21 a performance-pricing meter system that

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1 extends into the neighborhood that DDOT is
2 planning and CAG has said that it supports.

3 CAG went on to object in it's 2008
4 letter, "Several large, new residential
5 complexes have been built in the last few
6 decades, and each provided substantial parking
7 for the new residents. The thought that such
8 projects in the future might not be required
9 to provide parking at all or might be
10 prohibited from providing what the developer
11 believes to be an adequate amount of parking
12 is deeply troubling."

13 The truth however is that
14 developers only build two parking spaces per
15 residential unit in Georgetown because the
16 Citizens' Association of Georgetown exerts
17 great pressure on them to do so. Developers
18 are well aware that only 23 percent of
19 Georgetown households still own two or more
20 cars. So of course developers have to be
21 pushed and cajoled to build multiple spaces

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1 per residential unit.

2 CAG pushes developers to overbuild
3 parking due to fears that owners of new condos
4 will take up on-street parking. But again, to
5 the extent that this is even a problem, it
6 should be solved through better on-street
7 parking management which is happening, not
8 through zoning.

9 Thank you for your consideration.

10 CHAIRMAN HOOD: Thank you. Next.

11 MR. ALPERT: Thank you very much,
12 Mr. Chairman and Members of the Commission.

13 My name is David Alpert. I run the
14 website Greater Greater Washington which is a
15 blog about urban planning and transportation
16 issues in the greater Washington area. And I
17 own a historic rowhouse in Dupont Circle
18 neighborhood with my wife.

19 We support the parking minimums as
20 proposed though I would agree with some of the
21 previous people that it would be preferable if

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1 we did not have the minimums at all on any
2 development. And we also support the
3 maximums, particularly the option 2 modified
4 that was proposed in the public hearing. I
5 would encourage this Commission to move
6 forward with those numbers as suggested
7 because I think that they represent a good
8 level of parking maximums and do not think
9 that we need to continue to delay a decision
10 in order to do more research.

11 The fact is that as Ms. Ricks said
12 earlier, there's a limited amount of street
13 space in the District of Columbia, and we also
14 have a limited amount of land. And for our
15 city's fiscal health, we need to maximize the
16 usage of the land especially around the Metro
17 stations that are so scarce and not to build
18 projects that generate excessive car trips and
19 do not take advantage of the transit.

20 As a developer friend pointed out
21 to me, there's a bell curve in terms of

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1 different projects and how much parking they
2 expect, whether it's office or retail and
3 things like that. For an office building,
4 some office tenants and some developers will
5 feel that there needs to be a very large
6 amount of parking. Others will feel that
7 there needs to be a smaller amount. If we set
8 any maximum, some number of people will yell
9 and scream and say this is not enough parking
10 for our particular use. But we don't need to
11 accommodate every one of their demands. We
12 simply need to accommodate enough so that we
13 can get the desired level of development that
14 we want. We can say that there are certain
15 types of things that are going to generate too
16 many car trips and we should not be
17 accommodating those.

18 With respect to, for example -- I
19 didn't see Councilmember Thomas' letter -- but
20 from what I heard of your comments, it sounded
21 as though he was concerned about some very

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1 large retailers being able to locate in
2 certain parts of D.C. I think some of those
3 like the Home Depot right next to the Rhode
4 Island Avenue Metro are an example of the
5 outlier, the sort of development that we don't
6 want to encourage right next to a Metro
7 station which is a limited amount of resource
8 of space where we could have more transit-
9 centric uses, and that we should not be
10 accommodating the most car-intensive, the most
11 excessive amount of parking use of all, not to
12 mention that that parking lot is never full.
13 It is too large even for the use that it has
14 today.

15 Quickly, let's see I have comments.
16 But oh, as far as the setting the maximums as
17 well, I would also remind you as you know that
18 it's still possible to get special exceptions
19 to go beyond the maximums. And large projects
20 in my experience having paid attention to a
21 lot of projects tend to have some number of

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1 special exceptions or variances anyway. So
2 for many very large projects, if there really
3 is an issue with the lower maximums, they will
4 be able to make that case at the BZA. It's
5 not that they won't build the project because
6 of the time to go to the BZA because for a
7 project of that size, they're going to go to
8 the BZA, they're going to be taking the time.

9 There might be historic review as well.
10 There's a lot of steps for a very large
11 project as it is.

12 I also recommend that you re-
13 institute the sections about the curb cut
14 location that the Office of Planning proposed
15 to remove. I was going to make the case for
16 that, but I think the Commissioner earlier
17 made that case even more eloquently than I
18 could.

19 The fact is that DDOT has said that
20 there's a curb cut policy and that they will
21 follow that. I haven't really seen this curb

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1 cut policy. It hasn't gone through a great
2 deal of public scrutiny and public input.

3 Your group has a very thorough
4 public process for making these decisions.
5 The Public Space Committee by contrast is one
6 of the least accessible committees because it
7 doesn't even publish online its agendas or any
8 particular details of the items that come
9 before it.

10 So I don't think that you should
11 give that decision on such an important issue
12 which will -- when a curb cut goes in, that
13 could be there for 50 years, for 100 years.
14 So to not give that decision to another
15 process that might be much more susceptible to
16 the vagaries of politics.

17 Finally, I would actually suggest
18 that you ask the Office of Planning to speed
19 up the implementation of Section 1506 in
20 particular, the location of parking spaces,
21 and certainly to adopt that section because

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1 the location of parking spaces behind
2 buildings as opposed to in front is one of the
3 most important elements of making a walkable
4 development. And in the time that it's going
5 to take to finish this process, there are
6 going to be a great many projects approved
7 that are going to have parking spaces located
8 in ways that mean that that block could be
9 unwalkable for 50 or 100 years. And I see no
10 particular reason why that element could not
11 go into effect immediately.

12 Thank you very much.

13 CHAIRMAN HOOD: Thank you. Ms.
14 Cort?

15 MS. CORT: Good evening,
16 Commissioners. I'm Cheryl Cort. I'm the
17 Policy Director for the Coalition for Smarter
18 Group. We're a regional organization based in
19 the District of Columbia ensuring that
20 transportation and development decisions
21 accommodate growth while revitalizing

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1 communities providing more housing and travel
2 choices and conserving our natural and
3 historic resources.

4 Overall I wanted to state that we
5 strongly support the proposed regulations that
6 the Office of Planning and DDOT have set forth
7 with your consultation largely to eliminate
8 minimum vehicle parking requirements and
9 establish maximums. We support enabling
10 shared parking to fulfill minimums and car-
11 sharing requirements and bicycle parking-
12 related facilities.

13 Secondly I wanted to say that I've
14 been extensively involved in this process.
15 From the beginning actually I was on the
16 Comprehensive Plan Task Force of 2006 and
17 participated in the work groups for the
18 parking work group for the zoning review. And
19 I'm really happy with how things have shaped
20 up. I have submitted extensive comments
21 previously and I actually hope that you'll be

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1 able to look at the full amount of
2 contributions that we've been able to make to
3 this process largely focused on the importance
4 of eliminating parking minimums.

5 Given that, I actually wanted to
6 address parking maximums which was not really
7 addressed previously when we had all these
8 discussions a year or so ago. At this point I
9 would say I'm disappointed to see this sort of
10 backing off from the parking maximums. They'd
11 been tinkered with from the time of the notice
12 to a new report by Office of Planning. And
13 we're prepared to accept the modified
14 alternative which for TOD areas would actually
15 bump up a single facility from 250 spaces to
16 500, that over 500 would there be a maximum
17 limit, and for retail spaces bump up the
18 parking ratio from one to 1,000 to 2.5 spaces
19 to 1,000 gross floor area.

20 There's a great example near me of
21 the DC USA. The city is bleeding millions of

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1 dollars a year to pay for unused parking in
2 probably the most walkable, bicycle-
3 accessible, transit-accessible neighborhood in
4 this city and maybe in many cities. It's
5 1,000 spaces that would have been subject to
6 the maximum. It would have saved the city a
7 lot of money if they had more carefully
8 considered what is the right amount of parking
9 to put into this 500,000 square foot retail
10 space in the middle of a place where 80
11 percent of the households do not own a car.

12 And frankly, I was just there this
13 weekend, and the bicycle parking is actually
14 completely inadequate in front of DC USA. I
15 was going to Target and there were bikes tied
16 to every tree. And I complain to DDOT all the
17 time that we need more bicycle parking in
18 front of DC USA.

19 I want to address this question of
20 chasing away retailers. The proposal to go to
21 a special exception I think is a very

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1 reasonable one. DC USA got a variance to
2 reduce its parking ratio. So it went through
3 a variance process. We're talking about a
4 special exception process. It's an easier
5 process. If we had built 500 spaces with a
6 TDM plan, everybody would be better off at DC
7 USA. But we didn't have the wisdom to do
8 that. And I think we need to change that.

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1 Actually you've got maybe a new drill. It
2 doesn't require a car to carry a drill or some
3 lightbulbs. And Logan Hardware has been
4 incredibly successful with the zero parking.

5 So I think there's a lot of
6 opportunities to make sure that we're not
7 overparking our great walkable and
8 increasingly accessible city with better
9 transit. People are bicycling more.

10 We need to build on the strengths
11 of this city. And overparking is a real
12 threat to the strengths of our city. We need
13 to more efficiently use existing roadway space
14 to improve bus service. Buses get stuck in
15 traffic all the time. We need dedicated bus
16 lanes. There's a lot we need to do.

17 We have such good bones in this
18 city, such a great street network that we can
19 enhance rather than degrade through very
20 suburban notions of what makes a successful
21 community.

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1 Thank you.

2 CHAIRMAN HOOD: Thank you. Next.

3 MR. HATCHARD: Good evening. My
4 name is Geoffrey Hatchard. And I'm a
5 homeowner in Trinidad neighborhood at 1218
6 Oates Street, N.E. And I come before you
7 tonight to state my strong support for changes
8 to the D.C. zoning code regarding vehicle and
9 bicycle parking as well as loading
10 requirements.

11 I support the regulations proposed
12 by the Office of Planning that would largely
13 remove minimum parking requirements and would
14 institute maximum limits in their place. I
15 also support establishing provisions for
16 shared parking and requirements for car-
17 sharing spaces.

18 The District has limited space and
19 dedicating more of it to the warehousing of
20 automobiles that sit idle most of the time is
21 neither an efficient use of space,

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1 environmentally friendly, economical in the
2 long run for a dense city or using our built-
3 in advantages as a walkable, bikable, transit-
4 oriented city especially with respect to the
5 surrounding jurisdictions in Maryland and
6 Virginia.

7 Regarding bicycle parking
8 regulations, I strongly support what is being
9 proposed. It is of utmost importance to me as
10 a cyclist. Just as automotive parking spaces
11 encourage the use of automobiles, convenient,
12 secure bicycle parking encourages the use of
13 bicycles. Residents of the city both young
14 and old will benefit from the knowledge that
15 we will have more safe places to keep our
16 bikes while running errands, attending a play,
17 going to dinner or spending the day in the
18 office or in the classroom.

19 I was attracted to live in D.C. for
20 more reasons with one of the biggest being
21 that I knew I'd be able to live without a car.

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1 I grew up in Michigan where the thought of an
2 existence without a car is entirely foreign.
3 But once I saw the way that I could save money
4 and live a healthier lifestyle by using
5 transit, a bicycle and walking, I knew I
6 wanted the opportunity to try that. No place
7 looked more likely to give me that chance in
8 this area than D.C.

9 I could have found cheaper housing
10 in the suburbs but I found my home in Trinidad
11 which is an amazing, friendly, welcoming
12 community. We are on the edge of the L'Enfant
13 City, close to so many of the benefits I spoke
14 of earlier. And we have new developments
15 springing up all around us. Some of it is
16 already being built in the suburban style --
17 large parking lots, automobile-oriented, inner
18 city sprawl. Please don't let us lose what
19 should be a built-in advantage -- a
20 neighborhood where everyone has easy access to
21 all the necessities of life and a strong

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1 community without the extra burden of
2 automobile ownership.

3 I encourage adoption of these
4 changes as a minimum. And if you see fit,
5 please look into strengthening the proposals
6 from the Office of Planning and DDOT to make
7 the parking maximum requirements more
8 stringent.

9 Thank you for the opportunity to
10 testify this evening.

11 CHAIRMAN HOOD: Okay. Thank you.
12 Next.

13 MR. DONNELLY: Thank you. My name
14 is Mike Donnelly. I'm here to show my support
15 for Case 08-06.

16 I've been working by Union Station
17 for the past six months. I leave my car in
18 Delaware every Monday morning. I live part
19 time during the week care-free down here in
20 the D.C. area. I am here to express my
21 support for the proposed changes for the D.C.

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1 zoning code.

2 I support the proposed parking
3 regulations to largely remove parking minimum
4 requirements and institute the maximum limits.

5 As an economist, I believe the supply equals
6 demands. If you artificially increase the
7 supply of parking, you guarantee more traffic
8 on your already congested roads.

9 But both sides of this outcome
10 negatively impact me. We all pay for the
11 increase in the supply of parking. More land
12 wasted as a parking spot means the remaining
13 land prices escalate resulting in higher home
14 prices.

15 As a pedestrian crossing your
16 streets, more traffic makes me less safe and
17 as a father considering moving to D.C., I
18 worry for my children, that is assuming I can
19 afford your high home prices. We're still
20 looking.

21 Thank you for all staying late

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1 tonight and missing a Redskins' game. I
2 appreciate you taking your time to hear all of
3 us listen and testify.

4 CHAIRMAN HOOD: Okay. Next.

5 MR. GARBER: I'm going to keep this
6 pretty short and sweet.

7 My name's David Garber. I am a
8 homeowner in the historic Anacostia
9 neighborhood. I'm a renter in the Near
10 Southeast neighborhood. And I am the
11 Commissioner-elect for 6D-07.

12 I'm here to voice my support for
13 these new regulations. I moved to D.C. based
14 on its increasing support for bicycle
15 infrastructure and its walkability and its
16 density. There are many places in the region
17 the people can choose to live, and I don't
18 think we should be customizing our city
19 towards the car already more than it is.

20 Speaking from the historic
21 Anacostia perspective, east of the river there

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1 is a greater support for having just more and
2 more parking and there are less people tending
3 to bike and walk around over there. But
4 there's also a ton of developable land and a
5 lot of opportunity happening right now and
6 projects that are going to be happening in the
7 future. And I fear that in historic
8 neighborhoods that are undeveloped right now
9 that as they get developed, if we don't have
10 regulations like this in place then they will
11 be developed with more drive-throughs and more
12 parking in front and kind of develop as less
13 special places than they have the opportunity
14 to become.

15 I also just wanted to note the
16 general sense of concern in the Near Southeast
17 neighborhood around the ballpark where
18 residents of the high-rise buildings there
19 feel left out of the residential parking
20 program and feel as a result kind of second-
21 class citizens when they're right next door to

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1 brand new townhouses with garage parking yet
2 they are getting their residential parking
3 permits.

4 So thank you so much.

5 CHAIRMAN HOOD: Thank you.

6 Colleagues, any questions of this
7 panel? Mr. May?

8 COMMISSIONER MAY: Yes. Mr.
9 Zieman, I'm a little bit confused because on
10 one hand you were saying that you'd like to
11 see no minimums whatsoever essentially leaving
12 the issue of how much is provided to the
13 decision of the developer, and then at the end
14 of your statement you said that you basically
15 can't trust developers. So where exactly are
16 you? I mean, should it be left to the market?

17 Is that what you're advocating? And can we
18 trust developers to decide how much parking is
19 appropriate?

20 MR. ZIEMAN: That's a good
21 question. And I understand your confusion.

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1 No, what I meant to say is that
2 where we have minimums and minimums are
3 enforced, you're basically artificially
4 raising the amount of parking based on certain
5 notions whereas if a developer wanted to build
6 less, they want to for a reason.

7 However, where there's excessive
8 parking being built, and my point was mostly
9 kind of in the downtown area where we're
10 talking about maximums the most where there's
11 the worst traffic congestion. And I'd like to
12 take as an example the new development that's
13 going right on Connecticut and K, one of the
14 busiest and highest valued corners in the
15 District. But they are building somewhere
16 over 1,000 parking spaces I think right across
17 the street from the Metro.

18 So that was in that vein. A lot of
19 times when there's this competition to build
20 class A parking, when there's a competition
21 to have high-priced office buildings and

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1 everything, the developers aren't concerned
2 with what's around the city. They're not
3 seeing themselves as a cause of the traffic
4 problem.

5 And when you have a lot of this
6 traffic -- especially downtown -- then that
7 makes it especially harder politically to
8 widen sidewalks or to provide bicycle access
9 because you have so many people complaining
10 about how bad traffic is and how can you take
11 a lane away if traffic's so bad anyway. And
12 it really doesn't get us to our goals of where
13 we want to be as a sustainable city.

14 COMMISSIONER MAY: Okay. Thanks.

15 Ms. Cort, I had a question for you.

16 Maybe I just sort of missed it in
17 your testimony. But where exactly are you in
18 terms of the numbers for maximums?

19 MS. CORT: We support the modified
20 alternative that was provided in the November
21 5th Office of Planning report which bumped up

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1 the TOD numbers in terms of the parking ratio
2 to 2.5 for retail and maintaining all other
3 uses at the one space per 1,000 square feet.
4 We're willing to accept that bump up in terms
5 of the retail parking which is actually higher
6 than the ratio of DC USA. But DC USA is such
7 a huge development that it built 1,000 spaces
8 with a variance.

17 MR. ALPERT: Thank you.

18 COMMISSIONER MAY: I guess my first
19 question is that you were asking that we go
20 ahead and set maximums right now and not go
21 ahead and have another hearing. And then

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1 later in your testimony you acknowledged the
2 fact that this is going to be a slow process
3 of adopting the full zoning regulations. So
4 I'm wondering what the advantage is to trying
5 to adopt that now when in fact the code itself
6 won't go into effect for many, many, many
7 months. So what's the advantage of moving
8 ahead now? Is it just momentum?

9 MR. ALPERT: I didn't actually mean
10 to street that you move ahead now with the
11 maximums. I meant to say that --

12 COMMISSIONER MAY: But we're at a
13 hearing though. You were arguing for it
14 without a hearing.

15 MR. ALPERT: Well, I guess what I
16 was suggesting is that you move ahead as if
17 the Office of Planning and DDOT had continued
18 to suggest the modified Alternative 2 that
19 they had suggested in the public hearing
20 notice I believe when I think as Cheryl Cort
21 was saying that we should go ahead with that.

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1 So you should follow whatever process you
2 were going to follow if they hadn't said that
3 they wanted to pull those back and do some
4 more analysis. But you should still package
5 that will all of the other things that are
6 going into this.

7 The part that I would suggest you
8 move ahead with more quickly was the location
9 of parking spaces section which is more
10 independent of anything else. It doesn't
11 involve the changes in use categories and that
12 sort of thing.

13 COMMISSIONER MAY: Okay. I knew
14 you were arguing for two different things
15 between those sections.

16 And that was my next question which
17 was actually to get some sort of a reaction
18 from the Office of Planning about the
19 suggestion that 1506 be implemented more
20 quickly. And is there some urgency to that
21 aspect of the regulations that we need to take

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1 that on more quickly? Because I mean maybe
2 there are issues that are out there that it
3 would make sense to address more quickly. I
4 just don't have any sense of that.

5 MR. PARKER: It's certainly a
6 possibility that we could move forward.

7 I think I agree with Mr. Alpert's
8 reasonings for it. There are a lot of
9 developments that are going to happen between
10 now and two years from now when this all gets
11 put in place.

12 The one reservation that I have is
13 just the form in which it takes. A lot of the
14 terminology is changing. In the code, we're
15 going to have new terms like front-street
16 line.

17 I think I guess the point is it can
18 be put in the existing code. I think we'll
19 need to write it two different ways -- one for
20 the existing code and one for the future code.
21 And it's just a matter of timing. But based

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1 on your guidance, we certainly could do that.

2 COMMISSIONER MAY: Well, I don't
3 know that we necessarily want to start
4 plucking out pieces of the code that we're
5 right now drafting and say this is so
6 important that it needs to be enacted
7 immediately. But I mean I know that the
8 Office of Planning is still modifying or still
9 making suggestions to modify the current code.

10 So if there are issues that come up in the
11 process of the re-write that need to be
12 brought ahead more quickly, hopefully that'll
13 be the case.

14 And I assume that if anybody in the
15 audience is really interested in pushing one
16 of those, you might talk directly to the
17 Office of Planning about doing that because
18 we're still writing the current code or re-
writing it.

20 That's it for me. Thanks.

21 CHAIRMAN HOOD: Okay. Any other

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1 questions. Vice Chairman Schlater?

2 VICE CHAIRMAN SCHLATER: Sure.

3 Quick questions.

I have a question about Near Southeast. I think we've been talking about parking maximums. Near Southeast, very transit-accessible, meant for a compact, high-density development. But I think a lot of people would say that there's not a lot of retail down there. People have been begging for restaurants, grocery stores, other forms of retail. Are you wondered that by instituting parking maximums in Near Southeast that could somehow negatively impact attracting retail to that area?

20 MR. GARBER: I don't think so
21 mainly because most of the development -- most

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1 if not all of the development coming to Near
2 Southeast at this point is high-density
3 development with sidewalk-level retail, most
4 of which is accessed by walking or biking or
5 metroing. Or if you're parking, you're not
6 expecting to be able to park right in front of
7 the retail location. I mean, typically that's
8 an understood thing if you're in a high-
9 density area.

10 And I wouldn't want to set a
11 precedent in the neighborhood for expecting to
12 be able to park right in front of wherever
13 you're going or directly underneath wherever
14 you're going.

15 CHAIRMAN HOOD: Any other
16 questions?

17 (No audible response.)

18 CHAIRMAN HOOD: Okay. I want to
19 thank this panel. We appreciate all your
20 testimony and insight.

21 Okay. Let's continue on with who I

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1 have down for proponents: Eric Fidler, John
2 Wheeler, Ellice Perez and Allen Greenberg.

3 Is there anyone else who'd like to
4 testify in support -- in support? I haven't
5 got to opposition yet.

6 (No audible response.)

7 CHAIRMAN HOOD: Anyone else who'd
8 like to testify in support?

9 (No audible response.)

10 CHAIRMAN HOOD: Okay. With that,
11 this is our last panel for support. And we're
12 going to start with Mr. Fidler who I believe
13 is from Greater Greater Washington also. So
14 you have three minutes.

15 If the person next to you can turn
16 their microphone off actually. There we go.

17 MR. FIDLER: Commissioners, thank
18 you for seeking public input on the zoning
19 changes regarding parking requirements. My
20 name is Eric Fidler and I live in the LeDroit
21 Park neighborhood. I've come here this

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1 evening to urge you to support the proposed
2 changes.

3 For too long our city has governed
4 itself under the philosophy that the needs of
5 the private automobile trump other quality of
6 life issues in Washington. As our city's
7 population began to grow several years ago,
8 the *Washington Post* noticed this curious case
9 of car registrations actually falling in the
10 city. And I suspect that that is no doubt to
11 our city's walkability, ubiquitous public
12 transit and the availability of car-sharing.

13 Even despite the surprising shift
14 away from car ownership, however slight, the
15 city's zoning laws are still stuck in the past
16 mandating minimums for on-site parking for
17 development projects. It does not matter if
18 the project is located directly atop a Metro
19 station or if the site is too small to
20 accommodate parking. Zoning code wrongly
21 mandates parking regardless of cost or

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1 necessity.

2 The assumption that car ownership
3 is a necessity of life is not only wrong, but
4 also insidiously reduces residents' quality of
5 life. The biggest problem with minimum
6 parking requirements is that they needlessly
7 increase the cost of housing construction and
8 thus the cost of living. Washington is one of
9 America's most expensive cities. And parking
10 minimums partly contribute to this. When a
11 project requires numerous levels of deep
12 excavation to house cars, the project's
13 eventual tenants will have to pay for higher
14 rents to cover the costs -- lessening
15 affordable housing for people for cars.

16 Certainly most large residential
17 projects will include some parking even though
18 the minimums will be taken away. But the
19 amount of parking that tenants will demand
20 decreases with proximity to transit.
21 Eliminating minimums will permit builders to

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1 gauge the market to determine the proper
2 amounts of on-site parking. In areas for
3 which this proposal seeks to eliminate
4 minimums, I suspect the appropriate amount of
5 on-site parking will fall short of the current
6 minimums by far.

7 Car ownership produces numerous
8 undesirable consequences such as pollution,
9 traffic congestion that by necessity reduce
10 the quality of life in the city. By
11 eliminating parking minimums in transit-
12 accessible portions of the city and by
13 requiring car-sharing and bike accommodations,
14 we can help reduce housing costs, help reduce
15 the pressure on the existing road networks,
16 reduce pollution and enhance the city's
17 livability.

18 Thank you for giving us the
19 opportunity to testify in support of the
20 proposed changes.

21 CHAIRMAN HOOD: Okay. Thank you.

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1 Next.

2 MR. WHEELER: Good evening. My
3 name is John Wheeler. I live in Tenleytown.
4 And I'm here tonight representing Ward 3
5 Vision which is a grassroots campaign
6 promoting smart growth in Ward 3.

7 We strongly support the changes
8 proposed to the D.C. zoning code. We support
9 largely removing minimum parking requirements
10 and imposing maximum requirements. We support
11 car-sharing. That has been shown to be an
12 excellent solution to limited parking. We
13 support requiring bicycling parking facilities
14 at commercial and the larger residential
15 buildings. That also has been shown to be an
16 excellent solution to our traffic congestion
17 problems and it results in the need for less
18 parking.

19 Ward 3 Vision supports -- as a
20 group, we support having higher-density
21 residential development in Ward 3 with

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1 neighborhoods serving retail along transit
2 corridors. And for us, that's Wisconsin
3 Avenue and Connecticut Avenue primarily. And
4 to promote that, we support the concept of
5 eliminating the minimum parking requirements
6 and imposing the maximum ones, car-sharing and
7 the increased bicycle use.

8 We think that DDOT's recommendation
9 based on transit zones is a reasonable way to
10 go. With respect to curb cuts and drive-
11 throughs, if the Zoning Commission isn't
12 willing to go so far as to impose that for all
13 of D.C., we would welcome making a pilot
14 project banning all curb cuts and drive-
15 throughs in Ward 3.

16 CHAIRMAN HOOD: Okay. Thank you.
17 Next. You're next. Yes, we're going from
18 right to my left.

19 MR. GREENBERG: Okay. I'm sorry.

20 Good evening. My name is Allen
21 Greenberg. I'm here representing

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1 Metroriders.org. And tonight I'm testifying
2 on behalf of our 1500 rider activists about
3 the proposed changes before us.

4 The changes contemplated would have
5 major implications for transit readership in
6 the region and particularly in the city. And
7 for that reason, I'm testifying before you
8 this evening.

9 Metroriders.org seeks to bring
10 balance to the transportation system in this
11 region through policies of prioritized transit
12 over SOV travel. And projected development in
13 this region especially in the urban core
14 requires that SOV travel be suppressed and
15 transit services be bolstered for gridlock to
16 be averted.

17 It requires three steps
18 essentially. First is to follow the pearl of
19 wisdom that if you find yourself in a hole,
20 stop digging, and recognizing that minimum
21 parking requirements by forcing subsidies for

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1 car ownership and use by making housing and
2 retail more expensive exacerbates gridlock,
3 auto emissions and vehicle/pedestrian
4 conflict.

5 The second step is to curtail use
6 by limiting parking. DDOT's testimony before
7 you all on September 16th provided this
8 Commission really with the logic that's most
9 important, and that is to decide how much
10 parking is appropriate given the carrying
11 capacity of our streets. Bus transit in
12 particular suffers and the riders of course
13 too when parking supplies and car use are
14 allowed to continue to grow especially near
15 hyper-congested intersections. For this
16 reason, Metroriders.org supports DDOT's
17 September 16th proposal for parking maximums,
18 not the revised proposals that was presented
19 by OP.

20 Third is to require that parking
21 accommodations when we do make them minimize

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1 to the extent feasible conflicts with
2 pedestrians and negative impacts on urban
3 design. I think especially for instance of
4 surface parking facilities that are allowed to
5 front a street. And second to require
6 accommodations for bicycling which really
7 complements transit use. Metroriders.org
8 supports the Office of Planning proposal in
9 all these areas.

10 And I have a few specific
11 additional observations about parking minimums
12 and parking maximums.

13 First with parking minimums, as I
14 mentioned before it really hurts bus riders by
15 encouraging car ownership and use, and
16 essentially the developers are forced to
17 subsidize cars at the expense of transit
18 riders and harm those seeking more affordable
19 housing who are willing to live car-free,
20 relying on Zipcar and taxis for their
21 occasional needs, but instead requiring them

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1 to pay more for housing to subsidize car
2 owners.

3 Today the Zoning Commission has a
4 rare opportunity to revise the zoning
5 regulations in a way that would substantially
6 improve the housing affordability and in
7 providing environmental benefits to the
8 District and would allow the construction of
9 new developments that are as transit-
10 accessible, walkable and charming as many of
11 the District's historical developments that
12 were built before today's off-street parking
13 requirements made their construction illegal.

14 Off-street requirements, parking
15 requirements interfere with adaptive use of
16 all the buildings, require parking
17 construction in excess of demand, and have
18 been shown to add between \$52,000 and \$117,000
19 to the price of each housing unit. And
20 there's research to support that. And it
21 essentially guarantees more car ownership

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1 driving, traffic and air pollution than if you
2 didn't have such requirements. And so a
3 reason for any of these requirements is to
4 reduce the likelihood of spillover.

5 Now off-street parking requirements
6 are completely unnecessary if we deal with
7 that in another way through on-street parking
8 management. And DDOT has recently shown
9 itself capable of managing on-street parking
10 so it does not get overwhelmed as a result of
11 spillover.

12 And I point specifically to the
13 baseball stadium where we put in a 41,000-seat
14 new stadium with very few off-street parking
15 spaces. And stadium neighbors have had
16 nothing but praiseworthy comments of DDOT's
17 effort to regulate on-street parking through
18 pricing. It costs roughly \$20 to park on the
19 street per game, and it works.

20 Now managing on-street parking to
21 deal with the influx of demand for new

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1 residences is different than managing it for a
2 stadium. But the same basic challenges apply.

3 And more importantly, I think that the
4 challenges of the stadium were much greater
5 than those that would result from the kind of
6 development that would be allowed by the
7 changes in the zoning regulations.

8 So parking maximums, very important
9 again to go back to the carrying capacity of
10 the system. If you look at other cities that
11 don't have as good transit as we have like
12 Seattle, they have a one-space-per 1,000
13 square feet throughout the city. You look at
14 San Francisco -- .233 spaces-per 1,000 square
15 feet downtown. And I just don't believe that
16 with our system and our density and the cost
17 of housing and retail here that we can't match
18 that. I think DDOT's original proposal was
19 extremely conservative, and more importantly
20 is tied to the capacity of our streets.

21 So I appreciate the opportunity

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1 presented to me here. Look forward any
2 questions you might have. And we do hope you
3 take the bold steps needed to make these
4 changes happen.

5 Thank you.

6 CHAIRMAN HOOD: Okay. Thank you.

7 Next.

8 MS. PEREZ: Good evening. My name
9 is Ellice Perez. I'm the General Manager for
10 Zipcar in the D.C. metro area. As you might
11 know, Zipcar is the world's largest car-
12 sharing organization. We have over 500,000
13 members and about 7,000 Zipcars. And this is
14 in 14 major metropolitan markets, obviously
15 including D.C., Virginia and Maryland and now
16 Baltimore.

17 So with this, this obviously gives
18 us some great exposure with our footprint. It
19 gives us some good exposure to the policy that
20 is in place in many different jurisdictions
21 around the U.S., Canada and the UK. And

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1 actually, D.C. is very forward-thinking, so
2 we're excited to see and very supportive of
3 the policies and zoning changes that are
4 suggested here this evening.

5 The zoning code that's suggested is
6 very much in line with the mission that Zipcar
7 has which is reducing car ownership and
8 enabling simple and responsible living. And
9 you might be familiar with our results -- our
10 demonstrated results time and time again per
11 every one Zipcar we put on the road, we take
12 15 to 20 personally-owned vehicles off the
13 road. For every Zipcar member that joins, the
14 average member drives 2500 less miles per year
15 because we have such great public
16 transportation in all of the cities that the
17 Zipcar is in. The average Zipcar member
18 consumes 219 less gallons of gas per year as
19 well, and all of this obviously results in
20 much less CO₂ emissions in our cities.

21 So we're very supportive of the

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1 zoning code that is suggested here. We just
2 suggest additional detail in some of the areas
3 to ensure that the desired result of reducing
4 car ownership and furthering public good is
5 achieved.

6 So in Section 1504.3, we suggest
7 additional qualifications for the car-sharing
8 organizations -- things that are stated in
9 DDOT memorandums as well. So that would
10 include financial eligibility, evidence of
11 insurability, technical capability and then a
12 minimum membership base as well.

13 We also suggest a process that
14 might foster placement of car-sharing vehicles
15 that are in less desirable areas. So this is
16 something obviously for the Zoning Commission
17 to consider. There certainly will be places
18 where new developments arise where a parking
19 space is offered -- and we have experience of
20 this -- and the space is declined because
21 there is not demand in that area. And those

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1 in the District certainly understand and
2 appreciate there's a cost with placing that
3 car in all areas. And so we suggest perhaps a
4 mechanism to be offered for the car-sharing --
5 the qualified car-sharing firm to be further
6 engaged in placing a car in that less
7 desirable area.

8 We also suggest a process for when
9 declining spaces. And so again we have
10 experience in this when a car-sharing space is
11 offered and the development and we decline.
12 Then we would want to of course support in
13 writing so that the developer has everything
14 documented so that it's very clear from a
15 process standpoint.

16 And then finally just to again a
17 further point of clarification, in Section
18 1504.5 -- and this was a question that was
19 raised earlier -- we suggest that it be
20 clarified that car-sharing spaces should be
21 accessible 24/7 so that all members can use

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1 their cars at any hours of the day or night.

2 Thank you very much.

3 CHAIRMAN HOOD: Okay. Thank you
4 very much.

5 Any questions for this panel? Any
6 questions or comments for this panel?

7 (No audible response.)

8 CHAIRMAN HOOD: Okay. We want to
9 thank you all. We appreciate your testimony.

10 Let's go to opponents: Ms. Marilyn
11 Simon, Paul Tummonds, Christopher Collins.

12 Do we have anyone else who would
13 like to testify in opposition?

14 (No audible response.)

15 CHAIRMAN HOOD: Okay. This is our
16 last panel.

17 We'll let Ms. Simon go first. Then
18 we'll go with Mr. Tummonds and then Mr.
19 Collins.

20 MS. SIMON: My name is Marilyn
21 Simon, and I'm speaking on behalf of

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1 Friendship Neighborhood Association.

2 In October 2008, the Commission
3 provided the Office of Planning with guidance
4 on its proposed changes in the parking
5 regulations. At that meeting, Chairman Hood
6 stated that there would be another bite at the
7 apple. And so tonight is the public's
8 opportunity to ask the Commission to
9 reconsider some of the more sweeping and
10 untested changes in this proposal.

11 I want to thank the Commission for
12 this opportunity. This is an important effort
13 by the District that if done correctly will
14 enhance our city scape, while if done poorly
15 will threaten the quality of life and our
16 environment for decades to come.

17 Earlier several Commissioners
18 expressed concern about spillover effect with
19 OP's recommendation to eliminate parking
20 minimums in certain districts. In response,
21 OP assured the Commission that they would be

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1 maintaining minimums where there was a
2 potential for spillover effect. However we
3 are now presented with regulations that
4 provide no such protection for our low- and
5 moderate-density neighborhoods. OP is
6 recommending that there would be no minimum
7 parking requirements in several as yet
8 unmapped areas including transit zones.

9 DDOT has listed several tools for
10 mitigating spillover. And it is clear from
11 that list that for many of the District's
12 neighborhoods and for the type of spillover
13 effect that will result from these
14 recommendations, DDOT's tools will be totally
15 ineffective.

16 For example, nearly all the
17 mitigation tools relate to limitations on the
18 use of on-street parking by nonresidents. Yet
19 with these changes, we will see new housing
20 units with residents in new buildings with
21 inadequate parking.

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1 In essence, it demonstrates that
2 neither OP nor DDOT has seriously considered
3 the impact of eliminating minimum parking
4 requirements for medium- and high-density
5 residential development near low-density
6 residential neighborhoods. None of the
7 recommended tools for mitigating spillover
8 addresses these problems when new apartment
9 buildings with inadequate parking are built
10 near low-density neighborhoods.

11 Many of the new residents will own
12 private vehicles even if they take transit to
13 work and drive infrequently. They will park
14 their vehicles in the lower-density
15 neighborhood. In fact, some of the proposed
16 tools for mitigation actually exacerbate the
17 spillover problems.

18 At the earlier hearing, I submitted
19 a map showing the lower-density neighborhoods
20 that would likely be affected by the
21 recommendation to eliminate minimum parking

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1 requirements. This map provides a reasonable
2 depiction of the area's subject to spillover.

3 We mapped the areas within 800 feet of
4 potential non-minimum parking requirement,
5 high-density development. Since OP frequently
6 uses a quarter mile to define TOD areas, it
7 might actually be reasonable to enlarge that
8 pink area since many residents would be
9 willing to walk 1300 feet to the lower-density
10 neighborhoods to park their cars.

11 The problem of spillover parking
12 when high-density residential development is
13 near low-density residential neighborhoods was
14 understood and addressed in our current
15 parking regulations. The reduction in the
16 parking requirement for development near
17 Metrorail stations is limited to 25 percent,
18 recognizing that it is unreasonable to assume
19 that Metro is a viable option for many of the
20 employees and visitors.

21 The reduction does not apply to

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1 residential buildings, recognize that we now
2 already have low minimum parking requirements
3 and that is unrealistic to assume that vehicle
4 ownership will be less than one vehicle for
5 every four housing units in a high-density
6 residential development even if many of the
7 residents use the Metro to commute to work.
8 Further, the reduction in the parking
9 requirement did not apply if the building was
10 within 800 feet of a low-density residential
11 neighborhood.

12 The commercial area in Friendship
13 Heights was mapped in OP's chart. The
14 surrounding low-density neighborhoods consist
15 of detached and semi-detached and rowhouses on
16 relative small lots, many of the older houses
17 lacking off-street parking and some lacking
18 the ability to add off-street parking. These
19 neighborhoods already have a severe spillover
20 problem, and there is significant potential
21 for new development in the area.

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1 With no zoning changes, we can see
2 an addition of more than 1200 housing units in
3 the immediate area. Without minimum parking
4 requirements, one would expect to see the
5 spillover parking problems in this
6 neighborhood aggravated.

7 We cannot change our zoning
8 regulations based on unrealistic expectations
9 about whether future residents will own
10 vehicles. Our system is not the robust system
11 that is being assumed --

12 CHAIRMAN HOOD: Ms. Simon, can you
13 give us your closing?

14 MS. SIMON: Yes. And we ask that
15 the Zoning Commission be cautious in approving
16 text that eliminates minimum parking
17 requirements in an unspecified geographic area
18 especially since limiting -- this isn't the
19 area where there will be a risk of parking
20 spillover to low-density neighborhoods.

21 Other concerns are written in the

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1 written comments. Thank you.

2 CHAIRMAN HOOD: Okay. Thank you.

3 Mr. Tummonds?

4 MR. TUMMONDS: Sure. Good evening,
5 Chairman Hood, Members of the Commission. I
6 am here on behalf of the District of Columbia
7 Building Industry Organization this evening.
8 And I am going to present our organization's
9 views on the proposed text relating to motor
10 vehicle parking, bicycle parking and loading.

11 As an organization, we are very
12 concerned about the potential impact of the
13 proposed parking maximums on the economic
14 development in the District generally, and
15 specifically on the District of Columbia real
16 estate industry and its ability to remain a
17 leader in a very competitive real estate
18 market.

19 We believe that a system of parking
20 maximums is both unnecessary and potentially
21 harmful to economic development in the

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1 District. The competitive success of the
2 District's office and retail market depends on
3 the availability of a reasonable amount of
4 parking. We believe that there needs to be an
5 appropriate balancing of this availability of
6 on-site parking for a project with other
7 factors such as proximity to Metro stations or
8 corridors that have extensive Metro bus
9 activity or other forms of high-density
10 transit.

11 We believe that such a balancing
12 does not occur with the proposed city-wide
13 blanket maximums. We believe that the
14 marketplace, as Commissioner May asked a
15 previous person providing testimony, provides
16 the most appropriate manner in which to find
17 that proper balance.

18 Construction of below-grade parking
19 spaces is very expensive in the District.
20 General estimates range from \$30,000 to
21 \$50,000 per each parking space. Given this

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1 significant cost, it is not an interest of a
2 developer to construct parking spaces that
3 will not be used. However, a project that is
4 deemed to have an inadequate amount of parking
5 will ultimately be less desirable to potential
6 residents, tenants or shoppers.

7 As an industry we are supportive of
8 efforts to create truly sustainable projects
9 that utilize the wonderful public
10 transportation infrastructure that exists in
11 the District of Columbia. For many of our
12 members, creating commercial office buildings
13 or mixed-use buildings that achieve LEED
14 Silver, Gold or even Platinum certification is
15 a must. In those instances, a project is
16 likely to have a number of parking spaces that
17 are significantly lower than the maximum
18 ratios and maximum total number of parking
19 spaces that are proposed in these regulations.

20 However, there needs to be an
21 opportunity for other types of projects to

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1 provide a number of parking spaces that is
2 dictated by the anticipated demand or some
3 other metric such as parking space
4 requirements that may be created by federal
5 agencies seeking new office space or national
6 retailers who demand a certain level of
7 parking to accommodate their stores.

8 If the Zoning Commission does
9 determine that parking maximums are necessary,
10 we strongly encourage the Zoning Commission to
11 calculate those maximums solely on a ratio of
12 parking spaces to a specific amount of gross
13 floor area. The parking maximums based on a
14 specific maximum number of spaces, such as the
15 250, 500, even 1,000 parking space maximums
16 proposed in Section 1503 do not account
17 necessarily for large federal office building
18 developments or institutional uses where a
19 single parking facility may be preferred over
20 numerous parking garages.

21 I did have a point with regards to

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1 institutional uses. I believe Mr. Parker
2 addressed that earlier that it is through the
3 campus planning process we believe is the most
4 appropriate means for the Zoning Commission to
5 determine what is the appropriate amount of
6 spaces for an institutional use. And we
7 encourage that the parking maximums be used as
8 guidelines as Mr. Parker had mentioned and not
9 as maximum.

10 Despite our concerns with the
11 proposed parking maximums, we are supportive
12 of elements of the proposed regulations
13 including the removal of parking minimums in
14 the transit-oriented zones and the ability to
15 use the special exception standards for relief
16 from the maximum or minimum parking
17 requirements.

18 That concludes my testimony this
19 evening. I'm available to answer any
20 questions that you may have.

21 CHAIRMAN HOOD: Okay. Thank you

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1 very much.

2 Mr. Collins?

3 MR. COLLINS: Thank you, Mr. Chair.

4 Christopher Collins with Holland
5 and Knight. I'd like to just focus my
6 discussion tonight on the impact of this
7 proposal on large retail shopping facilities
8 in the city. I've handed in my testimony. I
9 would just like to summarize that.

10 We have concerns based in two
11 areas. Number one is the maximum parking
12 requirements. I'll go through that in a
13 second.

14 The amount of parking required by a
15 large retailer typically depends upon the type
16 of goods sold and the retailer themselves.
17 But typically, it's about 4.5 to 5.0 spaces
18 per 1,000 square feet.

19 You mentioned, Mr. Chair, Rhode
20 Island Place earlier. And that's a good
21 example -- good real live example to take a

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1 look at. That project was finished about five
2 years ago. Actually, it's still the final
3 piece -- the TD Bank -- that's undergoing
4 construction right now.

5 That project has 4.7 spaces per
6 1,000. And yet the parking lot is filled to
7 capacity on weekends even though it's right
8 next to a Metrorail station. That project
9 contains about 21.75 acres of land area, just
10 under one million square feet of land, and
11 about 25 percent of that is buildings. The
12 remainder of the area is devoted to parking
13 and loading circulation, landscaping.

14 The site contains in excess of
15 1,050 parking spaces. It has access from
16 Brentwood Road on the east and Washington
17 Place which is what the former Metro driveway
18 is now called. It's a public road.

19 Using a standard factor of 350
20 square feet per parking space, there would
21 need to be four levels of structured parking

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1 in order to keep the parking area for Rhode
2 Island Place within the 100,000 square foot
3 land area limitation utilizing the amount of
4 parking spaces on that site. The limitation
5 proposed by DDOT, which is either 500 spaces
6 or 250 parking spaces maximum, neither one or
7 three spaces per 1,000 square feet would be
8 well short of what is needed for a facility of
9 that size.

10 There's been some discussion about
11 DC USA and how that's a very successful
12 project with parking garages not used very
13 much. Location is so important in this
14 consideration. And as Mr. I think Schlater
15 mentioned before about opportunities for large
16 retail facilities in Wards 5, 7 and 8, they do
17 not have the type of -- other than Rhode
18 Island Place -- don't have that same type of
19 Metrorail access.

20 And the demographic is different.
21 The commuting patterns of living -- the

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1 density is different in that area of the city
2 than it is in Columbia Heights. So it's
3 important to when you look at this proposal in
4 terms of maximums and when consider large
5 retail projects that you take that into
6 consideration given the specific location of
7 the use.

8 Secondly, access requirements --
9 Section 1507 provides a hierarchy for where
10 access should be. First is alleys. Second is
11 minor streets, and third is major streets.
12 1507.6 requires that when a project fronts on
13 two or more streets, you're supposed to have
14 all your access from the minor street or the
15 street with lesser traffic. And then 1507.7
16 limits the number of driveways for parking
17 access to three when the lot fronts on two or
18 more streets. Same is true for loading
19 access.

20 Again, looking at the Rhode Island
21 Place situation, if all the parking was

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1 required to be funneled to the lesser of the
2 two street frontages for traffic volume, that
3 would mean that all the traffic for that
4 facility would funnel through that two-lane
5 driveway out onto Washington Place which would
6 just not work from a practicality standpoint.

7 A typical large retail shopping center
8 includes a number of vehicle entrance points
9 spread around the site at dispersed locations
10 so that the flow of traffic and the pattern of
11 parking is distributed within the site as
12 efficiently as possible. The draft
13 regulations will not allow that to occur. So
14 for these and other reasons, we would oppose
15 those provisions as they relate to large
16 retail shopping centers.

17 I did have an opportunity to speak
18 to Mr. Parker this morning, and he did mention
19 to me that these two provisions I just talked
20 about are being pulled back from tonight's
21 discussion and will be subject to further

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1 discussion. And we'd be happy to work further
2 with Mr. Parker on these issues.

3 CHAIRMAN HOOD: Okay. Thank you
4 very much.

5 Commissioners, do you have any
6 questions? Any questions? Commissioner
7 Selfridge?

8 COMMISSIONER SELFRIDGE: Thank you,
9 Mr. Chairman.

10 Mr. Tummonds, certainly there's
11 examples -- I happen to think Rhode Island
12 Place is one of them where the market didn't
13 do a good job dictating the number of parking
14 spaces. I've been up there far too much, and
15 I'll admit I actually drive up there which I
16 know is maybe a sin tonight. But I do drive
17 up there, and I can always find a parking
18 space. So I would wonder why a maximum -- a
19 parking maximum with a special exception
20 option would not be appropriate in most cases?

21 MR. TUMMONDS: Well, I think we do

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1 have the balance and we've had a number of
2 cases recently where we've talked about
3 attracting a big, large format retail store.
4 And they said unfortunately they're not the
5 leaders in looking to come and make that
6 decision to say we will go at a lower rate.

7 So I think that when we talked
8 about that for the Skyland case, the Skyland
9 case was a site that while it would probably
10 show up as a TOD site here, it's a much
11 different site than the USA with Metro.
12 Alabama and Good Hope Roads are just
13 different.

14 We think that it's appropriate to
15 have a larger number of parking spaces for
16 that site. We would hope that we wouldn't
17 make the mistakes like people made at the
18 Target USA. No one wants to have that drain
19 of dollars happen again, and probably
20 similarly for Rhode Island Place. But Mr.
21 Collins had some information that was

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1 different than maybe some of your personal
2 experiences.

3 But I think in general terms it
4 would be better to have the market dictate.
5 But that being said, if parking maximums would
6 be appropriate, I think it should be based on
7 a ratio and not the ratio-plus -- pegging a
8 maximum number because I think we have also
9 seen cases where it's important to have maybe
10 one single parking garage so that people
11 aren't driving around looking for spots in
12 multiple spaces.

13 I think of the Catholic University
14 South campus project where we put all of the
15 retail parking in one of the blocks with the
16 idea that so people would know that that's
17 where I'm going for my retail parking. And
18 then maybe if I'm going to the Arts Walk down
19 the street, I'm going to walk by those other
20 retail stores. So maybe that was an instance
21 where having just the ratio works and not

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1 having the maximum number.

2 CHAIRMAN HOOD: Any other
3 questions?

4 Commissioner May?

5 COMMISSIONER MAY: So what you're
6 telling is based on your testimony, I guess
7 you would say that you would trust the
8 developers to set the right number?

9 MR. TUMMONDS: I think the D.C.
10 Building Industry Association would say that
11 we would trust developers very much.

12 COMMISSIONER MAY: Okay. Thank
13 you. I just wanted to be clear.

14 I guess the question I have is when
15 we're talking about maximums, we're talking
16 about a lot of cars. We're talking about
17 very, very large numbers, very large square
18 footages devoted to parking in some cases in
19 structures so it's also a very costly
20 endeavor. So it seems that if there is a
21 maximum and if there is a process for having

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1 that maximum waived, it's not going to become
2 an onerous burden if you essentially have to
3 prove the case to have those larger parking
4 structures.

5 I mean, are we really talking about
6 a lot of projects that are going to be
7 affected by this and it's going to become an
8 onerous burden? We're talking about acres and
9 acres of parking in structures at phenomenal
10 cost. A little bit of work at BZA seems
11 likely for projects like that. What's the big
12 burden?

13 MR. TUMMONDS: Again, I think the
14 DCBA would say that it's people were looking
15 at -- they don't want to look at a BZA
16 project. They want to have the ability to say
17 that this is a matter-of-right project.
18 They'll move through the process to get this
19 done as quickly as possible.

20 And I think that the proposal put
21 forward tonight by OP to take a look at

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1 providing some more information as to what
2 those ratios should be, I think that makes
3 sense. Then we can hopefully come back with
4 additional that information and some of my
5 colleagues on DCBA can take a look at that and
6 we can have additional testimony then. I'll
7 just leave it at that.

8 COMMISSIONER MAY: All right. I do
9 look forward to another hearing on this topic.

10 Mr. Collins, I have to agree with
11 Commissioner Selfridge that I have been to the
12 Home Depot parking lot on many, many weekends,
13 and not once have I had any difficulty finding
14 a parking space. And not only not difficult
15 finding a parking space, finding one close.
16 It seems to me that there's ample.

17 So I'm wondering where you got the
18 information that it's full on weekends because
19 my personal experience doesn't support that.

20 MR. COLLINS: I got the information
21 from -- it's not my personal experience.

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1 COMMISSIONER MAY: Right.

2 MR. COLLINS: It's information I
3 got from others.

4 COMMISSIONER MAY: Well, if there's
5 something that supports that -- if you can
6 submit something that demonstrates that case,
7 I think that would be helpful. But like I
8 said, it's not been my personal experience.

9 MR. COLLINS: I will check into
10 that.

11 COMMISSIONER MAY: Okay.

12 CHAIRMAN HOOD: Well, I guess --
13 okay. I'm sorry.

14 VICE CHAIRMAN SCHLATER: No, you
15 can go ahead.

16 CHAIRMAN HOOD: I was just going to
17 say we have to put apples with apples. When
18 we approved that project on Brentwood Road,
19 there was a K-Mart which is another factor
20 that's not in the equation.

21 So I really think when we talk

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1 about how convenient it is for Mr. May to get
2 up close and myself, I see it totally
3 different. It depends on the eyes of the
4 person who looks at it. When I go there, it
5 looks like it's crowded. There are some open
6 spaces. I'm not going to say they're not.
7 But again, what are we missing? We're missing
8 the K-Mart. The K-Mart is no longer there.
9 It's not even in the equation.

10 But anyway, I can go on a soapbox
11 with that.

12 And Mr. Tummonds, you mentioned he
13 ABDO case. To let you know, the Zoning
14 Commission was renamed after that case. We
15 have new names -- all five of us. And I'll
16 just leave it at that.

17 (LAUGHTER.)

18 CHAIRMAN HOOD: Okay. Vice
19 Chairman?

20 VICE CHAIRMAN SCHLATER: I guess
21 I'd make a couple points related to

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1 overparking.

2 I think a lot of the instances
3 where you see overparking are actually cases
4 where the market hasn't spoken and oftentimes
5 District government is involved. So I think
6 Target, DC USA is an example where you can't
7 really blame the developers for the amount of
8 parking that was provided there. That was a
9 city decision to invest a significant amount
10 of money to attract retail to a neighborhood.

11 And so, people were making an active decision
12 that yes, we want a Target in Columbia
13 Heights. And in order to get Target there,
14 they demanded a certain amount of parking and
15 so did the other retailers.

16 So I don't know that we can always
17 leave this up to what the market demands
18 because that's not always what decides how
19 much parking gets put in a project. But it
20 also raises the other issue of if you want to
21 attract national retailers -- and maybe some

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1 people don't want to attract national
2 retailers -- but if you do, some of them
3 probably are going to be demanding parking
4 ratios 4.0, 5.0. And so we have to be
5 cognizant of that. We can't ignore the fact
6 that if you want to bring national retail to
7 the city, which is a priority, they are going
8 to be asking for a certain amount of parking
9 in their project.

10 But I would ask Mr. Tummonds a
11 question. This was raised earlier.

12 Federal agencies seeking new office
13 space, do they have requirements for over one
14 per 1,000 parking?

15 MR. TUMMONDS: And that would be
16 the case of I think the importance of the
17 ratio and not the total maximum number. So I
18 think if the ratio is a million square foot
19 building at one, we're still getting into that
20 --

21 VICE CHAIRMAN SCHLATER: So like

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1 the DOT headquarters?

2 MR. TUMMONDS: Exactly. That's
3 going to be a lot bigger than 250 parking
4 spaces. That's going to be a lot bigger than
5 500 parking spaces. So I think that would be
6 an instance of if we do have the parking
7 maximums issue, we do it in a ratio, not a
8 ratio-plus a maximum total number.

9 VICE CHAIRMAN SCHLATER: Okay. I
10 think I understand your point there.

11 There are other cities that have
12 parking maximums and seem to do it
13 successfully. We've listed four or five
14 others. They attract retail, and they're
15 model cities in terms of livability and
16 walkability. Has the DCBA contacted its
17 sister organizations in these other cities to
18 see how they survived?

19 MR. TUMMONDS: I don't think we
20 have. But we can do that in the upcoming
21 year.

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1 VICE CHAIRMAN SCHLATER: I think
2 we're going to need information on how these
3 maximums work in the other cities. I guess
4 that's my only point. Because they do seem to
5 work.

6 And Mr. Collins, thank you for
7 coming out.

8 I think your point on the arcane
9 matters of access requirements are important.
10 I think we're setting a lot of standards that
11 are good and laudable but may not work 100
12 percent of the time. So we have to understand
13 what the impact of that is. I mean, are we
14 going to have to put somebody through a BZA
15 process every time it comes out with any
16 logical result which could cause significant
17 delay to a project?

18 We're going to have to take a
19 further look at that.

20 MR. COLLINS: If I just may follow
21 up on that comment.

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1 That relates back to the issue of
2 looking at other cities and what other cities
3 have done. We've heard a lot about Portland
4 and places on the West Coast.

5 We also heard tonight from Ms.
6 Ricks that our surrounding neighbors'
7 jurisdictions don't have parking maximums. So
8 when a national retailer is trying to make a
9 decision and it's can I build here or do I
10 have to kind of build in the District if I
11 have to wait for a six-month BZA process.
12 When they want to invest their dollars and
13 move onto the next project, they often go for
14 the path of least resistance. And these
15 projects --

16 VICE CHAIRMAN SCHLATER: But you
17 can make the opposite argument that eventually
18 retailers are going to want to be in the
19 District to take advantage of this market.
20 And they'll abide by the requirements at some
21 point.

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1 MR. COLLINS: That may be true.
2 But driving to Prince Georges County or
3 Alexandria is not that far away. And tax
4 dollars and jobs are important in the
5 District.

6 CHAIRMAN HOOD: This is going to
7 make for some very interesting discussions and
8 deliberations.

9 Oh, I'm sorry. Mr. Turnbull?

10 COMMISSIONER TURNBULL: Well, do we
11 want to carry on with the discussion when we
12 talked about access? And you're looking at
13 the hierarchy of streets from a principal
14 arterial to a minor arterial, collector into a
15 local. And I think if we're trying to focus
16 everything into a local street at the lower
17 end, depending on the project -- where it is
18 -- you could be creating more problems for the
19 whole area. So I think that's got to be given
20 some consideration too that I think there has
21 to be an out or an exception to the hierarchy

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1 giving the location.

2 I think you have to look at the
3 traffic management, the demand management of
4 the intersections and what's going on so
5 that's although it may seem the proper way to
6 take it to a local street, you may find that
7 you have to go up one to really direct it
8 around in the neighborhood.

9 And I think Mr. Collins' example
10 shows that certain times it just makes sense.

11 There is just the common sense of how things
12 are really going to work.

13 So I don't know how we balance
14 that. But I think it's something we've got to
15 look at when we look at that.

16 CHAIRMAN HOOD: I'm actually glad
17 that this example is coming up. I don't know
18 how far along we're going to be once the
19 development at Rhode Island Avenue is
20 completed, but along with the Home Depot and
21 the bank and all that going to together,

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1 because to me that just makes up the best
2 scenario as far as I'm concerned to look at.

3 Mr. Collins, let me just ask you.
4 You mentioned a street in that area that I'm
5 not familiar with. You have Brentwood Road --
6 I'm looking at your testimony. I heard you
7 mention it but I don't see it in your
8 testimony.

9 MR. COLLINS: Washington Place?

10 CHAIRMAN HOOD: Yes. Where is
11 Washington Place?

12 MR. COLLINS: Washington Place is -
13 - well, let me just back up -- just a little
14 background. I did the work for the
15 development at that site. It was only before
16 the Zoning Commission as a map amendment, not
17 a PUD.

18 CHAIRMAN HOOD: Thank you for
19 saying that because we did not do the design.
20 Thank you.

21 (LAUGHTER.)

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1 MR. COLLINS: It was a large tract
2 review and so other people had some input in
3 that.

4 CHAIRMAN HOOD: Because it's got a
5 lot of complaints since then. I can tell you
6 that.

7 MR. COLLINS: Not your regime. It
8 was a previous regime.

9 But when that site was done, the
10 road -- that crescent-shaped road which was
11 owned by Metro was the driveway into the Metro
12 parking lot and the Metro facility -- the Kiss
13 & Ride and the bus depot. And then that was
14 sold as part of that development to the
15 developers. First it was improved and then
16 sold to the developer -- I'm sorry. It was
17 given to the city as a street opening.

18 CHAIRMAN HOOD: Okay.

19 MR. COLLINS: It was a three-way
20 deal. It became a street opening and became
21 known -- we had to pick a name. And they

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1 picked Washington Place.

2 CHAIRMAN HOOD: Okay. Okay. Well,
3 as far as I'm concerned, the jury's still out
4 on that. I'm not sure how far along we're
5 going to be in the process when I look at how
6 that whole area is going to evolve. So we'll
7 see.

8 Any other questions, comments?

9 (No audible response.)

10 CHAIRMAN HOOD: Okay. Ms.
11 Schellin, looking at this and I think the way
12 I perceive us deliberating, I perceive us
13 taking a little while. And hopefully we don't
14 put it with a --

15 MS. SCHELLIN: We do have a request
16 for the record to remain open.

17 CHAIRMAN HOOD: Okay. Well, even
18 then when we get ready to deliberate, let's
19 look at the schedule and I'll leave it to your
20 discretion of where we place it even if we
21 have to do a special public meeting. Because

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1 I think it's going to take some time. I don't
2 know. I really think it's going to take some
3 time.

4 MS. SCHELLIN: I think it'll be in
5 January at a minimum.

6 CHAIRMAN HOOD: January?

7 VICE CHAIRMAN SCHLATER: Are we
8 going to do another hearing on parking
9 maximums before we address all the other text?

10 Is that the --

11 MR. PARKER: Well, no. I think our
12 preference would be for you to address all the
13 other texts and to get preliminary if not
14 final approval of the text chapter. And we
15 would just deliberate parking maximums at a
16 later hearing and what those numbers are.

17 CHAIRMAN HOOD: Okay.

18 MS. SCHELLIN: So the next step is
19 the guidance -- or this is actually text. I
20 take that back.

21 MR. PARKER: Preliminary approval.

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1 MS. SCHELLIN: So -- yes. Proposed
2 action.

3 MR. PARKER: Proposed action.

4 CHAIRMAN HOOD: We have two
5 requests -- one to keep it open for 30 days
6 and one to keep it open until December 20th.
7 I guess that's all about 30 days.

8 MS. SCHELLIN: Yes. Which would
9 still put us into January.

10 CHAIRMAN HOOD: Okay.

11 MS. SCHELLIN: Is that good for OP
12 -- the January meeting?

13 MR. PARKER: That's fine. We
14 support leaving the record open.

15 MS. SCHELLIN: Okay. So we'll
16 leave the record open until -- let's pick a
17 date so that -- the latter date was December
18 20th?

19 CHAIRMAN HOOD: Yes.

20 MS. SCHELLIN: And is that only for
21 the request of parties, or are you leaving it

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1 open for anyone and everyone?

2 CHAIRMAN HOOD: I think at this
3 point, unless one of my colleagues -- I think
4 for the two people that asked because I think
5 we have sufficient information from everyone
6 who testified tonight.

7 Commissioner Black, do you want to
8 the table? Did you want to add something?
9 Because I know your testimony you had the list
10 of concerns and I've actually marked it.

11 MS. BLACK: I would just ask if
12 it's open that it not just be because of two
13 other parties. ANC 4A may want to come in
14 ratifying the testimony that I offered you as
15 the ANC.

16 CHAIRMAN HOOD: Okay. I think we
17 can do that since you've already provided it.

18 If your full ANC wants to back up what you
19 said, that'll be fine.

20 MS. BLACK: Okay. Thank you.

21 CHAIRMAN HOOD: We'll leave it open

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1 for those three ANCs.

2 PARTICIPANT: --

3 MS. SCHELLIN: We're going to have
4 to leave it open for everybody at this point.

5 CHAIRMAN HOOD: Leave it open.
6 Leave it open. Okay. We're going to just
7 leave it open. Just leave it open.

8 MS. SCHELLIN: Okay. Until 3:00
9 o'clock p.m. on December 20th.

10 CHAIRMAN HOOD: If we're going to
11 leave it open, it would be good if you could
12 hit the high points because my colleagues and
13 I have a lot to read. And if you specify what
14 the issues are, we can go right to it as we
15 deliberate. It makes it a little easier for
16 us since we're going to leave it open.

17 MS. SCHELLIN: Mr. Parker has
18 something to add.

19 MR. PARKER: I just wondered what
20 the date of the meeting was in January.

21 MS. SCHELLIN: It will be -- I

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1 believe it's the 10th. Yes. January 10th.

2 CHAIRMAN HOOD: I guess we don't
3 know what the schedule looks like. We don't
4 have a ZRR for that day, do we?

5 MS. SCHELLIN: Ask Mr. Parker.

6 CHAIRMAN HOOD: Mr. Parker, do we
7 have a ZRR for the 20th?

8 MR. PARKER: I don't have my three-
9 page --

10 CHAIRMAN HOOD: Well, I'll leave it
11 up to staff. Let's work that out so we won't
12 have both of those together.

13 MR. PARKER: All right.

14 CHAIRMAN HOOD: Okay. Okay. Ms.
15 Schellin, do we have anything else?

16 MS. SCHELLIN: That's it.

17 CHAIRMAN HOOD: Okay. I want to
18 thank everyone for their participation --

19 VICE CHAIRMAN SCHLATER: Mr.
20 Chairman? Sorry.

21 CHAIRMAN HOOD: Vice Chairman?

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1 VICE CHAIRMAN SCHLATER: I know we
2 all want to get out of here quickly.

3 CHAIRMAN HOOD: No rush. There's
4 no rush.

5 VICE CHAIRMAN SCHLATER: I just
6 want to make sure when we get to the point
7 where we're voting on the text that it's as
8 productive as possible. And maybe I look to
9 Office of Zoning staff and OP staff to figure
10 out -- I want to make sure that the questions
11 raised at the hearings and the comments raised
12 at the hearing tonight -- and there were a lot
13 of them -- are addressed directly and not a
14 lot of time passes.

15 But I just want to make sure all
16 the issues are out on the table so that when
17 we look at the text for the vote, we can talk
18 intelligently about the issues that were
19 raised at the hearing tonight and hear OP's
20 response because we didn't really get an
21 opportunity for OP to respond to each of those

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1 items that were raised.

2 So I don't know exactly what format
3 that would take. But it would be good to have
4 it.

5 MS. SCHELLIN: The transcript will
6 be ready -- a hard copy is usually available
7 in ten business days. So OP could get a copy
8 of the transcript and --

9 MR. PARKER: And we'll try to make
10 a proposal for an organization of that
11 discussion for how to walk through the text.

12 CHAIRMAN HOOD: I think that would
13 include comments -- in the past, I know we've
14 done a spreadsheet somewhat. I'm not asking
15 all of it to be encompassing that. But hit
16 some of the high points and some of the
17 points. And some of it actually is going to
18 be incumbent upon us. So as he says -- the
19 Vice Chairman said, we can't remember
20 everything. But we try to come up and we try
21 to look at what citizens give us compared to

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1 what you all give us, and then we try to come
2 up with a decision with how we're going to
3 move forward.

4 So as much as you can condense
5 that, that would be helpful, if that's what
6 you're kind of asking for.

7 VICE CHAIRMAN SCHLATER: I'm just
8 trying to make it productive so that we're not
9 trying to draft on the dais or we have a whole
10 new host of issues. I think the more we get
11 up front --

12 MR. PARKER: Understood.

13 VICE CHAIRMAN SCHLATER: -- the
14 better likelihood of it getting voted on and
15 approved and moved.

16 CHAIRMAN HOOD: And that's
17 encompassing what the citizens have given us
18 also, correct?

19 VICE CHAIRMAN SCHLATER: Exactly.

20 CHAIRMAN HOOD: Okay. That's good.

21 COMMISSIONER TURNBULL: Mr. Chair,

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1 I would agree 100 percent with the Vice
2 Chair's option. And I think we need to
3 present this as a very visible process. So
4 vetting some of the ideas that came out either
5 written or oral I think would be a good
6 complement to what the Office of Planning has
7 and how we compare or go back and forth.

8 I don't want to make it overly
9 burdensome, but I think we need to as I said
10 vet some of those comments. And what gets
11 checked, what gets an X when, what makes sense
12 and just have a good discussion about it.

13 CHAIRMAN HOOD: I agree. And I
14 think we've actually done that in the past
15 already. And I keep going back to that
16 spreadsheet. And I'm not sure who prepared
17 it. But that actually really helped tailor
18 our discussions.

19 So it's nothing new under the sun.
20 We've already been there. We've done it.
21 But we just need to do it again.

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1 Again, I think is our second time
2 versus our first time of doing text. So we're
3 moving forward and we'll make changes as
4 necessary.

5 Anything else? Mr. Selfridge?

6 COMMISSIONER SELFRIDGE: Thank you,
7 Mr. Chairman. I'd just like to reiterate that
8 as well, not that it's necessary, but I
9 thought tonight's hearing was very encouraging
10 the number of people that did come out and
11 testify. It's 10:00 o'clock at night. And
12 like you, I like to hear examples of how it
13 impacts people. So I found that very helpful
14 and I know that some of these hearings haven't
15 been as well attended. I think probably the
16 subject matter had something to do with it as
17 well.

18 But I certainly want to take all
19 the actions we can and encourage people to
20 come back and weigh in because I think I find
21 that very helpful.

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1 CHAIRMAN HOOD: Okay. Vice
2 Chairman?

3 VICE CHAIRMAN SCHLATER: I think we
4 should probably thank Mr. Alpert for that as
5 well. I think he put out a public call to
6 have people turn out. And it speaks to how
7 influential he is in the community. So thank
8 you.

9 CHAIRMAN HOOD: Okay. That's good.
10 And with that, I think we're going
11 to end on that note.

12 I want to thank everyone for their
13 participation tonight. We appreciate all your
14 comments. And if you need any information
15 further, you can check with staff.

16 And with that, this hearing is
17 adjourned.

18 (Whereupon, at 9:55 p.m., the
19 hearing was adjourned.)

20
21

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