

GOVERNMENT OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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REGULAR PUBLIC MEETING

+ + + + +

THURSDAY

JULY 10, 2025

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

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson
ROBERT E. MILLER, Vice Chair
JOSEPH IMAMURA, Commissioner
GWEN WRIGHT, Commissioner
TAMMY STIDHAM, Commissioner

OFFICE OF ZONING STAFF PRESENT:

PAUL YOUNG, Zoning Data Specialist
ELLA ACKERMAN, Acting Secretary

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

HILLARY LOVICK, ESQUIRE
DENNIS LIU, ESQUIRE
JACOB RITTING, ESQUIRE

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OFFICE OF PLANNING STAFF PRESENT:

JOSHUA MITCHUM
JENNIFER STEINGASSER
JOEL LAWSON

The transcript constitutes the minutes from the
Regular Public Meeting held on July 10, 2025.

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(4:00 p.m.)

CHAIRPERSON HOOD: Good afternoon, ladies and gentlemen. We are convening and broadcasting this public meeting by videoconferencing. My name is Anthony Hood, and I'm joined by Vice Chair Miller, Commissioner Wright, Commissioner Imamura, and Commissioner Stidham; also, the Office of Zoning staff, Ms. Ella Ackerman, as well as Mr. Paul Young, who will be handling all of our virtual operations, and our Office of Zoning Legal Division, Mr. -- we're joined by Mr. Ritting, Mr. Liu, and Ms. Lovick. I will ask all others to introduce themselves at the appropriate time. Copies of today's meeting agenda are available on the Office of Zoning's website.

Please be advised that this proceeding is being recorded by a court reporter and is also webcast live via Webex and YouTube Live. The video will be available on the Office of Zoning's website after the meeting. Accordingly, all those listening on Webex or by phone will be muted during the hearing. For hearing action items, the only documents before us this evening are the application, the ANC setdown report, and the Office of Planning report. All other documents in the record will be reviewed at the time of the hearing. We do not take any public testimony at our meetings, unless the Commission requests someone to speak. If you experience difficulty accessing Webex or with your phone call-in, then please call our OZ Hotline number

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1 at 202-727-0789 for Webex log-in or call-in instructions. At
2 this time, does the staff have any preliminary matters?

3 MS. ACKERMAN: No, we do not.

4 CHAIRPERSON HOOD: Okay. I do have a preliminary
5 matter, and I'm going to ask Ms. Lovick to assist me and Mr.
6 Ritting. I think today is bittersweet. Mr. Dennis Liu is moving
7 on. He has been exceptionally, exceptionally well as advising
8 the Zoning Commission from a legal perspective. And I want to
9 thank those who let me know he was moving on, but we want to
10 commend you, Mr. Liu. I was sorry to hear that. You'd be
11 surprised some of the things I tried to work behind the scenes,
12 but it didn't work out that way for me, so I want to commend you
13 and your wife and the newborn and your whole life, and you've
14 just been a spectacular asset to the District of Columbia and to
15 the Zoning Commission, and we appreciate your counsel.

16 And, as far as I'm concerned, the door is always open.
17 If you need to come back, as far as I'm concerned, the door is
18 always open. You have been an asset. You have advised us well,
19 and the citizens and the residents of the District of Columbia
20 are better off because you passed this way, so thank you. And
21 I'm going to ask my colleagues if they have anything they want
22 to say. I'm going to start off with the Vice Chair and we'll
23 work that way, and then I'll go to your colleagues and to Ms.
24 Ackerman and maybe to Mr. Young, in that order. Vice Chair
25 Miller.

1 VICE CHAIR MILLER: Thank you, Mr. Chairman. Yeah, I
2 couldn't -- could not say it better than everything that you said
3 about Dennis. We will -- I'm sorry to hear that you're leaving
4 us, but I'm sure you're moving on to bigger, better, more
5 enjoyable things, so I hope you do enjoy. And I thank you very
6 much for all of your counsel during your tenure here and wish
7 you luck in whatever you're going to be doing and with your
8 family, so thank you. The Chairman said it all really. Thank
9 you.

10 CHAIRPERSON HOOD: Okay. Commissioner Imamura, you
11 want to say anything?

12 COMMISSIONER IMAMURA: Absolutely. Thank you, Mr.
13 Chairman. I wouldn't miss this opportunity to congratulate you,
14 Dennis, and congratulate your family too. What a wonderful
15 opportunity. I'm happy for you, but I share the sentiment of
16 Chair Hood and Vice Chair Miller. You have given the Commission
17 great counsel. You are well skilled and where -- I always tell
18 people, every job's temporary, so I look forward to your return,
19 hopefully. I will keep my fingers crossed for that. But I also
20 hope and look forward to continuing our friendship. So, most of
21 all, I feel like I gained a friend, so really appreciate it, and
22 hopefully we can get one more coffee together at some point in
23 the future. So thanks, Dennis.

24 CHAIRPERSON HOOD: Okay. Commissioner Wright.

25 COMMISSIONER WRIGHT: Thank you. I did not know you

1 | were leaving, Dennis, and I'm really sorry to hear that. I
2 | haven't been on the Commission all that long, but I really
3 | appreciated you. I think you have frequently really understood
4 | my questions and been able to address them really, really well,
5 | and given us great legal advice, so I am sorry to see you go. I
6 | hope you're moving on to something wonderful, and, you know,
7 | hopefully, we can see you back again, even if it's not in a work
8 | situation, at least just for a visit. So good luck to you.

9 | CHAIRPERSON HOOD: Okay. Commissioner Stidham.
10 | Commissioner Stidham, let me just say, you did a spectacular job
11 | today. I want you to know I did view that, so you did a
12 | spectacular job. Are you able to say a word or two?

13 | COMMISSIONER STIDHAM: I am, and thank you. And,
14 | Dennis, I did not know you were leaving, and I cannot thank you
15 | enough for answering every, I'm sure, bizarre question I posed
16 | or misunderstanding I had. You have provided great guidance, and
17 | I really appreciate it. And I wish you and your family the very,
18 | very best. And, like Chairman Hood, you know, please come back
19 | to us. You've been a fabulous asset, and I really appreciate
20 | all of your efforts, so thank you.

21 | CHAIRPERSON HOOD: I just want my colleagues to know,
22 | I didn't know this for such a long time. I only found out two
23 | days ago, so I -- that's where we are. Ms. Lovick.

24 | MS. LOVICK: Sorry, I was muted. You guys really have
25 | said great things. It's hard to follow in your footsteps, but I

1 will say that, Dennis, you have been an absolute joy to work
2 with. You are so smart and just quick-witted and suited for this
3 very difficult and challenging work. And you came into this
4 space and earned the trust of the Commission and have advised
5 them so well and have been just a tremendous asset in issue-
6 spotting and in just grasping so much information in a very short
7 time span and, you know, relaying it in concise -- in just
8 manageable written and oral directions in what you've provided
9 to the Commission. So I just -- I can't say enough positive
10 things about who you are as a lawyer, how you've grown as a lawyer
11 during this time, and I know that you're going to do amazing
12 things in your future endeavors. I have no doubt about you being
13 just -- just exceling in every way.

14 And I extend my heartfelt congratulations to you and
15 Carrie on your baby, who is coming, and I will miss you so very
16 much. So thank you for all you've done. Sorry that I went on
17 for so long, but I just want you to know how much I appreciate
18 and value you as a member of our team, and we will really, really
19 miss you. All right. I'm stopping.

20 CHAIRPERSON HOOD: No problem. Mr. Ritting.

21 MR. RITTING: Dennis, I've really enjoyed our lunches
22 together and our conversations, and I consider you a friend, and
23 I really hope that we are able to continue that in the future.
24 And when you mentioned today that your office is going to be just
25 down the street, I was really pleased that we could be able to

1 continue that. Thank you.

2 CHAIRPERSON HOOD: Okay. Ms. Ackerman.

3 MS. ACKERMAN: I want to say thank you for being so
4 nice with my reports and sending me the redlines so I can send
5 out better reports. And I hope you and your wife have a great
6 pregnancy and birth and the newborn stage is nice and easy for
7 you guys. Congratulations. Good luck.

8 CHAIRPERSON HOOD: Okay. And, Mr. Young, did you want
9 to say anything?

10 MR. YOUNG: I'll just ditto everything that's been
11 said. I think everyone's done a great job of saying it. Congrats,
12 Mr. Liu, and we wish you the best in the future. Thank you.

13 CHAIRPERSON HOOD: All right. Dennis, you want to
14 close us out and say something? Again, we're all going to miss
15 you. We appreciate everything you've done for us. And, again,
16 your impacts will last for years to come. So, Dennis, you want
17 to say anything?

18 MR. LIU: Sure. Thank you, Mr. Chair. Thank you,
19 Commissioners, Hillary, Jake, Ella, Paul. It's been a pleasure
20 working with the Commission and everyone here at OZ and at OP.
21 I know that my time here has been relatively short, especially
22 compared to you, Mr. Chair, but it's, nonetheless, been extremely
23 rewarding, and I am grateful to have been a part of this excellent
24 institution. I'll miss sitting on the (indiscernible) every
25 week. I'll miss working on the kinds of zoning and land use

1 | issues that have such a direct impact on the District and its
2 | residents, but I'm confident that everything, as far as zoning
3 | goes in the city, is headed in the right direction with this
4 | Commission and with its staff. So that's all I have to say.
5 | Thank you, Mr. Chair.

6 | CHAIRPERSON HOOD: I appreciate that -- appreciate --
7 | we all appreciate your comments, Dennis, and when you said
8 | everything's going in the right direction, I think at our next
9 | oversight hearing when we go in front of Chairman Mendelson,
10 | we'll have you come down to testify. Okay. All right. Again,
11 | thank you, and congratulations.

12 | All right. Let's go on with our meeting agenda. One
13 | second. Okay. Let's start off with modification without hearing,
14 | Zoning Commission Case Number 20-06D, Felice Development Group,
15 | modification without hearing at Square 1048S. Ms. Ackerman.

16 | MS. ACKERMAN: The applicant requests the Commission
17 | to approve five exterior modifications to the approved
18 | consolidated PUD. This is specific to the East Tower, which was
19 | approved as part of the consolidated PUD to be constructed as
20 | Phase One. At Exhibit 4, we have the OP report, which is in
21 | support. There is no report from the ANC for this case, so we
22 | are ready for the Commission to consider final action.

23 | CHAIRPERSON HOOD: Okay. Thank you, Ms. Ackerman.
24 | Again, as stated by Ms. Ackerman, there are a few things. We
25 | have a redesign; we have a replace the walkway; change to the

1 penthouse configuration; revising the handrail material; and
2 revising for the finish for the site walls and enclosing. Does
3 anyone believe that this should come out of the requested ask,
4 which is the modification without hearing?

5 (No response.)

6 CHAIRPERSON HOOD: Not looking -- I'm looking and not
7 seeing anyone's objections to that, we will continue to move in
8 that fashion. And, again, they had updated architectural
9 drawings, as has already been stated, in Exhibit 2A, and they are
10 requesting approval of the -- what's being requested -- or what's
11 being modified is the design, for the most part. And I'm going
12 to actually start off with Commissioner Imamura on this one.
13 Thank you.

14 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I
15 remember this case well. And I took a closer look at the five
16 modification requests, which seemed pretty reasonable to me. In
17 fact, some of them are actual improvements or refinements, as I
18 would define them. Others are little bit more on the end of
19 value engineering, but don't change the design intent of the
20 design solution. So, in general, I'm supportive of this, and I
21 actually think this is a bit of an improvement, so I'm glad that
22 the applicant is actually making some of these changes here. So
23 I am prepared to vote in support.

24 CHAIRPERSON HOOD: Okay. Thank you. Commissioner
25 Wright.

1 COMMISSIONER WRIGHT: Thank you. I also looked at the
2 architectural plans and the changes that are proposed, and I
3 agree with Commissioner Imamura; the changes are either minimal
4 or, actually, in some cases, I think are actual improvements. I
5 really love the idea of the Woonerf, and I think that these
6 changes are well within our, sort of, jurisdiction for changes
7 without a hearing, and I am prepared to support the application.
8 Thanks.

9 CHAIRPERSON HOOD: Thank you. Vice Chair Miller.

10 VICE CHAIR MILLER: Thank you, Mr. Chairman. Yeah, I'm
11 prepared to support this application as well. I agree with
12 everything my colleagues, Commissioners Imamura and Wright, have
13 said, so I'm ready to move forward.

14 CHAIRPERSON HOOD: Thank you. And Commission Stidham.

15 COMMISSIONER STIDHAM: I also agree with everything
16 that's already been said, and am prepared to support.

17 CHAIRPERSON HOOD: Okay. Thank you. Let me do one
18 check. Mr. Young, I left my -- I know this sounds crazy, but I
19 left my mute button while Commissioner Stidham was talking, Did
20 you hear any background noise?

21 MR. YOUNG: I heard no echo.

22 CHAIRPERSON HOOD: Okay. Maybe it's only at hearings.
23 Anyway, all right. Okay. And I would agree with what all of my
24 colleagues have said. We can go ahead and move forward. I think
25 this is pretty straightforward. Commissioner Imamura, could you

1 make a motion please?

2 COMMISSIONER IMAMURA: Absolutely. Thank you, Mr.
3 Chairman. I move that the Zoning Commission approve without a
4 hearing Zoning Case Number 20-06D, Felice Development Group,
5 modification without a hearing at Square 1048S, and ask for a
6 second.

7 COMMISSIONER WRIGHT: Second.

8 CHAIRPERSON HOOD: Sorry about that. My mute button --
9 I need Archie over here. Okay. It's been moved and properly
10 seconded. Any further discussion?

11 (No response.)

12 CHAIRPERSON HOOD: Not hearing any, Ms. Ackerman, could
13 you do a roll call vote please?

14 MS. ACKERMAN: Commissioner Imamura.

15 COMMISSIONER IMAMURA: Yes.

16 MS. ACKERMAN: Commissioner Wright.

17 COMMISSIONER WRIGHT: Yes.

18 MS. ACKERMAN: Commissioner Hood.

19 CHAIRPERSON HOOD: Yes.

20 MS. ACKERMAN: Commissioner Miller.

21 VICE CHAIR MILLER: Yes.

22 MS. ACKERMAN: Commissioner Stidham.

23 COMMISSIONER STIDHAM: Yes.

24 MS. ACKERMAN: Staff records the vote five to zero to
25 zero to approve Case Number 20-06D for final action.

1 CHAIRPERSON HOOD: We have on the agenda, under final
2 action -- yes, final action, Zoning Commission Case Number 24-
3 20, Office of Planning text amendment to Subtitles B, D, E, F,
4 and I, rear-yard measurements in the R, RF, and RA zones. Ms.
5 Ackerman.

6 MS. ACKERMAN: At the conclusion of the public hearing
7 on March 31st, the Commission took proposed action to approve
8 this case. It was referred to the NCPC for its 30-day comment
9 period, and on May 2nd, the NCPC staff filed a letter at Exhibit
10 14 stating the text amendment is not inconsistent with the
11 Comprehensive Plan for the National Capital and would not
12 adversely impact any other identified federal interests. This
13 case is ready for the Commission to consider final action. Thank
14 you.

15 CHAIRPERSON HOOD: Thank you, Ms. Ackerman.
16 Colleagues, I know we have read the reviews and we've discussed
17 this previously at our previous session on this. I would just
18 say, what I thought most interesting, even though we're
19 clarifying -- we're reverting back in the clarification the
20 special exception relief on encroachment, I think the biggest
21 thing I think is the best for the citizens, as we continue to
22 clarify and try to make things more predictable, is that the
23 changes would reduce excessive special exception relief cases
24 before the BZA, and I think they would find that -- I believe
25 they would find that very helpful. I don't necessarily have any

1 | issues with this moving forward. My colleagues -- some of my
2 | colleagues, let me hear from others. Commissioner Wright.

3 | COMMISSIONER WRIGHT: Yes. I also support this moving
4 | forward. I had one quick question which was, we talked -- we
5 | had gotten comments and questions from the Committee of 100, and
6 | in the Office of Planning's staff presentation and their
7 | PowerPoint, they attempted to answer all of those questions, and
8 | I think they did, and they gave some good real life examples of
9 | how this would apply, which was one of the things that the
10 | Committee of 100 had asked for. I was just wondering that, after
11 | the staff presentation have we heard anything else; have we
12 | received any additional correspondence from the Committee of 100
13 | or anyone else about this -- about this text amendment?

14 | CHAIRPERSON HOOD: Okay. Can we bring maybe Ms.
15 | Steingasser up?

16 | MS. LOVICK: I can answer that.

17 | CHAIRPERSON HOOD: Oh, okay.

18 | MS. LOVICK: So after the Notice of Proposed Rulemaking
19 | was published in the DC Register, there was a 30-day period for
20 | comments to come into the record from the public, and we received
21 | nothing in response.

22 | COMMISSIONER WRIGHT: Great. Thank you for that
23 | information. So that makes me feel comfortable that, you know,
24 | what questions may have been out there have been addressed and
25 | I'm comfortable moving forward with this text amendment.

1 CHAIRPERSON HOOD: Okay. Thank you, Commissioner
2 Wright, and thank you, Ms. Lovick. Okay. Vice Chair Miller.

3 VICE CHAIR MILLER: Thank you, Mr. Chairman. Yes, I
4 support final action on this text amendment. Appreciate the
5 Office of Planning bringing it forward, as we previously -- as
6 has been discussed today by my colleagues and previously
7 discussed -- the proposed action -- and at the hearing, this will
8 provide clarity to those -- more clarity to those regulations and
9 also more flexibility -- revert to the previously existing
10 regulation that allowed accessory buildings to occupy no more
11 than 30 percent of the rear yard. So I'm ready to support this
12 today, final action.

13 CHAIRPERSON HOOD: Commissioner Imamura.

14 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I
15 don't have anything further to add. I'm prepared to vote in
16 support.

17 CHAIRPERSON HOOD: Okay. And Commissioner Stidham.

18 COMMISSIONER STIDHAM: I don't have anything further
19 to add, and I'm also prepared to support.

20 CHAIRPERSON HOOD: Okay. Thank you. With that,
21 Commissioner Wright, could you -- would you like to make a motion
22 please?

23 COMMISSIONER WRIGHT: Sure, I'd be glad to. I move
24 that we vote in favor of Zoning Commission Case Number 24-20,
25 which is an Office of Planning drafted text amendment to Subtitles

1 B, D, E, F, and I, rear-yard measurements in the R, RF, and RA
2 zones.

3 COMMISSIONER IMAMURA: Second.

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

6 (No response.)

7 CHAIRPERSON HOOD: Not hearing any, Ms. Ackerman, could
8 you do a roll call vote please? Oh, wait a minute, wait a minute.
9 Did I go to Commissioner Stidham? Yeah, I did, I did. Okay.
10 All right. Could you do a roll call please?

11 MS. ACKERMAN: Commissioner Wright.

12 COMMISSIONER WRIGHT: Yes.

13 MS. ACKERMAN: Commissioner Imamura.

14 COMMISSIONER IMAMURA: Yes.

15 MS. ACKERMAN: Commissioner Hood.

16 CHAIRPERSON HOOD: Yes.

17 MS. ACKERMAN: Commissioner Miller.

18 VICE CHAIR MILLER: Yes.

19 MS. ACKERMAN: Commissioner Stidham.

20 COMMISSIONER STIDHAM: Yes.

21 MS. ACKERMAN: Staff records the vote five to zero to
22 zero to approve Case Number 24-20 for final action.

23 CHAIRPERSON HOOD: Okay. Thank you. Let's move right
24 along. Let's go to Zoning Commission Case Number 24-14, Emory
25 United Methodist Church map amendment at Square 2672. Ms.

1 Ackerman.

2 MS. ACKERMAN: At the conclusion of the public hearing
3 on June 5th, the Commission took proposed action to approve this
4 case. It was referred to NCPC for its 30-day comment period,
5 and on July 2nd NCPC staff filed a letter at Exhibit 49 stating
6 the map amendment falls under an exemption listed in Chapter 8
7 of the NCPC submission guidelines. The project was also made
8 available for public review on the NCPC website, and no comments
9 were received. Accordingly, the NCPC staff has determined that
10 this project is exempt from their review, and this case is ready
11 for the Commission to consider final action. Thank you.

12 CHAIRPERSON HOOD: Thank you. Colleagues, a lot of
13 things that we have discussed -- thank you, Ms. Ackerman. A lot
14 of things we've already discussed. As noted, the Office of
15 Planning had recommended IZ Plus. We had mentioned this,
16 obviously, you all may recall, and our proposed action discussed
17 it, and we want to mention that IZ Plus will apply to this map
18 amendment as we move forward. I think this is pretty
19 straightforward and has done nothing but garnered a lot of
20 support. The 30-day comment period has elapsed, NCPC has weighed
21 in, and we are -- I think this is ready to move forward. There's
22 not much more I can say that's not already mentioned in this
23 record, but let me hear from others. Commissioner Wright.

24 COMMISSIONER WRIGHT: Yes. This is a project that is
25 going to provide much needed housing, and I was very impressed

1 that it had so much support within the community, and, you know,
2 so I really appreciate the outreach that the applicant has done,
3 and I am prepared to vote in support.

4 CHAIRPERSON HOOD: Thank you. Commissioner Imamura.

5 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I'm
6 in agreement with you and Commissioner Wright and prepared to
7 vote in support.

8 CHAIRPERSON HOOD: Okay. Commissioner Miller. Vice
9 Chair Miller.

10 VICE CHAIR MILLER: Thank you, Mr. Chairman. Can you
11 hear me?

12 CHAIRPERSON HOOD: Yes, we can hear you.

13 VICE CHAIR MILLER: Okay. You're not going to be able
14 to see me, so I want you to hear me. Thank -- I agree with my
15 colleagues. This map amendment sought by Emory United Methodist
16 Church will facilitate more housing and more affordable housing
17 in a -- along a major transit corridor close to the Columbia
18 Heights Metro, and I applaud the Emory -- Emory and their pastor
19 for all the good works that they're doing in the neighborhood and
20 the community. I'm ready to move forward.

21 CHAIRPERSON HOOD: Okay. Thank you. Commissioner
22 Stidham.

23 COMMISSIONER STIDHAM: I have nothing to add and am
24 prepared to move forward.

25 CHAIRPERSON HOOD: Okay. Thank you. Vice Chair Miller,

1 would you make a motion please?

2 VICE CHAIR MILLER: Sure. I would move that the Zoning
3 Commission take final action on Zoning Commission Case 24-14,
4 Emory United Methodist Church, a map amendment from RA-2 to RA-
5 4 at Square 2672, and that's at 1459 Columbia Road Northwest, and
6 that map amendment would include the IZ Plus map designation, as
7 recommended by the Office of Planning, and I would ask for a
8 second.

9 COMMISSIONER IMAMURA: Second the very thorough motion
10 made by Vice Chair Miller.

11 CHAIRPERSON HOOD: That was -- that was pretty good,
12 Vice Chair. I have to agree with Commissioner Imamura.

13 VICE CHAIR MILLER: Thank you. Maybe I'll keep my
14 video off more often.

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

17 (No response.)

18 CHAIRPERSON HOOD: Not hearing any, Ms. Ackerman, could
19 you do a roll call vote please?

20 MS. ACKERMAN: Yes. Commissioner Miller.

21 VICE CHAIR MILLER: Yes.

22 MS. ACKERMAN: Commissioner Imamura.

23 COMMISSIONER IMAMURA: Yes.

24 MS. ACKERMAN: Commissioner Hood.

25 CHAIRPERSON HOOD: Yes.

1 MS. ACKERMAN: Commissioner Stidham.

2 COMMISSIONER STIDHAM: Yes.

3 MS. ACKERMAN: Commissioner Wright.

4 COMMISSIONER WRIGHT: Yes.

5 MS. ACKERMAN: Staff records the vote five to zero to
6 zero to approve Case Number 24-14 for final action.

7 CHAIRPERSON HOOD: Okay. Next, we have, under hearing
8 actions, Zoning Commission Case Number 25-02. This is the
9 Northwest One Phase Three Owner, LLC map amendment at Square 621.
10 Mr. Mitchum, I believe, or Ms. Steingasser.

11 MR. MITCHUM: Hi. Yes. This is Joshua Mitchum with
12 the Office of Planning.

13 CHAIRPERSON HOOD: Mr. Mitchum.

14 MR. MITCHUM: Good evening -- or, sorry, good
15 afternoon, Mr. Chair and fellow Commissioners. Again, my name
16 is Joshua Mitchum filling in for Crystal Myers. The Office of
17 Planning recommends setting down Zoning Commission Case 25-02 for
18 a public hearing. This is a map amendment request for -- from
19 Northwest One Phase Three Owner, LLC, to rezone the property
20 located at 1010 North Capitol Street Northwest from MU-4 to MU-
21 9A.

22 Next slide please. This map amendment request begins
23 the last phase of the Northwest One redevelopment effort, which
24 started over 20 years ago, as part of the New Communities
25 Initiative to revitalize severely distressed subsidized housing

1 and to redevelop neighborhoods into vibrant mixed-income
2 communities. During the process of the project, in 2008 and 2009
3 Temple Court Apartments and Golden Rule Center were demolished
4 and the residents were relocated. The applicant has an agreement
5 with the District to build a mixed-income residential building
6 that includes replacement units for the former residents.

7 Next slide please. This map amendment would not be
8 inconsistent with the Comprehensive Plan. The site falls within
9 two Future Land Use Map mixed-use designations, the first being
10 medium-density commercial and high-density residential, and the
11 second being low-density commercial and high-density residential.
12 On the Generalized Policy Map, it is located in the Central
13 Washington Planning Area.

14 Next slide please. OP recommends IZ Plus in this case,
15 but the applicant is expected to comply with the affordability
16 requirements in their Land Disposition and Development Agreement
17 with the District. The housing -- affordable housing set-aside
18 requirements in their agreement is higher than the IZ Plus
19 requirements.

20 As I stated, the subject property is within the Central
21 Washington Planning Area, and almost 60 percent of the population
22 is white, and Central Washington has considerably less affordable
23 housing than in other parts of the District. Twenty years ago,
24 this site and the adjacent sites contained very affordable
25 apartment buildings with primarily black residents. In the early

1 years of the project, these were demolished and, again, the
2 residents were relocated. Should this map amendment be approved,
3 it would allow the last building in the Northwest One
4 Redevelopment project to deliver the remaining replacement units
5 and add new units to the area. This would allow both black
6 residents to return to the neighborhood and would also likely
7 bring in new minority households as well.

8 And, with that, I will conclude the OP testimony for
9 this case. Thank you very much.

10 CHAIRPERSON HOOD: Thank you, Mr. Mitchum. I'm glad
11 to see this coming forward. This has been discussed for years.
12 It's been a long time in the making, and it's unfortunate a lot
13 of people have not realized who maybe wanted to come back, never
14 probably will ever come back because they have moved on. But
15 I'm glad to hear that -- and we eventually got around to this,
16 but it's just so much loss in this -- anyway, I'll leave it at
17 that for now. Let me see if we have any other comments.
18 Commissioner Wright.

19 COMMISSIONER WRIGHT: Yes. Thank you. I'm glad that
20 this is moving forward. I would be interested, when we actually
21 go to hearing, to find out about what efforts are made to contact
22 former residents and ask if they want to move into the new --
23 newly constructed units and, you know, just generally how you'll
24 be assuring that the folks moving into the newly constructed
25 units are going to at least somewhat feel like -- or if they

1 aren't literally the residents who were relocated, if they are
2 folks who are being housed because of other relocations. I'm
3 just -- I'm just interested in understanding how this project
4 will make sure that the new residents really reflect the community
5 that existed before those buildings were torn down.

6 CHAIRPERSON HOOD: Okay. Great. Did you want a
7 response right now or are you looking for that when we have the
8 hearing?

9 COMMISSIONER WRIGHT: (Shakes head no.)

10 CHAIRPERSON HOOD: Okay. I got you.

11 COMMISSIONER WRIGHT: Yeah. No, I'm just looking for
12 that when we actually move forward and have a hearing and more
13 discussion.

14 CHAIRPERSON HOOD: Okay. Thank you. Commissioner
15 Imamura.

16 COMMISSIONER IMAMURA: No further questions at this
17 time. I do look forward to hearing more, should the Commission
18 decide to set this down, and I'm happy to support the setdown.

19 CHAIRPERSON HOOD: Okay. Thank you. Vice Chair -- did
20 Vice Chair Miller leave? Oh, no, there you are. Vice Chair
21 Miller.

22 VICE CHAIR MILLER: No, I'm here. I just can't put my
23 video on without losing connection altogether, for some reason.
24 Thank you, Mr. Chairman. I support setdown of this Phase Three
25 of the Northwest One new community development map amendment, and

1 | like -- I agree with the comments of Commissioner Wright and the
2 | Chairman. At the hearing -- I think the information was in the
3 | setdown report, but at the hearing I'd like to just see a simple
4 | chart that just shows the total number of units of all the phases
5 | that have been built, and I think it's here in the setdown report.
6 | I started doing math and what number were replacement units for
7 | the former residents of Temple Court and Golden Rule. I think
8 | there's 74 replacement units in this -- that would be facilitated
9 | by this particular map amendment, of up to 200 and -- up to 233
10 | I think. I just want to see a simple chart that shows the
11 | replacement units of each phase, including this phase that's
12 | facilitated by the map amendment, and the total units and
13 | the -- what the affordability levels for the remainder of the
14 | units.

15 | I think a lot of it is at the 60 percent level, but I
16 | think some are at market rate for maybe this phase, but maybe
17 | not other phases; and also just to see how many of the -- by my
18 | calculation, there were 72 -- by what's in your report, Mr.
19 | Mitchum, the Phase One had 65 replacement units, Phase Two had
20 | 72 replacement units. It's my understanding, they've already
21 | been constructed. I guess I -- and this one's going to have 74.
22 | So that's for a total of what, I don't know, 211 or 200 -- plus-
23 | 200 replacement units. Were they all occupied -- I guess I want
24 | to see -- have information also on the former tenants. Are they
25 | all occupied by former residents? Is there -- is there a list?

1 Is there still contact with some of the former residents? Is
2 there any desire late -- because they had to move on with their
3 lives and their housing, or is it going to be occupied by other
4 public -- publicly-subsidized needy housing residents, if not the
5 former Temple Court and Golden Rule. So if I just have that at
6 the hearing, a little bit better explanation of all that, I'd
7 appreciate it, but I'm definitely supportive of this final phase
8 map amendment of the Northwest new community. Thank you.

9 CHAIRPERSON HOOD: Thank you. Commissioner Stidham,
10 any comments or questions?

11 COMMISSIONER STIDHAM: I do, yes. One comment. I echo
12 the request of Commissioner Wright is one. And then the second,
13 I would be interested in hearing, at the time of hearing, the
14 community engagement. And then a question; are you aware at this
15 time of any opposition to the project -- or to the map amendment.
16 Sorry.

17 MR. MITCHUM: Thank you for your question. At this
18 time, we are not aware of any opposition to the project, as
19 presented.

20 COMMISSIONER STIDHAM: Okay. Great. Thank you.
21 Chairman, I'm prepared to support setdown.

22 CHAIRPERSON HOOD: Okay. Great. Thank you, all. I'm
23 prepared to support the set down. I'm looking forward to the
24 hearing, especially with the questions and comments my colleagues
25 have made. Mr. Mitchum, I do have one question off topic. Is

1 | this -- this is not your first time in front of the Zoning
2 | Commission, is it?

3 | MR. MITCHUM: No, sir. I believe I was in front of
4 | the Board in February I want to say.

5 | CHAIRPERSON HOOD: Oh, okay, okay.

6 | MR. MITCHUM: Yeah.

7 | CHAIRPERSON HOOD: So I won't ask you which one you
8 | like better, the Zoning Commission or the Board of Zoning
9 | Adjustment. I'll just leave that alone, and we'll just go ahead
10 | and vote. I will -- but, again, thank you for answering that
11 | question that was off topic. I'm just having fun with you.
12 | Anyway, I would move that we set down Zoning Commission Case
13 | Number 25-02, and ask for a second.

14 | VICE CHAIR MILLER: Second.

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

17 | (No response.)

18 | CHAIRPERSON HOOD: Not hearing any, Ms. Ackerman, could
19 | you do a roll call vote please?

20 | (No response.)

21 | CHAIRPERSON HOOD: Did you call me? Yes.

22 | MS. ACKERMAN: Yes. I just said, "One moment". I was
23 | getting my notes up.

24 | CHAIRPERSON HOOD: Oh, all right. I thought you --

25 | MS. ACKERMAN: Sorry. I take notes during the meeting

1 at the same time, so I switch back and forth.

2 CHAIRPERSON HOOD: Oh.

3 MS. ACKERMAN: Commissioner Miller. Oh, no. Sorry.

4 It was Commissioner Hood, wasn't it? Commissioner Hood.

5 CHAIRPERSON HOOD: Yes.

6 CHAIRPERSON HOOD: Commissioner Miller.

7 VICE CHAIR MILLER: Yes.

8 MS. ACKERMAN: Commissioner Imamura.

9 COMMISSIONER IMAMURA: Yes.

10 MS. ACKERMAN: Commissioner Stidham.

11 COMMISSIONER STIDHAM: Yes.

12 MS. ACKERMAN: Commissioner Wright.

13 COMMISSIONER WRIGHT: Yes.

14 MS. ACKERMAN: Staff records the vote five to zero to

15 zero to approve Case Number 25-02 for setdown as a contested

16 case.

17 CHAIRPERSON HOOD: Thank you. And, again, I want to

18 thank Mr. Mitchum for his excellent report. Let's go to Zoning

19 Commission Case Number 25-11, Office of Planning text amendment

20 to Subtitles D and E, Re: Rear Addition Standards. Ms. -- let

21 me see who has that; Ms. Steingasser, Mr. Lawson?

22 MS. STEINGASSER: I'm taking that one this afternoon.

23 CHAIRPERSON HOOD: Okay. Ms. Steingasser. Okay. Thank

24 you.

25 MS. STEINGASSER: There we go. Could I get -- thank

1 | you, Paul. So good afternoon, Chairman Hood, Commissioners. I'm
2 | Jennifer Steingasser with the DC Office of Planning. I'm
3 | representing Case 25-11, which has to do with rear additions in
4 | the R and RF zones.

5 | Next slide please. So the history on this case, it
6 | came from a series of events starting in the 1958 regs, which
7 | had absolutely no limitation, except for lot occupancy. Rear
8 | additions were treated as just part of the overall development,
9 | and the lot was regulated by bulk and lot occupancy rear and side
10 | yards. In 2016, the zoning regulations were adopted and, as part
11 | of Case 14-11, a 10-foot addition limitation was put on rear
12 | additions, and that was measured from adjoining properties. And
13 | through that case, there were several examples shown where the
14 | neighbors had very extremely disproportionate rear additions to
15 | the house, and the Commission was concerned and put a 10-foot
16 | limitation on as a matter of right. Anything more would require
17 | special exception. Those rear additions were still subject to
18 | lot occupancy and rear yards.

19 | In 2019, the Mayor issued an order to reduce barriers
20 | to housing and that would -- instructed all District agencies to
21 | look through regulations and find ways that, if there were
22 | barriers, to try to minimize them. In the 2021 Comprehensive
23 | Plan Housing and Community Facilities Element, there were several
24 | statements made that talked to the issue of barriers to housing,
25 | minimizing obstacles for homeowners, and spoke specifically to

1 the issue of universal design and ADA access. And so that brings
2 us to today, and we have -- through this case, are proposing to
3 increase that 10 feet to 16 feet to represent the minimum size
4 of a bedroom under the ADA universal design standards.

5 Next slide please. So this would amend Subtitles D and
6 E, and, basically, it would increase that 10 feet to 16 feet. We
7 chose 16 feet, because we looked through several building codes
8 and development codes throughout the U.S. on what universal
9 standards were for handicap access, using a wheelchair, mobility,
10 and a bedroom with a queen-size bed. Using those dimensions, a
11 five-foot turning radius was recommended and a three-foot
12 passage, so that came out to a 15-and-a-half by 16-and-a-half.
13 We went with the 16-foot addition, instead of the 10 foot, which
14 would allow for that mobility as a matter of right. We continued
15 to allow -- we continued to support special exception for more
16 than 16 feet, again, subject to lot occupancy and rear yard.

17 The amendments also clarify regulations in terms of
18 what standards for review should be used for looking at the
19 special exceptions. Right now, there's some confusion and
20 redundancy in the way the regs are written, so we worked with
21 OZLD to clarify those regulations. We also worked with the DOB
22 Zoning Administrator's Office to look at how the rear yard is
23 measured and at what point the building measuring point should
24 for that rear yard. And, again, any rear additions would still
25 be subject to the rear yard lot occupancy that we have, heights

1 and all the standard development standards.

2 Next slide please. So the main objective is to address
3 the Comp Plan language about universal design, aging in place,
4 barriers to housing, and minimizing regulatory obstacles for
5 homeowners. We still wanted to address the Commission's concerns
6 about potential impacts from disproportionately large additions
7 on adjacent property owners and to clarify the measuring point
8 and then, overall, to look -- we looked at all the BZA cases and
9 what did they tell us -- what was the threshold on a 16-foot,
10 and to reduce that workload on the BZA.

11 Next slide please. So the Comprehensive Plan language
12 in the proposal is not inconsistent with the Comprehensive Plan
13 on balance, and that includes through a racial equity lens. It's
14 a citywide impact, so there's no direct impact on any specific
15 planning areas or any population groups. It's fairly neutral and
16 applies equally. There are some direct positive Comp Plan
17 policies that this proposal would move forward in the housing
18 element that talks about accessible units, housing choice for
19 older adults aging in place, housing for persons with
20 disabilities, removing regulatory obstacles. There's some direct
21 reference to using zoning as an incentive, and then also, in the
22 Community Service Facilities Element, about coordination of
23 better -- to better serve older adults and residents with
24 disabilities.

25 Next slide please. So we also then, you know, used the

1 Commission's racial equity tool, went through and looked at the
2 different questions of how this text amendment might impact the
3 market and then the racial equity issues. We don't anticipate
4 any displacement, direct or indirect. We certainly don't think
5 there's going to be any kind of adverse impact on the housing
6 market. It might actually provide stability for -- especially
7 for older handicapped individuals that want to stay in their
8 properties. There's no changes to the physical environment.
9 These rear additions are in the backyard, typically invisible
10 from the public streets. Access to opportunity is, again, neutral
11 on that.

12 Next slide. So as far as our community engagement,
13 before bringing this text amendment forward, we held two virtual
14 open house meetings for all the ANCs. We held them on June 24th
15 and 26th, one in the evening and one at noon. We also set up an
16 e-mail address and a website so there was a place people could
17 send questions, if they couldn't make one of the two meetings.
18 We also posted a recording of the -- I'm sorry -- a video
19 recording of the presentations that we gave, and they were
20 available on the website, and people could send in comments.
21 We've received no comments since we had those presentations.

22 Next slide. So our recommendation is to -- is for the
23 Commission to set down this case for a public hearing. There's
24 a little bit more detail in our report on -- and some illustrative
25 drawings on what the difference will look like. It's hard to

1 identify exactly what it will look like, since every rowhouse and
2 semi-detached lot is different and how -- whether they're built
3 together or built separately, but we did provide some
4 illustrative drawings in there. And that's all. I'm available
5 for any questions.

6 CHAIRPERSON HOOD: Thank you, Ms. Steingasser and the
7 Office of Planning. I see -- and especially with the cases that
8 we're looking at tonight for hearings -- we really are chomping
9 at the list, and I appreciate all the work that's gone into that,
10 because I know it was not done overnight. I know you all took
11 some time. But I do have a question about the -- about the ANC
12 meetings. Were they well attended, I mean, the two reviews you
13 did with the ANCS?

14 MS. STEINGASSER: They were -- well, you know, we
15 invited everybody, but, no, they were not well attended. We had
16 probably six ANC Commissioners over the two meetings.

17 CHAIRPERSON HOOD: Okay. I'm -- here's my concern, and
18 it's not the Office of Planning. My concern is they -- those
19 weren't attended. We reached out, you did the engagement, but
20 when -- depending upon what the Commission does when we make a
21 decision, I guess I don't want after-the-fact criticism. You
22 know, after we've all went through all this and we do what we
23 have to do and we iron it out, I would -- I'm going to ask staff,
24 Ms. Ackerman and Ms. Schellin, to work with OP and see how we
25 may be able to get the ANC office involved. Maybe send the video

1 to everyone, something, because --

2 MS. STEINGASSER: They -- the -- there was a
3 representative from the office of the ANC, one of their general
4 counsel. He attended both meetings.

5 CHAIRPERSON HOOD: Okay. Good. But I want to make
6 sure -- Kent Boese, he has a good rapport with the ANCs across
7 the city, and I want to make sure at least they look at the video
8 and understand what's going on. So when we get ready to deal
9 with it, we can get input, because I know a lot of those things,
10 at least on this one and the next case we're getting ready to
11 look at, there was a lot of concern. And I just want to make
12 sure we do our due diligence. I know you all have made the
13 effort. You did -- when I hear you did one in the afternoon and
14 one in the evening, we're supposed to capture everybody, but with
15 six people at one and maybe six at the other, then that means
16 that didn't happen, and I just don't want after-the-fact
17 criticism. I want us to -- let's deal with it up front and let's
18 see what we can do to get it resolved, because I know you all
19 put a lot of time and effort, and those are comments that we've
20 all heard. The Office of Planning's heard them, you heard it
21 from us, you heard it from the community, and I think the work
22 needs to not go unnoticed. I think it needs to be known to the
23 public that we're listening. And then, you know, whether we all
24 agree or not, that's a different story, but we're listening. We
25 often try to get the -- close the gap. I guess that's the

1 language I'd like to use tonight. Let's close the gap. And I
2 think that's what you all have done. I know that's what the
3 Commission strives for, and I'm sure the residents as well.

4 So those are my comments. Ms. Ackerman, I'm going to
5 ask you and Ms. Schellin to work on that. Let's get with Mr.
6 Boese. And, Ms. Steingasser, any recommendation you have for us
7 to at least make sure the video gets out there, and then we've
8 done our -- I think we've done our due diligence. But thank you
9 for all the work that you all are doing in closing the gap with
10 some of our requests and requests you've heard from residents and
11 even from cases from the BZA and the Zoning Commission, so thank
12 you all for what you all have done. All right. Commissioner
13 Wright, any questions or comments?

14 COMMISSIONER WRIGHT: Yes, one quick question. This
15 is a fairly clear and straightforward text amendment. The next
16 one we're going to be talking about has a lot in it. So one
17 general comment -- and maybe this exists and I just don't know
18 about it -- if we could get a list of the Office of Planning's
19 work program of all text amendments that may be coming up, like,
20 in the next six months or even the next twelve months. One of
21 the things -- and I said this at the last meeting -- we get a
22 large text amendment and sometimes very, very complicated issues,
23 and we're asked to set it down without a lot of time to actually
24 read through and to understand all of the implications. And I
25 just feel like I need more time, particularly on the next one

1 we're going to be discussing. This one's pretty straightforward.
2 But, you know, some of these just, frankly, sort of blow my mind,
3 because there's so much to understand and read and think about
4 in such a small period of time.

5 If I knew text amendments were coming up in the next
6 couple of months, I could start educating myself and, you know,
7 looking into some of the issues. But that's just a general
8 comment. On this specific text amendment, what if a building has
9 already had a rear addition and that rear addition extends --
10 maybe it was done with the 10 feet that was done by right and
11 that rear addition has been in existence for five years -- I'm
12 just picking a number out of the air -- if someone wanted to come
13 in and build another rear addition that's 16 feet, as long as
14 they still were not exceeding the lot coverage that is -- or the
15 setbacks that are required, they could do that by right. And so
16 within a relatively short period of time, you could end up having
17 what would amount to a 26-foot addition to a building. Is that
18 possible?

19 MS. STEINGASSER: No. It would have to be by special
20 exception, because the measuring is measured from the adjoining
21 property, not from the applicant's property. So if I already
22 have an addition on the back of my house and it is already more
23 than 16 feet past the adjoining neighbor, I have no matter of
24 right left. I would have to only go through a special exception.

25 COMMISSIONER WRIGHT: I see. So if someone had already

1 built an addition and their structure extended beyond all of the
2 other properties in a line, then they would have to go through a
3 special exception to get another 16 feet.

4 MS. STEINGASSER: Right.

5 COMMISSIONER WRIGHT: Okay. Thank you. That's very
6 helpful.

7 CHAIRPERSON HOOD: Thank you. Commissioner Imamura.

8 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I
9 appreciate Commissioner Wright's question, and, should the
10 Commission decide to set this down, Ms. Steingasser, if you or
11 someone from your team can just re-emphasize that point at the
12 hearing, I think that would be helpful. Also, I appreciate the
13 fact that -- your explanation for universal design and how you
14 and your team came up with 16 feet was very helpful. I did see
15 and want to acknowledge the illustration or the plan that you
16 included in the report here tonight or in your presentation that
17 identified various spaces of A, B, C, and D. I would be -- it
18 would be great to have a little deeper dive into that explanation,
19 at least just for public's awareness, so they have an opportunity
20 to hear how that number was developed or how -- you know, the 16
21 feet. I do want to echo Chairman Hood's comment that I appreciate
22 the thoroughness and detail that your staff goes through before
23 bringing something before the Commission, and so I know that you
24 all have vetted this and that it's right for the Commission to
25 see and consider. And so I am prepared to set this down and look

1 forward to hearing more at the hearing. Thank you, Mr. Chairman.

2 CHAIRPERSON HOOD: Okay. Thank you. Vice Chair Miller.

3 (No response.)

4 CHAIRPERSON HOOD: Vice Chair Miller.

5 (No response.)

6 CHAIRPERSON HOOD: Okay. Commissioner Stidham, you
7 have any questions or comments?

8 COMMISSIONER STIDHAM: Just to echo the appreciation
9 of the description that you provided, Ms. Steingasser, related
10 to how you came to the 16 feet. I think that is extremely helpful
11 and appreciate that detail. And just would reiterate a little
12 bit more on Chairman Hood's comment related to engagement with
13 the ANC. You know, I know you guys do a huge amount of engagement
14 work and I applaud your efforts. Sometimes, you know, it's hard
15 to get their attention, so the more that we can have that
16 engagement and (indiscernible) -- and I hope I'm not breaking up,
17 because it feels like I am. But, anyway, I will end with saying
18 just thank you, and I'm prepared to support setdown.

19 CHAIRPERSON HOOD: Okay. Thank you. Vice Chair Miller,
20 do you hear me?

21 (No response.)

22 CHAIRPERSON HOOD: Let's give him a minute. Paul, can
23 you reach out to him for me please? Well, I'll do it. Hold on
24 one second.

25 MS. STEINGASSER: I'll take this opportunity to point

1 out at the back -- at the end of the OP report, there are some
2 illustrative scenarios of if -- of how big an addition that is
3 existing as a matter of right versus how it's measured from the
4 adjoining property owner, and we'll do some more of those. But
5 we anticipated that question, because it's the first question
6 anybody would ask; well, I'll just do it in pieces.

7 COMMISSIONER IMAMURA: Ms. Steingasser, that's actually
8 a great point. If you and your team could provide some scenarios
9 similar to what Commissioner Wright described and just kind of
10 walk us through what others might think or might, you know,
11 consider, and why or why not they wouldn't -- it wouldn't be
12 permissible or it would be permissible, that would be very
13 helpful.

14 MS. STEINGASSER: Okay. I'll also steal this moment
15 to say that OP's going to miss Dennis as well.

16 CHAIRPERSON HOOD: Okay. I'm sorry. I should have
17 asked OP did they have anything to say.

18 MS. STEINGASSER: That's okay. No, it's -- that was a
19 family affair.

20 CHAIRPERSON HOOD: Does the public have anything to
21 say? No, I'm just -- that's good though. Vice Chair Miller.

22 VICE CHAIR MILLER: Can you hear me?

23 CHAIRPERSON HOOD: Yeah, now I can hear.

24 VICE CHAIR MILLER: I support setdown. In case you
25 lose me, please vote -- record my vote as supporting setdown. I

1 | thank the Office of Planning for bringing this forward, setting
2 | on those -- some -- many of those BZA cases. I think this is a
3 | much more reasonable standard, and you've done a lot of work, and
4 | I appreciate the illustrations that you provided.

5 | And, in terms of the community outreach, maybe just a
6 | suggestion. You know how to do community outreach better than
7 | probably any of us, but if -- maybe send it -- I know we send a
8 | hearing notice to all the ANCs. Maybe somehow there could be
9 | some reaching out to all the organizations, if they still exist,
10 | who testified both in favor and against the previous 10-foot rule
11 | in 14 -- was it 14-11? There was a -- that was a -- there were
12 | a lot of people who testified there, both for and against. We
13 | don't -- I'm not saying all the persons, but in terms of
14 | organizations, in addition to the ANC. It's just a suggestion
15 | maybe, so -- but I appreciate all the work that's been done and
16 | look forward to the hearing.

17 | CHAIRPERSON HOOD: Okay. Thank you, Vice Chair. Okay.
18 | So, with that, thank you again, Ms. Steingasser, for all the work
19 | you all have done. I -- to me, when I was reviewing this, I
20 | lumped them all together, this one and the next one, because
21 | these are things that we have been trying to work on, but I just
22 | put them all together, so maybe I should have took them all
23 | together. But, anyway, Commissioner Imamura, could you make a
24 | motion for us please?

25 | COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I'd

1 be glad to. I move that the Zoning Commission set down Case
2 Number 25-11, Office of Planning text amendments to Subtitle D
3 and E regarding rear addition standards, and ask for a second.

4 COMMISSIONER WRIGHT: Second.

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

7 (No response.)

8 CHAIRPERSON HOOD: Not hearing any, Ms. Ackerman, could
9 you do a roll call vote please?

10 MS. ACKERMAN: Commissioner Imamura.

11 COMMISSIONER IMAMURA: Yes.

12 MS. ACKERMAN: Commissioner Wright.

13 COMMISSIONER WRIGHT: Yes.

14 MS. ACKERMAN: Commissioner Hood.

15 CHAIRPERSON HOOD: Yes.

16 MS. ACKERMAN: Commissioner Miller.

17 VICE CHAIR MILLER: Yes.

18 MS. ACKERMAN: Commissioner Stidham.

19 COMMISSIONER STIDHAM: Yes.

20 MS. ACKERMAN: Staff records the vote five to zero to
21 zero to approve Case Number 25-11 for setdown as a rulemaking
22 case.

23 CHAIRPERSON HOOD: Okay. Thank you. Let's move on to
24 our next case, Zoning Commission Case Number 25-12, Office of
25 Planning text amendment omnibus to modify and clarify various

1 provisions of 11 DCMR, and this is a laundry list, and I agree
2 with Commissioner Wright, but it's something that we've talked
3 about for a while, and I know the work has been put in. So,
4 anyway, let's go to -- I believe, Ms. Steingasser's going to do
5 this one as well.

6 VICE CHAIR MILLER: Mr. Chairman, I'm going to log off
7 and log on, because this might be lengthy and I'll try to have
8 better connection, just so you know. You don't have to stop
9 anything for me, but I'm just going to log off and log on.

10 CHAIRPERSON HOOD: Okay. Well, why don't we take three
11 minutes. It won't take you but three minutes to log on. Let's
12 take three minutes. We want to make sure you hear everything
13 that's being said, so if it takes longer than three minutes --

14 VICE CHAIR MILLER: Thank you.

15 CHAIRPERSON HOOD: -- you know who to get to help you,
16 so we'll take three minutes and we'll come back.

17 (Brief recess while Vice Chair Miller logs off and logs
18 back on.)

19 CHAIRPERSON HOOD: Okay. Vice Chair Miller, you back?

20 VICE CHAIR MILLER: I am back.

21 CHAIRPERSON HOOD: Okay. All right. If everybody can
22 come on back up. And I think Mr. Lawson was going to be doing
23 the review. Okay. Well, Mr. Lawson, whenever you're ready.

24 MR. LAWSON: Great. Thank you. Sorry. I took
25 advantage to log in again myself as well, because I've been having

1 a few problems with my computer as well. So I think once I start
2 the presentation, I'll probably turn my video off, just to make
3 sure that my computer doesn't kind of crash halfway through,
4 which could easily happen. Thank you, Paul.

5 Okay. Once again, good afternoon. Joel Lawson here
6 for the DC Office of Planning. Just before I begin, I, too,
7 would like to say bon voyage to Dennis. You've been an absolute
8 pleasure to work with and everybody here at OP sends our best
9 wishes to you and your family. Best wishes for what comes next.

10 So back to the omnibus text amendment, when the
11 Commission adopted the new DC zoning regulations in 2016, you
12 requested that the Office of Planning continue to monitor them
13 and bring forward amendments, when needed, to provide clarity or
14 updates and to insure that they could be interpreted easily and
15 consistently. Since then, we have brought forward several text
16 amendment cases, which have been approved by the Zoning
17 Commission or are currently under review, such as the recently
18 setdown proposals to amend regulations for alley lots and for the
19 RA-1 multi-family zones. However, many other more targeted
20 issues have been raised, and we've combined them into this one
21 omnibus text amendment case.

22 Next slide. This proposal covers 24 issues, which
23 include amendments to many of the Zoning Commission subtitles.
24 These issues were raised by many different sources, including the
25 Zoning Commission and BZA members, yourself, and, typically, as

1 part of your deliberations on sometimes difficult BZA cases. The
2 staff from several different DC agencies have also provided
3 input, including, Department of Buildings, DDOT, Department of
4 Environment, Department of Parks and Rec, and, of course, here
5 at the Office of Planning. Many issues were raised by property
6 owners and their designers and land use attorneys.

7 This was often also done as part of hearing testimony
8 or conversations with OP about BZA and Zoning Commission cases.
9 The DC Building Industry Association also provided suggestions
10 for text amendments that have been included in this proposal.
11 Finally, Advisory Neighborhood Commissioners and members of the
12 public have also informed this case through proposal -- case for
13 proposed text amendments through their comments at BZA and Zoning
14 Commission public hearings and meetings. In fact, there have
15 been many more suggestions that could be fitted -- than could be
16 fitted into one omnibus case. Some suggestions we felt were just
17 a bit too large or potentially impactful to be included in an
18 omnibus case such as this one, and they'll require a standalone
19 text amendment case. Others, particularly the procedural
20 changes, were considered outside the scope of this case.

21 Next slide. The text amendment proposal we're taking
22 forward in this case generally address one or more of the main
23 objectives, which are to add clarity to the zoning regulations;
24 to remove redundancies; and to add consistency of language to
25 make them easier for residents and designers to use and for staff

1 to interpret and administer, consistent with the Zoning
2 Commission intent; also to remove unnecessary barriers to
3 housing, including provisions and processes for providing IZ
4 units in all parts of DC to help address housing policy and equity
5 issues, to ease administrative burdens for property owners, the
6 BZA, ANCs, and staff by removing unnecessary hurdles, and, in
7 some cases, reducing the number of BZA cases that would be
8 required; and, finally, to update the 2018 zoning regulations to
9 current standards and practices throughout the city.

10 Next slide. As with any Comprehensive Plan --
11 sorry -- Zoning Commission proposal, the ones in this omnibus
12 text amendment are not inconsistent with the Comprehensive Plan,
13 including when viewed through a racial equity lens. The OP
14 setdown report provides this analysis in detail. Overall, the
15 proposed amendments would specifically advance policy objectives
16 of the Comp Plan related to the main objectives noted on the last
17 slide, reducing administrative hurdles or uncertainty, removing
18 barriers to the provision of housing in all parts of DC, and
19 making the regulations a bit clearer and easier for residents to
20 use and staff to interpret and enforce.

21 The proposals did not include any rezonings of property
22 or substantial changes to permitted use, height, or density
23 beyond what is anticipated by the existing zoning. While any one
24 amendment could have a significant impact on a particular
25 proposal for an individual property for an individual owner,

1 either in terms of the regulation, itself, or in terms of the
2 process they're required to go through, they are not considered
3 major moves, which a typical zoning text amendment would
4 anticipate.

5 Next slide. With respect to review of the
6 Comprehensive Plan through a racial equity lens and using the
7 Zoning Commission's racial equity tool, it's always difficult to
8 determine the potential impact of discrete text amendments which
9 do not significantly impact use or building type or form. The
10 proposals do not target any specific part of the city, nor do
11 they address any area-specific Comp Plan area element policy
12 objectives or specific guidance from approved Small Area Plans
13 for individual neighborhoods.

14 In general, they should not result in direct or
15 indirect displacement of residents or businesses, and, in some
16 cases, may make it easier for existing residents and property
17 owners to use or update their property in a way that is consistent
18 with both policy and the intent of the zone. They would address
19 some barriers to the provision of housing, including, in some
20 cases, barriers to the provision of affordable housing units,
21 consistent with the IZ program. They would reduce some
22 impediments to creative building design and the provision of
23 outdoor space valued by residents in all neighborhoods and the
24 provision of services throughout the city. They would provide
25 additional clarity to aspects of the regulations and remove

1 unnecessary procedural hurdles to residents and property owners
2 in all parts of DC. And, in summary, we do not anticipate the
3 proposals would have a significant impact on overall demographics
4 in the city or on -- or of any particular neighborhood or
5 neighborhood type. Overall, they could have some limited
6 positive impact on equity throughout the city.

7 Next slide. As noted earlier, these proposals include
8 ones that respond to suggestions and comments made by ANCs,
9 community and business groups, and individuals, often made
10 through past BZA and Zoning Commission cases. As Jennifer just
11 kind of noted in the previous presentation, on June 24th and
12 26th, OP held virtual open houses for ANC members. As I said,
13 these are the same meetings that Ms. Steingasser mentioned for
14 the last case. These meetings were intended to provide advanced
15 awareness of the text amendments, to solicit early feedback, and
16 answer questions about the proposed zoning at this early stage.

17 OP presented the proposals, including the rationale for
18 each, and provided opportunities for discussion and comment. OP
19 followed up with a link to the taped presentation to all ANC
20 members, as well as a copy of the -- a link to the OP setdown
21 report to each Commissioner. We recognize how busy ANC Commission
22 members are, and we know that, at this early stage of the text
23 amendment process, it might be hard for them to devote a lot of
24 time to a case like this. After all, one of the goals of this
25 case is to lighten the ANC workload, particularly of some cases

1 that are typically not contentious.

2 As a result of the ANC Commissioner feedback at those
3 meetings, OP did amend the proposal before you tonight in two
4 ways so far. First, the size of balconies to exempt it from lot
5 occupancy and FAR was increased from our original proposal of six
6 feet to eight feet. And, secondly, we had originally proposed
7 some accessory building setbacks in the RF zones. Based on
8 feedback from a few of the Commission members present, we decided
9 to not take that proposal forward.

10 Other issues raised at the open house meetings will
11 require additional detailed study and possible clarification,
12 which we can do prior to the public hearing, such as the
13 relationship between landings and decks off the main floor,
14 whether to also establish a maximum depth for a main floor deck,
15 and how to treat setbacks for accessory buildings located at the
16 corner of two intersecting alleys. Individual Commission members
17 expressed concerns about some of the proposals, notably regarding
18 the main floor deck lot occupancy exemption that we're proposing
19 and we'll discuss in a moment, with regards to proposed changes
20 to the 30-foot frontage requirement in the RF zones, and proposed
21 changes to vehicle parking, which, again, we'll discuss in just
22 a moment. However, OP continues to feel that all of these issues
23 warrant further discussion at a public hearing process.

24 Next slide. For the remainder of this presentation,
25 I'll provide a very quick overview of the proposed amendments.

1 My intent is that it will be a quick summary only. Of course,
2 the OP setdown report, which was filed to the record ten days
3 ago, provides additional -- oh, sorry -- ten days ago and also
4 forwarded to the ANC Commissioners, the -- sorry -- the setdown
5 report provides additional analysis for each of these proposals,
6 including more information on their origin, intent, potential or
7 intended impact, as well as the provision of some illustrations
8 and past BZA cases where that analysis was appropriate. The
9 setdown report and slides also note other proposed technical or
10 corrective changes to regulations otherwise being amended, such
11 as reordering of provisions or correcting references.

12 Next slide. Okay. I'm just going to, like I said, do
13 a very quick overview of the proposals. The first one relates
14 to split-zoned lots. OP is proposing to clarify and amend this
15 regulation describing how to interpret zoning on split-zoned lots
16 and, specifically, to address how to calculate the transfer of
17 density or use or building bulk under existing by right or special
18 exception scenarios. OP is also proposing some additional
19 flexibility in the use and distribution of density for these
20 split-zoned lots.

21 Next slide. With regards to Zoning Administrator
22 flexibility, OP is proposing to clarify and amend regulations for
23 the review of permit plans for development, subject to a BZA
24 order. Unlike a Zoning Commission PUD or design review case, the
25 BZA is typically not approving a project as such, but rather

1 relief from specific regulations and to a specific amount. The
2 areas where zoning -- ZA flexibility is currently allowed and
3 that would continue under the proposal relate to aspects of the
4 proposal that are not directly connected to the relief approved
5 or to any condition of the BZA order.

6 Next slide. The proposal to amend the regulations to
7 facilitate the provision of light poles for outdoor recreation
8 athletic fields in the R, RF, and RA zones has been suggested.
9 Essentially, a pole of up to 90 feet in height is currently
10 permitted, as long as it provides a one-to-one setback from any
11 property line. This setback can make it difficult to provide
12 lighting in a meaningful way to allow the valued use of fields,
13 which, as I said, is valued by many DC residents. The proposal
14 is to essentially not require the setback in these zones for
15 Department of Parks and Recreation and public school recreation
16 and athletic fields.

17 Next slide. We're very pleased to finally bring
18 forward amendments to facilitate and encourage the provision of
19 decks and balconies. We know that you've been requesting these
20 changes for quite some time. The proposals to balconies would
21 exempt balconies that are inset into the building external facade
22 from FAR for the building to a depth of eight feet. They would
23 increase the exemption of open balconies extending out from the
24 building facade, and that exemption is from FAR for -- and we
25 would increase that from a six-foot depth to an eight-foot depth.

1 And, finally, it would exempt balconies from lot occupancy
2 requirements to a depth of eight feet. The balcony FAR and lot
3 occupancy amendments are intended to allow additional flexibility
4 and to remove impediments to their provision as part of building
5 design.

6 Next slide. Somewhat related, this proposal would
7 exempt up to 200 square feet of uncovered deck serving the main
8 floor of a building from lot occupancy. This is somewhat related
9 to provisions in the ZR-58 regulations where any deck less than
10 four feet above grade did not count towards lot occupancy. Sorry.
11 And in addition to any deck less than four feet above grade, any
12 deck serving the main floor of the building did not count towards
13 lot occupancy. So our proposal is to exempt up to 200 square
14 feet. Our reviewed BZA cases indicated that the vast majority
15 of the BZA cases would be or would be made conforming to this
16 amount, which should minimize the number of BZA cases. The deck
17 lot occupancy amendment is intended to address this significant
18 impediment to many homeowners in the provision of this desired
19 feature.

20 Next slide please. The existing 30-foot lot frontage
21 requirement for an apartment building does not apply to any
22 existing record lot. Rather, it applies only when there is a
23 subdivision proposed to create a new lot. And this includes when
24 the subdivision is for the conversion of a longstanding tax lot
25 to a record lot, which is very common in DC, or for the

1 consolidation of existing lots. So we're proposing to amend this
2 provision so that it would not apply to a conversion in the RF
3 zones, an expansion of an existing apartment building, or to the
4 conversion of a pre-1958 tax lot to a record lot. OP's also
5 proposing to clarify that relief from this requirement would be
6 by special exception rather than by variance.

7 Next slide. The Green Area Ration or GAR regulations
8 are intended to promote an environmentally sound building and
9 site design and environmentally functional landscapes. OP is not
10 proposing changes to the broader GAR regulations, but the current
11 wording can trigger GAR review, even for a project which solely
12 involves interior renovations or reconfigurations to an existing
13 building. So we're proposing to amend this aspect of the
14 provision to not require GAR review in that case. While we
15 discussed this with DOEE and Department of Environment, they also
16 requested a couple of other clarifications and corrections, so
17 they're included in this provision as well.

18 Next slide. The next four amendments all relate to
19 aspects of vehicle parking regulations. This first one is to
20 address a rather odd requirement in the zoning regulations, and
21 that's when the parking provided under 1958 regulations is
22 required to be retained for the life of the building, even where
23 parking requirements reduced -- were reduced under the ZR-16
24 regulations. OP is proposing to eliminate this requirement.
25 This would also be consistent with how zoning regulations are

1 | generally applied throughout the regulations.

2 | Next slide. This proposal is to update parking
3 | requirements for sites within one-quarter mile of a Priority Bus
4 | Corridor. At the time that they were first adopted as part of
5 | ZR-16, we noted that these may need to be updated from time to
6 | time, and, in fact, WMATA has recently instituted a major update
7 | to Metro bus routes, including new High-Frequency Bus Corridors,
8 | which replace the Priority Bus Corridors. Many are similar to
9 | the existing routes, but there have been changes and additional
10 | corridors, so we're proposing to update the regulations
11 | accordingly.

12 | Next slide. The next two proposals are intended to
13 | correct minor problems that appear to result from the translation
14 | of ZR-58 regulations to the ZR-16 regulations. In this one, the
15 | garage door height, which is 10 feet minimum, and the alley
16 | setback requirement, which is 12 feet minimum, were intended to
17 | apply to the door of a large parking structure serving multiple
18 | vehicles, but the wording for them results in them also applying
19 | to a small garage for a house. The proposal is to correct this.
20 | The setback from the alley for an accessory building would remain,
21 | and the door height and alley setback requirements for larger
22 | parking structures would also remain.

23 | Next slide. The second addresses screening around a
24 | surface parking lot, which currently can be interpreted to
25 | require screening along the alley from which the parking spaces

1 are directly accessed. This has actually caused a number of BZA
2 cases. The proposal is to not require screening along the alley
3 in this instance. Screening around the rest of the surface
4 parking lot would continue to be required.

5 And next slide. Kind of a technical one. As Zoning
6 Commission members know, most forms of habitable space in a
7 penthouse result in an IZ contribution, either units within the
8 building or a contribution to the District Housing Production
9 Trust Fund. In 2021, the penthouse regulations were amended in
10 many ways, including how to calculate the amount of that
11 contribution. However, some lack of clarity persists,
12 particularly with regards to service space, such as elevator
13 overruns and stairwells and when they count towards these
14 calculations. OP's proposing to clarify this, consistent with
15 the overall Zoning Commission intent and within the
16 interpretations of the regulations.

17 Next slide. This one's a bit more straightforward.
18 Currently, as you know, again, in addition to mandatory IZ, the
19 regulations include an option for someone to opt into the IZ
20 program to gain the bonus IZ -- the bonuses that IZ offers if
21 the project does not meet other thresholds for mandatory IZ
22 applicability. In most zones, this opting-in process is by right,
23 but in the low-density zones, where the bonuses are for lot size
24 or lot width, the process is only available by special exception.
25 This serves as a big impediment to the IZ program, and OP is not

1 | proposing to change any of the available bonuses, but just to
2 | allow opting into the IZ program in these zones by right.

3 | Next slide. This one is also fairly straightforward.
4 | We're not proposing a change to the front setback requirement to
5 | the R and RF zones, but OP is proposing to allow relief from this
6 | provision by special exception, which is -- which is permitted
7 | for rear and side yard relief, rather than by variance, which is
8 | currently required.

9 | Next slide. The next three proposals relate to
10 | accessory buildings and, particularly, to the provision of a unit
11 | within an accessory building. In this one, to address concerns
12 | raised by homeowners and designers and based on past BZA case
13 | review, OP is proposing to increase the footprint permitted for
14 | an accessory building from 450 square feet to 550 square feet in
15 | the R-3 and RF zones, and 600 square feet in the R-1 and R-2
16 | zones. This is intended to allow a more reasonable size to
17 | accommodate a dwelling unit, parking, and circulation space
18 | within the building. OP is not proposing to change the permitted
19 | height for the accessory building or to change the lot occupancy
20 | permitted for the property.

21 | Next slide. We're also proposing a new requirement,
22 | and that's for rear and side yard setbacks in the R zones for an
23 | accessory building located along a lot line shared with another
24 | property. Currently, no setback is required. This amendment is
25 | intended to address maintenance and privacy concerns raised

1 | mainly at BZA hearings over the past little while. We understand
2 | that having these setbacks could make it a bit more difficult to
3 | place the accessory building on some smaller, narrower, shallower
4 | lots, so we're also proposing to be clear on the special exception
5 | relief from these new setback requirements --

6 | CHAIRPERSON HOOD: Mr. Lawson, did you go on mute?

7 | (No response.)

8 | CHAIRPERSON HOOD: Mr. Lawson, you need to hold up,
9 | because we can't hear you anymore. We're on page 23.

10 | (No response.)

11 | CHAIRPERSON HOOD: Commissioner Imamura, can you hear
12 | me? You can hear me, right?

13 | COMMISSIONER IMAMURA: Yes, I can, Mr. Chairman.

14 | CHAIRPERSON HOOD: Okay. All right. We'll wait. If
15 | somebody can contact Mr. Lawson. Hopefully -- there you go.

16 | COMMISSIONER IMAMURA: We were in the home stretch.

17 | CHAIRPERSON HOOD: There you go.

18 | MR. LAWSON: Sorry. I apologize for that. My
19 | computer's been doing this kind of all day, but it should be fine
20 | for the rest. I'm sorry, but I'm not quite sure where I cut out.

21 | CHAIRPERSON HOOD: Page 23. Page -- it was page 23.

22 | MR. LAWSON: Okay.

23 | CHAIRPERSON HOOD: Right there.

24 | MR. LAWSON: Great. In that case, I'm just going to
25 | repeat it. Hopefully, I'm not repeating too much. We are

1 proposing a new requirement for rear and side yard -- for rear
2 and side setbacks in the R zones for an accessory building located
3 on a lot line shared with another lot. Currently, no setback is
4 required. This amendment is intended to address maintenance and
5 privacy concerns raised mainly at BZA hearings recently. We
6 understand that this could make the placement of an accessory
7 building difficult on some small, narrow, or shallow lots, so we
8 are also proposing to be clear that special exception relief from
9 this new requirement would be permitted. As I mentioned earlier,
10 OP had originally proposed also requiring a setback for an
11 accessory building in the RF zones, but comments from ANC members
12 caused us to take a second look and not bring that one forward.

13 Next slide. This one is strictly a clarification. An
14 accessory apartment, whether in a house or in an accessory
15 building, is currently only permitted in the R zones where a
16 rental unit is not permitted. It was not proposed for the flat
17 and multi-family zones, as these zones already allow two or more
18 units on a property without the restrictions associated with an
19 accessory apartment. This continues to cause some confusion, so
20 we're proposing to add language similar to that which already
21 exists in the RF zones, specifically stating that an accessory
22 apartment is not allowed in the RF, RA, and MU zones.

23 Next slide. The Comprehensive Plan, of course,
24 establishes at a policy level what zoning should be, and it
25 includes a description of each of the Future Land Use Map

1 designations, including a typical FAR and examples of specific
2 zones for which the FLUM designation is characteristic. While
3 most zones include a description generally consistent with that
4 of the Comprehensive Plan, a few zone descriptions are not
5 consistent with Comp Plan direction. OP is therefore proposing
6 to make the zoning descriptions for the MU-4, 5, and 7 zones more
7 consistent with the Comp Plan to lessen confusion and
8 uncertainty.

9 Next slide. The Capitol Interest zones, generally
10 located directly east of the Capitol building, currently only
11 allow a lower penthouse height than is typical for a mixed-use
12 zones. While a 15 feet minimum for mechanical equipment is
13 typically permitted for zones which allow a 40-foot-tall
14 building, in the Capitol Interest zones the height is limited to
15 only 10 feet. This can make the provision of mechanical equipment
16 and elevator overrides difficult, so our proposal is to simply
17 make the penthouse height provisions match that of other zones
18 for which a similar building height is allowed. Of course, the
19 one-to-one setback for the penthouse would remain required.

20 Next slide. In both the MU and downtown zones, the
21 special exception process to obtain relief in the rear yard
22 provisions includes complicated and overly specific review
23 criteria related to window placement and proximity with other
24 facing buildings, which rarely apply but require extensive review
25 and documentation. They're difficult to interpret and measure,

1 are not consistent with the requirements of other zones, and are
2 essentially redundant of the general special exception criteria.
3 We're not proposing to change rear yard requirement, itself, but
4 we are proposing to remove these overly specific special
5 exception review criteria.

6 Next slide. The neighborhood mixed-use zones include
7 a requirement that designated uses be provided along specified
8 street frontages. At the suggestion of an ANC member, OP is
9 proposing to add an additional designated use, which is Daytime
10 Care. This would be consistent with the intent of the provision
11 and would allow a use that's already permitted in the zone to
12 also be considered a designated use. We are really pleased to
13 add this to the omnibus to help address the need for Daytime Care
14 centers and to help activate our neighborhood commercial
15 corridors.

16 Next slide. Subtitle U establishes the by right uses
17 allowed in all of our zones, including the residential low-
18 density zones, but for the low-density residential zones it also
19 adds building type descriptions; detached, semi-detached, and
20 attached. This already and more appropriately addressed in the
21 development review regulations for the R zones in Subtitle D, so
22 removal of the duplicate descriptions in Subtitle U is
23 recommended.

24 Next slide. Sorry. And this is the final one. As
25 part of the ZR-16 regulations, when they were amended to allow --

1 | sorry -- as part of ZR-16, the regulations were amended to allow
2 | one of the two permitted units in an RF zone to be within an
3 | accessory building on a property. However, due to concerns raised
4 | by some community members at the time, restrictive provisions
5 | were added to allow this only if the accessory building existed
6 | prior to 2013, and to require special exception review of any
7 | expansion of an existing accessory building for the addition of
8 | an accessory unit. These restrictions serve only to limit the
9 | ability of homeowners wishing to take advantage of this provision
10 | and provide a second unit on their property. This is inconsistent
11 | with housing policy, inconsistent with the intent of the zone,
12 | and we're proposing that it is time that they be removed.

13 | In addition, we're also proposing to amend the alley
14 | access requirement for units within an accessory building in the
15 | RF zones to correspond to the proposed requirements for access
16 | to a dwelling unit within an alley lot building in the ongoing
17 | alley lot text amendment case. Of course, should the Commission
18 | not adopt that change for alley lots, OP would also retract it
19 | from this proposal.

20 | And the last slide. And, in conclusion, I know this
21 | was a lot. Thanks for listening. In summary, the proposed text
22 | amendments would not be inconsistent with Comprehensive Plan
23 | policy and would further important direction to remove
24 | impediments to housing, clarify and update the regulations and
25 | processes to minimize unnecessary hurdles to homeowners and

1 | property owners, and to promote easier interpretation and
2 | enforcement of the regulations. OP recommends that it be set
3 | down for the hearing -- for a hearing. Thank you, and I'm
4 | available for questions.

5 | CHAIRPERSON HOOD: Thank you, Mr. Lawson, and to the
6 | team. Very exhaustive list. I know these are things that we
7 | have asked for, so we appreciate all the work that's been put
8 | in. I'm more concerned about what I said previously in the other
9 | case. I know we're going to deal with that. But when we do --
10 | I believe -- you know, I'm in favor of setting it down, if we
11 | set it down. I know I will be voting to set it down, but let me
12 | see what others have to say, but before I go there, when we do
13 | the -- if we set it down for a hearing, which I hope we do, when
14 | we're doing the hearing, I would like to maybe do two or three
15 | topics at a time and let's have a discussion, and then -- it may
16 | take us longer, but if I do the whole list, I've done forgotten
17 | what I was supposed to do -- what I wanted to talk about
18 | previously. I can notes, but I think if we do two or three, it
19 | may take the Commission a lot longer for us to discuss, have
20 | questions of you all, but let's set the record. I'm just trying
21 | to get this prepared, so when we have the hearing, that you maybe
22 | do three at a time, unless my colleagues differ. But if we do
23 | three at a time, we can have an exhaustive discussion, and then
24 | we'll do three more at a time. Also, Ms. Ackerman, with
25 | everything they said, I'm going to ask that we look at the time

1 that we give individuals and organizations. I would like to move
2 that up maybe a minute. I know that's not a lot, but let's work
3 with that as well in this particular case. So those are my
4 comments. I don't necessarily have any case -- comments on the
5 subject matter. I'm looking forward to an exhaustive discussion
6 and we're looking forward to having a hearing on it. So, with
7 that, let me go to Commissioner Imamura.

8 MR. LAWSON: Sorry. Mr. Chair, if I could just respond
9 to that really quickly.

10 CHAIRPERSON HOOD: Yeah.

11 MR. LAWSON: I think that's probably about great idea
12 to split it up. I would ask for a little bit more flexibility
13 to work the OZ on how that should be split up. There are some
14 instances where four or maybe even five cases logically would go
15 together. There may be some other cases where only two logically
16 go together.

17 CHAIRPERSON HOOD: Okay.

18 MR. LAWSON: So I would just like to request the
19 flexibility to work with OZ on how to structure that.

20 CHAIRPERSON HOOD: You have the flexibility, but let's
21 not do ten, because I won't remember the first one, so, let's
22 do -- let's do -- let's -- I'll give you the flexibility to do
23 that, so thank you. All right. Commissioner Imamura.

24 COMMISSIONER IMAMURA: Thank you, Mr. Chairman, and
25 thank you, Mr. Lawson, for the work that you and your team put

1 into this. I'm in agreement with Chairman Hood. I'm in support
2 of setting this down and agree that taking this in bites or chunks
3 would be most helpful, whatever makes sense where we can group
4 things logically, and, of course, to include, I think what would
5 be helpful too, illustrations, where possible. I think that will
6 help the public also understand. And I think where reduction and
7 redundancy is always good and clarity, easing administrative
8 burdens and technical changes. Zoning is imperfect, and so this
9 is a great effort here to bring this -- our zoning regulations --
10 bring more clarity and simplicity to it.

11 Appreciate the -- it addressing the split-zone lots,
12 the balcony flexibility -- I took a couple notes here -- the GAR
13 for interior alterations -- that makes a lot of sense -- service
14 parking and screening, penthouse habitable space, rear and side
15 setbacks for accessory buildings. Again, the illustration there
16 was very helpful. Obviously, I have a deep interest in the
17 penthouse height limit in the Capitol Interest zone, and, on
18 spec, I think that seems pretty reasonable to me. So I look
19 forward to a more thorough discussion, if we set this down.

20 And, also, Mr. Lawson, I know that, to Mr. -- to
21 Chairman Hood's point about the public oftentimes wanting to
22 Monday morning quarterback some of the decisions that we make,
23 text amendments are sort of ripe for that target, but what I'm --
24 and the reason why I bring that up is because I'd just like maybe
25 for you to elaborate a little bit more on how many people from

1 | your team have been involved in this. I imagine this was not
2 | contrived overnight, over a month or several months, but long in
3 | the making, and I think it's really important for the public and
4 | others to understand you all -- the amount of time, effort, and
5 | work to thoroughly vet this and think these things through. Just
6 | understanding how the sausage is made is sometimes kind of
7 | helpful. And so I'd just like to give you some time, either
8 | tonight or at the hearing, to just kind of explain the genesis
9 | for this and level of effort behind it and, also, to give credit
10 | to your team. This is a huge amount of work. Your report was
11 | 93 or 94 pages long, and so not to be taken lightly at all, and
12 | really just want to express my appreciation to you and your team
13 | for the work that went into this, preparing for tonight and for
14 | the Commission to hear this. It was tremendous, and so I really
15 | appreciate that.

16 | MR. LAWSON: Thank you. I appreciate those words.
17 | You're absolutely right. Certainly some parts of this provision
18 | have -- were started long ago by staff members who are no longer
19 | with OP even. I'm thinking particularly of the changes to the
20 | decks and the balconies, which probably started four or five
21 | years ago, I think originally at the request of Commissioner
22 | Miller. That one went through a couple of staff members and a
23 | couple of iterations before we were able to include it into this
24 | text amendment. Other ones were actually quite recent. I think
25 | I mentioned one that was suggested by an ANC Commission member,

1 and that came to us literally about six weeks ago, so they really
2 vary. I appreciate the opportunity to thank the other people who
3 have worked on this, because it has been truly a pretty massive
4 team effort.

5 There are different staff members who handled specific
6 amendments. Karen Thomas handled the front setback requirement,
7 and they were able to kind of wrap it up into this one. The
8 great Steve Cochran handled a lot of the balcony and deck work,
9 so we're happy to be able to bring some of that forward now.
10 Joshua, who was before you earlier, has been helping out with
11 this one. Other staff members have been sounding boards and have
12 helped with individual amendments. And even more, so we've worked
13 really closely with the Zoning Administrator's staff, with
14 Kathleen Beeton and Elisa Vitale and, particularly, Paul
15 Goldstein, who have been extremely helpful in kind of crafting
16 the wording and making sure that the proposals we're bringing
17 forward are actually fixing the problem that we're raising and
18 not just creating a different problem. And, finally, we also had
19 conversations with people from Department of Environment and from
20 DDOT and from DPR and other agencies. So, yeah, it's been --
21 it's been a big -- it's been a big effort. Thank you for giving
22 me that chance.

23 COMMISSIONER IMAMURA: Sure. Thank you, Mr. Lawson.
24 And I think you underscored my point, that this wasn't done in a
25 vacuum, and it had broad collaboration across agencies, and so,

1 again, just kudos to you and your team and to the other agencies
2 that contributed here tonight.

3 CHAIRPERSON HOOD: Okay. Thank you, Commissioner
4 Imamura. Commissioner -- Mr. Lawson, I'm hoping that you
5 remember that question during the hearing, because I want the
6 public to hear that as well. So please let's not -- Commissioner
7 Imamura and other, let's not forget that question. Okay.
8 Commissioner Wright, you have any questions or comments?

9 COMMISSIONER WRIGHT: There is a lot in this text
10 amendment, and I appreciate how much work it is. I definitely
11 want to spend time going over it very carefully. I appreciate
12 that the setbacks for accessory dwelling units are in there. I
13 think that was an issue that I raised and maybe also Vice Chair
14 Miller. The one thing I want to make sure that happens in that
15 part of the text amendment is part of the confusion was that a
16 detached accessory dwelling unit can also meet the definition of
17 a detached -- I forget the word -- right word -- a detached
18 secondary building -- yeah, a detached building, and that there
19 needs to be some language in there that not only sets the setbacks
20 for accessory dwelling units, but clarifies that the accessory
21 dwelling unit is being treated differently than a detached --
22 general detached building and that that's why these setbacks are
23 applicable for the ADU, different than they would be for the
24 detached building setback. And, you know, so I just want to make
25 sure that that is in there somewhere to sort of cross the T and

1 dot the I. But I really do appreciate all the work that has gone
2 into this. And I also very much support Chair Hood's idea of
3 sort of breaking the hearings into pieces with -- you know, and
4 I agree also, Mr. Lawson, with your idea of, you know, whether
5 it's three or four five, whatever groupings seem to make a lot
6 of logical sense, I think that's a great idea, and I look forward
7 to setting this down and then having lots more discussion about
8 this in the future. So thanks.

9 CHAIRPERSON HOOD: Thank you. Let's go to Vice Chair
10 Miller.

11 VICE CHAIR MILLER: Thank you, Mr. Chairman, and thank
12 you, Mr. Lawson and the entire Office of Planning team that put
13 this together. You know, when I saw the 94-page report, I was --
14 I was afraid, but, actually, it was -- the way you broke it up
15 into 24 discreet amendments, some which are related to each other,
16 some which are related to other cases, but it was very clear, as
17 was your PowerPoint presentation today, and it made it -- well,
18 made it much -- it made it much simpler to understand than I
19 thought would be the case for such a massive undertaking.

20 I do appreciate, as you mentioned, the balcony and
21 decks finally coming forward in response to so many BZA cases
22 where it just didn't seem necessary to have the regulation as it
23 currently existed. You know, that was -- and there was -- I
24 appreciate all the work -- all the work to review all those BZA
25 cases and finding out that in most of them, like 99 -- it seemed

1 | like almost all of them, there was OP and ANC support for the
2 | special exception that is allowing now what -- the standard that
3 | you're going to make a matter of right. And I think that's
4 | important for the people to understand, that this is something
5 | that the applicants have wanted, this is something that the ANCs
6 | have wanted, and the Office of Planning has supported, and the
7 | BZA members and Zoning Commission members who sat on BZA cases,
8 | and I think you all obviously now want them. So, in addition to
9 | the balconies and decks, all -- I think, you know, all of them
10 | really do make sense in a lot of ways. I want to hear the
11 | public's comments on them, as you do.

12 | The accessory building setbacks are I think very
13 | appropriate and the other change to the size as well, and aligning
14 | the Comp Plan, finally, language with the zoning classifications,
15 | which has been confusing for everybody. It was just an
16 | inadvertent adoption in the ZR-16, so that will be helpful. All
17 | of it will be helpful I think in clarifying and facilitating, as
18 | you said, housing and development in a much more predictable and
19 | simpler way for applicants and neighborhoods alike. So thank you
20 | again, and I look forward to hopefully setting this down with my
21 | colleagues tonight.

22 | CHAIRPERSON HOOD: Okay. Thank you. Commissioner
23 | Stidham, any questions or comments?

24 | COMMISSIONER STIDHAM: Well, first, yes, it is a lot,
25 | but thank you for both your report and the presentation, because

1 to echo I think it was Commissioner Imamura, you really did take
2 good time and you really broke it down into pieces, and that was
3 really helpful in understanding what all we're talking about, in
4 terms of setting this particular one down. I also agree with
5 Chairman Hood and taking this in pieces I think will benefit both
6 the work that we're trying to achieve and the public's
7 understanding of each of the pieces and how they may or may not
8 affect things. So, with that, thank you, please, to everyone for
9 all of their work in putting together such a complex but important
10 case for us to review, and very supportive of setting this down.

11 CHAIRPERSON HOOD: Thank you, Commissioner Stidham.
12 Again, Mr. Lawson, thank you and the team. Looking forward to
13 having a robust discussion on all of these items, if needed and
14 required, especially with working with the public and also Office
15 of Planning. Okay. So let's see, again -- Commissioner Imamura.

16 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I just
17 wanted to interject one additional thought for Mr. Lawson and his
18 team. As you do break down sort of -- because it sounds like
19 we'll set this down -- break it into logical pieces, perhaps
20 maybe at the outset, maybe not for each text amendment, or maybe
21 just for the grouping, if you could identify the agencies or
22 organizations or ANCs that contributed or helped or informed the
23 text amendment, just at the outset, to describe and set the stage,
24 so that the public and others can understand where all this came
25 from and sort of the genesis of it before getting into it. So I

1 realize for each text amendment, that might be a lot, but maybe
2 for each grouping might be a little easier, but just to kind put
3 that out there. I know that a little granular, but I think that
4 would be really helpful.

5 CHAIRPERSON HOOD: Okay. Any other questions or
6 comments anybody?

7 (No response.)

8 CHAIRPERSON HOOD: Okay. Thank again, Mr. Lawson.
9 Appreciate all the work that's been put in by you and the team.
10 Mr. Ritting.

11 MR. RITTING: Yeah. I wanted to get some feedback from
12 the Commission before we embark on the process of breaking this
13 up into parts and coming up with a reasonable way to notice the
14 hearing or hearings. I heard at least one of the Commissioners
15 mention that you wanted to see two or three parts broken up
16 separately. Is it your intention that you would have two or
17 three per hearing night or --

18 COMMISSIONER IMAMURA: (Shakes head negatively.)

19 MR. RITTING: Okay. I think that it's probably going
20 to take one -- more than one night to hear this, and I think
21 perhaps Mr. Lawson and the Office of Planning, when we have this
22 discussion -- the OZLD staff has this discussion with them, they
23 could propose a reasonable number and a way to break up the parts.
24 Okay. Thank you for the feedback.

25 CHAIRPERSON HOOD: Also, Mr. Ritting, what I -- what I

1 do want to add is time to the public. You know, we give them
2 three minutes now, and we give organizations five minutes. I
3 want to at least give them another minute, because this is very
4 exhaustive. But, no, I mean, if we have to get a second night,
5 we will, but I'm talking about for us to be able to deliberate
6 and talk about it. And I'm sure the public has specific items
7 they want to speak about, so we're going to go through -- even
8 if we have to have a second night, we're going to push -- plow
9 through it, so --

10 MR. RITTING: Okay.

11 CHAIRPERSON HOOD: But let's look at that extra minute
12 on both -- for both organizations and persons as well. Okay?
13 All right. Any other questions?

14 (No response.)

15 CHAIRPERSON HOOD: All right. So, let me see, who went
16 first? I was going to get somebody to make a motion.

17 MS. LOVICK: I'm sorry. I just wanted to piggyback on
18 what Mr. Ritting was just asking. So are you saying that you
19 just want a notice for one night or are you going to break it up
20 in how you want to do the notice? Sorry, I just -- I wasn't
21 clear the direction. Sorry for that.

22 CHAIRPERSON HOOD: The only thing we're going to do,
23 we're going to do it just as they have. We're going to list it
24 like they have it, but I'm asking when they present to us, that
25 they can come up with groups, which they're going to work with

1 OZ staff. We're going to go through the full stream, like we do
2 a regular proceeding. We're going to go -- try to get as much
3 as we can get down the first night, and if we don't finish the
4 first night, we'll have a second night, but who knows; we may
5 finish the first night. So we're going to -- whatever --

6 MS. LOVICK: I see. Okay. Thank you.

7 CHAIRPERSON HOOD: A regular notice. A regular notice.
8 The only thing is to add a minute. If you don't mind, I'd like
9 for you to add a minute -- I guess we can legally do this -- add
10 a minute for organizations and add a minute for individuals.
11 Okay?

12 MS. LOVICK: (Nods head affirmatively.)

13 CHAIRPERSON HOOD: All right. Thank you. All right.
14 Would somebody like to make a motion, whoever wants to make the
15 motion on this one.

16 COMMISSIONER IMAMURA: I'll make the motion, Mr.
17 Chairman.

18 CHAIRPERSON HOOD: Thank you. Thank you.

19 COMMISSIONER IMAMURA: Gladly. So I move that the
20 Zoning Commission set down Case Number 25-12, Office of Planning
21 text amendment omnibus to modify and clarify various provisions
22 of 11 DCMR, and ask for a second.

23 VICE CHAIR MILLER: Second.

24 COMMISSIONER STIDHAM: Second.

25 CHAIRPERSON HOOD: It's been moved and properly

1 seconded. We got two seconds, so, Ms. Ackerman, whatever you
2 choose is fine for the second. I'm sure all of us second it,
3 but, anyway, it's been moved and properly seconded. Any further
4 discussion?

5 COMMISSIONER IMAMURA: It was a great motion.

6 CHAIRPERSON HOOD: Not hearing any, Ms. Ackerman, could
7 you do a roll call vote please?

8 MS. ACKERMAN: Commissioner Imamura.

9 COMMISSIONER IMAMURA: Yes.

10 MS. ACKERMAN: Commissioner Miller.

11 VICE CHAIR MILLER: Yes.

12 MS. ACKERMAN: Commissioner Hood.

13 CHAIRPERSON HOOD: Yes.

14 MS. ACKERMAN: Commissioner Stidham.

15 COMMISSIONER STIDHAM: Yes.

16 MS. ACKERMAN: Commissioner Wright.

17 COMMISSIONER WRIGHT: Yes.

18 MS. ACKERMAN: Staff records the vote five to zero to
19 zero to approve Case Number 25-12 for setdown as a rulemaking
20 case.

21 CHAIRPERSON HOOD: Okay. Thank you again. Thank the
22 Office of Planning for all the work that they've done in all of
23 that -- both those last two cases. Ms. Ackerman, do we have
24 anything else on the agenda?

25 MS. ACKERMAN: No, just that our next meeting is on

1 Monday.

2 CHAIRPERSON HOOD: Oh, okay. You're taking my thunder.
3 Anyway, our next meeting is on Monday, July the 14th, on these
4 same platforms, Case Number 24-12, Harrison Wisconsin Owner, LLC.
5 Thank everyone -- all my colleagues and everyone for their
6 participation in this meeting this evening. And, again, Dennis,
7 congratulations and good luck as you continue to move forward.
8 Great job, Ms. Ackerman. Good night, everyone. Thank you.

9 (Whereupon, the above-entitled public meeting was
10 adjourned at 6:00 p.m.)
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C E R T I F I C A T I O N

This is to certify that the foregoing transcript

In the matter of: Public Meeting

Before: DC Zoning Commission

Date: 07-10-25

Place: Webex Videoconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.



Deborah B. Gauthier