

OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN, Secretary
PAUL YOUNG, Zoning Data Specialist

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

MAXIMILIAN TONDRO, Esquire

The transcript constitutes the minutes from the
Regular Public Hearing held on September 20, 2021

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T-A-B-L-E O-F C-O-N-T-E-N-T-S

Case No. 21-08 - Office of Planning - Text Amendment to
 Subtitle G to Create Housing Focused Mixed-Use Zones. . . . 4

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

(4:00 p.m.)

CHAIRPERSON HOOD: Good afternoon, ladies and gentlemen. We are convening and broadcasting this public hearing by video conferencing. My name is Anthony Hood. Joining me this evening are vice Chair Miller and Commissioner Shapiro. We are also joined by the Office of Zoning Staff, Ms. Sharon Schellin, our secretary, and Mr. Paul Young who will be handling all of our virtual operations.

Today's date is September the 20th, 2021, and the case subject of today's Zoning Commission Case is Zoning Commission Case No. 21-08.

Copies of today's virtual public hearing notice are available on the Office of Zoning's website. Please be advised that this proceeding is being recorded by a court reporter, and is also webcast live, Webex, and YouTube Live.

The video will be available on the Office of Zoning website after the hearing. Accordingly, all those listening on Webex or by phone will be muted during the hearing and those who have signed up to participate or testify will be unmuted at the appropriate time.

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2 | If you are experiencing difficulty accessing Webex or
3 | with your telephone call-in then please call our OZ hotline number
4 | at 202-727-5471 to sign up or to receive Webex login or call-in
5 | instructions.

6 | All persons planning to testify either in favor or
7 | opposition, we encourage you to sign up I advance and we'll call
8 | your name at the appropriate time. If you wish to file written
9 | testimony or additional supporting documents during the hearing,
10 | then please be prepared to describe and discuss it at the time of
11 | your testimony.

12 | The hearing will be conducted in accordance with
13 | provisions with 11Z D.C.M.R. Chapter 5 as follows: Preliminary
14 | matters, presentation by the petitioner. In this case, it's the
15 | Office of Planning which has up to 60 minutes, but certainly we
16 | have reviewed it. We don't need 60 minutes of a presentation.
17 | Report of other government agencies, report of the ANC. In this
18 | case, it's city-wide. Testimony of organizations and individuals.
19 | Organizations will have five minutes and individuals will have
20 | three minutes respectively. And we'll hear in the order from
21 | those in support, opposition, and undeclared.

22 | While the Commission reserves the right to change the
23 | time limits for presentations, if necessary, it intends to adhere
24 | to the time limits as strictly as possible and notes that no time

1 shall be seated. Again, if you have any issues, please call our
2 OZ hotline number at 202-727-5471.

3 At this time, the Commission will consider any
4 preliminary matters. Ms. Schellin, do we have any preliminary
5 matters?

6 MS. SCHELLIN: (No audible response.)

7 CHAIRPERSON HOOD: I think you're on mute, Ms. Schellin.
8 Can everybody else hear her or is it just me? Ms. Schellin,
9 you're on mute.

10 MS. SCHELLIN: Wow. That went off and then back on. So
11 the only thing is to advise that there is a letter in support at
12 Exhibit 7. OP -- I don't believe there was any change in their
13 text from their set down report. Their hearing report is at
14 Exhibit 8. Crystal Meyers will be presenting for OP and other
15 than that, there is nothing else just to advise, of course, this
16 is a rule-making case so there's two votes in proposed and final
17 action. So that's all I have.

18 CHAIRPERSON HOOD: Okay. Thank you, Ms. Schellin.

19 Mr. Young, can we bring Ms. Meyers up? There she is.

20 Ms. Meyers, when you're ready you may begin.

21 MS. MEYERS: Good afternoon. I believe I'm on. Okay.
22 So good afternoon --

23 CHAIRPERSON HOOD: Yes.

24 MS. MEYERS: -- Commissioners. The Office --

1 CHAIRPERSON HOOD: Good afternoon.

2 MS. MEYERS: -- of Planning is pleased to bring forward
3 Zoning Commission Case 21-08 which would amend the MU-6 to MU-9
4 zones. These amendments would create housing focused mixed-use
5 zones that would have the same maximum total density as the
6 existing MU-6 to MU-9 zones, but with the maximum non-residential
7 density of 1.0 FAR. These new zones would be named MU-6A, MU-7A,
8 MU-8A, and MU-9A and the existing MU-6 to MU-9 zones would be
9 renamed MU-6B, MU-7B, MU-8B, and MU-9B.

10 The text in the OP hearing report is largely the same
11 text advertised in the public hearing notice, but includes a few
12 changes. The phrase "and residential use" was added to the MU-8
13 and MU-9 statements on purpose and intent and a typo related to
14 the MU-30 zone was corrected in the maximum lot occupancy table.

15 And with that, OP recommends approval of Zoning
16 Commission 21-08 and recommends considering proposed action.
17 Thank you.

18 CHAIRPERSON HOOD: Thank you, Ms. Meyers. We appreciate
19 the very succinct report and also the report that -- well, written
20 report that was provided from Office of Planning.

21 Any questions of Ms. Meyers, Vice Chair Miller?

22 VICE CHAIR MILLER: Thank you, Mr. Chairman. Thank you,
23 Ms. Meyers for your report. No, I don't have any questions. But
24 remind me, and I should have looked this up, where -- are these

1 mixed-use zones located throughout the city or are they in
2 specific neighborhoods that you could delineate here or are they
3 just throughout the entire city?

4 MS. MEYERS: They'll be throughout and, you know, they
5 don't exist now so it's when opportunities present themselves we
6 would -- you know, that would be mapped into -- you know, into a
7 certain location.

8 VICE CHAIR MILLER: No, I mean, the -- I guess I meant
9 that MU -- the existing MU-6 to 9 zones.

10 MS. MEYERS: Oh. Okay. Throughout. Throughout the
11 city.

12 VICE CHAIR MILLER: Okay. Thank you. Thank you, very
13 much. Do you have any estimate or guesstimate about how much
14 additional housing we would get? Is it generally 1.0 FAR of
15 housing in the -- that's being transferred from commercial to
16 residential in these new zones?

17 MS. MEYERS: No. I mean, some are more than that. You
18 know, these were our medium density zones, so some did allow for
19 quite a bit of non-residential FAR and so we're now capping them
20 to just 1.0. I was just taking a quick look here. So for
21 example, the -- I think it's the MU-6 zone had like a non-
22 residential of like 2 FAR. So that would be, you know, one.
23 Another one, MU-7, was up to 2.5. So, you know, it depends. MU-8
24 went up to 4, so it depends.

1 VICE CHAIR MILLER: And you don't have any guesstimate
2 on how much additional housing we may expect to get --

3 MS. MEYERS: No.

4 VICE CHAIR MILLER: -- throughout the city, but it's --
5 but we do expect to get additional housing. That's why we're
6 doing this?

7 MS. MEYERS: That's the goal, yes.

8 VICE CHAIR MILLER: Yes. Okay. Thank you.

9 CHAIRPERSON HOOD: Okay. Thank you, Vice Chair.

10 Commissioner Shapiro?

11 COMMISSIONER SHAPIRO: Thank you, Mr. Chair. I really
12 don't have much to add. It's a good goal. Seems about as
13 straight-forward as possible and no questions, and thank you for
14 your report.

15 CHAIRPERSON HOOD: Thank you, and --

16 COMMISSIONER SHAPIRO: That's all I have.

17 CHAIRPERSON HOOD: Okay. Thank you, Commissioner
18 Shapiro.

19 Ms. Meyers, I was reading. I think I was reading into
20 this too much when I started looking at why did we say "are"
21 instead of "is." So I'll just backed off of it and I'll ask my
22 question this way because I know what we're trying to achieve
23 which is I think is a applaudable to Office of Planning and the
24 city. Are there any unintended consequences that may come of this

1 rule-making, I'm just curious, that we may identify or do we know
2 of any potential?

3 MS. MEYERS: No, not that we're aware of. We see this
4 as being a positive.

5 CHAIRPERSON HOOD: Okay. I just wanted to ask that
6 because I -- we might -- I was just wondering if we saw some and
7 then we said, "Okay. Well, we'll deal with that at the
8 appropriate time," but if we don't see any, I think this is great.
9 I did get a little too much involved when I was looking at "is"
10 and "are," and plural and singular and all that.

11 So I just left it alone, but I think -- the bottom line
12 for me, I think it's all conducive to what we're trying to do here
13 in the city when it comes to housing. So that's all I have and
14 again, thank you for your report and all the work that you all are
15 doing on this housing initiative here in the city so we can get to
16 where we hopefully can -- where we all would like to be at some
17 point in time.

18 Any other questions of Ms. Meyers, Commissioners?

19 (No response.)

20 CHAIRPERSON HOOD: Okay. Thank you very much, Ms.
21 Meyers. Appreciate the report.

22 We do have a letter of support from the Capitol Hill
23 Restoration Society and this is from Chair Haig, I believe,
24 Elizabeth Haig. Hopefully I'm pronouncing her name correctly, who

1 is from the Zoning -- Capitol Hill Restoration Society's Zoning
2 Committee and that in our record.

3 Ms. Schellin, do we have anyone -- I think I covered
4 everything in the record. All right. Do we have anyone, Ms.
5 Schellin, who is here to testify in support, opposition, or
6 undeclared?

7 MS. SCHELLIN: There are -- I just checked. There are
8 no sign-ups for testimony in either category. In none of the
9 categories rather.

10 CHAIRPERSON HOOD: Okay. And let me just call for DDOT.
11 So we don't really have anybody. I don't think we have DDOT.

12 MS. SCHELLIN: No.

13 CHAIRPERSON HOOD: Nobody to testify, so -- okay. So
14 I'll run through all that. Let the record reflect no one has
15 requested to testify and no one other than OP has given us a
16 report; in the record, Capitol Hill Restoration Society.

17 All right. Commissioners, no one's in line to testify
18 so any closing remarks, Commissioners, or comments?

19 (No response.)

20 CHAIRPERSON HOOD: Okay. So again, this is a two-vote
21 case so let me -- we'll close the record. What we have I think is
22 pretty straight-forward and let me get a motion from one of my
23 colleagues.

24 VICE CHAIR MILLER: Mr. Chairman, I would move that the

1 Zoning Commission take proposed action on Zoning Commission Case
2 21-08, Office of Planning text amendment to create the MU-6A
3 through MU-9A zones and to rename the MU-6 to MU-9 zones to MU-6B
4 through MU-9B zones and ask for a second.

5 COMMISSIONER SHAPIRO: Second.

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

8 (No response.)

9 CHAIRPERSON HOOD: Not hearing any, Ms. Schellin, would
10 you do a roll call vote, please?

11 MS. SCHELLIN: Commissioner Miller?

12 VICE CHAIR MILLER: Yes.

13 MS. SCHELLIN: Commissioner Shapiro?

14 COMMISSIONER SHAPIRO: Yes.

15 MS. SCHELLIN: Commissioner Hood?

16 CHAIRPERSON HOOD: Yes.

17 MS. SCHELLIN: The vote is 3 to 0 to 2 to approve
18 proposed action. The Architect of the Capitol representative, not
19 present; Commissioner May, not present.

20 CHAIRPERSON HOOD: Okay. Thank you.

21 Ms. Schellin, do we have anything else before us
22 tonight?

23 MS. SCHELLIN: No, sir.

24 CHAIRPERSON HOOD: Okay. So the Zoning Commission will

1 | be meeting again September the 23rd, 4:00 p.m. on these same
2 | platforms. We will be hearing Zoning Commission Case No. 05-36M.
3 | This is a request for a modification of significance, a special
4 | exception, and a request for a waiver on public notice
5 | requirements for a public hearing for approved PUD 05-36 at 200 K
6 | Street, N.E., Square 749, Lots 826 and 827.

7 | So with that, I want to thank everyone for their
8 | participation tonight and this hearing is adjourned. See you
9 | Thursday. Goodnight.

10 | (Whereupon, the above-entitled matter went off the record at
11 | 4:13 p.m.)

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In the matter of: Public Hearing

Before: DCZC

Date: 9/20/21

Place: Teleconference

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