

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ZONING COMMISSION

VIRTUAL PUBLIC MEETING

VIA WEBEX

MONDAY, FEBRUARY 5, 2024

The Public Meeting by the District of Columbia Zoning Commission convened via videoconference pursuant to notice at 4:00 p.m. EDT, Anthony Hood, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson
ROBERT MILLER, Vice Chairperson
JOSEPH S. IMAMURA, Commissioner
TAMMY STIDHAM, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN, Secretary
PAUL YOUNG, Data Specialist

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

HILLARY LOVICK, Esquire

The transcript constitutes the minutes from the Public Meeting held on February 5, 2024.

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C O N T E N T S

Case No. 23-17	6
Office of Planning - Proposed Text Amendment to Reduce Parking Requirements for Publicly Assisted Affordable Dwelling Units	

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, Commissioner Stidham, and Commissioner Imamura. We're also joined by the Office of Zoning staff, Ms. Sharon Schellin, and Mr. Paul Young, who will be handling all of our virtual operations, as well as our Office of Zoning and Legal Division, Ms. Hillary Lovick. I will ask all others to introduce themselves at the appropriate time.

Topics 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.

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

Please state your name and home address before

1 providing all testimony on your presentation. When you are
2 finished speaking, please mute your audio so that your
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4 noise.

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6 with your telephone call in, then please call our OZ hotline
7 number at 202-727-0789 to sign up or to receive Webex login
8 or call-in instructions.

9 All persons planning to testify either in favor or
10 opposition or undeclared, we encourage you to sign up in
11 advance and your name will be called at the appropriate
12 time.

13 If you wish to file written testimony or
14 additional supporting documents during the hearing, then
15 please be prepared to describe and discuss it at the time of
16 your testimony.

17 The hearing will be conducted in accordance with
18 provisions of 11(Z) DCMR Chapter 5 as follows: preliminary
19 matters; presentation by the petitioner, in this case, is
20 the Office of Planning; our report of other government
21 agencies; report of the ANC, this is citywide; and then we
22 have testimony of organizations and individuals.

23 Each will have either five to three minutes,
24 respectively. Organizations five minutes, individuals three
25 minutes, respectively. And we'll hear in the order from

1 those who are in support, opposition, and undeclared.

2 While the Commission reserves the right to change
3 the time limits for presentations, if necessary, it intends
4 to adhere to the time limits as strictly as possible and
5 notes that no time shall be ceded. Again, if you have any
6 issues, please call 202-727-0789.

7 At this time, the Commission will consider any
8 preliminary matters.

9 Does the staff have any preliminary matters?

10 MS. SCHELLIN: No preliminary matters. I believe,
11 Art Rodgers, Jonathan Kirschenbaum, and Jennifer Steingasser
12 are here to represent the Office of Planning.

13 And I believe this case came out of one that was
14 initially filed, and I may be wrong, the Office of Planning
15 can confirm this, but I believe this one was filed out of
16 one that the Office of the Attorney General had suggested a
17 case, which was later on withdrawn and not recommended. It
18 was not recommended for set down and was withdrawn by the
19 Office of the Attorney General.

20 But, like I said, the Office of Planning will be
21 able to clarify that. But this one is ready for the Office
22 of Planning to present. Thank you.

23 CHAIRPERSON HOOD: Okay. Thank you. And I would
24 ask, the Office of Planning, as they proceed, I would like
25 to know, I can't recall all of the differences of what OAG

1 had kind of distinguished what the differences are versus
2 what Office of Planning is bringing to us now versus what
3 they had before they withdrew theirs.

4 So in that case, I guess I'll turn it over to Mr.
5 Rogers, I believe.

6 MR. KIRSCHENBAUM: It's Mr. Kirschenbaum who will
7 be doing the --

8 CHAIRPERSON HOOD: Oh, Mr. Kirschenbaum, there you
9 are. You moved. You up on the left side. I was in my
10 screen. I'm looking here.

11 So anyway, Mr. Kirshenbaum, you may begin. Good
12 afternoon.

13 MR. KIRSCHENBAUM: Thank you.

14 Mr. Young, could you bring up the presentation?
15 Thank you.

16 So good evening -- oh, sorry. Good afternoon,
17 Chair Hood, and members of the Zoning Commission.

18 I am Jonathan Kirschenbaum of the Office of
19 Planning. And as we just heard, I'm also joined by my
20 colleague, Art Rodgers, and we will be available for
21 questions after this presentation.

22 The proposal before you is a text amendment that
23 will reduce minimum parking requirements for affordable
24 housing when located near mass transportation.

25 On balance, when viewed through a racial equity

1 lens, the proposal is not inconsistent with the policies of
2 the Comprehensive Plan. The Office of Planning recommends
3 approval of this application.

4 Next slide, please.

5 And so we want to give an overview of the proposal
6 and sort of the sort of key goals that we hope this proposal
7 achieves.

8 So as I just mentioned, this proposal would only
9 apply to development that is located close to mass transit,
10 such as Metrorail, bus priority routes, and the streetcar.
11 And that development has to be publicly funded to provide
12 affordable units in excess of the IZ program requirements.

13 This tax amendment appropriately balances, making
14 the provision of affordable housing less costly while
15 ensuring residents have reliable access to transportation.

16 The proposal will still require some off-street
17 parking to be provided for larger affordable buildings while
18 generally allowing an elimination of parking for smaller
19 properties where it's generally difficult or impossible to
20 provide parking.

21 And as we will discuss in further detail, OPS
22 concluded that the proposed parking reduction should only be
23 available when in proximity to mass transit to ensure
24 equitable access to jobs and opportunities throughout the
25 region. And I think this is very important.

1 This proposal acknowledges that there are limits
2 to access offered by public transit, even in the most
3 accessible portions of the district.

4 In particular, Wards 7 and 8. In Wards 7 and 8
5 there's an important need for to use a car to commute to
6 work, especially given existing inequities in public
7 transportation.

8 Next slide, please.

9 So we want to give a quick overview of the
10 existing parking requirements and existing reductions of
11 exist. Generally speaking, the zoning regulations require
12 apartment houses to provide one parking space for three
13 dwelling units, with the first four dwelling units excluded
14 from the calculation.

15 So that results in generally, like, a 33 percent
16 requirement. The regulations also allow affordable housing
17 for seniors or persons with disabilities to have a lower
18 parking requirement.

19 And then for most residential uses, the
20 regulations allow the parking calculation to be reduced by
21 half, as a matter of rate, if the building is located near
22 mass transit. NOP does not propose any changes to these
23 parking requirements.

24 Next slide, please.

25 So this slide and, what I'm going to talk about

1 sort of gives a background of sort of how -- where we are
2 today and how we got here with existing parking. And a
3 general reminder is that the 1958 zoning regulations had a
4 much higher parking requirements than the current code.

5 The current code, under the rewrite for ZR 16,
6 really drastically reduced parking requirements overall. So
7 the minimum parking requirements that are currently in
8 effect were based on an intensive utilization study, that
9 included both market rate and affordable housing projects.

10 That study determined that utilization rates for
11 affordable housing we're lower than market rate projects,
12 but it still indicated that some minimum parking requirement
13 was needed.

14 And the table in front of you shows how many
15 parking spaces were provided in the survey of apartment
16 buildings based on the 1958 parking requirements. And the
17 overall parking utilization rate was 44 percent.

18 And that utilization rate considered how many
19 parking spaces were used based on occupied dwelling units in
20 the building.

21 So using that data, it was used to inform the
22 current parking requirement under ZR 16, which, as I
23 mentioned earlier, typically requires parking spaces to be
24 provided based on 33 percent of total number of dwelling
25 units in a building.

1 And so again, the current parking requirement is
2 much lower than ZR 58, and it was very much sort of tailored
3 to this parking utilization, study.

4 As part of this proposal tonight, OP's review of
5 BZA and PUD cases filed since the 2016 regulations went into
6 effect, suggests that smaller projects, less than 40 units,
7 had bigger difficulty in meeting the requirements for
8 parking due to the property size and other unique factors.
9 And this was especially true when a below-grade garage would
10 have been needed to meet the parking requirement.

11 Next slide, please.

12 So, using that 40 unit sort of threshold based on
13 the cases that we studied informed our parking requirement.

14 And if we can go to the next slide, please.

15 So the proposal tonight proposes a new category to
16 reduce parking requirements for any type of publicly
17 assisted apartment house.

18 Again, to qualify, the development must be funded
19 in part or fully by either the district or federal
20 governments, and it must provide affordable housing in
21 excess of what the IZ program requires.

22 So the proposed requirement would be one parking
23 space per three affordable dwelling units in excess of 40
24 affordable dwelling units, if that building is located close
25 to mass transit.

1 And then the parking requirement could further be
2 reduced in half because the development would have to be in
3 proximity to mass transit.

4 And so next slide, please.

5 So, sort of what does this look like? For IZ
6 developments, that includes both market rate units and IZ
7 units, the parking calculation for market rate units and IZ
8 units would remain done unchanged.

9 But for IZ developments that, sorry, for
10 developments that are exempt from the IZ program because of
11 providing affordable units well in excess of the IZ program,
12 this is where the proposal would apply.

13 The first 40 affordable units would be exempt from
14 parking. So a building that has up to 40 units would have
15 no parking requirement. And that's for all affordable
16 buildings or majority affordable.

17 And if the parking requirement is greater than 40,
18 then the one per three-unit calculation still applies, but
19 the first 40 units are exempted from the calculation.

20 Next slide, please.

21 So as sort of noted in our set down report, and
22 I'll discuss this in further detail when we talk about
23 racial equity, OP research demonstrates that lower income
24 households and underserved communities need significant
25 improvements to the reliability and frequency of mass

1 transit to better access jobs.

2 And the Comprehensive Plan notes that there's
3 limited transit service to significant suburban employment
4 areas, which increases financial pressure on lower income
5 residents who have less affordable and reliable access to
6 employment.

7 And then, relatedly, there was a study done by the
8 Brookings Institute and that found that the region's transit
9 systems do a better job of connecting high-skilled workers
10 to high-skilled jobs than it did for mid-skilled workers and
11 low-skilled workers.

12 And so perhaps, most importantly, this study found
13 that areas east of the Anacostia River had the lowest share
14 of jobs accessible within a 45-minute commute on mass
15 transit.

16 And data from DDOT shows that residents in Ward 7
17 and 8 have the longest commute times to work on public
18 transportation, but they have significantly lower average
19 commute times to work when using a car.

20 And then the next slide.

21 If we could go to that one. It discusses why we
22 didn't apply the proposal to inclusionary zoning, and my
23 colleague, Mr. Rodgers, will take that slide.

24 So, next slide, please.

25 MR. RODGERS: Good afternoon, members of the

1 Commission. My name is Art Rodgers. I'm the senior housing
2 planner at the DC Office of Planning.

3 In our set down report for this case we
4 recommended against applying parking reductions in exchange
5 for additional IZ units because we didn't think it would be
6 very productive.

7 The Zoning Commission requested that we take a
8 second look at this and we did so. And what we did was we
9 mapped all of the IZ projects that have been filed to date
10 and looked at their zoning. Looked at whether or not they
11 would qualify for the Metro parking reduction and,
12 essentially determined that the vast majority, somewhere
13 around 88 percent of the projects, through a combination of
14 their zone and the parking reduction for being close to
15 Metro, would only require one floor of parking.

16 And, essentially, for this exemption to apply to
17 IZ projects in order to get more IZ units, we would be
18 talking about eliminating any parking, for all intents and
19 purposes, any parking to eliminate that one floor of parking
20 in order to get additional IZ units.

21 There were a very small subset of properties that
22 were in zone categories that were dense enough to require
23 two floors, but were outside of the Metro reduction that
24 would have brought it down to roughly one floor.

25 And so in general, the viability of achieving

1 additional IZ units in exchange for reducing a project's
2 parking would be very minimal. And for this reason, we
3 continue to recommend against applying it, the parking
4 reductions to IZ developments.

5 And I'll hand it back over.

6 Next slide, please.

7 And I'll hand it back over to Jonathan.

8 MR. KIRSCHENBAUM: Thank you.

9 So as part of the racial equity analysis, OP
10 hosted four meetings during the summer of 2022, where we met
11 with staff from the Department of Housing Community
12 Development, Affordable housing providers, and housing
13 advocates.

14 And we use these sessions to discuss the proposal
15 to reduce parking requirements. And as the Commission
16 remembers, we also -- OP held a roundtable on housing and
17 affordable housing district wide and in downtown in the fall
18 of 2022, and that was open to anyone from the public.

19 We generally heard that the cost to provide an
20 individual parking space can vary greatly, depending on
21 where it's located. But generally speaking, a below-grade
22 parking space can cost approximately \$50,000 each.

23 Other feedback provided was that parking and light
24 tech buildings can be particularly expensive because these
25 buildings they can't receive the level of revenue from

1 parking fees that market rate buildings can.

2 And we also heard that though parking can be
3 expensive to provide, there is still a need for low-income
4 households and staff members of those buildings to have on-
5 site parking, and that there is concern that eliminating
6 parking entirely would make it more difficult for people to
7 have adequate access to opportunities.

8 So again, based on the feedback we received and
9 through the racial equity analysis we conducted, this text
10 amendment, we feel really appropriately balances making the
11 provision of affordable housing less costly, while also
12 ensuring that residents have reliable access to
13 transportation.

14 And sort of put another way, this text amendment
15 ensures that residents do not have reduced transportation
16 options to access jobs and services. And a key summary of
17 the takeaways that we heard can be found on page two of the
18 OP set down report at Exhibit 2.

19 Next slide, please.

20 So in the context of reviewing the Comprehensive
21 Plan through a racial equity lens, the proposal provides
22 opportunities to devote more room and funding for affordable
23 units in some parking spaces.

24 The proposal should not negatively impact direct
25 or indirect displacement because it would ease regulations

1 for the provision of new housing and only applies when in
2 proximity to mass transit.

3 The proposal also has the ability to have positive
4 impacts on the physical environment because it would reduce
5 the need for extensive below-grade excavation for those
6 small properties we discussed, and we also reduced the need
7 for creating aggregate impervious surface parking.

8 Next slide, please.

9 So as we briefly discussed earlier, fully
10 eliminating parking when mass transit is not convenient
11 raises issues of equity based on the nature and location of
12 jobs held by low-income households.

13 I think this is a really, really important map,
14 that really reveals a lot about the state of transportation
15 in the District.

16 This is a map from DDOT's Move DC 2021 report, and
17 it shows that there is a higher percentage of historically
18 under resourced communities in areas with the greatest
19 transportation need.

20 So in particular, Wards 7 and 8 and also portions
21 of Wards 4 and 5, have the highest density of residents of
22 color, the highest density of low-income residents, and the
23 highest density of residents with disabilities who are then
24 in the greatest need of better public transportation needs.

25 And, again, this key here shows that on the map.

1 Next slide, please.

2 Residents in Ward 7 and 8 have the lowest access
3 to jobs across the region within a 45-minute commute by mass
4 transit, while also having the highest rates of unemployment
5 in the District.

6 The Comprehensive Plan further states that
7 unemployment rates in areas, such as the far southeast and
8 southwest planning area, are still four to five times higher
9 than the regional rate and disproportionately affect black
10 residents.

11 As shown in Figure 7, residents in Ward 7 and 8
12 also have the highest percentage of residents who use a car
13 to commute to work. And this could in part be contributed
14 to the fact that these Wards have the longest commute times
15 to work on public transit.

16 Relatedly, Figure 9 shows that Wards 7 and 8 have
17 the fewest jobs per acre. In the District, the map
18 generally shows that areas in yellow have jobs that are few
19 and far between and that are spread out far away from public
20 transit.

21 So the high concentration of jobs in the District
22 tend to be clustered around mass transportation lines. And
23 Figure 8 shows that Wards 7 and 8 have the highest rates of
24 unemployment in the District as well.

25 Next slide, please.

1 So again in summary, based on the review of the
2 Comprehensive Plan, through a racial equity lens and
3 comments received from community engagement, this proposal
4 balances the desire to provide opportunities to devote more
5 room for affordable housing, instead of parking spaces,
6 while also ensuring residents do not have reduced parking
7 options when they live far away from reliable mass
8 transportation options.

9 And this concludes our presentation, and we are
10 available for questions. Thank you.

11 CHAIRPERSON HOOD: Thank you both, Mr.
12 Kirschenbaum, and Mr. Rodgers, we appreciate the
13 presentation. And I know we probably have a few questions.

14 So I'm going to start with Commissioner Imamura
15 first. I'm going to Commissioner Imamura, Vice Chair
16 Miller, Commissioner Stidham and then I'll end up in that
17 order. Thanks.

18 COMMISSIONER IMAMURA: Thank you, Mr. Chairman.

19 Yes. Thank you, Mr. Kirschenbaum, and Mr. Rodgers
20 for your report tonight. And like any planner, I geek out
21 on maps.

22 So, Mr. Kirshenbaum, the maps that you showed for
23 the unemployment jobs per acre and DDOT's transportation
24 need, which I'll call the purple knot, was certainly
25 telling, and so thank you for including those in your

1 presentation.

2 I've always said that planning is a little bit of
3 art with a little bit of science. Certainly, the two of you
4 turn the question that the Commission asked you to do on
5 the, I guess it was the hearing in July, which I wasn't at,
6 but I did watch, in asking if this made sense to expand the
7 proposal into the IZ units and market rate residential
8 buildings.

9 So, Mr. Rodgers, thank you for providing that
10 explanation. I think that, you know, folks from the general
11 public may not read the entire record, so it's important to
12 have that verbalized.

13 So, thank you for articulating the reason behind
14 that. Also, I was pleased to see several letters in
15 support. Obviously, many of them, sort of form letters,
16 suggesting an amendment about and I'm sure you read this as
17 well, Mr. Kirshenbaum, about increasing the threshold of the
18 parking requirements from 40-unit buildings to 50 units.

19 So I appreciate your explanation, in terms of how
20 you arrived at the smaller projects with 40 units or fewer
21 have a difficult time with the requirements. Because I had
22 that same question. How did we land on 40? How is that
23 sort of group -- how does that differ from what the next
24 subset is, I guess, 41 and above to maybe a 100 units or I'm
25 not sure.

1 But I would kind of like to hear your response or
2 thoughts behind some of the suggestions in the letters of
3 support, about asking for, you know, to increase that
4 threshold?

5 And then also, either fully eliminate the parking
6 requirements altogether that's near transit.

7 So those sort of two recommendations that are
8 coming out of letters of support. And then, if you could
9 add just a little bit what that next threshold is for the
10 apartment or for the units, 40 units and below is kind of
11 the subset that you all suggested.

12 I'm just curious, from my own understanding, what
13 that other threshold was? If they're having any difficult
14 meeting the parking requirements. Is it 41 to a 100 or 41
15 to 75? How did you break that down?

16 MR. KIRSCHENBAUM: Thank you. So I'll try and
17 answer that in the order that you asked.

18 And well, again, the threshold of 40 was based on
19 BZA applications that we've reviewed. Most of the
20 applications were for developments that were relatively,
21 small and most of them were, you know, 40 units or less.

22 There were a couple that were larger, but they
23 were unique situations where they were adding on to an
24 existing building.

25 So, you know, in terms of increasing the threshold

1 from 40 to 50, we're certainly open to, you know,
2 considering that, you know, I think it'd be 40 to 50, you
3 know, certainly wouldn't have a big impact on our proposal,
4 sort of either way. So we're certainly open to that and,
5 you know, we would take direction from the Commission on
6 that.

7 Regarding that second sort of second question
8 related to the second sort of suggestion from some of the
9 comments in the record. We, you know, again, feel that
10 there still needs to be that, again, this is a balancing
11 because there's still a need for people who live in
12 affordable units to be able to have them on car.

13 And we do tailor this to public transit to ensure
14 that when you fully eliminate parking, that you do have
15 public transportation options. We still feel that,
16 generally speaking, for larger buildings it will -- they'll
17 still be able to provide the parking.

18 When we reviewed PUDs that were all affordable,
19 that the Commission has reviewed since 2016, almost all of
20 those PUDs were providing more parking than was required.

21 So we really don't think that, you know, just
22 fully eliminating the partner requirement would really
23 result in much of a change for those larger buildings that
24 can already provide the parking.

25 And, you know, again, this really is a balancing.

1 The Commission, to their credit, has really cut away parking
2 over the past decade or so.

3 And so, you know, to sort of use the expression of
4 sort of we're sort of chipping away at the bone here.
5 There's really not a lot more room to give, in terms of
6 reducing parking requirements.

7 And so we think that we've really created a
8 proposal that is sort of really tailored to the state of
9 parking, and we have the lowest parking requirements in the
10 region already.

11 And, again, like I said, this is a balancing
12 between not wanting to take away options for people to park,
13 especially for when jobs may not match where someone lives
14 and where that transportation may be.

15 COMMISSIONER IMAMURA: All right. Thank you, Mr.
16 Kirschenbaum.

17 There are three things that you mentioned there
18 that really struck a chord with me, and I'm hoping that the
19 public hears it again, because you mentioned it twice that
20 it is a balancing act.

21 And so that's the art of planning as I see it.
22 And then the other two comments that you made that we have
23 some of the lowest requirements in the region.

24 So I just wanted to mention that again on the
25 record. And then third, I certainly appreciate the

1 compliment, and glad to take credit, at least a little bit,
2 for the past couple years that the Zoning Commission has
3 really chipped away at parking requirement.

4 So, thank you for highlighting those three things.
5 The last, question or comment that I have is about the,
6 Racial Equity Tool and noticed that you didn't include the
7 District-wide disaggregated race and ethnicity data.

8 I think I know the reason why, but I just wanted
9 to give you an opportunity to verbalize why, so that way
10 folks that are listening in have a better understanding.

11 MR. KIRSCHENBAUM: Sure. So, you know, again, we
12 feel that we've really provided a comprehensive and robust,
13 Comprehensive Plan analysis through a racial equity lens.
14 We did provide some of that disaggregated data, but it might
15 not have been all of what you're used to seeing, and that's
16 because that the data we provided, which was economic and
17 job data, transportation data, and we did provide some
18 demographic data, it was all tied to this parking proposal
19 at hand.

20 Some of that disaggregated data that you're sort
21 of used to seeing for traditional sort of mixed-use building
22 apartment house just wasn't sort of relevant to this
23 proposal. And we really just wanted to make this a very
24 focused racial equity analysis.

25 And I think that, you know, this proposal, in

1 particular, really highlights, I think, the importance of
2 the Racial Equity Tool because it, you know, it really was
3 very revealing when you sort of stacked all these different
4 data together to see the state of transportation, in
5 relation to economics and, you know, job skills and a lot of
6 that spatial mismatch between jobs and where people live.

7 COMMISSIONER IMAMURA: Great. Thank you, Mr.
8 Kirschenbaum.

9 I really appreciate how you articulated your
10 position tonight, you and Mr. Rodgers both. Especially, I
11 just want to emphasize to you, that this is a very focused
12 case, using those terms. I say it's kind of a narrow view
13 here, narrow lens, so it makes a lot of sense to me.

14 So, again, thank you both for the time and effort
15 that you put into this.

16 Mr. Chairman, I don't think I have any further
17 questions, but I'm interested to hear comments by my
18 colleagues.

19 CHAIRPERSON HOOD: Right. Thank you.

20 Vice Chair Miller, any questions, or comments?

21 VICE CHAIR MILLER: Thank you, Mr. Chairman. And
22 thank you, Jonathan Kirschenbaum and Art Rodgers and
23 Jennifer Steingasser at the Office of Planning for bringing
24 forward this case.

25 I appreciate all the analysis that you've provided

1 and I appreciate Commissioner Imamura's comments and
2 questions. It really covered what I would have asked about.

3 I think this proposal, it is a narrow proposal,
4 but I think it's in line with what the Zoning Commission has
5 done with the Office of Planning's recommendations in the ZR
6 16, which is to try to get the parking minimums down to a
7 level that they aren't a burden for producing the most
8 affordable housing we can possibly get.

9 And I think this amendment will have a positive
10 impact on developing new affordable housing in the District,
11 particularly in high opportunity planning areas that are
12 lagged behind the production goals in the Mayor's 2019
13 Housing Equity Report.

14 I would be supportive of them even though what you
15 say it just would be a minimal difference, because the
16 letters and support that we've received from Somerset
17 Development Company and Coalition for Smarter Growth and the
18 individuals who are aligned with that testimony, because
19 they have suggested this 50-unit threshold rather than the
20 40 unit. I think it would be worth considering by the
21 Office of Planning and considered by the Zoning Commission.

22 So I would be supportive of that, unless I hear
23 that it's there's some detrimental effect. If it can
24 possibly have a positive effect for those -- for that
25 increment of buildings of small units, 40 to 50 range, if it

1 can make a difference for making those projects work better,
2 affordable house policy projects work better, I would be
3 supportive of that.

4 I really don't have any other questions at this
5 time. I'll, if we -- I don't know if we have public
6 testimony signed up. I may have some after the public
7 testifies.

8 But that's really all I have, Mr. chairman.
9 Commissioner Imamura was very thorough, as usual, which I
10 certainly appreciate. I think the public appreciates as
11 well. Thank you.

12 CHAIRPERSON HOOD: All right. Thank you. Thank
13 you, both.

14 Let's go to Commissioner Stidham. Do you have any
15 questions or comments?

16 COMMISSIONER STIDHAM: Just one really comment.

17 I think the letters -- a few of the letters of
18 support that go into more detail regarding support for
19 raising the range from 40 to 50, make a good case.

20 And I think it would be, if the Office of Planning
21 feels that that incremental change doesn't substantively
22 change what we're trying to achieve or cause an issue, that
23 it would be good to raise it to a number that does make
24 sense. If 50 makes sense or 45 makes sense, you know,
25 whatever makes sense to make sure that we are allowing --

1 we're catching the bulk of the development that would occur
2 that fits this criteria and would benefit from the reduced
3 house the reduced parking rates.

4 MR. KIRSCHENBAUM: Absolutely. You know, off the
5 top of, I think, our head for both, Mr. Rodgers and me, I
6 don't think that would have a detrimental impact, but I
7 think we would feel most comfortable just responding to that
8 in writing in a supplemental report. Thank you.

9 COMMISSIONER STIDHAM: That sounds great. Thank
10 you, Mr. Kirschbaum. I look forward to seeing that.

11 MR. KIRSCHENBAUM: Thank you.

12 CHAIRPERSON HOOD: Thank you, everyone.

13 To my colleagues, I appreciate the discussion.

14 Mr. Kirschbaum, I don't take a lot of credit for
15 reducing the parking. I probably have been the one who have
16 been the most hesitant. While I've learned to go along with
17 it and try to work it out, I appreciate your comments as
18 Commissioner Imamura mentioned about balance.

19 While I know someone will get rid of parking and I
20 kind of agreed to a point with Commission on Smarter Growth,
21 I'm always cautious because while we're -- I'm always
22 looking for that unintended consequence because when we do
23 an action, there's another action. It's just like taking
24 medication. You take one medication to fix one thing, and
25 then you've had wind up having another problem.

1 And the Office of Planning, over the years, I've
2 been here -- been always good about coming back down to
3 straighten out any problems we have.

4 So my major issue about the increasing the
5 threshold is we haven't solved what's going to happen here
6 first. But I hear what my colleagues say. And it's a good
7 point.

8 I want to hear from the public because I'm sure
9 there may be another side to this story that I don't get.
10 But early on I mentioned about the Office of Attorney
11 General had submitted a case, that they now have withdrawn.

12 Did you all collaborate and work together to come
13 to this point? Do you recall what some of the differences
14 were what they were doing versus what -- what they were
15 trying to present to us versus what you all brought to us?

16 MR. KIRSCHENBAUM: So I would say this is sort of
17 a hybrid of their proposal. Their proposal had wanted to
18 apply this proposal to IZ units as well, and, perhaps most
19 importantly, their proposal did not, I think as everyone in
20 the Commission is aware, from being at the Board, that
21 there's this sort of very sort of dynamic special exception
22 for parking to reduce parking requirements and that proposal
23 had proposed to essentially, I don't want to say invalidate
24 that special exception, but you would've had to provide many
25 voluntary IZ units in order to reduce your parking.

1 And if you couldn't do that then it would have
2 required you to make an economic argument to the Board for
3 why you couldn't offer additional IZ units to reduce
4 parking, in order to use that special exception.

5 And we had great concerns about that. That
6 special exception really is -- the bulk of those
7 applications are for incredibly small buildings, and almost
8 all of those applications are for properties where there's
9 no public alley available.

10 And so we would -- if that proposal would have
11 gone into effect, that would have probably dissuaded many,
12 many small residential buildings, I'm talking five units,
13 seven units, from being built because -- and it would be
14 unduly punitive to require those buildings to sort of do
15 this when there are other regulations that would not allow
16 you to provide any access to your property for a car.

17 So again, we really felt like this is a much more
18 sort of tailored and focused proposal that addresses the
19 issue at hand.

20 CHAIRPERSON HOOD: Okay. And I've heard your
21 presentation and I'm kind of going along with it. I kind of
22 agree with it, especially when I look at some of the
23 organizations that you, I guess, met with or did a
24 roundtable with or whoever presented information to the
25 Office of Planning, because I know a lot of times on the

1 spectrum, they're on total opposite sides.

2 And I'm just curious, from the roundtable and the
3 discussions with the groups like Ward 3 Vision, Empower DC,
4 some Jubilee housing, I kind of get Coalition for Smart
5 Growth. Were they committed 100?

6 Were they kind of, in those discussions, on the
7 same page? Am I going too far to say they were on the same
8 page, or should I pull back from that?

9 MR. KIRSCHENBAUM: Well, I don't want to speak for
10 anyone in particular, but as you know parking elicits a lot
11 of feelings from people.

12 And so there was -- I would say there was -- there
13 were different approaches and feelings about this. Some
14 felt that, you know, just totally eliminate parking and
15 others felt that that was really going a step too far and
16 that, you know, and people acknowledged, as I mentioned
17 earlier in the presentation that, you know, people who live
18 in affordable housing, you know, they own cars, you know?
19 They're not totally car free.

20 It's not -- we shouldn't assume they're totally
21 car free. And many of them rely on those cars to be able to
22 access jobs, jobs that are often in areas of this region
23 where they cannot access them by public transit.

24 So it was a very robust -- you know, we had robust
25 conversations and, you know, people, like I said, people

1 approached us from different sides and we, you know, we
2 incorporated that feedback into this proposal.

3 CHAIRPERSON HOOD: Okay. And, Mr. Kirschenbaum,
4 you know, I kind of tiptoe to being on this. I'm tiptoeing
5 to what I'm saying, because I've been around a while, and I
6 know, like I said, there are total different spectrums and
7 ends of the spectrum.

8 But would you say that this proposal that you all
9 have, the Office of Planning presented, they kind of
10 encompasses, and I'm tiptoeing again, kind of encompasses
11 what everyone -- what you've heard from all sides? Is that
12 a fair assessment?

13 MR. KIRSCHENBAUM: I think that's a fair
14 assessment. We really tried our best to come to a place
15 where, you know, that everyone could be happy.

16 CHAIRPERSON HOOD: Well, I'm not going to say
17 happy. That we can eventually adjust too. Because I've had
18 to adjust too, to some of these parking minimums as well.

19 Okay. I really appreciate all the work that's
20 been done. The roundtable that you all had and all the
21 discussion you've had with the group and I appreciate it
22 being listed in the engagement that you all have had.

23 Looking forward to hearing from the public and I
24 appreciate everyone's position.

25 Let me see if my colleagues have any follow ups.

1 Anybody? No follow ups. Okay.

2 Thank you, Mr. Kirschenbaum, and Mr. Rodgers. Let
3 me -- we don't do, rule makers a lot, so I have to get the
4 agenda out. Let's see what's next. Give me one moment.

5 Sorry. We don't do many of them no more. I don't
6 think. All right. One second.

7 Ms. Schellin, do we have any other government
8 agencies that are here?

9 MS. SCHELLIN: No other government agencies. No,
10 sir.

11 CHAIRPERSON HOOD: Do we have any ANCs that are
12 here?

13 MS. SCHELLIN: No one signed up to represent an
14 ANC as a whole. We do have some SMDs that are here to
15 testify, but no full ANC representatives.

16 CHAIRPERSON HOOD: Okay. What I'd like to do, I'd
17 like to get a spectrum as I'm having discussion. I'd like
18 for you to bring up whoever you see, whether they support
19 opposition or undeclared.

20 Bring about four people up. Doesn't matter
21 whether it support, opposition, or undeclared. Just bring
22 them, let's just bring them up.

23 MS. SCHELLIN: Okay. All right
24 First, we have Peter Wood.

25 CHAIRPERSON HOOD: Okay.

1 MS. SCHELLIN: Jamila White, Paul Edwards, I'm
2 sorry, Paula Edwards, and Nick DelleDonne. That's four.

3 CHAIRPERSON HOOD: Okay.

4 MS. SCHELLIN: Mr. Young, are all four there?

5 MR. YOUNG: No. I'm missing Jamila.

6 MS. SCHELLIN: Okay.

7 MR. YOUNG: I was missing one of them.

8 MS. SCHELLIN: How about Cheryl Cort then? Is she
9 on?

10 MR. YOUNG: Yeah. She's on.

11 MS. SCHELLIN: Okay. So that gives us four.

12 CHAIRPERSON HOOD: Okay?

13 MS. SCHELLIN: All right.

14 CHAIRPERSON HOOD: I think the first name was Pete
15 Mr. Wood, Peter Wood?

16 MS. SCHELLIN: Peter Wood. He's a SMD
17 representative. And we just had Mr. Wood before us on the
18 only case we have in January.

19 MR. WOOD: We give them right after 15 hours.

20 CHAIRPERSON HOOD: Yeah. Mr. Wood. Nice to see
21 you this evening, you may begin.

22 MR. WOOD: You as well. I'll try not to take up
23 too much time. My name is Peter Wood. I am an Advisory
24 Neighborhood Commissioner in Adams Morgan.

25 I had hoped to go this before the full ANC, but

1 this wasn't really put onto my radar until basically,
2 inopportune timing, so I wasn't going to be able to get it
3 in front of our Commission.

4 I would subjectively guess that most, if not all,
5 commissioners would be on similar page as me, but I'm just
6 representing myself and my SMD tonight.

7 I don't have formal presentation or testimony to
8 present, but just some thoughts that kind of evoked were
9 evoked from this.

10 I wanted to testify in support of this proposal.
11 I find it encouraging and I liked the presentation a lot too
12 from OP. It really is encouraging to see the direction that
13 we might be going in or continuing to go in as a city.

14 As was alluded to, parking often evokes very
15 strong emotions in a lot of directions. So I try to be
16 delicate with it like a lot of other issues, but it's really
17 important.

18 And I also kind of realized I've spoken to a lot
19 of constituents about parking and affordable housing. I've
20 got my own personal experiences, but I wasn't super familiar
21 with peer-reviewed empirical research, so I kind of dug into
22 a little bit more of that to compliment that other stuff and
23 kind of reaffirmed some things that I suspected.

24 Implementing lower parking requirements in general
25 in most cities, at least in the west, leads to lower cost of

1 housing. I think these things are really directly
2 correlated or directly connected to each other.

3 A couple of interesting quotes that I heard. The
4 one is from the 2020 article in the Land Use Policy Journal.
5 It says or the authors say, "by eliminating parking
6 requirements, cities can enable more space for new housing
7 and allow that housing to be built more economically with
8 greater opportunities for affordable housing."

9 Of course, this is kind of speaking broadly where
10 this is a very specific case. I would say that -- I would
11 hope that this in the future kind of leads two additional
12 things that are on a similar vein of thought.

13 But at the very least, starting with this, which
14 is identifying ways to make it less expensive to develop
15 housing and presumably maintain housing that is affordably
16 and hopefully deeply affordable for people that are going to
17 not only be approximate to mass transit, but are
18 incentivized to use that as well as being able to presumably
19 walk to things.

20 Usually, mass transit attracts a lot of other
21 amenities and such and just kind of businesses where people
22 can walk or use wheelchairs or whatever to get around that
23 kind of micromobility. I think that's important to
24 consider.

25 Another quote that I thought was fascinating from

1 a 2015 article in the Economics of Transportation --
2 Economics of Transportation Journal. "When parking
3 requirements decrease congestion, they do so by decreasing
4 housing and population density around the location, not by
5 reducing the number of cars."

6 Which kind of ties in this idea that in the bigger
7 scheme of things we just basically contribute to sprawl
8 unless we're finding ways to contribute -- make density both
9 more common, but also smarter.

10 And the smarter point is important and I think
11 ties into what you all were saying earlier, which is that we
12 try to find the right balances of things. If just the shock
13 of completely transforming city, if it were possible, would
14 probably be too much.

15 We want to find kind of a pragmatic way to
16 eventually develop a city in the ways that can foster long-
17 term sustainable practice, which in my mind, it is to
18 incentivize people to not want to own or at least use cars
19 as often.

20 I think that's a good thing. I have lots of
21 constituents on a regular basis tell me that they -- many of
22 them are regular drivers, but not because they like it,
23 because it's a necessity.

24 And that's just an Adams Morgan. I know people in
25 many other neighborhoods as well where, as you're saying,

1 the transportation options are not always ideal, so people
2 take it into their own hands by owning a private motor
3 vehicle, which is really inefficient in a lot of ways,
4 especially when it comes to the space used as a city.

5 Just to kind of tie that up. Things like car
6 sharing, mass transit, accessible neighborhoods for vehicle
7 free pedestrians, bike infrastructure, those are really
8 important compliments.

9 For this, I think it's kind of kept in mind, but
10 like I was saying, hopefully, in the future, we can lead to
11 discussions of doing more of that, which is making it so
12 that people can have buildings that are cost effective to
13 construct and to live in.

14 I'm a renter who doesn't own a motor vehicle. I
15 haven't had one in four years. I never imagined that I
16 wouldn't have one, but it's possible. And I think that's
17 really what we need to do here.

18 And I think that's what this proposed change can
19 do is help shift the mentality for a lot of people who might
20 not consider what it's like to have a city that isn't car
21 centric.

22 And I know many people who are already on that
23 kind of vein of thought, but there's a lot of work to do.
24 And, yeah, I'll stop there. I have a lot more. I could go
25 on, but I really appreciate everyone's time and hope that

1 you approve this.

2 CHAIRPERSON HOOD: Okay. Thank you. Mr. Wood, if
3 you if you could hold around, we may have some questions for
4 the full panel.

5 MR. WOOD: Okay.

6 CHAIRPERSON HOOD: I think that, Ms. Schellin, was
7 it Commissioner Edwards or was it Mr. DelleDonne?

8 Okay. I see Mr. DelleDonne in front of me, so let
9 me go ahead with him and then I'll come back to you.

10 MS. SCHELLIN: After I'm sorry, Paula Edwards. It
11 was Paula Edwards. Yes. Is she on?

12 CHAIRPERSON HOOD: Okay. Yeah. I think it's
13 Commissioner Edwards, I think.

14 MS. SCHELLIN: It's Jamila White was not on, so
15 then it went to, Jamila White. I'm sorry.

16 CHAIRPERSON HOOD: Okay. Ms. Edwards, are you on?

17 MS. EDWARDS: Yes. My video isn't working, but,
18 I'm on. So.

19 CHAIRPERSON HOOD: All right. You may begin.

20 MS. EDWARDS: Thank you.

21 Thank you for letting me speak today and I really
22 appreciate all the work that went into this -- into this
23 rulemaking. It's obvious that people put the who put the
24 report together put in a lot of time to try to balance the
25 different issues.

1 I am, however, opposed to it. I think there's not
2 been enough consideration of the degree to which these types
3 of, how can I say, these types of approaches force people to
4 leave the District.

5 As you say, we have the lowest parking minimum in
6 the area. And there are people who do require automobiles
7 not as luxuries, not as entertainment, but they are
8 necessary to generate income and support their families.

9 And most of these are working people. So I was
10 able to take jobs in Gaithersburg and Chantilly and other
11 far-flung parts of the region because I had access to an
12 automobile.

13 And I think in some ways, if we insist on people
14 not having automobiles, especially working-class people,
15 we're institutionalizing poverty. We're forcing them to
16 rely solely on public transportation, which is limited in
17 scope.

18 And they are required to use that to get to jobs.
19 And as people have said, some of these commutes, because
20 they're using public transportation, are quite long, and
21 that reduces their hourly effective rates.

22 So the additional time that one takes to get to a
23 job has to be counted into the rate one is paid for eight
24 hours of whatever for that job, and it reduces the hourly
25 rate by up to 20 percent.

1 Also, I think we should consider the degree to
2 which we are privatizing gain and socializing risk. How
3 much are we pushing the costs of providing parking onto the
4 public balance sheet?

5 Because people will still get cars and then
6 there's more competition in the public realm for that public
7 parking space and the cost of public parking spaces.

8 So those are the kinds of things I'd like to see a
9 more robust discussion on because I don't think they've been
10 considered enough.

11 And I understand the arguments, obviously, that a
12 parking space could be used for housing, but also a parking
13 space represents the first generation.

14 Yes. I'm sorry. So that's basically my
15 testimony. Thank you.

16 CHAIRPERSON HOOD: Okay. Ms. Edwards, did you
17 give -- was that your closing thought?

18 MS. EDWARDS: Yes. That's fine.

19 CHAIRPERSON HOOD: Okay. If you can also stay
20 around when we have some questions for you?

21 MS. EDWARDS: I shall. Thank you.

22 CHAIRPERSON HOOD: Thank you.

23 Mr. DelleDonne?

24 MR. DELLEDONNE: Thank you. My name is Nick
25 DelleDonne and I represent DC Safe Streets Coalition, a

1 citywide organization, that was established to draw
2 attention to the harsh consequences of bike lanes and the
3 closure of traffic lanes.

4 And here, I think we offer a unique perspective on
5 some of the consequences of providing less parking in
6 buildings, particularly when the city is assiduously
7 reducing parking opportunities on the street.

8 The mayor's proposal would drastically reduce
9 parking requirements for developers and force residents to
10 find street parking, which is being removed by the Move DC
11 Program in the bike lanes.

12 I'm going to give you two examples. In our
13 personal experience on K Street, East of Mount Vernon
14 Square, the city has installed two bike lanes. They hug the
15 curb on both sides of the street and they have eliminated
16 parking opportunities there.

17 At the same time those blocks have nine-story,
18 housing units, that is subsidized. And the people there are
19 poor. They're seniors, and they may even have health
20 problems.

21 And their complaint was that their grandchildren
22 cannot visit them as they used to. And so this is one of
23 the unusual consequences of the city.

24 I think these two programs of reducing parking
25 converge and make the future rather bleak. We know from our

1 experience with COVID that socialization and isolation are
2 important factors to take into account.

3 And I'm going to give you yet another example on
4 the other side of the city. New Mexico Avenue is near
5 American University. And they also have had the
6 installation of bike lanes which remove parking.

7 And those people, though they are not poor,
8 suffer, they claim, that service people cannot park,
9 caregivers cannot park and deliveries have difficulty.

10 I would tell you that the bike lanes seem to be
11 designed devoid of any consideration of where deliveries are
12 going to park. They're an important part of our community.

13 They're important part of the traffic and the
14 traffic flow and so on. And that's basically what I wanted
15 to say is that there is a convergence here that makes things
16 worse than you might expect.

17 CHAIRPERSON HOOD: Thank you, Mr. DelleDonne. If
18 you can hold tight, we may have some questions for you as
19 well.

20 Ms. Schellin, who is the fourth person that we
21 have? Or is that it? Ms. Schellin?

22 MR. YOUNG: It was Cheryl Cort.

23 MS. SCHELLIN: Yes. Cheryl Cort.

24 CHAIRPERSON HOOD: Oh, okay. Okay.

25 MS. SCHELLIN: She's the last one.

1 CHAIRPERSON HOOD: Ms. Cheryl Cort.

2 MS. CORT: Thank you, Chairman. I'm Cheryl Cort
3 with the Coalition for Smarter Growth. I'm hiding out in my
4 closet from my very noisy children.

5 We want to express our support for the proposal by
6 Office of Planning, though offer a change as has been
7 discussed.

8 You know, first, I want to say our mission is to
9 advocate for walkable, bikeable, inclusive transit-oriented
10 communities as the most sustainable and equitable way for
11 the Washington D.C. region to grow and provide opportunities
12 for all.

13 I just want to first start out by saying
14 acknowledging Chairman Hood, we really appreciate the work
15 that you did on the zoning update of 2016. These were
16 significant changes to parking requirements and the burden
17 that parking was imposing on, housing, especially housing,
18 affordable housing.

19 And we appreciate the changes that were made
20 there. It solved many problems. It was helpful in many,
21 many ways. And so first of all, I just want to say that,
22 parking requirements are much lower and much more flexible,
23 in addition to being lower than the 1958 zoning code.

24 And so we recognize that as a, just a massive
25 improvement. And we just don't grapple with parking

1 requirements as a major impediment for affordable housing
2 the way we used to.

3 Nonetheless, parking is still expensive and
4 difficult to build, and there are situations where it can,
5 it can be a barrier. And so I think that Office of Planning
6 has sort of rightly come across or identified, smaller
7 buildings as that place.

8 We're constrained, sites where parking
9 requirements can really be an impediment to producing
10 affordable housing. And that's where, you know, consulting
11 with affordable housing developers, we really arrive that
12 we're close, but that really a 50-unit range looks like a
13 better upper threshold for exemption near transit.

14 And so, we would be pleased to see that as the
15 change made by the Zoning Commission. And, you know, beyond
16 that we would say that we don't really think we need any
17 parking requirements at all, but we don't think you are
18 there, Chairman Hood.

19 So we would like to reinforce our very practical
20 proposal of exempting smaller affordable projects. And, you
21 know, we recognize that people do need to have cars to get
22 to work, but also, interestingly enough, there's a lot of
23 people who don't have cars.

24 In fact, nearly half of Ward 8 Households don't
25 have access to a vehicle. So whether or not you build them

1 parking doesn't mean that that household actually can own a
2 car, and in which case, you actually are raising the cost on
3 housing, which people need more affordable housing.

4 And so we think that this is a reasonable approach
5 to do an exemption for smaller buildings. We think it
6 should be raised to 50 units. Thank you.

7 CHAIRPERSON HOOD: Okay. I want to thank you all
8 for providing different aspects and different testimony.

9 Ms. Cort, no, you're right. I'm not there all
10 the way because I will tell you why, and I'm coming along
11 slowly. I'm learning.

12 But I will tell you that back when we had this
13 conversation about bicycles and reducing parking, while
14 they may not come to this hearing, they see me in the
15 street.

16 And in the street, sometimes, it's kind of rough
17 when you hear Anthony Hood, I'm not -- what are they -- I'm
18 not riding a bicycle to my doctor's appointment. I'm 82-
19 years old or 83-years old.

20 So again, and that's why I like to hear, well, we
21 try to balance it. And I'm not throwing away what
22 Commissioner, I mean, what the Smarter Growth has been
23 working on because you all have done a lot of great work,
24 and I greatly appreciate it. I'm sure the city is better
25 for it.

1 It reminded me we might not always agree with it,
2 but I think that the city is better for it and we learn to
3 adapt. That's on thing about Washington, D.C., whether we
4 talk about bicycles, reducing parking, whatever the issue
5 is, we always learn to adapt.

6 So thank you for all the work you all have done.

7 Mr. DelleDonne, I'm not going to say anything
8 about bicycles. I have balanced myself from years ago when
9 I say something about bicycles, my former colleague has
10 convinced me that if I stay in shape when I get 80, maybe
11 I'll be able to ride my bicycle, but I don't know about to
12 any doctor's appointments.

13 I shouldn't have probably said that because I'll
14 be crucified for it tomorrow. But I think it's very
15 important, though, that what the Office of Planning has
16 done is balanced.

17 And Ms. Edwards. Ms. Edwards, I do have a
18 question for you. You were not in support. You think it
19 needs to be more discussion. How do you -- help me, how do
20 you see that?

21 I'm looking at who the Office of Planning has
22 already reached out to and had a roundtable.

23 Frist, let me back up, Ms. Edwards, did you
24 participate in the roundtable or did you know about the
25 round table?

1 MS. EDWARDS: I did not know about the
2 roundtable. No.

3 CHAIRPERSON HOOD: Okay.

4 MS. EDWARDS: I was not a commissioner then. I'm
5 very recently a commissioner.

6 CHAIRPERSON HOOD: Okay. So let me ask this.
7 What different would you have added? Just give me a sound
8 bite of something different you would have done, possibly?

9 It doesn't have to be --

10 MS. EDWARDS: I guess what bothers me, I guess,
11 about the conversation. It's kind of a, well, yes, they
12 have cars. Well, yes, people do -- people without a lot of
13 resources have cars and they use those cars to generate
14 income.

15 And it's kind of -- I just get this sense that
16 there's a middle-class lens, not even a middle class, an
17 upper middle-class lens being applied to reason that
18 working class people and other people have cars.

19 They don't have them just to get to work. They
20 have them to generate income. They use them not only to
21 get to primary work, but second and third jobs. It's a
22 necessity. It's not a luxury. It's not something that
23 they use instead of taking the bus or public
24 transportation.

25 It's a real -- there just seems to be kind of a

1 dichotomy in the way I hear the discussion going. And,
2 also, I'm wondering how many people here, you know, who are
3 testifying in support of this also have cars and they're
4 saying, oh, no, well, we don't want these other people to
5 have cars, but we have cars.

6 I just get that sense. I'm sorry. I could be
7 totally wrong. I could be reading it completely wrong, but
8 that's the sense I get.

9 So that's the difference I would have. I think I
10 would have more people who use cars as a necessity
11 testifying and maybe they already have, but I don't get the
12 sense that that's being conveyed here.

13 CHAIRPERSON HOOD: I think, Ms. Edwards, I
14 appreciate that. I think that we have a good balance here.
15 We have a no car organization. We have a bicycling car. I
16 think we have across the board representation.

17 And not just here, but at every hearing we have
18 that. And I've learned that over the years when I think I
19 made the statement, nobody's going to go to this grocery
20 store with ten bags on their bicycles and I found that not
21 to be true too.

22 So I think I think what we've done here and this
23 is why I wanted to come back to you because I think what
24 the Office of Planning has done is exactly what you -- we
25 know that some of the folks who may live in the affordable

1 housing units have cars.

2 And I think under the in their analysis, they
3 have included that in their findings. That's the way I
4 took that.

5 MS. EDWARDS: And you could, just one more thing
6 too. I think also are we considering again the degree to
7 which we're forcing people to leave the District because
8 they do depend on cars?

9 I don't know if they looked at that. Perhaps
10 they did. I didn't hear any testimony to that, but I know
11 people who had to move out of the District. I was born
12 here and people who've had to move out the District because
13 they don't have a place to park because they need their
14 cars to get to employment to generate income.

15 And the third thing I've not heard discussed is
16 the degree to which we're pushing costs onto the public
17 balance sheet from the private balance sheet. Those are
18 the only other issues that I have. Thank you.

19 CHAIRPERSON HOOD: Thank you. I thank you, Ms.
20 Edwards. And you and I can have this discussion because I
21 know, you know, the cars and we're talking about making
22 things affordable for people to even live here.

23 So that's a that's a wide discussion. I think
24 all the tools that we're using in the toolbox trying to or
25 will resolve, I believe, this is just me speaking not my

1 colleagues, I believe will resolve all of our issues, the
2 parking, the housing crisis, and other mode of
3 transportation.

4 So, that's just what I believe, but we got to
5 work towards that because if we just deal with people
6 leaving the city for parking, if they don't have a place to
7 stay, they're going to still leave. So we got to balance
8 all that.

9 So I'm going to leave it at that, Ms. Edwards.
10 Let's say again, and let me just recommend, because I would
11 like to know if you -- I'm not sure if you call the Office
12 of Planning and see what was said at that roundtable, if
13 you have time. If you have time.

14 Who else? Oh, Commissioner Wood. Okay. So I
15 heard your testimony. Okay. I've asked all four. I'm
16 good.

17 And thank you all. Let me see if my colleagues
18 have any questions or comments.

19 Let me go in reverse order this time.
20 Commissioner Stidham?

21 COMMISSIONER STIDHAM: No question or comments,
22 but thank you for all of you for coming tonight and
23 speaking with us.

24 CHAIRPERSON HOOD: Okay. And Vice Chair Miller?

25 VICE CHAIR MILLER: Thank you, Mr. Chairman. And

1 thank each of you for coming out this evening and
2 testifying and for your thoughtful comments.

3 Yeah. I don't see this as a -- I see this is a
4 balanced proposal. It's not -- it's not eliminating
5 parking generally, in any way, shape, or form. And I think
6 it's just removing one barrier, or reducing one barrier,
7 one burden to small affordable housing projects throughout
8 -- to be developed throughout the city.

9 And I think that, Mr. Chairman, the last thing
10 you said, yeah, people might leave the District for a
11 variety of reasons, but I actually have never heard
12 somebody say they're leaving the District because they
13 couldn't find a parking space, but maybe -- I'm sure there
14 are people, but I have heard many, many, many people of all
15 income levels, well, not all, of most income levels saying
16 they've left the District because they can't afford -- they
17 can't find a place that's affordable for their family to
18 live in.

19 And I think that's the number one civic priority
20 that's in the Comprehensive Plan that we've been trying to
21 address through a variety of cases and projects and zoning
22 decisions and deliberations.

23 And we all want to get there, to a livable city
24 that all income levels can afford to live in. So I think
25 this is a balanced approach and I appreciate the Office of

1 Planning bringing it forward, and I appreciate each of the
2 public's participation in our process and in the Office of
3 Planning's community engagement process.

4 So thank you very much.

5 CHAIRPERSON HOOD: Thank you. Commissioner
6 Imamura.

7 COMMISSIONER IMAMURA: Thank you, Mr. Chairman.
8 I don't have any questions, but just one remark.

9 I want to thank, Ms. Edwards, Commissioner
10 Edwards for her point of view and advocacy. I think it's
11 important to counterbalance the point of view of others.

12 And I think that's why the public process is so
13 important, to seek that balance from those that advocate
14 from one side to the other.

15 So I want to thank the four of you for
16 participating tonight and advocating on behalf of the group
17 that you represent for the community that you serve and the
18 work that you've done to serve that community.

19 So thank you very much. I think the big theme
20 tonight is balance and I think we've achieved that as Vice
21 Chair Miller had commented.

22 So, thank you, Mr. Chairman.

23 CHAIRPERSON HOOD: So I too, again, want to thank
24 the four of you because what I've noticed that everybody's
25 testimony was different and we appreciate it because all

1 the different components of everyone's testimony help us
2 get to a better outcome.

3 So, again, I want to thank this panel.

4 All right. Commissioner Imamura?

5 COMMISSIONER IMAMURA: Yeah. Thank you, Mr.
6 Chairman. Just one more comment.

7 Just wanted to also thank the four for their
8 Level of professionalism and civility. So we don't always
9 get that on the Zoning Commission.

10 Some of you have participated in hearings before
11 where things kind of unravel a little bit. So thank you
12 very much for the stability and professionalism you brought
13 tonight.

14 CHAIRPERSON HOOD: So Commissioner Imamura, I'm a
15 mess with you a minute. I want to hear you say that in the
16 next few days.

17 COMMISSIONER IMAMURA: Gladly, Mr. Chairman.

18 CHAIRPERSON HOOD: I going to call you to say
19 that, if it's appropriate. All right.

20 All right. Thank you all. We appreciate you.
21 Thank you.

22 All right, Ms. Schellin, if we can call the next
23 four?

24 MS. SCHELLIN: Yes, sir. Let's see, we have
25 Omari Hardy, Sheena Berry, and if she's not here right now,

1 we'll call her later because she thought she might be late,
2 Taylor Phillips. Trying to go to page two, and it doesn't
3 want to do it.

4 Let's try this again. And the last one is Naima
5 Jefferson. And, again, if Sheena Berry is not available,
6 she will weigh in as --

7 MS. BERRY: I'm available.

8 MS. SCHELLIN: Oh, she is on. Okay. Great.

9 MS. BERRY: I'm available. Thank you.

10 MS. SCHELLIN: That's the last of the witnesses,
11 Chairman Hood. There are no more.

12 CHAIRPERSON HOOD: Okay. Who did you call first?

13 MS. SCHELLIN: First is Omari Hardy, then Ms.
14 Berry, Mr. Phillips, and to finish it, Ms. Jefferson.

15 CHAIRPERSON HOOD: Okay. Let's go in that order.
16 Okay.

17 I forgot to say quick. I'm thinking about a
18 second. Who is the first person, Ms. Schellin? You call
19 him, Ms. Schellin. He's out there. I didn't write him
20 down.

21 All right. Let me, Mr. Hardy? All right, if you
22 can --

23 MR. HARDY: Yes, sir?

24 CHAIRPERSON HOOD: Go right ahead, please.

25 MR. HARDY: All right. Thank you. Well, I found

1 that some others said what I would have said this evening,
2 which is basically that it's very important, I think to,
3 you know, do what we can to make parking requirements
4 reasonable.

5 And what that means in this context and another
6 context is to lower parking requirements to make it easier
7 to, you know, create more housing doesn't matter right.

8 MS. SCHELLIN: If building is a matter of right.
9 They want to do --

10 CHAIRPERSON HOOD: Ms. Schellin, you need to
11 mute. You must be talking about another case. It's a
12 matter of right. I hope it's an easy one.

13 I'm sorry, Mr. Hardy, go right ahead.

14 MR. HARDY: No worries. I just think it's
15 important to lower parking requirements because that makes
16 it easier to bring more housing units in the city online.

17 You know, I also want to address some of the
18 things that I heard in, you know, others testimony and, you
19 know, I'm very appreciative of how folks are grappling with
20 this issue, you know, understanding that there are quality
21 of life issues, but also that, you know, the city has some
22 goals with respect to housing affordability.

23 And so, look, this is not really about making
24 people more reliant on public transit or making it
25 difficult for people who own cars to use cars or to store

1 their cars, or to get to work, right, or to get to their
2 doctor's appointment, and so on, right?

3 This is really about trying to get the most
4 housing units that we can with every opportunity that we
5 can because the overarching problem that the city has right
6 now, if we had to compare whether we have a problem of too
7 many, excuse me, of too few parking spaces or a problem of
8 too few places for people to live, like, the problem is the
9 latter, right?

10 We have too few places, you know, for people to
11 live. So like, this is not about insisting that people
12 rely on public transit. It's not about, you know, making
13 it more difficult, you know, for people to use cars. It is
14 simply, you know, about creating as many opportunities as
15 we can to get housing units online, you know, in the city.

16 And I just, you know, want to make a few things
17 clear. Like, parking requirements add to the cost of
18 building housing. This has been in the peer-reviewed
19 literature, but there's also a great GAO report.

20 It's from the Government Accountability Office
21 report 18-637, which talks about how parking requirements
22 increase the cost of building units, by literally tens of
23 thousands of dollars per parking space, right?

24 And so, you know, this is this is not something
25 that we want to burden anyone who's basically bringing deed

1 restricted affordable units, you know, to the city. And,
2 you know, this is also a plan that represents a middle
3 ground.

4 And I think the Office of Planning did a great
5 job at demonstrating that all the things that they could
6 have done, this is a pretty scaled back proposal. So, you
7 know, that's it.

8 We should be reducing parking requirements, we
9 should be making it cheaper to build affordable housing, we
10 should be creating more opportunities for people to live in
11 this city.

12 And I think this would do that and it would come
13 at no cost to the city whatsoever.

14 CHAIRPERSON HOOD: Okay. Thank you, Mr. Hardy.

15 Let's got to Ms. Bery. Sheena Berry,
16 Commissioner Berry?

17 MS. BERRY: Hello, everyone. Good evening.
18 Thanks for allowing me to speak and for letting me go on
19 later, as I had to work.

20 So I'm very happy to be here to speak on behalf
21 of some of the constituents who have spoken to me about
22 this issue. I represent single member district 2G05, and
23 which, you know, is near the Convention Center, and parking
24 is certainly an issue in our area.

25 I'm opposed to reducing the parking requirement,

1 and several of my concerns have been expressed prior with
2 other commissioners who have spoken. But I would like to
3 draw attention to something that I felt like no one really
4 focused on in my opinion, and that was the racial equity
5 lens map that was shown with the purple around it.

6 And if you'll notice on the outskirts of the
7 city, there is a significant amount of purple. And what I
8 also noticed is, while Commissioner Edwards brought up and
9 several other people have brought up that, people need
10 their vehicles to not only get to work, their primary job
11 or their secondary job, or they might also need to take a
12 bus to a train stop.

13 We also know that we suffer from a public safety
14 issue in Washington D.C., having a place to park your
15 vehicle and the safety of having the parking spot does so
16 much for a community, especially someone who is living in
17 affordable housing who might live in those darker purple
18 areas that are not the center of this conversation for some
19 reason.

20 There was a constant referral to how this is a
21 focused small segment, and I think that that's an issue.
22 There are so many people whose quality of life is impacted
23 by their commute.

24 And I just think that, D.C. is certainly and I'm
25 not sure why the Zoning Commission proposed to eliminate to

1 -- well, to reduce the parking requirement. As
2 Commissioner Edwards says, it does pull people, especially
3 it definitely created a huge amount of gentrification in
4 Ward 2.

5 I know for a fact, as someone who's lived here
6 over 20 years, to cause them to be pushed further out to
7 the darker purple parts if you have access to that racial
8 equity lens that was provided at the beginning of this
9 presentation.

10 And I mean, I know that will be -- you probably
11 have access to it, maybe not everyone who's on the call can
12 look at it at the moment, but it's significant. And a lot
13 of those people deserve to have -- until it's -- at least
14 until they have, you know, access to more transit, safer
15 transit, and shorter commute times, that they should not --
16 we should not be reducing the parking requirement for
17 families.

18 People need their cars to get to and fro. Having
19 reduced parking or, you know, making that a burden onto the
20 community, it pushes older people with disabilities out,
21 families. I'm a mother of three and I have children in
22 high school, middle school, and elementary school.

23 It is almost impossible to not live in D.C.
24 without a car, and they each go to three different schools
25 throughout the city. So it is a very difficult task. And

1 I would like for you to consider the needs of those people
2 and not just focus on the commuter, that it seems like D.C.
3 is trying to attract, which is the person who is, you know,
4 physically able to just, you know, take all the public
5 transportation and close to it and because it definitely
6 does not consider the whole scope of all D.C. residents.

7 And so that was, basically all I wanted to say
8 that had not been touched on. I hope you consider some of
9 the things that I brought up and definitely certainly look
10 at that racial equity map and consider the dark purple, the
11 darker purple areas of the people who have longer commute
12 times.

13 CHAIRPERSON HOOD: All right. Thank you. Okay.
14 Commissioner.

15 Let's go to Naima Jefferson.

16 Ms. Schellin, is Jefferson still on?

17 MS. SCHELLIN: Well, she was in the list earlier.

18 And --

19 CHAIRPERSON HOOD: I missed one name. there's
20 another name.

21 MS. SCHELLIN: I see Naima Jefferson on. Yes.
22 Did you get -- yes.

23 MS. JEFFERSON: Hi. Thank you.

24 CHAIRPERSON HOOD: Go right ahead.

25 MS. JEFFERSON: I was -- how are you doing.

1 Good afternoon, members of the Zoning Commission.
2 I am here to express my opposition to the text amendment,
3 and I clearly want to focus on the proposed reduction of
4 parking requirements for publicly assisted housing.

5 In my opinion, the proposal fails to consider
6 many other important aspects of the issue. Case in point,
7 the report indicates that, you know, smaller buildings of
8 40 units for less tend to have the greatest difficulty in
9 providing parking due to their lot size, so on and so
10 forth.

11 However, it ignores the fact that those same
12 smaller buildings are located close to residential
13 neighborhoods in which there's already constraints and
14 challenges as it relates to on-street parking.

15 The proposal also doesn't seem to account for
16 that this was already considered in the 2016 zoning
17 regulation. And that's also similar to Commissioner
18 Edwards' testimony.

19 It creates somewhat of a caste system as it
20 relates for parking. What is supposed to be for identical
21 housing options in terms of design and amenities, and as a
22 result, this goes against the core principles of
23 inclusionary zoning and even the Comprehensive Plan Policy,
24 H-11.5 for housing quality, which stresses equity in design
25 and amenities for residents.

1 We already know that there are challenges that
2 exist in administering and enforcing inclusionary zoning,
3 and this would only exacerbate this problem as it fails to
4 consider the practical operational and policy problem with
5 subjecting developers and regulatory bodies to two
6 different sets of requirements for which should be
7 identical housing options.

8 And also, the proposal was discriminatory in
9 nature. It provides a one size fits all approach for
10 affordable housing. And as, Ms. Berry mentioned, it fails
11 to consider the marital, family, or disability status that
12 could be tied to the type of affordable housing.

13 There's also inconsistencies that I noted, with
14 the Comprehensive Plan. And the report that OP Provided
15 failed to cite some relevant information and policies that
16 are found in the framework, economic development, and
17 transportation element.

18 And for some of the newer commissioners, and
19 Office of Planning may know this, I, in my individual
20 capacity as well as when I was the president of the
21 Shepherd Park Citizens Association, submitted more
22 amendments to the Comprehensive Plan than anyone else did.

23 So I'll just say -- I'll just, at a very quick
24 level, cite them, and I'll put them in my written
25 testimony.

1 And then also the proposed one to 40 ratio as
2 well as the one to 50 that the coalition is providing, it
3 doesn't seem to take into account that we need to support
4 the current land uses as well as make it accessible.

5 And lastly, it seems to, despite the evidence
6 that there doesn't seem to be anything that supports that
7 there are other viable alternatives. They've mentioned
8 making it close to public transportation, but that also
9 does not consider the uniqueness of the route in which
10 individuals have to take to get to those modes of
11 transportation.

12 And this is considered in the Comprehensive Plan
13 and supports why, you know, the special exception process
14 is the better route to take to achieve these goals.

15 And then lastly, there's just some administrative
16 procedures things related to, like, the \$50,000 that it
17 says that is an approximate cost.

18 You know, there's no information that provides
19 the basis except anecdotal hearsay and, you know, the
20 comment that was on the record from OP that parking was
21 expensive to provide.

22 However, there's no data as to how much parking
23 cost relative to AMI and whether the location of parking,
24 it means the egress, the type of parking, is it handicap or
25 standard parking, nor does it establish the net worth of

1 all property developers nor the amount and types of other
2 public incentives that are offered to the property owners
3 in receiving such a tax abatement that are located in the
4 opportunity zone.

5 And so this is therefore such a broad brush
6 statement that it's expensive. Expensive is relevant. We
7 all know this. And so without this information, it kind of
8 makes it questionable as to whether there's sufficient
9 evidence to support this.

10 And lastly, the data. Some of the data, it's
11 just old. You know, the world has changed. Using data
12 from 2015, 2016, is not sufficient in supporting some of
13 these conclusions that have been drawn.

14 And I'd like to see more robust data. I'd like
15 to see more current data and I would also like to see that
16 OP actually reached out to the residents who live in
17 properties that are managed by some of the groups that they
18 talk about, such as JDOT, which manages then part of
19 Abraham Paul at the park that Walter Reed to talk to those
20 specific residents about parking and how it impacts their
21 life.

22 And from what I know, from ANC 4A and
23 Commissioner Edwards is a commissioner there, that the
24 folks, you know, south of Aspen Street have complained that
25 the folks just park in the neighborhood.

1 You know, that doesn't help the situation. And
2 so I think we need to think about this in a different way
3 And think about ways in which we could execute on housing
4 goals without making everything about transportation and
5 look at the root cause of problems.

6 So thank you very much for you time today.

7 CHAIRPERSON HOOD: Thank you.

8 Ms. Schellin, do we have one other person?

9 I think there was on other person, correct?

10 MS. SCHELLIN: Yes. I think those were the only
11 people -- they were the only people who had signed up. So
12 we got Ms. Berry, Mr. Hardy --

13 CHAIRPERSON HOOD: Right.

14 MS. SCHELLIN: Ms. Jefferson --

15 MS. PHILLIPS: Wasn't there a Taylor Phillips?

16 MS. SCHELLIN: And Mr. Phillips. Yes. yes.

17 CHAIRPERSON HOOD: I didn't hear Taylor Phillips.
18 Taylor Phillips.

19 MS. SCHELLIN: Taylor Phillips.

20 CHAIRPERSON HOOD: I didn't get Taylor Phillips.
21 Okay.

22 MS. SCHELLIN: Oh, okay.

23 CHAIRPERSON HOOD: You may begin, Ms. Phillips.

24 MS. PHILLIPS: Okay. Great. Thank you. Can you
25 hear me okay?

1 CHAIRPERSON HOOD: Yes, we can.

2 MS. PHILLIPS: Awesome. Great.

3 Good evening, Members of the Commission and thank
4 you for the opportunity to testify.

5 I'm just going to share some brief remarks, some
6 of which has been mentioned previously, but my name is
7 Taylor Phillips and I'm the Director of Public Policy of
8 Hand.

9 And HAND is a regional membership collective of
10 over 450 organizations, working across the private, public,
11 and social sectors to collaborate in the production and
12 preservation of affordable housing in the capital region of
13 Washington, D.C., Baltimore, and Richmond.

14 And I'm here to express our support for the
15 proposed changes in this case, but request one modest
16 change and that is the increase in the number of exempt
17 affordable units from 50, from 40 to 50.

18 A key part of Hand's work is our housing
19 indicator tool. So this is a platform that tracks local
20 housing production and preservation in the region. And the
21 targets using these tools for D.C. call for production of
22 374,000 net new housing units between 2015 and 2030 to
23 adequately address the region's affordable housing crisis.

24 And these targets are benchmarked based on the
25 Metropolitan Washington Council of Government's 2019

1 regional housing targets, which the District of Columbia
2 has adopted in a commitment to meeting the region's unmet
3 housing needs.

4 And further, Mayor Bowser's goal of creating
5 36,000 new homes by 2025, and 12,000 of which are to be
6 affordable, you know, really speak to the District's
7 commitment to meeting this critical need.

8 And so as HAND members strive to build more
9 affordable housing in D.C., there are increased operating
10 and construction costs, limited sites, and inadequate
11 funding mechanisms, and they create an increasing
12 challenge.

13 And part of parking requirements are an important
14 issue for our members. Required levels of parking can be,
15 as folks have talked about already, can be unnecessary for
16 future residents served at times and can render a project
17 infeasible.

18 And this is especially true for smaller projects
19 where the margins are really thin. And so in areas well
20 served by transit and accessible to services, reduced
21 parking is often a practical option to make a project
22 financially feasible, where there are opportunities for
23 transit and it's anticipated to have lower, parking
24 ownership rates.

25 And so while the District has generally low

1 parking requirements, they can still drive up costs and
2 make projects unfeasible. And so we our members have
3 expressed interest in revising parking requirements to
4 allow more flexibility to better fit the unique needs of
5 each site and we want to express our support for the
6 proposed change to exempt smaller affordable buildings from
7 the current parking requirements.

8 However, we do think that the threshold being
9 raised a bit just slightly to 50 units would be a better
10 fit for typical small constrained site conditions. And we
11 think this amendment is a balanced solution that's -- will
12 make affordable housing development easier in the District
13 while not, you know, completely getting rid of requirements
14 across the board.

15 And we appreciate your consideration of making
16 this shift at a time when we feel we really can't afford to
17 create any additional barriers for neighbors seeking more
18 equitable and affordable housing opportunities.

19 And that concludes my comments on behalf of Hand,
20 and I thank you for the opportunity to testify.

21 CHAIRPERSON HOOD: Thank you. I want to thank
22 this panel and I will say the same thing for this panel as
23 I said for the previous panel.

24 There were different views, data was mentioned.
25 Commissioner Berry did bring up about the three kids,

1 having three kids and I know a lot of mothers and fathers
2 who have to go to three or four different schools.

3 And, you know, I just don't know where this gets
4 us. I just -- I do know there's data out there, especially
5 when it comes to we had this discussion some years ago
6 about bundling and unbundling parking.

7 That's a total bigger picture. So this is going
8 to be a discussion where I'm hoping everyone stays engaged,
9 depending upon what the Commission is going to do here.

10 I don't know if I'm with increasing it as has
11 been mentioned because for the simple fact that we've heard
12 from our commissioner from Ward 4, Ms. Paula Edwards and
13 then, Ms. Naima Jefferson, and then I heard from Ms. Berry.

14 So if for me, and I'm just saying this out loud
15 right now for me to even push it even more when we don't
16 know what the unintended consequences.

17 I know where my colleagues are and I know I'm
18 outnumbered, but I just you know, I'm fine, but let's see
19 if we move forward with this. So pinpoint what we do with
20 this. I'd like not go too far.

21 And I know this Ms. Cort knows I've always --
22 I've been coming along with this slowly because I do
23 believe -- one thing I've always said over the years, we
24 all can coexist.

25 The question is do we make sure we have parking,

1 but do we also make sure that people are able to afford and
2 be able to stay in this house, in this in this city? Is
3 the parking -- and I think I've heard over I have enough
4 data whether it's old or young because the data has not
5 changed on parking spaces in the city.

6 It's always the case for developers. And I think
7 the Office of Planning has plenty of data on the increase
8 of units and dealing with parking. Now, the assessment,
9 now I'm hearing that we can get more affordable housing if
10 we relax what we're doing here today.

11 So I know that data has not changed. That data,
12 as far as I'm concerned, the data might have changed, but
13 the process of being able to get it done has not changed.

14 So that's where I am and I know I ramble, but
15 it's just an issue that, again, I think this may be the
16 right balance. And if not, I'm always in tune to, you
17 know, pulling it back, lessening, or even increasing it, as
18 what's been stated.

19 But anyway, I want to thank this panel. You give
20 us a lot of food for thought. A lot of discussion. Things
21 that I would like to -- I going to probably ask the Office
22 of Planning one or two more questions on this, but let me
23 turn it over to my colleagues and go back in the other
24 order.

25 Commissioner Imamura?

1 COMMISSIONER IMAMURA: Thank you, Mr. Chairman.
2 I don't have any questions or comments, other than, you
3 know, I'm certain that, the Office of Planning probably
4 used the latest or most updated published data available,
5 knowing that if they had used old data, we would ask them
6 to go back and look at this again and provide a new report
7 with the most current data.

8 So I have a level of confidence that we're making
9 a sound judgment based off of the most current updated
10 published data.

11 CHAIRPERSON HOOD: Okay. Vice Chair Miller?

12 VICE CHAIR MILLER: Thank you, Mr. Chairman.
13 Thank each of you for your testimony.

14 Ms. Phillips, excuse my ignorance, I had not
15 heard of your organization before. And had -- I'm going to
16 look at the housing indicator tool that you -- your written
17 and verbal testimony alluded to to learn more about your
18 work.

19 But how long has HAND been in existence? And
20 have you -- you may have testified before us before, and I
21 just didn't remember. Can you just enlighten me on Hand's,
22 involvement in District affairs previously.

23 MS. PHILLIPS: Yeah. Happy to. This is my
24 first-time providing testimony, but HAND has been around
25 for -- HAND this has been around for almost three decades

1 at this point.

2 And so have been engaged with a variety of our
3 members. We have a lot of members in the District area
4 that spans the non-profit developer space. We have for
5 profit developers. We have a variety of organizations that
6 are in the affordable housing space.

7 And so I referenced our HIT Tool, and that came
8 about in -- it was launched in 2021, but the work with the
9 Metropolitan Council of Governments and various groups to
10 get that off the ground started well before that, and HAND
11 was engaged in the last, like, Comprehensive Plan rewrite
12 and providing feedback on that.

13 So we have been engaged in the District housing
14 space for a bit of time now, but I am newer to the team.

15 VICE CHAIR MILLER: Well, we're happy to have you
16 here and I appreciate you bringing forth that information.
17 And I will do my own due diligence and look at your Housing
18 Indicator Tool. And so thank you for being here. And
19 thank each of the citizens, your fellow citizens who have
20 testified here this evening.

21 You provide valuable testimony, and we appreciate
22 it. Thank you.

23 MS. PHILLIPS: Thank you for having us.

24 CHAIRPERSON HOOD: Okay. I too want to thank
25 everyone on this panel as well, like I said previously, and

1 also the panel previously.

2 So I want to thank this panel just like I thanked
3 the other panel. We appreciate all the information,
4 valuable information that you've given us, regardless of
5 where we fall or don't fall, we appreciate it because it's
6 always been -- it's always helpful.

7 We get a better outcome, I believe. All right.
8 Thank you to this panel.

9 Ms. Schellin, do we have anybody else who'd like
10 to testify? Support, opposition or undeclared?

11 MS. SCHELLIN: Ms. Jefferson was the last one on
12 the list.

13 CHAIRPERSON HOOD: Okay. All right. All right.
14 So let me just ask, Mr. Kirschenbaum to come back. I have
15 one quick question.

16 This is not typically our normal procedure, but I
17 just want to -- Mr. Kirschenbaum, I'm sure you have, as my
18 colleagues have already mentioned, but something that
19 struck me, when we did this analysis, and I believe I'm
20 sure you probably have, but I want to ask it.

21 Ms. Berry mentioned about how she has a number of
22 kids. But let me not make it personalized. Let me just
23 say, the ladies and gentlemen in this city who have three
24 or four schools they got to get to.

25 In your calculations and in this analysis to a

1 certain point was did we kind of try to think of all those
2 things outside the box even though we said it's a narrow
3 scope, but all those things that are like I said earlier,
4 unintended consequences with this?

5 Did we think about that? And I'm trying to draw
6 the connection. But was that also not necessary
7 specifically, but issues like that considered as we move in
8 this direction?

9 MR. KIRSCHENBAUM: We did. I mean, I can
10 reiterate the proposal only applies when you are within a
11 half mile of the Metro line and a quarter mile of the
12 Streetcar or a bus priority route.

13 And quite frankly, the way the zoning regulations
14 are written, this really wouldn't apply to the bus priority
15 routes at all. So it's really just Metro, half mile, and a
16 quarter mile from the Streetcar.

17 Again, this is tailored to very small projects
18 where given the size of the land, it's not possible to
19 provide oftentimes, it's not even possible to provide the
20 parking on those properties.

21 And so this is to get affordable housing
22 developments that would probably otherwise need to go to
23 the Board of Zoning Adjustment for relief because the
24 parking cannot be physically provided.

25 And, you know, we have heard from affordable

1 housing developers that they often do not like going to the
2 Board of Zoning Adjustment because it significantly
3 increases their soft costs, and so they'll just walk away
4 from an opportunity altogether.

5 So again, this is trying to bring -- this is
6 trying to create sort of more opportunities for these
7 smaller projects whereas, I believe someone mentioned that
8 the, you know, the profit margins are slim, and again,
9 account for the fact that, you know, there's a lot of
10 inequity in our public transportation system.

11 And if the Commission remembers that again, like
12 I said, this proposal is a hybrid of a proposal that was
13 proposed by another agency. That proposal did not tie this
14 at all to public transit.

15 It was just a wholesale proposal to affordable
16 housing and it essentially invalidated the existing special
17 exemption that existed.

18 So we have really tried to make this a proposal
19 that, you know, is based in equity and is based in the
20 realities of our public transportation system, which again,
21 if you -- that map, the purple map is really stark with,
22 how many parts of the District need better transportation,
23 especially areas where people are of more modest means and
24 have disabilities.

25 It's again, like I said, this is a balancing act.

1 CHAIRPERSON HOOD: Thank you, Mr. Kirschenbaum.

2 I'm going to ask this last question. I don't
3 want to sound redundant, like I'm cross examining you and
4 keep going on and on, but I do want to ask you this.

5 Ms. Jefferson mentioned about neighborhoods and
6 hopefully I can get this right. I think you've heard we
7 all heard her and I know you did. Neighborhoods that live
8 next to an affordable project. And the -- what's going I
9 think she mentioned one that's at the Walter Reed, how
10 people are parking now because of the lack of access or
11 lack of parking on a specific project, they are now parking
12 in the neighborhood.

13 Through all of this and I know we can go one way
14 or the other, through all of this was that also, that type
15 of situation, and I might not have characterized it
16 correctly, but I get the gist of it. Did that also go into
17 your analysis?

18 And you hold on. Let me back up. I want to make
19 this point. You're exactly right. What was going to be
20 proposed to us at first, we wouldn't have been have none of
21 this conversation.

22 We would probably had a much broader one. But in
23 -- and that did you all also include that in your analysis
24 as well? That type of --

25 MR. KIRSCHENBAUM: Well, yeah. Not to sound

1 repetitive, but again, yes. Because this is a proposal
2 that is tied to access to high, sort of what we call, sort
3 of high-density public transportation.

4 CHAIRPERSON HOOD: Okay. Thank you for that.
5 Commissioner Stidham.

6 COMMISSIONER STIDHAM: I just had a follow-up
7 question for Mr. Kirschenbaum.

8 So the other the other criteria, in addition to
9 be near transit, the other one is it's publicly funded,
10 correct?

11 MR. KIRSCHENBAUM: Correct. So this would, yes.

12 COMMISSIONER STIDHAM: So in the realm of
13 projects that would fit within this criteria, say the
14 number was 50 units and below, does your analysis take a
15 guess about how many projects we're talking about that this
16 would make a change for?

17 MR. KIRSCHENBAUM: I think Mr. Rodgers probably
18 would be better at answering that question than me.

19 Mr. Rodgers?

20 MR. RODGERS: So in our conversations with
21 developers, nonprofit, and for-profit affordable housing
22 developers, and our analysis of the BZA cases, it's really
23 the small projects. And because of the -- it's not just
24 the number of units, but the size of the land, that it
25 makes it very difficult to provide the parking.

1 And so with the larger -- I think our conclusion
2 was with the larger projects, it was often easier for them
3 to provide the parking, and also the number of units that
4 they would have reached a threshold where we would be
5 concerned about the parking issues.

6 And so I think those were the two factors that
7 really weighed in our analysis and our recommendations.

8 COMMISSIONER STIDHAM: So, maybe my question
9 wasn't clear. I'm trying to get a sense of the range or
10 the numbers of projects we're talking about. There's
11 probably a large number of projects that are 50 units or
12 below or that are close to transit but aren't publicly
13 funded.

14 So I'm trying to get a sense of, you know, how
15 many projects are we talking about in any, like, given year
16 are publicly funded and meet the other criteria? I'm just
17 trying to get a sense of the scale.

18 MR. RODGERS: Yeah. Yeah. So, I will say that
19 usually, there is a minimum threshold for a publicly funded
20 project, just because of the economies of scale, the way
21 they're financed through the tax credits, that generally, a
22 small affordable project will be maybe 30 units.

23 We don't see very many smaller than 30. And so
24 30 and often what they're going to do is they're going to
25 pair those with other small projects --

1 COMMISSIONER STIDHAM: Yeah. I hate to interrupt
2 you but I --

3 MR. RODGERS: -- to make it fit within the tax
4 credits.

5 COMMISSIONER STIDHAM: I'm just, I understand all
6 of that. Is it 10 projects? Is it 50 projects in a realm
7 of a year that would meet this criteria? Just estimating
8 on the research that you did.

9 COMMISSIONER IMAMURA: If I could add, I'm sorry
10 Mr. Rodgers. I think what Commissioner Stidham is getting
11 at here is how many projects did you look at, and what was
12 the time frame? How many years did that span?

13 That would give us a rough estimate sort of the
14 projects perhaps that we're looking forward in the future,
15 several, to her question.

16 MR. RODGERS: Yes. So similar to the BZA
17 analysis, we went back to the properties that were the
18 DHED's properties that were funded going back to 2016. I
19 don't have the numbers in front of me right now as to the
20 what was typical size.

21 I do know the range of size, as I said, goes from
22 30 and on up. There are large projects.

23 COMMISSIONER IMAMURA: How many, I think is
24 what --

25 MR. RODGERS: Oh --

1 COMMISSIONER STIDHAM: Yeah. Not the --

2 MR. RODGERS: As I said, I don't have those
3 numbers in front of me, so we'd be happy to answer that in
4 a supplemental.

5 COMMISSIONER STIDHAM: Okay. Great. Thank you.
6 I'm just trying to get a sense of scale on number of
7 projects. That's all.

8 CHAIRPERSON HOOD: Okay. And I think that will
9 be good. My colleagues will indulge me. I wanted to go
10 ahead and try and deliberate, but I know, I think -- let me
11 ask this, to my colleagues.

12 Is this still on the table to increase, as has
13 been mentioned? I notice, I think I've heard all three of
14 you fine with, okay with increasing, but I think also
15 Office of Planning said that they would need to go back and
16 do an additional analysis and not just say off the cuff.

17 So why don't we do that with what Commissioner
18 Stidham just asked for and Commissioner Imamura, the
19 projects, the number of projects that have been done and
20 what they looked at and get that number.

21 Give me a little more time to think about and if
22 I can get on board with the three of you, we really -- you
23 don't need me. But I don't want to vote against this
24 because I think it's balanced, but I don't know if I'm
25 ready to vote in favor of this with the increase yet.

1 So that's kind of where I am. Let me hear from
2 others.

3 Commissioner Imamura?

4 COMMISSIONER IMAMURA: Thank you, Mr. chairman.
5 You know, I think I'm on board, Mr. Chairman, with your
6 measured approach. I know that, you know, the public is --
7 that there's a number of letters of support for pushing
8 from 40 to 50.

9 As Mr. Kirschenbaum and Mr. Rodgers have stated,
10 that's, you know, that additional increase wouldn't
11 necessarily be detrimental, but probably also not very
12 impactful either.

13 So there's a reason why they put forward 40. I'm
14 open to, you know, moving that threshold a little bit
15 higher, but, you know, I think, given what we've heard
16 tonight, and again, this is a very narrow focus, as Mr.
17 Kirschenbaum has stated, you know, I'm comfortable with
18 moving forward as proposed.

19 CHAIRPERSON HOOD: Thank you.

20 Commissioner Stidham?

21 COMMISSIONER STIDHAM: I tend to agree with
22 Commissioner Imamura. I would like to understand the
23 impacts of raising the number and if that makes sense. But
24 I could move forward with it as it is proposed too.

25 I do want to make sure that we are applying it to

1 the full range that it makes sense to do so.

2 CHAIRPERSON HOOD: Okay. And Vice Chair Miller?

3 VICE CHAIR MILLER: Thank you, Mr. Chairman. I'm
4 on my phone tonight, so it's a little technically
5 challenging. I tried to get on my laptop, but anyway, I
6 look forward to the supplemental report from the Office of
7 Planning to respond to the suggestion to increase that
8 threshold exemption for small building from 40 to 50.

9 And, I think I have not heard anything tonight,
10 but if there's something that would be harmful with that.
11 It's hard to always quantify what doesn't happen so I look
12 forward to the information that we requested and the Office
13 of Planning has said they would provide in a supplemental
14 report.

15 It would also be useful, but I don't think
16 it's -- I think it's hard to quantify all the cases that
17 didn't come forward to the BZA as special exceptions to
18 relieve themselves of the projects, to relieve themselves
19 to the parking requirements where they might have produced
20 affordable housing because they just didn't even want to
21 bother to go to the expense of the special -- of that
22 process even though in the NZ and zoning in Revision 16, we
23 made that a special exception process as opposed to a
24 variance process to make it easier even though it's
25 economic hardship, which is the criteria there.

1 But if there's any data they can provide on how
2 many special exceptions have come forward, I think it's
3 less than a handful. It's a handful or less that have come
4 forward and -- but it's hard to quantify how many projects
5 didn't even go forward because they just didn't think it
6 was worth it.

7 But if they have any information on that, that
8 would be helpful. So I, yes, I'm open. I think it's a
9 very modest proposal that's before us tonight. I think
10 it's a modest amendment requesting the exemption threshold
11 before the parking requirements kick in, to go from the 40
12 affordable units to 50.

13 And remember, these are affordable units that are
14 beyond whatever inclusionary zoning would require and
15 they're publicly assisted and they're near public transit.

16 So the number one civic priority, as many have
17 mentioned here, is affordable housing for all income
18 levels. And this is one modest proposal to try to get at
19 that.

20 So I look forward to the additional information
21 in our future deliberations. Thank you, Mr. Chairman.

22 CHAIRPERSON HOOD: Thank you. I've been reminded
23 it's a two-vote case, but I think the two things are
24 significant, before we take even take the first vote.

25 But I think, unless others feel differently,

1 because I do want to -- I do want to make sure that the --
2 give the Office of Planning the opportunity to look at that
3 40 to 50. Even though I know they said off the cuff, and
4 then also what Commissioner Stidham has asked for.

5 I think we are within reason to hold off any
6 action until we get that information, unless I hear
7 disagreement.

8 All right, so we'll move in that fashion.

9 Anybody else have any closing remarks or
10 comments?

11 All right. Mr. Rodgers and Mr. Kirschenbaum,
12 thank you all for your report. A lot of work was put into
13 this and a lot of time, so we thank you and the Office of
14 Planning for all your hard work on this.

15 Also, before I forget, I want to make sure I
16 thank those who took the time to write something in the
17 record, and also, those who took the additional time to
18 come down in front of this evening.

19 We will be deciding this case at another time.
20 So I'm going to have to turn it over to Ms. Schellin to
21 come up with some dates.

22 MS. SCHELLIN: Yes, sir. I would ask OP how much
23 time they feel they need to provide the responses that the
24 Commission asked for?

25 MR. KIRSCHENBAUM: Could we have three weeks?

1 Does that work, Mr. Rodgers?

2 MR. RODGERS: Yes, I believe we can do that.

3 MS. SCHELLIN: Okay. That would put you to 3
4 p.m. February 26th. Then we can put this on the
5 Commission's first meeting in March, which will be March
6 14th at 4 p.m.

7 You want to -- do you think you need an extra
8 week? We can give you an extra week if you think you need
9 it?

10 MR. KIRSCHENBAUM: I'm looking at the three-day
11 weekend we have coming up. Can we have one more week,
12 please?

13 MS. SCHELLIN: Yeah, because there is a holiday
14 in there, that long weekend.

15 How about March 4th at 3 p.m.?

16 MR. KIRSCHENBAUM: That would be perfect. Thank
17 you.

18 MS. SCHELLIN: Okay. And then we can still put
19 this on for March 14th at 4 o'clock on the Commission's
20 first meeting agenda in March. Okay?

21 CHAIRPERSON HOOD: All right. Do we have
22 anything else, Ms. Schellin?

23 MS. SCHELLIN: No, sir.

24 CHAIRPERSON HOOD: All right. The Zoning
25 Commission -- and again, I want to thank everybody for

1 helping us with this case and participating, as I said
2 earlier.

3 The Zoning Commission will meet again February
4 the 8th of 2024. It's our regular meeting and it looks
5 like we only have two things on the agenda.

6 So that's going to be a very short meeting. Oh,
7 well, anyway. Okay. So we will meet again February the
8 8th and we do have more than two things on the agenda.

9 So with that I want to thank everyone for their
10 attention to this hearing tonight and with that, this
11 hearing is adjourned. Good night, everybody.

12 (Whereupon, at 5:53 p.m., the above-entitled
13 meeting was adjourned.)

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REPORTER CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: Public Meeting

Before: D.C. Zoning Commission

Date: 02-05-24

Place: Teleconference

was duly recorded and accurately transcribed under my

direction; further, that said transcript is a true and

accurate record of the proceedings.

A handwritten signature in dark ink, appearing to read "Gary Euell", is positioned above the printed name.

Gary Euell