

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA  
2 Zoning Commission  
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9 Regular Public Meeting  
10 1428th Meeting Session [7th of 2016]  
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14 6:30 p.m. to 7:20 p.m.

15 Monday, March 28, 2016  
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17

18 Jerrily R. Kress Memorial Hearing Room  
19 441 4th Street, N.W., Suite 220 South  
20 Washington, D.C. 20001  
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1 Board Members:

2 ANTHONY HOOD, Chairman

3 PETER MAY, Commissioner

4 ROBERT MILLER, Commissioner

5 MICHAEL TURNBULL, Commissioner

6

7 Office of Zoning:

8 SHARON SCHELLIN, Secretary

9 DONNA HANOUSEK

10

11 Office of Planning:

12 JOEL LAWSON

13 JENNIFER STEINGASSER

14 STEPHEN GYOR

15 MAXINE BROWN-ROBERTS

16

17 Office of the Attorney General:

18 JACOB RITTING

19

20

21

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

2 CHAIRPERSON HOOD: All right. Good evening.  
3 Let's please come to order. This is the regular  
4 public meeting, 1428th meeting of the D.C. Zoning  
5 Commission, 7th of 2016.

6 Today is Monday, March 28th, 2016. It's 6:30  
7 p.m. We're located in the Jerrily R. Kress Memorial  
8 Hearing Room at 441 4th Street Northwest, Suite 220  
9 South in Washington, D.C.

10 My name is Anthony Hood. Joining me are  
11 Commissioner Miller, Commissioner May, and  
12 Commissioner Turnbull. Also from the Office of  
13 Zoning staff, Ms. Sharon Schellin, Office of the  
14 Attorney General, Mr. Ritting, as well as from the  
15 Office of Zoning staff, Ms. Hanousek. Also the  
16 Office of Planning, Ms. Steingasser and Mr. Lawson,  
17 Mr. Gyor, and Ms. Brown-Roberts.

18 We do not take any public testimony at our  
19 hearings unless we ask someone to please come  
20 forward, and we would ask that you not have any  
21 disruptive noises or actions in the hearing room as  
22 we go through these proceedings.

23 At this time the Commission will consider any  
24 preliminary matters. Ms. Schellin, do we have any  
25 preliminary matters?

1 MS. SCHELLIN: No, sir.

2 CHAIRPERSON HOOD: Okay. Let's move right  
3 along. Consent calendar item, Zoning Commission Case  
4 No. 14-13B, Office of Planning request for technical  
5 corrections to Zoning Commission Order No. 14-13.  
6 Who is going to tee that up, Ms. Hanousek or Ms.  
7 Schellin?

8 MS. SCHELLIN: I'm going to tee them up.

9 CHAIRPERSON HOOD: All right, Ms. Schellin.

10 MS. SCHELLIN: She's going to record the  
11 votes.

12 This case was deferred from the Commission's  
13 March 14th meeting to allow OP to provide some  
14 additional information. That information is provided  
15 in a supplemental report at Exhibit 2. We would ask  
16 the Commission to consider taking action this  
17 evening.

18 CHAIRPERSON HOOD: Okay, Commissioners, any  
19 comments on this request for technical corrections to  
20 Zoning Commission Case Order No. 14-13? Any  
21 additions? Any other comments?

22 MR. MAY: I think that since I raised a  
23 number of the concerns that were addressed in the  
24 report, I should speak. And I think that all of the  
25 concerns that I had have been addressed with the

1 revised language. So I am okay with moving forward  
2 with this as it has been rephrased by the Office of  
3 Planning.

4 CHAIRPERSON HOOD: Okay. Any other comments?  
5 If not we'll take a motion. Commissioner May?

6 MR. MAY: I would move approval of Zoning  
7 Commission Case No. 14-13B, Office of Planning  
8 request for technical corrections to the Zoning  
9 Commission Order No. 14-13.

10 MR. MILLER: Second.

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

13 [Vote taken.]

14 CHAIRPERSON HOOD: Not hearing any  
15 opposition, Ms. Hanousek, would you record the vote?

16 MS. HANOUSEK: Staff records the vote four,  
17 zero, one, to approve the technical correction to  
18 Z.C. Order 14-13, Commissioner May making the motion,  
19 Commissioner Miller seconding the motion, and Hood  
20 and Miller in support.

21 MS. SCHELLIN: Hood and Turnbull in support.

22 MS. HANOUSEK: Hood and Turnbull in support.

23 MS. SCHELLIN: Commissioner Cohen not  
24 present, not voting.

25 MS. HANOUSEK: Cohen not present, not voting.

1           CHAIRPERSON HOOD: Okay. Thank you. Next  
2 let's move right along with final action. Zoning  
3 Commission Case No. 11-03C, this is the Wharf  
4 District Master Developer, LLC., Second Stage PUD at  
5 Square 473. Ms. Schellin.

6           MS. SCHELLIN: Yes, sir. On this one we  
7 have, at Exhibit 28A, NCPC report advising the  
8 project would not be inconsistent with the Comp Plan  
9 for the National Capital. Exhibits 30 through 37A5  
10 we have the applicant's supplemental post-hearing  
11 submissions. We'd ask the Commission to consider  
12 final action this evening.

13           CHAIRPERSON HOOD: Okay. Commissioners, as  
14 we'll recall we put this off for some additional  
15 changes or some further discovery that we asked the  
16 applicant to look at, and let me hear what your  
17 comments are. If not, I'm prepared to move forward.  
18 Any -- Mr. Turnbull.

19           MR. TURNBULL: Well, Mr. Chair, I'll just  
20 start off. I think we had a number of issues that  
21 came up. I think we still had some issues on the  
22 penthouse that Commissioner May brought up. We had  
23 some signage issues, locations on the drawings. And  
24 I think there was some language in the findings of  
25 fact that they talked about what they would do. And

1 there was also some issues to do with materials, and  
2 substitution of materials.

3 I think that's all been explained. I think  
4 everything -- and I think, unless -- I'm satisfied  
5 with the sign locations. I don't have any issues  
6 with that. And I believe they picked up the issues  
7 with the language regarding the permitting and that.  
8 So I'm okay with that and I didn't see any issues on  
9 the penthouse, but maybe Commissioner May wants to --

10 MR. MAY: Yeah, I think what they came up  
11 with is an appropriate fix. And it's more consistent  
12 with our treatment of penthouses. They've met the  
13 setback requirements. They had to, you know, squeeze  
14 the building and push the building in a few ways.  
15 But I think what they wound up with is consistent  
16 with the regulations the way we have revised them.  
17 So I'm supportive of this solution.

18 CHAIRPERSON HOOD: Okay. Any further  
19 conversations on this, Commissioner Miller?

20 MR. MILLER: Thank you, Mr. Chairman. I  
21 would concur with my colleagues and note appreciation  
22 for the applicant making all those changes that were  
23 requested by the -- addressing all the issues that  
24 were raised by the Commission. And I would note that  
25 on that upper level signage they've committed to come

1 back to the Commission for a minor modification that  
2 hopefully can be dealt with on a consent calendar  
3 basis if we have no problem with it. So, I'm  
4 prepared to move forward as well.

5 CHAIRPERSON HOOD: Okay. So with all that  
6 said would somebody like to make a motion? Mr.  
7 Turnbull.

8 MR. TURNBULL: Yeah, Mr. Chair, I would move  
9 that we take final action and approve Zoning Case No.  
10 11-03C, Wharf District Master Developer, LLC., Second  
11 Stage PUD at Square 473.

12 CHAIRPERSON HOOD: I'll second it. It's been  
13 moved and properly seconded. Any further discussion?

14 [Vote taken.]

15 CHAIRPERSON HOOD: Ms. Schellin, would you  
16 record -- Ms. Hanousek, could you please record the  
17 vote?

18 MS. HANOUSEK: We have an absentee ballot  
19 from Commissioner Cohen, so staff records the vote  
20 five, zero, zero. Commissioner Turnbull moving,  
21 Chairman Hood seconding, and May and Miller in  
22 support, and Cohen in support by absentee ballot.

23 CHAIRPERSON HOOD: Okay. Let's go to  
24 proposed action in Zoning Commission Case No. 15-20,  
25 Sursum Corda Cooperative Associates, First Stage PUD



1 and Related Map Amendment at Square 620. Ms.  
2 Schellin.

3 MS. SCHELLIN: Yes, sir. At Exhibits 47  
4 through 48E and Exhibits 50 through 52, we have the  
5 applicant's post-hearing submissions. At Exhibit 49  
6 we have an OP supplemental report. We'd ask the  
7 Commission to consider proposed action this evening.

8 CHAIRPERSON HOOD: Okay. We had a request.  
9 I think we've already dealt with that. We've had a  
10 request about the waiver of inclusionary zoning. Is  
11 there anything we need to comment on that? This is a  
12 very -- this is a unique case here. Do we need to  
13 comment on that? That's our Exhibit 52. The record  
14 has been reopened but I don't know if we need to  
15 comment on this.

16 MR. MAY: Don't we have to vote to grant the  
17 waiver?

18 MS. SCHELLIN: That was already taken care  
19 of.

20 MR. MAY: Oh, I thought --

21 MS. SCHELLIN: It was done by consensus.

22 CHAIRPERSON HOOD: I thought we reopened the  
23 record.

24 MR. MAY: Oh, yeah. I thought we --

25 MS. SCHELLIN: To accept it.

1           CHAIRPERSON HOOD: That's all right. Let  
2 me --

3           MS. SCHELLIN: The waiver you guys are going  
4 to discuss out here.

5           CHAIRPERSON HOOD: Okay. That's what we  
6 mean. Okay.

7           I would like to deal with that first,  
8 Commissioners. I think this is, as I said, the PUD  
9 will include 199 affordable units for households with  
10 incomes not exceeding 80 percent of the AMI, and  
11 because of the blended affordability limit for the  
12 affordable units within the PUD of 60 percent AMI, I  
13 would be willing to, as stated in our Exhibit 52, be  
14 willing to grant an IZ waiver in this case because of  
15 the affordability.

16           I know we probably can get deeper and it says  
17 DHCD does not administer units at 30 percent or 60  
18 percent, but I think the letter, from my standpoint,  
19 describes a good valid reason to waive our rules on  
20 that. And I know typically we don't like to, but I  
21 think this is a circumstance where we can do that.

22           But let me open it up and hear from  
23 everybody. Commissioner Miller.

24           MR. MILLER: Yeah, Mr. Chairman I would  
25 concur with you. I mean, they're providing more

1 affordable housing and at a deeper level than what  
2 inclusionary zoning requires. So I'm certainly  
3 support of that.

4 CHAIRPERSON HOOD: Okay. Anybody else?  
5 Okay, so --

6 MR. TURNBULL: I would just support the both  
7 of you on that.

8 CHAIRPERSON HOOD: Okay. So we will move in  
9 that fashion. Let me open it up for any further  
10 discussion on this case.

11 This is, again, a first stage PUD. And one  
12 of the things -- I'll start off. One of the things  
13 that I did like was how they memorialized and how  
14 they put down their people coming back and how they  
15 were going to communicate.

16 Only thing I would suggest, at least what I  
17 read is -- and I'd like to see this before we do  
18 final, even on the first stage. I would like to see  
19 maybe you put next relative, get some information,  
20 because people move around, people get lost. I think  
21 those are some of the issues that happened with  
22 Temple Courts. Well, some other issues going on  
23 there too. But a lot of times what we hear on this  
24 Commission is that people lose contact.

25 So maybe if the individual who is going to

1 return is not available, maybe somebody next of kin  
2 if they want to offer that, will be able to be able  
3 to get in touch because they would be more likely to  
4 know where their kin, their relative, is. So I would  
5 ask the applicant to include that if the residents  
6 are willing to do it. But at least make that an  
7 option. At least I didn't see it on what was  
8 memorialized. That was the big clincher for me.

9 Anything else, Commissioners? Any other  
10 comments? Commissioner Miller.

11 MR. MILLER: Yes, Mr. Chairman, thank you. I  
12 just wanted to express appreciation to the applicant  
13 for providing information on the tenants at 70 -- at  
14 that other adjacent property, 76 M Street that  
15 they've escrowed funds to assist those tenants with  
16 relocation from the apartment building, and two  
17 tenants have already availed themselves of that. And  
18 so, just appreciative of that.

19 CHAIRPERSON HOOD: Okay. Any other comments  
20 on this?

21 MR. TURNBULL: I guess the only other thing,  
22 Mr. Chair, is that they did respond to our comments  
23 about the height of the building along 1st Place.  
24 And the height and the massing of Building 2C/2D and  
25 they've lowered that from 10 stories to eight stories

1 along a portion of 1st Place in order to set the  
2 building down adjacent to the existing Sibley row  
3 houses. So I appreciate their looking into that.

4 MR. MAY: Mr. Chairman, if I might add?

5 CHAIRPERSON HOOD: Yes.

6 MR. MAY: Yeah, they did set it down. They  
7 didn't set it down as much as they set it down on the  
8 west side of the project. And, I mean, I appreciate  
9 what they did do, but it doesn't -- it's still, you  
10 know, a 90-foot building across the street from a 30-  
11 foot building. So it's a little bit uncomfortable.  
12 And I think that, you know, some of that can be  
13 resolved in the design stage. I would -- so I would  
14 just look forward to seeing a sensitive design of  
15 that, the north parcel, when it comes before us at  
16 the second stage.

17 I would also just say that it's, you know,  
18 it's always very helpful if you're going to take  
19 something, you know, a diagram like this and then  
20 make some changes to it, it's always good to sort of  
21 see the before and after. And not every architect  
22 you know, does that automatically. And this is not  
23 an architect who comes before us on a regular basis,  
24 so just a word to them that it's always good if you  
25 change something to show the before and after picture

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1 so it's a little bit easier to figure out.

2 It took a while looking at it to understand  
3 what really changed because some things went up as  
4 well as some things going down. So, anyway. Look  
5 forward to Stage 2.

6 MR. TURNBULL: Well, Commissioner May, are  
7 you asking that maybe before final action they take  
8 another look at that?

9 MR. MAY: No. No, I don't think we're going  
10 to get much more. I think that there will be -- and  
11 I don't know that it necessarily has to come down  
12 further in height because they're trying to meet a  
13 certain density --

14 MR. TURNBULL: Uh-huh.

15 MR. MAY: -- overall in the project. I mean,  
16 I'm happy enough to let it go to Stage 2, but I think  
17 that when it comes to Stage 2 they're just going to  
18 have to design those buildings very sensitively to  
19 deal with the context.

20 MR. TURNBULL: Right. Yeah, and I didn't  
21 want to nitpick it too much but it looks like they  
22 bumped up the other side a bit.

23 MR. MAY: Yes, they did. Yeah, you know, and  
24 I think that's okay because it's, you know, the mass  
25 -- the maximum height is toward the center and toward

1 the north end.

2 MR. TURNBULL: Right.

3 MR. MAY: And that kind of does make sense as  
4 an approach. But they did more on the west side than  
5 they did on the east side in terms of the --

6 MR. TURNBULL: Right.

7 MR. MAY: -- lowering of the massing.

8 MR. TURNBULL: Yeah.

9 MR. MAY: But, you know, I think if they want  
10 to come back, you know, at Stage 2 and do further  
11 modification that wouldn't -- you know, that might be  
12 a welcome change as well.

13 MR. TURNBULL: Okay.

14 CHAIRPERSON HOOD: Okay. Anything else? I  
15 didn't have many notes on this case. I think this is  
16 a case where you played basketball in Georgetown. Is  
17 this the one? I don't know, that must have  
18 distracted me.

19 MR. MAY: I never claimed that.

20 CHAIRPERSON HOOD: Must have distracted me  
21 because I don't have any notes now and I must have  
22 got really distracted.

23 MR. MAY: You have to listen more carefully,  
24 Mr. Chairman, to what I say.

25 CHAIRPERSON HOOD: All right. Somebody like

1 to make a motion?

2 MR. MILLER: I would move, Mr. Chairman, that  
3 the Zoning Commission take proposed action on Zoning  
4 Commission Case No. 15-20, Sursum Corda Cooperative  
5 Association, First Stage PUD and Related Map  
6 Amendment at Square 620, and ask for a second.

7 CHAIRPERSON HOOD: It's been moved. Can I  
8 get a second?

9 MR. MAY: Second.

10 CHAIRPERSON HOOD: It's been moved and  
11 seconded twice. Any further discussion?

12 [Vote taken.]

13 CHAIRPERSON HOOD: Not hearing any, Ms.  
14 Hanousek, could you please record the vote?

15 MS. HANOUSEK: Yes. Staff records the vote  
16 four, zero, one to approve proposed action in Case  
17 15-20. Commissioner Miller made the motion,  
18 Commissioner May seconded the motion, and Hood and  
19 Turnbull were also in support. Cohen not present,  
20 not voting.

21 MS. SCHELLIN: And I would just remind the  
22 applicant to provide the information in 2403.15  
23 through 20, the proffers and conditions. Thank you.

24 CHAIRPERSON HOOD: Okay. Next, Zoning  
25 Commission Case No. 15-22, 301 FL Manager, LLC.,



1 Consolidated PUD and Related Map Amendment at Square  
2 772N. Ms. Schellin.

3 MS. SCHELLIN: Yes, sir. At Exhibit 34 we  
4 have a DDOT supplemental report, Exhibits 35 through  
5 35D and 37 we have the applicant's post-hearing  
6 submissions, Exhibit 36 we have a DDOT second  
7 supplemental report. Exhibit 38 is an ANC 6C report,  
8 and we'd ask the Commission to consider proposed  
9 action on this case.

10 CHAIRPERSON HOOD: Okay. As Ms. Schellin has  
11 already stated, we have some submissions. I don't  
12 think any other issues about reopening it. I think  
13 we've already taken care of that. So let's open it  
14 up for any conversation or comments.

15 [Pause.]

16 MR. MAY: Okay, Mr. Chairman, I'll talk. I  
17 appreciate the fact that the applicant had submitted  
18 the design for the linear park and got to some  
19 consensus with the property owner to the south and  
20 with the ANC about how to address that because I  
21 thought that before that proffer was a little bit too  
22 soft.

23 I am a little concerned, though. The  
24 applicant is committing to spend \$125,000 toward  
25 this. We don't know how much it will actually cost

1 to construct and whether it will actually get done as  
2 a part of this project or whether it gets in the cue  
3 for DDOT to find some of the improvements. So I  
4 think that for final action it would be helpful to  
5 know a little bit more about the bigger picture  
6 there. What, you know, what do they expect the  
7 entire thing to cost, and how it might be paid for.  
8 I think those are the key questions.

9           They've committed to spend \$125,000 toward  
10 that, but I don't believe that's enough to complete  
11 the project.

12           There were a couple of ANC issues that came  
13 in their report that I don't think were fully  
14 addressed. I think the bike access was sort of  
15 addressed, and there was some language there about  
16 the programming flexibility. It would be helpful  
17 also to have the applicant address those before  
18 final. And I do appreciate the fact that made some  
19 modifications and so that it's a little bit easier to  
20 get a bicycle down to the lower level with a gutter  
21 and you know, along the stair. I think that helps.

22           They might also want to add some automatic  
23 door opening kind of functioning, functions, because  
24 that's one of the challenges of going in and out of a  
25 regular door. If it's a regular door, open that door

1 and get your bike through and, you know, your bike is  
2 all loaded up with all your zoning reading and stuff  
3 like that. It's a real pain in the neck getting  
4 through those doors.

5           So the last thing is the issue of the  
6 projections along Florida Avenue. And, you know, we  
7 have information in the record indicating that the  
8 DDOT plan for Florida Avenue includes widening the  
9 sidewalk. It's not specific about how much it is,  
10 but it sounds like they would be eliminating one out  
11 of six travel lanes, in which case I'm not sure that  
12 the sidewalk here will gain more than five or six  
13 feet, which means that the projections will be --  
14 will push it beyond that, the 15 feet, the 15 foot --  
15 they would be into that 15 feet of sidewalk space  
16 that's normally required.

17           And, you know, looking at the rendering that  
18 I think Mr. Turnbull had requested, it does feel  
19 quite cramped. And so I am concerned about that, and  
20 I think that if the extent to which we can get  
21 greater certainty about what the likely outcome is of  
22 the planning, or the actual design work, that would  
23 come out of the DDOT plan for Florida Avenue, I think  
24 that would make me feel more comfortable knowing what  
25 it might eventually look like.

1           But I don't know, I mean, that's just my  
2    reaction to it. I'm interested in hearing what the  
3    rest of the Commissioners have to say about the  
4    projections.

5           CHAIRPERSON HOOD: Okay. Any other comments,  
6    Commissioner Miller?

7           MR. MILLER: Thank you, Mr. Chairman. I  
8    didn't feel cramped looking at that rendering,  
9    Commissioner May. But that's you know, the eye of  
10   the beholder. And I thought the ground floor was set  
11   back three feet from the property line, so that does  
12   help somewhat in terms of the sidewalk width.

13          So I mean, they're going to -- if they can't  
14   get the public -- that has to go through the Public  
15   Space Committee as I recall, and if they don't get  
16   approval they're going to have to come back.

17          MR. MAY: For the projections? No, I think -  
18   - I mean, they've shown us proof that it's been  
19   approved.

20          MR. MILLER: Oh, okay.

21          MR. MAY: But it's a building code decision.

22          MR. MILLER: Okay.

23          MR. MAY: And it was approved by DCRA.

24          MR. MILLER: Well, I think --

25          MR. MAY: Though it is a little bit of a

1 puzzle because the reviewer recommended denial and  
2 then somebody approved it. And there's no indication  
3 why, but you know, approval is approval.

4 MR. MILLER: Right. I stand corrected on  
5 that, then. I think they're attractive. It does  
6 break up the long -- the lengthy façade of the  
7 buildings, so I'm comfortable with that and with all  
8 of the responses that they provided in their letter.  
9 I would agree with you that we do need some more  
10 delineation of those -- of what the actual costs of  
11 those improvements, and it seems like they all should  
12 be part of this project. So, but so I would -- I,  
13 like you, would want to see something more at final  
14 on that. But I'm ready to move forward.

15 CHAIRPERSON HOOD: Okay. Mr. Turnbull, you  
16 have anything to add?

17 MR. TURNBULL: Yeah. Thank you, Mr. Chair.  
18 And I appreciate the applicant putting together the  
19 prospective and it's not as bad as what I thought it  
20 might be. So in that way I am encouraged. But I  
21 would agree with Commissioner May. I would like to  
22 see a little bit more, if there's anything else that  
23 could be done to try to lighten it a bit.

24 MR. MAY: You're asking for design changes to  
25 the projections or --

1 MR. TURNBULL: Well, I --

2 MR. MAY: I mean, because I was just seeking  
3 that we get a little bit more clarity about what the  
4 quote, widening of the sidewalk that was recommended  
5 by the --

6 MR. TURNBULL: Well, that --

7 MR. MAY: -- Florida Avenue study would  
8 yield.

9 MR. TURNBULL: Yeah. I mean, I don't know  
10 how much more we're going to get. I guess maybe with  
11 a design change. I mean, it's just -- and the trees  
12 are shown to be very young. I mean, they're -- but  
13 they're new trees so that they're going to get a  
14 little bit more -- although I think from a -- I'm  
15 trying to remember what the landscape plan is. These  
16 trees do not get that high. I forget the type of  
17 tree it was, but they're not going to get much higher  
18 than maybe what this is sort of showing schematically  
19 here.

20 But it just, it does feel a little tight.  
21 But maybe we'll get some, if we get clarity on the  
22 overall scope maybe I'll feel better as to what this  
23 thing is finally going to look like. But it's not as  
24 bad as what I thought it might be. So then that way  
25 I'm pleased, but --

1           MR. MAY: Well, you know, and actually maybe  
2 it would be helpful to have the architect do a  
3 rendering of what it might be like with a, you know,  
4 a three-foot wide or sidewalk or something like that.

5           MR. TURNBULL: Yeah.

6           MR. MAY: If we anticipate that that's  
7 likely. Or five feet if we think that that's likely.

8           MR. TURNBULL: Yeah, okay.

9           MR. MAY: I mean, I think some more  
10 information on this would make me feel more  
11 comfortable. I mean, there was also the option of  
12 reducing the projection and maintaining the effect,  
13 so they could have a, instead of having a three-foot  
14 bay they could have a two-foot bay or something like  
15 that. But I'm not suggesting that that is the  
16 solution that they need to go.

17           MR. TURNBULL: Right.

18           MR. MAY: I just want to know that it looks  
19 okay.

20           MR. TURNBULL: Yeah. I would go along with  
21 that.

22           CHAIRPERSON HOOD: Okay. Anything else?  
23 Okay. I personally like the design of this and if  
24 the applicant wants to relook at what my colleagues  
25 asked for I would be in support of looking at that

1 also, the crampiness of the sidewalks with -- I  
2 really like it. I think it's unique. I really like  
3 the overall design of this particular project.

4 Anything else? All right. So I would move,  
5 unless -- I think some of the things that you asked  
6 for Commissioner May and Commissioner Turnbull and  
7 all that, we can probably get that before final.

8 MR. TURNBULL: Yeah.

9 CHAIRPERSON HOOD: Okay. So in that case I  
10 would move that we approve for proposed action in  
11 Zoning Commission Case No. 15-22 and ask for a  
12 second.

13 MR. MILLER: Second.

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

16 [Vote taken.]

17 CHAIRPERSON HOOD: Ms. Hanousek, would you  
18 record the vote?

19 MS. SCHELLIN: Before she records the vote I  
20 just want to verify that the applicant can provide  
21 those documents in two weeks. So that would be April  
22 11th, 3:00 p.m. And then the only party was the ANC.  
23 Were you looking for OP or DDOT to provide a  
24 response?

25 MR. MAY: No, I think it's sufficient for the



1 applicant to report.

2 MS. SCHELLIN: Okay.

3 MR. MAY: I mean, they may need to talk to  
4 DDOT or others.

5 MS. SCHELLIN: Okay. And then if the --

6 MR. MAY: Or the ANC, actually. Probably --

7 MS. SCHELLIN: If the ANC needs to provide a  
8 response they would do that by 3:00 p.m. on April  
9 18th. And of course they would need to also provide  
10 the filings pursuant to 2403.15 through 20. And so,  
11 Ms. Hanousek, if you would record the vote?

12 MS. HANOUSEK: Staff records the vote four to  
13 zero to one to approve proposed action in Case 15-22.  
14 Hood made the motion, Miller seconded it, and May and  
15 Turnbull were in support. Cohen is not present, not  
16 voting.

17 CHAIRPERSON HOOD: Okay. Thank you, Ms.  
18 Hanousek. Next, let's go to correspondence. We have  
19 one item, Zoning Commission Case No. 14-11, letter  
20 from Fay Armstrong et al., seeking clarification of a  
21 conversion of residential buildings. Ms. Schellin.

22 MS. SCHELLIN: Yes. This correspondence item  
23 was deferred from the February 8th agenda to allow OP  
24 and OAG to provide the Commission with some  
25 additional information. That information is provided

1 at Exhibit 362.

2 CHAIRPERSON HOOD: Okay. Thank you, Ms.  
3 Schellin. Commissioners, any comments on this  
4 letter?

5 MR. MAY: Sure.

6 CHAIRPERSON HOOD: Commissioner May.

7 MR. MAY: So, it seems clear to me from the -  
8 - what the Office of Planning filed, that we did not  
9 explicitly consider the issue of making a maximum 10-  
10 foot projection or addition into the rear yard a  
11 condition for the special exception. I think that it  
12 was -- you know, I think they confirm what I had  
13 thought, which was that the review that would be  
14 necessary under -- by making this a special exception  
15 process, would be sufficient to address that sort of  
16 concern.

17 That being said, I think it's actually a good  
18 idea to add that as one of the conditions given some  
19 of the cases that we've seen come to BZA and some of  
20 the other cases that have come before the Zoning  
21 Commission, I think it's actually a good condition to  
22 have.

23 It should also, I think, be grouped in as one  
24 of those things that's waivable. There's a cluster  
25 of three conditions, I think, that are waivable by

1 the BZA in granting a special exception. And I think  
2 that, you know, this is one where, you know, if  
3 somebody makes a case that going 15 feet is okay and  
4 doesn't really affect the light and air of the  
5 neighbors or something like that because it happens  
6 to be at a corner property, or some other reason, I  
7 think that that would be okay.

8 But I think we probably -- well, I don't know  
9 whether it would be something that we could take up  
10 as a minor modification on the consent calendar or  
11 whether we actually need to have a hearing. But I am  
12 in favor of adding this as a condition. And as I  
13 said, a waivable condition.

14 CHAIRPERSON HOOD: Let me make sure. You're  
15 in favor of adding the 10 feet setback as a  
16 condition. Okay. All right. I can go along with  
17 that. Anybody else?

18 MR. TURNBULL: I could go along with that the  
19 way Commissioner May explained it.

20 MR. MILLER: Mr. Chairman, I can go along  
21 with it is as long as it is waivable. There's three  
22 conditions that are -- any two of which can be  
23 waived. I would think that you might want to make --  
24 if there are four conditions maybe three of them need  
25 to be waivable now. Or this one needs to be

1 explicitly waivable by itself because I think we're  
2 going to see in these cases that whether or not there  
3 is the adverse impact and there's other -- you know,  
4 just to have a hard and fast rule where there might  
5 be a lot of other things that they're doing. They  
6 might create open space between where their property  
7 is and so that you have a side yard there where it's  
8 not required.

9           And so it may be able to go back. There's  
10 just a lot of things that -- so, if it's explicitly  
11 waivable itself, I could go along with it being --

12           MR. MAY: Or if that phrasing was changed  
13 to --

14           MR. MILLER: Be three out of four.

15           MR. MAY: -- three out of four.

16           MR. MILLER: Yeah.

17           MR. MAY: So, I mean, if we went that route  
18 would you be willing to consider this as a consent  
19 calendar item? I mean, you think that that would be  
20 appropriate as a consent calendar item as opposed to  
21 having a hearing?

22           MR. MILLER: Yes.

23           MR. MAY: Okay. So I would support that if  
24 we take it up. If we take it up as a consent  
25 calendar does that mean we can decide it here and

1 now?

2 CHAIRPERSON HOOD: I think it has to be  
3 advertised first, and then I also think though, if we  
4 take it up on consent calendar item, any one of us,  
5 even though two people are talking about putting it  
6 on there, I can take it off. So I mean --

7 MR. MAY: Right. Well, that's --

8 CHAIRPERSON HOOD: So I'm not sure --

9 MR. MAY: Yeah, I haven't asked everybody for  
10 the consensus, yeah.

11 CHAIRPERSON HOOD: I'm just, I'm not sure if  
12 that's exactly -- because I haven't had a chance to  
13 speak on it, and Mr. Turnbull has not had a chance to  
14 speak on it. So before we start talking about how  
15 we're going to move forward with two commissioners,  
16 let's hear from Mr. Turnbull.

17 MR. TURNBULL: I'm fine with that. Let's  
18 just clarify the three out of the four issues. How  
19 did we -- we had two out of three before, and now by  
20 adding another one we'll make it three out of four.  
21 Is that right? Is that my understanding? Okay. I'm  
22 okay with that.

23 CHAIRPERSON HOOD: I hear what we're saying  
24 and I guess, you know, for the sake of compromise,  
25 because I had a whole issue with conversions anyway.

1 But up here, try to get things to move along we have  
2 to compromise. I think Commissioner May compromised,  
3 I compromised, and others compromised. All of us  
4 compromise to get where we were. But I would have  
5 been at the more restrictive because I can tell you  
6 from what I've seen come down here, and I know we had  
7 a case the other day, somebody mentioned that they  
8 always give us the worst case, but those are the ones  
9 that are the most specific and germane that are  
10 really changing the character now. Now I understand  
11 that the BZA, which I think we put in place, they can  
12 look at character.

13 Now for those who live in historic districts,  
14 they already have those protections. I'm talking  
15 about those folks who don't live in historic  
16 districts. So that's just kind of where I am with  
17 this. Yeah, we've seen a lot of horror stories, but  
18 those are the most egregious. And people are having  
19 to live with us changing the character of the  
20 neighborhood.

21 And yes people, I understand the whole  
22 property rights issue. I don't even think that we  
23 even brought that pop-back, or whatever you want to  
24 call it, up when we had -- when we went through this  
25 discussion. I'm not even sure if we get there by

1 saying it's one of the criterias for the three or  
2 four that are waivable.

3 I know anything should have some flexibility,  
4 but I guess if I have to I will go along with what  
5 Commissioner May is mentioning about making it a  
6 special exception. But I'm not sure about the  
7 waivable part. But then again, I guess it can't be a  
8 hard fast rule. Can we waive up to a certain amount?

9 MR. MAY: You mean a limit on how --

10 CHAIRPERSON HOOD: How much we waive.

11 MR. MAY: You know, if you --

12 CHAIRPERSON HOOD: Because some of this stuff  
13 is egregious.

14 MR. MAY: You could go to 20. You know, I  
15 think at a certain point we do have to rely on the  
16 judgment of the BZA.

17 MR. TURNBULL: Yeah. I just don't want to  
18 get to some of the issues we saw in Lanier Heights.

19 MR. MAY: Yeah.

20 CHAIRPERSON HOOD: And those are the ones  
21 that we keep seeing. And what --

22 MR. MILLER: And we'll be able to turn them  
23 down.

24 CHAIRPERSON HOOD: But what I'm hearing when  
25 I listen to the hearings and I go down in front of

1 the council, when I hear the citizens saying this  
2 stuff, and then when I find out other jurisdictions,  
3 they don't even allow it. So we're up here tiddly  
4 winking and playing. I mean, that's just my  
5 reference. And then people are being impacted in  
6 these communities.

7           When I heard the director of DCRA say, they  
8 don't even allow this stuff in Virginia, in the  
9 historic districts. They have the protections. I  
10 guess, you know, I guess living in a neighborhood  
11 that doesn't have the protection I would be -- and I  
12 mentioned this to the young lady the other night at  
13 the hearing. She was very calm for what was  
14 happening next door to her. And I always believed  
15 when it happened next door to you, you get a  
16 different sighting on it. It looks a little  
17 different to you. And I understand that. You know,  
18 when it comes to your front door.

19           And, you know, I have issues with all this,  
20 but you know, I know we have to balance it and we  
21 have to try to, you know, we've got a city of  
22 balance. But some of the stuff is real egregious.  
23 And when I hear that we don't -- the Zoning  
24 Commission is not going far enough, the Zoning  
25 Commission didn't do this, the Zoning Commission --



1 you know -- well, I don't want to go off on a soap  
2 box because I can do that. So any other discussion?  
3 That's my point.

4 MR. MAY: If I could make a couple comments?  
5 I do think this is a pretty small change and it's  
6 consistent with the direction that the Commission was  
7 heading when we changed the regulations in case 14-  
8 11. And I think that you know, making this change  
9 now, the way we have suggested, which is to introduce  
10 that limitation but to make it waivable, is a prudent  
11 way to proceed. It's really kind of a tweak and it  
12 adds some additional layer of protection.

13 At the same time, you know, we may find that  
14 14-11 didn't go far enough, and that we actually have  
15 to take it up again and look more closely, or look at  
16 other zones that might be treated in a similar  
17 manner. And I think that that probably gets to more  
18 of the issues that you're hearing about, Mr.  
19 Chairman, than what we did in 14-11.

20 So and I think that in the long run, you  
21 know, we may well wind up making some, you know, some  
22 additional changes to add some additional protections  
23 because you're right, it shouldn't just be you know,  
24 you don't have to face this if you live in a historic  
25 district or something like that.

1           I will add, though, but it is possible to  
2   have a pop-back in a historic district because the  
3   back of the house is less important in the historic  
4   district than the front of the house. It doesn't  
5   mean that it's easy, but it is more possible.

6           CHAIRPERSON HOOD: But you still have --

7           MR. MAY: It's lot easier than adding a  
8   floor.

9           CHAIRPERSON HOOD: You still have some type  
10   of protection.

11          MR. MAY: Oh, absolutely. There's a public  
12   forum for every significant addition, I think, when  
13   you're in a historic district. Anyway, like I said,  
14   this is, I think is a small change. It adds some  
15   measure of protection, and I think at the same time  
16   it allows for the flexibility that I think is  
17   appropriate and we need to trust that the BZA will  
18   get it right in these cases.

19          I know that my experience in BZA so far when  
20   this, the new 1411 regulations kicked in, the  
21   experience on a pop-back was actually quite good  
22   where they, you know, they originally proposed  
23   something that was really outrageous, but then they  
24   came to an agreement with all the neighborhoods as a  
25   result of having to go through the special exception

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1 process. So it was a better result.

2 CHAIRPERSON HOOD: I don't take anything away  
3 from the special exception process because it gives  
4 public input. But I just want to make sure that this  
5 Commission goes far enough when we're looking at  
6 these things. And also, Commissioner May, you hit on  
7 something that I think is very crucial, that we need  
8 to start expounding 14-11 and I don't know you know,  
9 at the appropriate time I probably need to -- we need  
10 to ask the Office of Planning to start looking at how  
11 we need to further this into other zones because  
12 what's going to happen, we're going to sit here and  
13 wait for it to happen, and then we're going to run  
14 and try to play catch up. So we need to stop playing  
15 catch up and try to get out in front of it, and at  
16 least start memorializing, putting something down as  
17 a regulation moving forward so we won't have some of  
18 the problems that we had previously.

19 So that's kind of where I am. Hint, hint,  
20 Office of Planning. That's kind of what we need to  
21 start doing. I don't know whether we can initiate it  
22 on our own motion. I don't know if it's the  
23 appropriate time. But I will talk to OAG and see  
24 whether we can do it on our own motion to have the  
25 Office of Planning to start looking at these other

1 zones so we won't wait and play catch up. And then,  
2 you know, we get an outcry from the community because  
3 we haven't went far enough and we haven't looked at a  
4 potential issue that's facing the city and the  
5 character.

6           Anyway, I can go with what was mentioned by  
7 you, Commissioner May. But again, the special  
8 exception, you know, it probably is -- it gives  
9 public input. So we've made some headway, but do I  
10 think we've gotten where we need to be? Probably  
11 not. But we are getting some public input and again,  
12 I'm sure that the BZA and those of us who sit there  
13 will make the right decision.

14           And remember, we could be the person next  
15 door. So, anyway.

16           MR. TURNBULL: I'm hearing two things, I  
17 think, that you're -- you're concerned about even  
18 doing the special exception, allowing the 10 feet.  
19 But also how far you can go beyond the 10 feet. I  
20 mean, you're worried about where that might go. If  
21 it's not 15 it is 20, depending upon the situation.

22           CHAIRPERSON HOOD: I think the 10 feet is a  
23 start. That's better than what we have now. I just  
24 don't know -- I keep seeing those most egregious  
25 developments that are going on in the neighborhoods.

1 And again, the young lady who was down here the other  
2 night, I told her, I think I said on the record,  
3 you're talking very nicely for somebody that  
4 something that was like that next to them because I  
5 always put myself in their situation. Of everything  
6 I've ever done down here I put myself in the  
7 situation and you know, when I bought my house I know  
8 what I bought around me. I didn't buy around me for  
9 some of the stuff that's allowable, that I'm seeing  
10 people that's finding loopholes.

11 I'm not against development, so those who are  
12 Tweeting and putting all that out, they're going to  
13 say the Chairman is against development. No, I'm  
14 not, because I've been here 17 years and there's been  
15 a lot of development. But it is how we do it. We've  
16 got to be respectful of the neighbors, and just to  
17 put those big blobs up on the side, I mean, you know,  
18 it's got to be -- it's got to be right and it's got  
19 to mix in with the character of the neighborhood.

20 My concern is, this is a start, Mr. Turnbull,  
21 but back to answer your question, at least this is a  
22 start. Do I think this is right, or where it should  
23 be? I'm not sure, but this is a start.

24 My other concern, though, is that there are  
25 other zones that we need to deal with and I don't

1 want us to deal with them after the fact and playing  
2 catch up. So.

3 MR. TURNBULL: So, I mean, we could come back  
4 and revisit this. And if we have to add tighter  
5 controls, we could. If we see it's getting out of  
6 hand. I mean, if the special exception does go -- if  
7 it's being abused or if the BZA is not being as tight  
8 as what we thought they might be, we could always  
9 come back and tweak this thing again.

10 CHAIRPERSON HOOD: And, you know, we won't  
11 find a lot of that out until the loophole find us.

12 MR. TURNBULL: Right.

13 CHAIRPERSON HOOD: Find it, because they're  
14 going to find it. And I just want to make sure that  
15 we're able to close some of them loopholes that  
16 everybody spend -- we don't spend days looking for  
17 loopholes. There are people out here who spend days  
18 looking for loopholes and try to, our regulations --  
19 I think we have good intentions of what we're trying  
20 to do. But they spend all day long, we're doing  
21 other things trying to find a loophole in what this  
22 Commission does. So I guess what I want to do is  
23 preempt that.

24 MR. TURNBULL: Uh-huh.

25 CHAIRPERSON HOOD: Commissioner Miller.

1           MR. MILLER: Just one final comment, Mr.  
2 Chairman.

3           Since I happen to be sitting on the BZA  
4 tomorrow and there are a few 14-11 conversion cases,  
5 I won't mention the specific cases or discuss them,  
6 but in one of them where the ANC took position  
7 against, they used the very language from the  
8 criteria in 14 -- in this new 14-11 as arguments  
9 against allowing the addition. They used the  
10 catchall one, "Any addition shall not have a  
11 substantially adverse effect on the use or enjoyment  
12 of any abutting or adjacent dwelling or property."

13           In particular, "A., the light and air  
14 available to neighboring properties shall not be  
15 unduly affected." "B., the privacy of use and  
16 enjoyment of neighboring properties shall not be  
17 unduly compromised." And "C., the conversion and any  
18 additions as viewed from the street, alley, and other  
19 public way shall not substantially visually intrude  
20 upon the character, scale, and pattern of houses  
21 along the subject street or alley."

22           And as I recall, that particular criteria  
23 that I just read is not waivable. And they also  
24 cited the chimney, the chimney -- the adjacent  
25 chimney being bought. And they cited others. So I

1 just wanted to -- I didn't want to leave the  
2 impression that if we didn't put in some strong  
3 criteria, which the neighborhoods that are concerned  
4 about this are noticing and are using that in cases.  
5 So, I just wanted to note that.

6 CHAIRPERSON HOOD: Thank you. I will, since  
7 you brought that up I will look and see what the  
8 results are in that case. That's the prime example.  
9 We're going to see how the BZA -- I'm not saying --  
10 I'm not trying to say it either way because I don't  
11 know what the merits are. But that's the case, since  
12 you brought it up I will look to try to see what the  
13 outcome is. Okay.

14 MR. MAY: So, yeah, just I'll go back to my  
15 original question which I got multiple answers for,  
16 which was the whether we -- if it were to be  
17 considered on consent can we consider it tonight, or  
18 do we have to put it on the agenda and take it up at  
19 the next meeting?

20 MR. RITTING: That's an interesting question  
21 because the consent calendar rules are written as  
22 though either any party before the Commission, or  
23 upon the Commission's own motion may request that a  
24 matter be placed on the consent calendar, which sort  
25 of implies if it's the Commission upon its own motion



1 that it doesn't need to be writing and that you could  
2 do it tonight.

3 MR. MAY: So then I would want to go ahead  
4 and make that motion so that we could take that up,  
5 right? And I think I need to clarify with the Office  
6 of Planning and the Office of the Attorney General  
7 about what the language would be that we would  
8 introduce. This is an additional condition, and that  
9 the language that allows us to waive whatever it was,  
10 336.6 to 336.8, that it be also in that waivable  
11 category and that you can waive three out of four.  
12 Is that all very clear?

13 MR. RITTING: It is clear, and I mean, if  
14 you're comfortable with that --

15 CHAIRPERSON HOOD: I do have one question.  
16 If we deal with that tonight will that go in effect  
17 immediately or do I have to wait for, like a set down  
18 rule. Will that go in effect immediately or do we  
19 have to wait for it to be publicized in the Register?

20 MR. RITTING: Well, it has to be a notice of  
21 proposed rulemaking needs to be issued. So you'd be  
22 authorizing the proposed rulemaking notice tonight.

23 CHAIRPERSON HOOD: So we're going in the  
24 fashion of having a hearing.

25 MR. RITTING: No.

1 CHAIRPERSON HOOD: Why can't we use this as  
2 like we do set down hearing?

3 MR. RITTING: You could.

4 CHAIRPERSON HOOD: Because what's going to  
5 happen is --

6 MR. RITTING: If you thought that this was  
7 not a change of the rule -- sorry if I'm not on the  
8 mic. The Rule 3030 says that the consent calendar is  
9 limited to minor modifications which shall mean  
10 modifications or little or no importance or  
11 consequence. So if you thought that this was not  
12 minor, that it was of consequence, then the correct  
13 action is to set it down for a hearing tonight.

14 MR. MAY: But we could view it as minor --  
15 and the fact that it would basically we'd be  
16 approving it but there would still be a 30-day  
17 comment period and NCPC would weigh in and all that  
18 kind of stuff, right? So there would be two votes.

19 MR. RITTING: Yes, if you thought it was a  
20 minor modification there would still be two votes.

21 MR. MAY: Right.

22 MR. RITTING: However, Mr. Hood was asking a  
23 different question, which is whether there will be a  
24 hearing which is --

25 MR. MAY: Right.

1 CHAIRPERSON HOOD: No, I --

2 MR. RITTING: -- that would be negative.

3 CHAIRPERSON HOOD: Let me say what I was  
4 trying to get at. I agree with the way that  
5 Commissioner May is moving. My problem is I wanted  
6 to make sure that it got in effect as soon as  
7 possible. So I wanted to know if it could be treated  
8 like a set down hearing, or do we have to wait for  
9 the 30 days? If we're making it minor -- I just  
10 didn't want it to be out there too long. That's all.

11 MR. RITTING: I mean, another possibility is,  
12 if you want to see the language and you want to think  
13 about it a little bit before moving ahead, is you  
14 could just put it on the consent calendar for a  
15 future meeting. We'll prepare some language for you  
16 to consider, and you could proceed that way.

17 MR. MAY: But the question is, whether it  
18 goes into -- when it goes into effect. And it's  
19 still going to take 30 days for it to go in effect no  
20 matter what.

21 MR. RITTING: Correct.

22 MR. MAY: Okay.

23 CHAIRPERSON HOOD: So I would be in favor.

24 MS. SCHELLIN: Actually, Commissioner May,  
25 no, it would take longer than that. It would not go

1 into effect until an order is issued. The proposed  
2 rulemaking only --

3 MR. MAY: You're right. You're right.

4 MS. SCHELLIN: So it would not go in effect  
5 until an order is issued.

6 MR. MAY: But there's no way to expedite  
7 that.

8 MS. SCHELLIN: Only if it's an emergency  
9 rulemaking.

10 CHAIRPERSON HOOD: Now, how do we make an  
11 emergency?

12 MR. RITTING: Well, I mean, you could  
13 authorize an immediate publication of a notice of  
14 emergency rulemaking that would go into effect  
15 immediately.

16 CHAIRPERSON HOOD: Let's do this. Let's do  
17 this because it will be 30 days before we even get  
18 started. So let's go ahead and do this.  
19 Commissioner May, if you could go ahead and make a  
20 motion and move in the -- everybody agrees,  
21 Commissioner Miller and Turnbull. I would agree with  
22 that. I was just trying to -- maybe I went too far  
23 with it. I just was trying to see how quick we can  
24 get this done. Okay. Commissioner May, if you could  
25 put that in a motion?

1           MR. MAY: So I would move that we modify  
2 Section 336 of the regulations to add a restriction  
3 of 10 feet to any addition on the back of a property  
4 when it is considered for a special exception under  
5 336, and that that 10-foot condition be considered  
6 waivable as one of the -- one of four that would be  
7 waivable. Those are 336.6, 336.8, and the waiving  
8 language is 336.12. So I'm not sure how that all  
9 gets renumbered, but essentially that's the gist of  
10 the motion.

11           MS. SCHELLIN: And you're docketing this --

12           CHAIRPERSON HOOD: No, we're not docketing it  
13 as an emergency.

14           MS. SCHELLIN: You're not?

15           CHAIRPERSON HOOD: No. Okay, I'll second  
16 that motion. It's been moved and properly seconded.  
17 Any further discussion?

18           MR. MILLER: And just to clarify,  
19 Commissioner May. So in the 336.12, where it allows  
20 the BZA to waive not more than two of the three  
21 current requirements, it would be three of the what  
22 would be the fourth, four requirements.

23           MR. MAY: Correct. Three out of four.

24           MR. MILLER: Okay. Thank you.

25           CHAIRPERSON HOOD: Okay. Any further

1 discussion?

2 [Vote taken.]

3 CHAIRPERSON HOOD: So ordered. Mr. Hanousek,  
4 would you record the vote?

5 MS. SCHELLIN: Actually, I'm going to record  
6 this one. Staff records the vote four to zero to one  
7 to authorize the immediate publication of a proposed  
8 rulemaking to revise Section 336 per the discussion  
9 this evening, Commissioner May moving, Commissioner  
10 Hood seconding, Commissioners Turnbull and Miller in  
11 support, Commissioner Cohen not present, not voting.

12 CHAIRPERSON HOOD: Okay. Ms. Schellin, do we  
13 have anything else?

14 MS. SCHELLIN: No, sir.

15 CHAIRPERSON HOOD: Okay. So with that I will  
16 thank everyone for their participation and listening  
17 to the meeting tonight, and this meeting is  
18 adjourned.

19 [Meeting adjourned at 7:20 p.m.]

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