

GOVERNMENT OF  
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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REGULAR PUBLIC HEARING  
CASE NO. 25-06

+ + + + +

MONDAY

JANUARY 12, 2026

+ + + + +

The Public Hearing of the District of Columbia Zoning Commission convened via teleconference, pursuant to notice at 4:15 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
- SHARON S. SCHELLIN, Secretary
- ELLA ACKERMAN, Acting Secretary

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

- BRIAN LAMPERT, ESQUIRE

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## ALSO PRESENT:

MATTHEW JESICK, DC Office of Planning  
ALEXANDRA CAIN, DC Office of Attorney General  
MARK ECKENWILER, Commissioner, ANC 6C  
CHERYL CORT, Coalition for Smarter Growth  
AULONA ALIA  
BRIAN LEVY  
ALICIA DEFOREST  
NICHOLAS BURGER  
SETH GRIMES, WABA  
WILLIAM TEASS, AIA/DC  
DAVID S. CROWLEY, CPG  
DENNIS SENDROS, DC YIMBYs  
IAN GRICE  
JAKE HARDISON  
NIANYI HONG  
FREDERICK HUBIG  
JAMES PEARLSTEIN  
JAY BOSE  
TOM LALLEY  
ERIN PALMER  
TANYA TOPOLEWSKI  
ADRIANA NAVARRO-SERTICH  
SHELLY REPP, Committee of 100

The transcript constitutes the minutes from the  
Regular Public Hearing held on January 12, 2026.

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

2 (4:15 p.m.)

3 CHAIRMAN HOOD: Good afternoon, ladies and gentlemen.  
4 We are convening and broadcasting this public hearing by  
5 videoconferencing. My name is Anthony Hood. Joining me this  
6 evening are Vice Chair Miller, Commissioners Wright, Imamura, and  
7 Stidham. We're also joined by the Office of Zoning staff, Ms.  
8 Ella Ackerman, soon to be joined by Ms. Sharon Schellin, as well  
9 as Mr. Paul Young, who will be handling all of our virtual  
10 operations; also, our Office of Zoning Legal Division is Mr.  
11 Brian Lampert. We will ask all others to introduce themselves  
12 at the appropriate time.

13 Copies of today's -- yeah, copies of today's virtual  
14 public hearing notice are available on the Office of Zoning's  
15 website. Please be advised that this proceeding is being recorded  
16 by a court reporter and is also webcast live by Webex and YouTube  
17 Live. The video will be available on the Office of Zoning's  
18 website after the hearing. Accordingly, all those listening on  
19 Webex or by phone will be muted during the hearing and only those  
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2 to sign up or to receive Webex log-in or call-in instructions.

3 All participants planning to testify either in favor,  
4 opposition, or undeclared, we encourage you to sign up in advance.  
5 If you wish to file written testimony or additional supporting  
6 documents during the hearing, then please be prepared to describe  
7 and discuss it at the time of your testimony. The subject of  
8 this evening's hearing is Zoning Commission Case Number 25-06.  
9 This is an Office of Planning text amendment to regulations  
10 governing alley lots. Again, today's date is January the 12th,  
11 2026.

12 The hearing will be conducted in accordance with the  
13 provisions of 11-Z DCMR, Chapter 5, as follows. We'll have  
14 preliminary matters; presentation by the petitioner -- in this  
15 case, the Office of Planning -- we'll have any other government  
16 reports; we'll have reports from any ANCs; and then we'll go with  
17 testimony organizations -- testimony of organizations and  
18 individuals -- organizations, five minutes; and individuals,  
19 three minutes, respectively -- we'll hear in the order from those  
20 who are in support, opposition or undeclared. While the  
21 Commission reserves the right to change the time limits for  
22 presentations, if necessary, it intends to adhere to the time  
23 limits as strictly as possible and notes that no time shall be  
24 ceded. Again, if you have any issues, please call our OZ Hotline  
25 number at 202-727-0789. And I would ask Mr. Young and others

1 that we utilize the clock if we have a number -- a lot of who --  
2 a lot of people who are going to be testifying, so we can hear  
3 from everyone. All right. So, with that, Ms. Ackerman, do we  
4 have any preliminary matters?

5 MS. ACKERMAN: Yes. So this case was set down as a  
6 rulemaking case on May 29th, 2025. This hearing was originally  
7 scheduled for November 13th, 2025, but was rescheduled for today  
8 from the omnibus case. The petitioner -- sorry -- petitioner  
9 tonight is the Office of Planning. Matthew Jesick will be  
10 presenting and plans to take 15 minutes.

11 A lot of exhibits have come in since setdown. The OP  
12 hearing report is at 187 in support, and, within this report,  
13 the -- DDOT and DOEE have submitted comments in support. At  
14 Exhibit 189, OP submitted a correction to the draft zoning text.  
15 The OAG report is at Exhibit 184, and is in support as well. And  
16 we have a lot of ANC reports. Would you like me to list them?

17 CHAIRMAN HOOD: (Nods head affirmatively.)

18 MS. ACKERMAN: Okay. ANC 1A is at 186 -- Exhibit 186,  
19 in support. ANC 2E is at 177 -- Exhibit 177, in support. ANC  
20 3E report is at 175, in support. ANC 4D report is at Exhibit  
21 181, in support. ANC 6B submitted a report at Exhibit 182, which  
22 is in support as well. And, lastly, ANC 6C submitted a report  
23 today at Exhibit 231, and they are in support as well. That is  
24 all. Thank you.

25 CHAIRMAN HOOD: Thank you, Ms. Ackerman, for teeing

1 that up for us. Very great job -- great job doing that, so --  
2 getting us prepared as we move forward. Again, we want to try  
3 to be respectful of those who may be -- it looks like we're going  
4 to have a lot of people testifying, so I'm going to probably  
5 stick to the time clock, so we can be respectful of everyone's  
6 time. So, Mr. Jesick -- can we bring Mr. Jesick up? And we can  
7 go ahead and get started. Mr. Jesick, good afternoon. You may  
8 begin.

9 MR. JESICK: Good afternoon, Mr. Chairman and members  
10 of the Commission. Again, for the record, my name is Matt Jesick,  
11 and I'll be presenting OP's testimony in this case. The Office  
12 of Planning is proposing text amendments to the zoning  
13 regulations governing alley lots. Since the Commission set down  
14 its proposal in May of last year, we have continued to review  
15 the draft zoning with stakeholders, such as ANCs, members of the  
16 public, alley lot owners, as well as government agencies, and  
17 that has led to the revised proposal before you this evening. In  
18 this presentation, I'll give, first, a very quick summary of the  
19 major amendments; then a bit of background on the text amendment;  
20 I will discuss our outreach; and, finally, get into a bit more  
21 detail on the major changes since setdown.

22 Next slide please, Mr. Young. So, as the Commission  
23 will recall, our principal amendments can be categorized into  
24 three main buckets: the subdivision rules; the use permissions;  
25 and, finally, the development standards. These are mostly the

1 same as when we you saw them at setdown. Just highlight a few  
2 of the major amendments, we are proposing a special exception in  
3 the subdivision rules for those lots that might not meet matter-  
4 of-right requirements; we're proposing that residential be  
5 allowed in the R-1 and R-2 zones where it is not currently; and  
6 we are proposing a special exception for additional height above  
7 the matter-of-right limit. And I'll get into some of these in  
8 more detail later.

9           Next slide please. So just as a bit of background, the  
10 Commission approved a previous alley lot text amendment in Case  
11 19-13, and, at the hearing for that case, the Commission heard  
12 testimony that more needed to be done to make alley lots usable,  
13 because of some of the exceptional factors that affect them. And  
14 I think the Commission agreed with that viewpoint and asked OP  
15 to study alley lots again and what could be changed in the  
16 regulations. Since that time, we've gotten further feedback from  
17 the BZA and property owners and others that these regulations  
18 probably need a second look. And, of course, we always base our  
19 work on the Comprehensive Plan, and, in this amendment, we are  
20 trying to further a number of goals and policies outlined in the  
21 Plan.

22           Next slide please. We've collected data on alley lots,  
23 and, at setdown, the Commission asked for an estimate of the  
24 number of housing units that could be generated by the text  
25 amendment. And I don't think anyone can come up with a firm

1 estimate for the number of housing units that might be produced,  
2 because the actual development outcomes over the next many years  
3 would depend on how existing lots are being used, how the zoning  
4 changes may influence property owners' decision-making, and how  
5 existing lots are either combined or subdivided, so I think the  
6 actual number can vary widely.

7 I think one thing we can point to is that we feel like  
8 the most likely lots to develop new housing units are the vacant  
9 lots, and, of those 511 meet the minimum size threshold of 450  
10 square feet. So that gives you a sense of the order of magnitude  
11 we're talking about. Other lots, such as those with garages or  
12 surface parking, may be converted to residential or have  
13 residential added to them. We're also proposing to allow two  
14 units per lot, which would be another opportunity to add housing.  
15 So while we can't put a firm number on an estimate, it is  
16 certainly a goal of the text amendment to remove barriers to  
17 development of long vacant properties.

18 Next slide please. I mentioned the Comprehensive Plan  
19 a moment ago, and I won't go into great detail here. We presented  
20 this at setdown, and we have a full Comprehensive Plan analysis  
21 in our setdown report -- that's Exhibit Number 2 -- and a summary  
22 analysis in our public hearing report, Exhibit 187, and those go  
23 through the Zoning Commission's racial equity tool as well, but  
24 I did want to quickly recap some of the important policies that  
25 we are addressing, as well as the Commission's evaluation

1 factors. We feel that the text amendment would further policies  
2 calling for infill development, making use of our limited land  
3 resources here in the District, and finding new approaches to add  
4 housing to existing neighborhoods. We also feel like the  
5 amendment strikes the right balance when it comes to maintaining  
6 neighborhood character.

7 Community outreach I will address here in more detail  
8 in a moment. But regarding the Commission's evaluation factors,  
9 we don't anticipate any displacement. There will likely be some  
10 additional housing, as I said, and, importantly, some vacant  
11 properties could be improved, which now often become nuisance  
12 properties for their neighbors. Regarding that very last bullet,  
13 we do feel that our public engagement strongly influenced and  
14 shaped our proposal.

15 Next slide please. We engaged the public in a variety  
16 of forums. ANC open houses were very important. We also met  
17 with a couple of individual ANCs, who invited us out to speak.  
18 We met with the alley owners group that is formed. We also had  
19 a dedicated project website and a dedicated e-mail address, where  
20 folks could contact us with any questions or feedback or just  
21 looking for more information. So we really appreciate all that  
22 feedback.

23 As you've seen in the record, there are somewhere  
24 around 200 individual letters, a few letters from Councilmembers  
25 voicing their general support for the amendment, and, as Ms.

1 Ackerman noted, there are a number of ANCs who have submitted  
2 comments into the record, so we really appreciate all that  
3 feedback.

4           Next slide please. And that has helped, as I said,  
5 shape our current proposal and resulted in a number of changes  
6 since we initially started drafting the zoning text on things  
7 like increased yard requirements for R-1 and R-2; allowing height  
8 relief by special exception; it informed DOEE's recommendation  
9 regarding pervious surface; and also taking another look at uses,  
10 such as home occupations, which was an outgrowth of a meeting  
11 with a property owner. Now I'll get into a bit more detail on a  
12 few of these changes that have happened since setdown.

13           Next slide please. The first item I wanted to mention  
14 is alley width. And, at setdown, the Commission asked us to be  
15 sure to get feedback from FEMS, and, based on that feedback, we  
16 have changed this proposal. We had been looking to reduce the  
17 alley width requirement, both for subdivision and for residential  
18 use, to 15 feet across the board. Our current proposal is to  
19 maintain the existing width requirements. However, we continue  
20 to propose a special exception for subdivision, and the existing  
21 special exception for residential use would also remain.

22           We, of course, always look to FEMS for their input,  
23 when it comes to life safety and fire safety, and it was their  
24 recommendation to maintain the existing standards. They wanted  
25 the ability to continue to review these on a case-by-case basis,

1 as alleys may vary in their configuration or have unusual  
2 obstacles that are not counted in the legal width of the alley.

3           Regarding lot area, we -- this is more of a refinement,  
4 rather than a major change, but we wanted to clarify that the  
5 minimum lot area for R-2, R-3, and RF zones, at the time of  
6 subdivision, is the minimum required, regardless of building  
7 type. And this conforms with longstanding DoB precedent for when  
8 someone comes in for a subdivision, but does not yet know what  
9 building type or what use they ultimately plan for their property.

10           Next slide please. Also, since setdown, we wanted to  
11 bring your attention to this change, and that is to propose a  
12 special exception for additional height above the matter-of-right  
13 limit. At setdown, we had only been proposing a minor change to  
14 height to go from 20 to 22 feet. We're now proposing that in  
15 residential zones you could go up to 35 feet by special exception  
16 and 40 feet in commercial zones. And this change is based on  
17 feedback, stating that additional height would make alley  
18 development, which is subject to large infrastructure costs, more  
19 financially feasible and would provide greater opportunity for  
20 housing, including larger-sized units. And the special process,  
21 of course, would allow review of potential impacts either to  
22 immediately adjacent lots or overall neighborhood character.

23           Next, we referred our text amendment to various city  
24 agencies, including DOEE, who responded with a request to  
25 increase the pervious surface requirement from 10 to 25 percent.

1 And they took a look at that, in particular, because of feedback  
2 we received from an ANC Commissioner who was concerned about  
3 flooding in alleys. But I know that that change has generated  
4 some negative feedback, so what we can do, we can discuss this  
5 further with all of the interested parties and with DOEE and come  
6 back to the Commission with, hopefully, a resolution that  
7 satisfies everyone and present that to all of you.

8           Those are the biggest changes that I wanted to discuss  
9 with you at this time. In our written report, we detail all of  
10 the changes since setdown, big and small, and I'm happy to take  
11 any questions on those. One change that has been consistently  
12 requested, but that we have not made, is to eliminate the parking  
13 requirements for alley lots. And we're happy to follow whatever  
14 direction the Commission gives us regarding parking. Our  
15 instinct was to be conservative and maintain the parking  
16 requirements, especially because the parking special exception  
17 already exists, and, through that special exception process, the  
18 BZA can reduce or eliminate the parking requirement altogether,  
19 and we thought it was appropriate to review applications on a  
20 case-by-case basis.

21           One other point I wanted to make to the Commission is  
22 that we summarized, on page 13, the feedback we received from  
23 other agencies. I'm happy to answer any questions about those,  
24 but, just as an update, we have had a chance to do an initial  
25 review of the comments provided by OAG, but we would want

1 additional time to review those internally, both with OAG and  
2 other agencies, and consult with any of those agencies about any  
3 changes we might make.

4           Next slide please, Mr. Young. That concludes my verbal  
5 testimony, but we would ask for flexibility to refine the zoning  
6 text, as necessary, to address any comments received this evening  
7 and/or provide further clarifications, as necessary. Thank you  
8 again, and happy to take any questions.

9           CHAIRMAN HOOD: Thank you, Mr. Jesick. And before I  
10 go to Commissioner Imamura, I just want to, first of all, thank  
11 you all for moving this as we have requested during the omnibus.  
12 I believe that's when we requested it, but, either way, you all  
13 have done that. Did we do that? Isn't that what we did on the  
14 omnibus? This is not one that we asked to move? Anyway, whatever  
15 it was, we're here, so I thank you for doing that. I can't  
16 remember, so much of that was going on. But, anyway, I want to  
17 start off talking about the -- there's a special exception for  
18 alleys now that exists. You all wanted to condense it, and the  
19 FEMS has said to leave it -- leave it as it is with a review of  
20 it, because of the different reviews. Why did we -- why did we  
21 even attempt -- well, is that something we asked to do -- asked  
22 for you all to look at? I can't remember.

23           MR. JESICK: Yes, back in 19-13 -- Case 19-13, after  
24 the testimony from the public, one of the things they were looking  
25 at was the alley width requirements. And I think, at that time,

1 the Commission was open to that possibility of reducing the  
2 requirements. What we did, at the time of setdown for this case,  
3 we went back and looked at old BZA cases. And, in general, FEMS  
4 seemed supportive of what -- you know, any time there was a  
5 request for a more narrow alley, so we went ahead and proposed  
6 that. We were seeking input from FEMS even before setdown. We  
7 have been able to now establish a good line of communication with  
8 them, and they felt more comfortable leaving the requirements as  
9 is. They felt it was important to, like I said, look at a case-  
10 by-case basis for access for their fire equipment.

11           CHAIRMAN HOOD: Okay. Great. Thank you, Mr. Jesick.  
12 Let me first just acknowledge that we've been joined also by Ms.  
13 Sharon Schellin. I will tell you, Mr. Jesick, I've always had  
14 concern on cases with alley lots and with alleys and the fire --  
15 about the fire apparatus being able to get back there and getting  
16 in there, so I would agree with what's being presented now. I'm  
17 not sure how we got to even have -- make that a question, but I  
18 think that definitely needs to be reviewed. And I guess it's  
19 always good to look at other options, but I would definitely want  
20 to keep that option. I have a concern about fire engines being  
21 able to get back there and then the safety and health of the  
22 residents of the District of Columbia. That's something that is  
23 our charge. So I don't even know how it got there, but I'm not  
24 going to try to remember the history, because I don't. But I'm  
25 glad that we've come to the conclusion where we are now. I'm

1 going to go later, but I do want to hear from the public, but  
2 let me see if my colleagues have any questions about your  
3 presentation. And good -- great job, Mr. Jesick. Commissioner  
4 Imamura.

5 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. As the  
6 Chairman stated, we do have a number of people from the public  
7 wanting to provide testimony tonight, so I'll try to be brief.  
8 Mr. Jesick, I echo the Chairman's comments. Great job. This is  
9 a lot of detail, a lot of nuance to this text amendment that I  
10 think can bring forward a lot of positive change, and I'm kind  
11 of excited about this. This is a great example of the government  
12 and the community working in concert to improve the regulations  
13 here. And so there's actually, I think, a good problem that's  
14 come before you, Mr. Jesick, in that we've got a lot of support  
15 for this case with a lot of ideas to make refinements. And so I  
16 was really pleased to hear that OP is willing to take another  
17 look at the pervious surface requirements and -- given some of  
18 the feedback that you've heard from residents, and I'm kind of  
19 curious. When I first read it, I thought, well, that doesn't  
20 seem unreasonable to go from 10 percent to 25 percent, but perhaps  
21 it was just a matter of how that was interpreted. So I'm just  
22 pleased that OP's willing to go back and kind of take another  
23 look at this to reach resolution with members of the public.  
24 Same with the parking requirements, too. I think that's really  
25 terrific to kind of go back and take another look at that as

1 well, given that many of these lots, the 511 or so, are often in  
2 areas of rich transit, so I think that's important. I am curious,  
3 in terms of the matter of right set at 22 feet, I'm curious what  
4 the rationale was. Pleased to see that it moved from 20 to 22  
5 feet, but I wanted to ask if you could just explain the rationale  
6 behind that.

7 MR. JESICK: Certainly. The simple answer is to align  
8 the permission for alley lots to that of accessory buildings,  
9 which are currently allowed to go to 22 feet. And the longer  
10 answer is, I think the accessory building permission was set at  
11 22 feet. Formerly, it was at 15, I think to accommodate those  
12 buildings that were already, say, at 14 or 15 feet in height, to  
13 maybe incorporate a smaller second story above those buildings.  
14 I think that's where the 22 feet originated, but we're happy to,  
15 again, take any direction from the Commission that you feel is  
16 appropriate.

17 COMMISSIONER IMAMURA: Okay. I did see in the record  
18 that there have been a couple of comments about increasing the  
19 matter-of-right height, specifically -- one in specific, to 25  
20 feet, just as a matter of logistics for -- to make things a little  
21 simpler for architects and applicants to actually design  
22 something that's suitable for an alley lot. I'm also  
23 curious -- I've seen a lot of comments about the minimum lot  
24 size, and wanted to ask what the rationale was to leave that  
25 determination based off of the existing zone, whereas, I think

1 | some have commented on why not make the minimum lot size 450  
2 | square feet across all the zones. And so I just wanted your  
3 | feedback on that and your expertise.

4 |           MR. JESICK: Certainly. We didn't see a lot of policy  
5 | direction pointing us towards smaller subdivisions. The minimum  
6 | lot areas required in the zone is kind of a longstanding  
7 | requirement for alley lots. We -- what we are doing, however,  
8 | is proposing the special exception process, where folks go before  
9 | the Board if they have a proposal for smaller lot sizes, and then  
10 | it could be reviewed, of course, for impacts, whether it's impacts  
11 | to adjacent properties or transportation or infrastructure. That  
12 | could all -- you know, we could all take a look at that in more  
13 | detail. With the smaller subdivisions, I think we were -- we had  
14 | initially contemplated something along those lines, but, you  
15 | know, one compromise we also put forward is to allow for two  
16 | units per lot, so I think that gets at some of what the owners  
17 | were looking for, which is additional development and use  
18 | flexibility. So we -- again, we found -- or we feel like we  
19 | found the right balance between all these regulations, and it's  
20 | still open to the possibility for smaller lots. It would just  
21 | need to go through a special exception process.

22 |           COMMISSIONER IMAMURA: All right. I appreciate that  
23 | answer, Mr. Jesick. And I'm in agreement with your approach, and  
24 | I think, with the number of comments that we've received in the  
25 | record, clearly, there's a lot -- there's a high level of interest

1 and a lot of people that are well-versed or at least -- in some  
2 of the regulations here and are looking for additional  
3 flexibility. While I can understand that, I really appreciate  
4 sort of the approach that OP's taking here, much with -- similar  
5 to the FEMS for the alley lot widths, in that there are special  
6 exceptions there to be reviewed by the BZA. So just a good  
7 reminder for, I think, everybody, that zoning is incremental when  
8 we make these changes.

9           And so -- and I think, in several cases -- recent  
10 cases, we've talked about that, in terms of just sort of these  
11 incremental steps, with a willingness or openness to make further  
12 modifications based off, you know, what we see and how things are  
13 implemented. So, hopefully, Mr. Jesick, I'm certain that OP has  
14 expressed that or reiterated that through the community outreach,  
15 which I think is phenomenal, too, that you've done. But, again,  
16 I think it's important to underscore that these are incremental  
17 steps to make improvements here.

18           And so it's really nice to see that everybody, I think,  
19 in general, is in alignment here, both government agencies and  
20 the community, and so I'm really pleased to see this come forward.  
21 And this is, again, I think, a case that will bring about  
22 significant and positive change. So thank you, Mr. Jesick, for  
23 your leadership on this effort. And, Mr. Chairman, I don't have  
24 any further comments or questions and will leave the rest of my  
25 time to my peers.

1 CHAIRMAN HOOD: All right. Thank you, Commissioner  
2 Imamura. Commissioner Wright. I kind of go through the same  
3 pattern most of the time, don't I? Anyway, Commissioner Wright.

4 COMMISSIONER WRIGHT: Thank you. And so, number one,  
5 I really want to congratulate the Office of Planning. We rarely  
6 see a text amendment of this magnitude with so much support.  
7 Really, your outreach and working with the community, I think,  
8 has really paid off, because you've done a great job of reaching  
9 consensus on a lot of issues.

10 I also agree with many of the comments of Commissioner  
11 Imamura about -- you know, I think you've threaded the needle  
12 well, in terms of, you know, making some changes, but also  
13 allowing for additional flexibility through the special exception  
14 process. Just as a fun note -- this is just for fun, and you  
15 probably know about this -- I want to tell everyone -- do a shout  
16 out, a book called Hidden Alleyways of Washington, DC, which is  
17 by an Office of Planning employee, Kim Prothro Williams. It's  
18 been published just in the last year or two and really is a great  
19 history of alley dwellings from the earliest times to more current  
20 times, and it's been a sort of up and down history. But I wanted  
21 to put a plug in for that and mention that.

22 You know, I think that there are a few things that we  
23 need to talk about a little bit more and where we really will  
24 want some written responses to testimony that we're probably  
25 going to be hearing later in this meeting. I think the issue of

1 eliminating parking requirements has come up in many of the pieces  
2 of correspondence that we've received. I'm always a big fan of  
3 fewer parking requirements, especially if the parking  
4 requirements would end up meaning that there would be a surface  
5 or impervious space on a piece of property. So I think, you  
6 know, an analysis of whether we could just eliminate parking  
7 requirements would be great, and doing that as a -- as a matter  
8 of right, rather than as a special exception issue.

9           The -- I do agree with the idea of, essentially, a two-  
10 story building being a matter of right. I was interested in the  
11 testimony that we received that sort of laid out that, from a  
12 technical standpoint, 25 feet might allow for a two-story  
13 building more easily than 22 feet, and I think that's at least  
14 worth looking at, and then that there could be additional height  
15 up to the limits in the zone with a special exception.

16           You know, I do understand the desire to increase  
17 pervious surface requirements, but I do think a sort of blanket  
18 requirement in that regard may actually be a detriment to  
19 constructing additional housing units in alleys. And so I think,  
20 again, maybe we need to look at it on a sliding scale. Maybe it  
21 needs to be based upon the size of the lot. If you have a very  
22 large lot in one of the single-family zones and you're building  
23 an alley dwelling, you probably can achieve a 25 percent pervious  
24 cover without much trouble. If you're trying to do it in a small  
25 townhouse zone with a very small lot, you may have more trouble

1 | doing it. So I think, you know, maybe looking at it from a  
2 | sliding scale perspective would be a good idea.

3 | I don't have a lot of additional questions. I  
4 | definitely do want to hear the public testimony. I think that,  
5 | all in all, this is a very good text amendment, a very good idea.  
6 | I think additional dwelling units in the alleys are a very great  
7 | way to provide additional housing opportunities in the city. I  
8 | appreciate your efforts to give us an order of magnitude of how  
9 | many units might be produced. I know that's hard to do, but I  
10 | appreciate the efforts that you all made on that analysis. I do  
11 | think, again, there are just some of these small items that are --  
12 | you know, I really consider them tweaks, at this point, that need  
13 | to be looked at and get some written responses to some of the  
14 | testimony, and then, hopefully, we can move forward. So that is  
15 | it from -- for me.

16 | CHAIRMAN HOOD: Thank you. Commissioner Stidham.

17 | COMMISSIONER STIDHAM: Thank you. I reiterate much of  
18 | what my fellow Commissioners have already said, and I won't be  
19 | long, because we have a lot to hear from the public, and I'm  
20 | looking forward to hearing that. I do want to also commend the  
21 | Office of Planning for tackling this, as I feel it will be a  
22 | great change that will have lots of implications across the city,  
23 | which I think we're already seeing in both the support that we're  
24 | hearing and the work that OP has already done to exhibit the  
25 | results of this. So, with that, I look forward to hearing the

1 public comments. And, OP, thank you for all of the public  
2 engagement you have done that got us this far. It really does  
3 make a huge difference, and greatly appreciate it.

4 CHAIRMAN HOOD: Thank you. Vice Chair Miller.

5 VICE CHAIR MILLER: Thank you, Mr. Chairman. And I  
6 appreciate the Office of Planning and Matt Jesick's report and  
7 presentation here this evening and my colleagues' comments, which  
8 I generally agree with. I remember -- I didn't go back and look  
9 at the hearing, but I remember that case of the alley lots that  
10 began in 2019. I think it didn't end until 2020, so we're now  
11 five years into this. So I appreciate you following up to  
12 facilitate what is a very -- it's an incremental step -- all  
13 these incremental steps to facilitate housing in the District of  
14 Columbia. And these are on alley lots, which are generally  
15 smaller lots.

16 And I would -- I echo the request for whatever -- for  
17 the written responses that my colleagues have asked for -- the  
18 written responses to the OAG recommendations, which you said you  
19 didn't have a full time to -- and we're going to hear from OAG,  
20 I think, this evening. And there's a helicopter going over my  
21 head, and I hope it's not going to start bombing us. But also  
22 the -- in writing to the response to the ANCs' suggestions and  
23 members of the public regarding -- and you provided in your report  
24 and tonight verbally, but I think a written -- more written  
25 response, given we're going to hear a lot more from them -- from

1 the public about the -- a written response on the -- eliminating  
2 the parking requirements, on aligning the unit limits to what the  
3 zone permits, aligning the height limits to what the zone permits,  
4 and the minimum -- I agree generally with the comments that the  
5 lot area subdivision standards are too restrictive and that the  
6 pervious surface requirement is counterproductive. I mean, going  
7 from 10 percent to 25 percent -- we all support pervious, but  
8 these are small lots, and if we -- if the whole point of this is  
9 to encourage housing, to require a 25 percent, which is like 150  
10 percent increase from the existing requirement, is just, I  
11 think -- personally, I think it's not appropriate.

12           On the alley width issue, I mean, you started out going  
13 to the 15 foot from the existing 24 feet, and you got some verbal  
14 feedback I guess. I appreciate all the feedback that you've  
15 gotten and tried to get from both the community -- there's a lot  
16 of community engagement, and that's why we're going to hear from  
17 so many people tonight and why we've heard from so many ANCs and  
18 from agencies, including FEMS, but I think we need a written  
19 response from -- written opinion from -- report from FEMS on this  
20 width requirement. I recall being on many BZA cases where the  
21 24-foot width was being asked for relief to go to 15 feet. There  
22 are very few 24-foot lots -- alleys in the District of Columbia,  
23 I mean, so you're going to require a special exception process  
24 almost in every case. So I'd be interested in -- but I might be  
25 wrong, but I remember there -- in the overwhelming majority of

1 | the cases where relief was being asked for -- and now I can't  
2 | even remember whether it was variance or special exception relief  
3 | under the current regulations. Is it a variance or special  
4 | exception?

5 |           MR. JESICK: Well, under the current regulations for a  
6 | subdivision, you would have to get a variance for the residential  
7 | use. There's an existing special exception that you can use.

8 |           VICE CHAIR MILLER: You know, and we all don't want to  
9 | jeopardize any public safety issue, but I just recall, in the  
10 | cases at BZA which I reviewed, whether it was the variance issue  
11 | or the special exception, we actually had an FEMS report, either  
12 | initially or after a request BZA members, that said 15 feet is  
13 | okay, as long as we can get that hose in from the street within  
14 | 300 feet or something. So I think we need a -- in this case, we  
15 | need an FEMS written report as -- do you know how many cases  
16 | there were where relief was being asked for from the 24 foot and  
17 | how many were granted by BZA and how many were denied? So I  
18 | might want that also. How many were accepted -- I think Committee  
19 | of 100 might have asked for something like that. Do you happen  
20 | to know that?

21 |           MR. JESICK: If you take a look at page three of our  
22 | written report, we have that data in there. I can go through it  
23 | now, if you'd like.

24 |           VICE CHAIR MILLER: So --

25 |           MR. JESICK: I think you're muted.

1 CHAIRMAN HOOD: You're on mute, Vice Chair.

2 VICE CHAIR MILLER: Oh, sorry. So was it like 80  
3 percent of the cases, like, 21 out of 25 or something like that  
4 or -- I mean, I'm just -- I'm not looking at the report, but --

5 MR. JESICK: I know the Committee of 100 had that figure  
6 in their -- in their written testimony. I'd have to look at our  
7 data to find the actual percentage.

8 VICE CHAIR MILLER: So, yeah. So I would just like to  
9 see that, because I remember that issue in the original case five  
10 years ago and in all the BZA cases before and since then. And a  
11 24-foot wide alley is very rare in the District of Columbia, I  
12 think, but I might be wrong on that. So I'd appreciate data on  
13 that, because the whole point of this is to facilitate more  
14 housing, not that this is going to be the answer. There's not  
15 one answer. It's a whole range, obviously, of tools -- things  
16 in the toolbox that we try to do all the time here and that the  
17 Council tries to do and the Mayor tries to do with tax and other  
18 policies, so I just think that a written response or more  
19 information on that would be helpful. I'm not sure I have any  
20 other questions, and I am -- we are all anxious to get to the  
21 public testimony, and there's a lot of interest, so thank -- I  
22 thank you for your -- for your -- for your work on this case,  
23 and I turn it back to you, Mr. Chairman.

24 CHAIRMAN HOOD: Thank you, Vice Chair Miller, and thank  
25 all my colleagues. Very good dialogue. I'm looking forward to

1 | having dialogue with you all as well, but, also, Mr. Jesick, I  
2 | want us to look at the Councilmembers' letter. I don't want to  
3 | single out a Councilmember, but -- especially Councilmember  
4 | Charles Allen's letter, some of the things that he's asked us to  
5 | do; and I think Councilmember Henderson; I think I saw White.  
6 | But, anyway, I want us to look at those letters, because I'm not  
7 | sure -- and I'm sure my colleagues will look at some of them,  
8 | because I know they probably talk and their constituents have  
9 | probably reached out to them and they're more in tune with what's  
10 | going on in their specific areas that they've talked about, and  
11 | that's why they made their recommendations. I'm not saying I  
12 | disagree with them. I just want to -- I want to understand how  
13 | they got to those findings or what they're requesting us to do  
14 | as well.

15 |           And I also looked at the Committee of 100 and all those  
16 | who are in support. So, Mr. Jesick, I think you've done a great  
17 | job. But one of the things I always think about -- and I'm just  
18 | going to -- this is just for me to put on the record -- when  
19 | there was advocacy from the community for us to take -- and  
20 | I'll mention Sibley Hospital -- the Vice Chair may remember  
21 | this -- to take a floor off. And I know I pushed and we -- I  
22 | was one of the Commissioners that pushed for that, and we  
23 | advocated for it. But I want the public to know that, when COVID  
24 | happened, I regretted that decision. So when I -- I just know  
25 | when we do certain things, we can't predict the future. And I

1 | agree with the Vice Chair, we try to do different things, but  
2 | when those kind of things come up to you, you know -- and I want  
3 | the public to know -- Commissioners and I'm sure in other things  
4 | that we do -- when you think back on the decisions you made that  
5 | affect what's actually going now, and when they couldn't find  
6 | rooms for people who were dying, all that stuff, it stays with  
7 | you, and I -- so some of this stuff I'm looking at, like the  
8 | alley lots and the safety folks being able to get back there, I  
9 | get that. But, also, as we go through this process, I want to  
10 | make sure that we at least do our -- what we can do our best  
11 | thought humanly possible to make the best decision for the city.  
12 | That's why I'm in. That's no answers. That's no pro or con  
13 | answers. That's what I always strive to do. But I do want to  
14 | look at the Councilmembers as well, because some of the things  
15 | they put in there, I'm not sure how they came up with making  
16 | those recommendations to them. They may be very valid, they may  
17 | be excellent, but I just want to make sure that, within reason,  
18 | they're workable and they're doable and they won't affect  
19 | anybody's safety or anything. So I don't know if you all had a  
20 | chance, Mr. Jesick, to respond to them. If not -- you don't have  
21 | to do it now, but you can, at least, look at them and respond to  
22 | them then, because I think -- I think they bring up some good  
23 | points and they bring up some points for a reason, but I'm just --  
24 | I just don't understand it and I'm not getting there. So I'll  
25 | just leave it at that. Any follow-up questions or comments?

1 (No response.)

2 CHAIRMAN HOOD: Okay. Not hearing any. Thank you.  
3 Thank you again, Mr. Jesick. Job well done. And one thing I  
4 know, you're definitely going to get the responses. You always  
5 have for the years I've been here.

6 MR. JESICK: Yeah.

7 CHAIRMAN HOOD: So, all right, Ms. Schellin, good  
8 afternoon. Let's see if we can bring up the Office of Attorney  
9 General.

10 MS. SCHELLIN: Yes, that's Ms. Cain.

11 CHAIRMAN HOOD: Ms. Cain.

12 MS. SCHELLIN: Yes.

13 MS. CAIN: Good evening, Chairman Hood, members of the  
14 Commission. Mr. Young, if you could pull up our presentation  
15 please.

16 (PowerPoint presentation shared on screen.)

17 MS. CAIN: Thank you. So I will try to be brief  
18 tonight, I think, like everyone else, given the amount of public  
19 interest in this case, but, for the record, I'm Alexandra Cain  
20 here tonight on behalf of the Office of the Attorney General.  
21 OAG is pleased to be here tonight in support of the text  
22 amendment. I do want to sort of jump in with everybody else and  
23 commend OP on the work that they've done in this case. This is  
24 a very technical amendment, as you all are aware, and trying to  
25 work with the details is no small task, so we're very appreciative

1 of the work that OP has put into this. A copy of our full  
2 statement is in the record at Exhibit 184, and we did also include  
3 an appendix of some suggested language that we were proposing,  
4 again, just to sort of kick some additional ideas out there, and  
5 that is at Exhibit 185.

6 Next slide please, Mr. Young. So OAG is recommending  
7 approval of the text amendment, which we believe will take a huge  
8 step towards reducing some of the what we believe to be  
9 unnecessary and overly burdensome regulations that currently  
10 regulate alley lots, and we think this will be a key step in  
11 facilitating additional development of housing on those lots,  
12 which will go towards addressing the District's ongoing housing  
13 crisis.

14 Next slide please. So, as has been discussed, this  
15 amendment is going to do that. I think there are two main ways.  
16 First of all, through clarifications and simplifications of both  
17 the development standards, building envelopes that are allowed  
18 on alley lots, as well as the use permissions. And we think this  
19 will allow these lots, which, as I think Vice Chair Miller  
20 indicated, tend to be unique, both in terms of their size and/or  
21 shape, to be developed in a way that will support housing and,  
22 particularly, gentle density.

23 So I did just want to pause on that for a moment,  
24 because I believe the concept of gentle density did come up in  
25 the Commission's hearing last week on the RA-1 text amendment.

1 | There's not really sort of a clear definitive definition of what  
2 | gentle density is. It sort of varies, based on the jurisdiction.  
3 | I think, broadly, it encompasses the idea of a housing policy  
4 | that seeks to add additional units, additional housing in ways  
5 | that are responsive and compatible with the surrounding density  
6 | of the surrounding neighborhood. So, again, depending on the  
7 | jurisdiction, depending on the neighborhood, that might be more  
8 | duplexes, more triplexes, in some cases low-rise multifamily  
9 | development. It can also mean things like additional accessory  
10 | building units, ADUs, or development of sort of substandard lots,  
11 | like alley lots.

12 |           So, in addition to that, we also commend OP in sort of  
13 | taking a look at the processes that are involved with getting  
14 | approval to use and develop alley lots, so trying, again, to sort  
15 | of simplify those regulations and the entitlement processes of  
16 | bringing these cases before the BZA.

17 |           Next slide please. So, as I mentioned, we called out  
18 | a number of, I guess, concerns that we had in our statement, even  
19 | though we were broadly supportive of the intent of the text  
20 | amendment. And I did want to sort of focus my testimony tonight  
21 | on, I guess, our feedback to some of the changes that OP has made  
22 | since setdown. Again, really appreciate OP taking the time,  
23 | taking the feedback from community members, as well as some of  
24 | our comments, and integrating that into their revised proposal,  
25 | which, happily enough, we think actually addresses a number of

1 | our initial comments. And, as Mr. Jesick said, we're looking  
2 | forward to continuing to work with OP throughout the drafting  
3 | process, as they incorporate additional feedback and move into  
4 | the Notice of Proposed Rulemaking to further, I guess, clarify  
5 | and refine this text amendment.

6 |           So on the issue of -- sorry. Can you go back, Mr.  
7 | Young? So just on the issue of the alley width minimums, while  
8 | we were supportive of reducing that minimum down to 15 feet,  
9 | based on the data that OP had pulled from BZA cases and sort of  
10 | the record of FEMS support for those reductions, given that FEMS  
11 | still have concerns about the public safety implications of that,  
12 | I think we are supportive of returning back to that 24 minimum --  
13 | foot minimum or, at least, continuing the conversation with FEMS  
14 | to see if there is sort of any additional flexibility there,  
15 | again, recognizing, I think, like Vice Chair Miller said, that,  
16 | you know, trying to increase the number of cases that can go  
17 | through by right while still recognizing the public safety  
18 | concerns that are very valid and need to be addressed.

19 |           We would suggest that, if the special exception is  
20 | retained, that there perhaps be additional, I guess,  
21 | investigation into special exception standards to sort of clarify  
22 | the issues that the BZA and the different District agencies that  
23 | are reviewing these applications should consider as part of their  
24 | review, again, just to sort of create more clarity and, hopefully,  
25 | I guess, more efficiencies in the Board review, so that applicants

1 know exactly what kind of information they need to provide and  
2 both the Board and the agencies know specifically what they are  
3 looking at. In addition to that, we are very happy that OP has  
4 made the changes concerning the minimum lot dimensions in the R  
5 and the RF zones to tie them to minimum required by the zone.  
6 That was one of our major concerns in going through the initial  
7 language of the text amendment, just because we felt it might  
8 have introduced some contradictions or some confusion for  
9 property owners in determining whether they could really develop  
10 on their lot, and, if so, how many units would be permitted, so  
11 glad to see that that change has been made.

12 We are also very supportive of moving to allow  
13 additional height by special exception. That had been one of our  
14 suggestions in our statement, so glad to see that is going  
15 forward, in response to the significant public feedback on that.  
16 Again, given that these lots tend to be sort of unique in their  
17 size and shape, I think allow that additional flexibility for  
18 property owners will help more of these lots be developed to  
19 provide beneficial residential uses. And then, finally, we  
20 support the clarification on both the front setback rules and to  
21 the variance types that are applicable to alley lots, so, again,  
22 just sort of cleanup, making the regs clearer and easier to  
23 understand for folks.

24 Next slide please. So just some sort of broad, I guess,  
25 additional recommendations that we would suggest to OP that we'd

1 | be happy to sort of discuss with them going forward. Again, sort  
2 | of continued review of the proposed development standards for  
3 | alley lots; I think, particularly, yards, the parking  
4 | requirements that have been raised through out, issues like the  
5 | pervious surface that have come up, again, just trying to see if  
6 | there are additional places where additional flexibility can be  
7 | provided to make it easier for property owners to use these lots  
8 | for residential development. And then, finally, as I said a  
9 | couple of slides ago, looking at the special exception  
10 | requirements and the agency reviews that are tied to them just  
11 | to insure that they are clear and that they provide efficiencies,  
12 | again, both for the Board and the District agencies that are  
13 | involved.

14 |           Next slide please. So that really concludes my  
15 | testimony. Again, we are very supportive of this text amendment,  
16 | and we commend OP for all the work that has gone into it. I  
17 | think we all wish that there was a silver bullet to address the  
18 | housing crisis in the District, but I think it really comes down  
19 | to a series of small steps that try to address different aspects  
20 | of creating new housing, and we think that this is one of those.  
21 | So, again, full kudos to OP for the work that they have done,  
22 | and happy to answer any questions that the Commission may have.  
23 | Thank you.

24 |           CHAIRMAN HOOD: Thank you, Ms. Cain and as well as the  
25 | OAG staff. Let's see if we have any questions or comments.

1 Commissioner Imamura.

2 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. No  
3 questions or comments, other than to thank Ms. Cain for her  
4 testimony tonight, and appreciate the comments that OAG has put  
5 forward to work with OP to make these refinements.

6 CHAIRMAN HOOD: Thank you, Commissioner Imamura.  
7 Before I call on Commissioner Wright, Ms. Schellin, if you can  
8 get the agenda -- e-mail me the agenda right quick, because after  
9 we finish with OAG, I want to do a closed meeting. BEGA likes  
10 me to --

11 MS. SCHELLIN: I'm doing that now.

12 CHAIRMAN HOOD: Okay. Great. Okay. Commissioner  
13 Wright.

14 COMMISSIONER WRIGHT: Thank you. I don't have any  
15 questions. I do appreciate all of the analysis that OAG has  
16 done, and I am very happy that it sounds like OAG staff and Office  
17 of Planning staff have a good working relationship to talk through  
18 a number of these issues. And so, hopefully, when we come back  
19 the next time, we'll have a great chart, like Mr. Jesick provided  
20 previously, showing the responses to each of the suggestions that  
21 you've made. But thank you for your work on this.

22 CHAIRMAN HOOD: Thank you. Commissioner Stidham.

23 COMMISSIONER STIDHAM: So no comments or questions;  
24 just thank you, Ms. Cain, for your review of this and your  
25 continued review of OP's edits. Extremely helpful. Thank you.

1 CHAIRMAN HOOD: Okay. And Vice Chair Miller.

2 VICE CHAIR MILLER: Thank you, Mr. Chairman. And thank  
3 you, Alex Cain, for the OAG testimony on this case. And I  
4 generally agree with almost all of the comments -- I think all  
5 of the comments, actually, that you've made about the case and  
6 additional flexibility that you're suggesting that OP should  
7 consider as we move this case forward. And I look forward, as  
8 Commissioner Wright said, to the written responses to your  
9 specific recommendations.

10 Mr. Chairman, I think I forgot to ask OP about the rear  
11 yard issue of -- is it 25 feet? I mean, it seems like a lot for  
12 an alley lot that might impede any development of an alley lot  
13 for housing without having to go through a process that we know  
14 you can get at BZA, but it's six months and it's -- anyway, I  
15 think -- I don't know if Matt Jesick wants to come back and  
16 respond to that right now or as part of his written responses to  
17 all of the testimony, to provide more information about this rear  
18 yard requirement. Maybe I'm not understanding it, but it seems  
19 like a lot for a small alley lot.

20 MR. JESICK: I'm happy to respond to that now,  
21 Commissioner Miller. The requirement for the increased yard  
22 sizes came out of an ANC meeting that we had, where an ANC  
23 Commissioner -- or maybe it was a resident, actually, expressed  
24 concerns about development immediately to the back of their  
25 property. And I think what we see are different configurations

1 of alley lots. Oftentimes, they're kind of on an island  
2 surrounded by alleys, but sometimes they do butt up against the  
3 back of a street-facing lot. And what we were looking to achieve  
4 with that proposal was, you know, providing property owners with  
5 the same expectation they would -- they would have if they happen  
6 to share a backyard with another street-facing lot. So if you  
7 have a street-facing lot and the person behind you has a street-  
8 facing lot, you would both have a 25-foot rear-yard requirement,  
9 and this is in the R-1 zone. So we wanted to provide some level  
10 of expectation where the alley lot takes the place of that other  
11 street-facing lot, so both lots would have a similar amount of  
12 open space to the rear of the building. So that was the goal  
13 with that amendment, in response to community concerns that we  
14 had heard.

15 VICE CHAIR MILLER: And what's the existing  
16 requirement?

17 MR. JESICK: It's five feet from any non-alley lot is  
18 the existing requirement, but, again, residential is not  
19 permitted today in R-1 and R-2 alley lots, so we're introducing  
20 a new use, but wanted to maintain the same character of the  
21 existing neighborhood.

22 VICE CHAIR MILLER: I want to maintain the same  
23 character of the neighborhood as well. I think there might be  
24 something between 5 and 25, so I just would say that.

25 MR. JESICK: Okay.

1           VICE CHAIR MILLER: Thank you, Mr. Chairman. Am I now  
2 the Chairman?

3           CHAIRMAN HOOD: Yeah, yeah. No, no, no. Oh, wait a  
4 minute I'm just getting my lighting situation straight. All  
5 right. Any other questions of Mr. Jesick, I mean, as a follow-  
6 up?

7           (No response.)

8           CHAIRMAN HOOD: Okay. All right. I'm going to stop  
9 now and do something that I should have done at the beginning,  
10 and I want to thank Ms. Schellin for reminding me. I'm going to  
11 do a closed meeting -- I'm supposed to do these in advance, but  
12 I guess this won't hurt in the middle. So this is to close the  
13 meeting -- for us to have a closed meeting on January the 15th  
14 at 3:15 p.m. This session is being held in order for the  
15 Commission to receive legal advice from our counsel -- from our  
16 counsel regarding the cases noted on the agenda for the date,  
17 again, of January the 15th, 2026, and to prescribe the attorney-  
18 client privilege between the Commission and its attorney,  
19 pursuant to DC Official Code 2-575(b)(4)(A), and deliberate but  
20 not vote on the contested cases, pursuant to DC Official Code  
21 2-575(b)(13). We will be -- the cases we will be discussing  
22 possibly in that closed meeting are Zoning Commission Case 08-  
23 340, Capitol Crossing; Zoning Commission Case 15-24E, JBG/6th  
24 Street Associates; Zoning Commission Case Number 13-08E, New  
25 Congress Height Partners, LLC and New Congress Heights Metro

1 Owner, LLC, two-year time extension -- all these are time  
2 extensions I'm calling now -- and then, also, Zoning Commission  
3 Case Number 96-13, Street Retail, LLC, two-year PUD time  
4 extension at Square 1661. And then we have a hearing action item  
5 on the agenda, Zoning Commission Case Number 25-18, Champlain  
6 Street -- Champlain Street Partners, LLC, consolidated PUD and  
7 related map amendment at Square 2560 -- it's kind of small, so  
8 I'm leaning forward and I still got glasses -- okay, and to  
9 deliberate but not vote on those contested cases I called, as I  
10 mentioned, pursuant to DC Official Code 2-575(b)(13). I would  
11 ask that the Commission -- is there a motion to have a closed  
12 meeting on the 15th from one of my colleagues? Is there a motion?

13 COMMISSIONER WRIGHT: So moved.

14 CHAIRMAN HOOD: It's been moved. And a second?

15 COMMISSIONER STIDHAM: Second.

16 CHAIRMAN HOOD: It's been moved and properly seconded.

17 Ms. Schellin, would you do a roll call vote please?

18 MS. SCHELLIN: Commissioner Wright.

19 COMMISSIONER WRIGHT: Yes.

20 MS. SCHELLIN: Commissioner Stidham.

21 COMMISSIONER STIDHAM: Yes.

22 MS. SCHELLIN: Commissioner Hood.

23 CHAIRMAN HOOD: Yes.

24 MS. SCHELLIN: Commissioner Miller.

25 VICE CHAIR MILLER: Yes.

1 MS. SCHELLIN: And Commissioner Imamura.

2 COMMISSIONER IMAMURA: Yes.

3 MS. SCHELLIN: The vote is five to zero to zero to hold  
4 the closed meeting on the cases on the agenda, as ready by  
5 Chairman Hood, on Thursday, January 15th at 3:15 p.m. Thank you.

6 CHAIRMAN HOOD: Okay. The motion passes. The  
7 Commission will meet in closed session on the date, as  
8 described -- that we just mentioned. And, with that, I'm sorry  
9 about that interruption and appreciate everyone's indulgence.  
10 And let's go back to our hearing. Ms. Schellin, I think we're  
11 going to ANC Commissioners now. And thank everyone for their  
12 patience.

13 MS. SCHELLIN: Yes, sir. I only saw the one, Mark  
14 Eckenwiler.

15 CHAIRMAN HOOD: Okay. Let's bring --

16 MS. SCHELLIN: While he's coming up, I will just double-  
17 check to see if anyone new has -- any new ANCs, but let me go to  
18 the back of the list. I do not see any other ANCs, so he is the  
19 only ANC.

20 CHAIRMAN HOOD: Okay. Mr. Eckenwiler, the floor is  
21 yours. You may begin.

22 COMMISSIONER ECKENWILER: Good evening, Mr. Chairman,  
23 members of the Commission. Can you hear me okay?

24 CHAIRMAN HOOD: Yes, we can.

25 COMMISSIONER ECKENWILER: Yes. Mark Eckenwiler, Vice

1 Chair of ANC 6C, here on behalf of the ANC. You have our written  
2 submission, which was filed earlier today, at Exhibit 231. When  
3 we looked at this proposed rulemaking, we looked at as we  
4 typically do, through the lens of an RF-zone-dominated ANC. And  
5 there were three points that we felt we needed to express support  
6 for. I want to address those in a slightly different order from  
7 the way I did in the written comments, get two of these out of  
8 the way, and then get to the big one.

9           So, first, the increase in matter-of-right height from  
10 20 to 22. Precisely as Mr. Jesick said, that aligns with the  
11 changes a few years ago to accessory structure matter-of-right  
12 heights, so we support that. For similar reasons, we support the  
13 change to allow two units, instead of merely one unit, for lots  
14 that are 1,800 square feet or larger and creating a special  
15 exception outlet for smaller alley lots. So those have not been  
16 controversial this evening.

17           What I've heard a lot of discussion about and I want  
18 to spend the remainder of my time talking about is alley lot  
19 subdivision. ANC 6C strongly supports OP's original proposal to  
20 allow the subdivision of alley lots abutting alleys that are 15-  
21 feet wide and larger, as opposed to the incredibly  
22 burdensome -- I mean, Vice Chair Miller pointed out, basically,  
23 24-foot wide alleys don't exist. I can't think of -- we might  
24 have a handful -- probably count on one hand in ANC 6C -- 24-  
25 foot wide alleys, but the vast majority are far narrower. And,

1 | frankly, 12-foot and 10-foot alleys are, I would say, more the  
2 | norm than anything else. So that's -- that is a significant  
3 | barrier to the construction of housing. I'm thinking about Square  
4 | 780. It's one block south of my house. This is a two-block walk  
5 | from Union Station. It has multiple -- 4,000 square foot, give  
6 | or take, surface lots that are right now used for parking --  
7 | parking, two blocks from ground zero, where public transit -- I  
8 | mean, think of all the different modes that we have at Union  
9 | Station, and we are wasting, you know, this valuable land because  
10 | it's got 15-foot wide alleys, but it doesn't have 24-foot wide  
11 | alleys, and so -- I think Commissioner Imamura made this point  
12 | earlier -- we need to think about how we can maximize that  
13 | benefit. And since my SMD includes Union Station, I really -- I  
14 | feel that very strongly.

15 |           So, as you've heard, since setdown, OP has retreated  
16 | from that proposal and is now, because of what, frankly, we think  
17 | are inexplicable comments from FEMS, is now saying, "Okay. Well,  
18 | that's fine; we can, you know, keep the 24-foot wide standard."  
19 | Well, let me explain to you why I think that makes no sense  
20 | whatsoever. One, as I mentioned, we already have a variety of  
21 | alleys, and they're not all straight alleys; you know, alleys  
22 | that are 10-feet wide, 12-feet wide. EMS today, and for the past  
23 | several decades, has had to know how to negotiate those kinds of  
24 | alleys, whether they're responding to a medical crisis or to, you  
25 | know, a fire. If it's a fire, as Vice Chair Miller rightly

1 pointed out, they roll hose. They don't need to get a big truck  
2 back in there. In many cases, they can't. They know how to deal  
3 with that. So let's just forget -- you know, fighting fires is  
4 something they know how to do, including in the backs of houses  
5 that are accessible only through zig-zaggy narrow alleys. So I'd  
6 like to put that one to rest right now. And sort of the same  
7 answer for, you know, EMS. This is an existing condition all  
8 over our rowhouse neighborhoods, especially Capitol Hill and  
9 Georgetown, so FEMS knows how to deal with that. And, you know,  
10 continuing to maintain this 24-foot requirement, I think, is  
11 absurd.

12           Look at it from a different perspective. Think about  
13 how wide 15 feet is. I live on a square. We have four alley  
14 entrances. Each one of those is constrained by structures to  
15 exactly 10 feet wide, and the trash trucks get back in there and,  
16 you know, it's -- it is accessible to any number of different  
17 vehicles; you know, box trucks come back in there. So a 15-foot  
18 wide alley, frankly, is kind of a luxury. And our strong view  
19 is that OP's original proposal was the right one, that strikes  
20 the right balance, that sweeps away the barriers to construction  
21 of new housing, to the use of these enormous lots, these 4,000-  
22 square-foot lots that can be subdivided into 1,900, 2000-square-  
23 foot lots, two units each. This really, I think, is not a hard  
24 question, I don't think. And I know I heard you say, Mr.  
25 Chairman, that you are always mindful of the, you know, future

1 | consequences for health and safety. I just -- I don't see it.  
2 | We don't see it, that there is any risk to public health or safety  
3 | by going down to a 15-foot standard. That is more than adequate  
4 | in our view.

5 |           And I do want to make one last point on this. I just  
6 | want to cast your mind back to the ongoing rulemaking in ZC 25-  
7 | 12, where my understanding is the Commission has already taken  
8 | proposed action to adopt OP's proposal. So, in RF zones, there  
9 | is currently a restriction, if you want to build an accessory  
10 | structure, you got to have alley access through a 24-foot wide  
11 | alley. And OP has proposed to reduce that to 15 feet. Now, you  
12 | know, those accessory structures, a lot of those are going to be  
13 | carriage houses. People are going to be living back there. So  
14 | you would think that if that really were a threat, if there were  
15 | some sort of concern there about public health and safety, we  
16 | might have heard from Fire and EMS. I checked the record about  
17 | 10 minutes ago. I did not see any comments whatsoever from them  
18 | in ZC 25-12 on that point, so I don't know if they just missed  
19 | the boat. I think it's more likely that this sudden reversal of  
20 | their position. I mean, I've been doing land use in various ways  
21 | on Capitol Hill for close to 25 years and on the ANC for about  
22 | 14 or 15. They have never ever, including in cases before the  
23 | BZA, as the Vice Chair mentioned -- EMS just has never expressed  
24 | any sort of concern about these things whatsoever. I do not  
25 | understand and I cannot fathom why suddenly, in this case, they

1 are interposing this objection. And I agree that it would be  
2 interesting to see a -- sort of a written substantiation from  
3 them of, you know, the logic behind this, because -- and I just --  
4 I want you, every time, you know, you hear something on this,  
5 when you're reading something they may submit, just think about  
6 what do they have to do today to get into a 10 or a 12-foot-wide  
7 alley, because we have enumerable ones of those. So anything  
8 they tell you about the impossibility of negotiating without, you  
9 know, having 24 feet of space, I want you to, you know, think  
10 about that really skeptically, about the conditions that exist  
11 on the ground today all over our rowhouse neighborhoods.

12           So I'm sure -- yeah, I see I've gone over my time. I  
13 apologize for that. I would be happy to take your questions, if  
14 you have any. I do just want to note one other technical thing  
15 that I did not put in my report, which is, in preparing for the  
16 testimony, I did see what I think is an error in OP's revised  
17 redlined strikeout. If you look on page 40 -- so this is in  
18 U-600.1, the provision relating to residential use -- so not  
19 subdivision, but residential use of alley lots -- here, too, I  
20 think OP retreated. They said, okay, so, you know, we're not  
21 going to just knock it down to a straight 15-foot standard. I  
22 think they forgot to revise that language on page 40, because the  
23 way I read it, it says what their original proposal was. Now,  
24 my personal view is, I like the original proposal earlier --  
25 before much better, but I just wanted to flag that of what I

1 think is a technical error there in the -- in the draft text.  
2 So, with that, I appreciate your indulgence. Again, I'd be happy  
3 to answer any questions.

4 CHAIRMAN HOOD: Mr. Jesick, did you want to respond?

5 MR. JESICK: Thank you, Mr. Chairman. And, yeah,  
6 apologies, Commissioner Eckenwiler. That was an error, and we  
7 issued a correction at Exhibit 189 --

8 COMMISSIONER ECKENWILER: Okay.

9 MR. JESICK: -- so you can take a look at that. Thank  
10 you.

11 CHAIRMAN HOOD: Okay. Again, Mr. Eckenwiler, thank  
12 you, and I'm looking forward to really examining and looking into  
13 that 24-foot rule with the alleys, so thank you for bringing that  
14 to light. Appreciate you always connecting the dots, and I think  
15 that's very helpful to the Commission. Let me see if we have  
16 any other questions or comments for you. Commissioner Imamura.

17 COMMISSIONER IMAMURA: Thank you, Mr. Chairman.  
18 Commissioner Eckenwiler, always appreciate your thoroughness, and  
19 thank you very much for coming before the Zoning Commission  
20 tonight to share your perspective and experience.

21 CHAIRMAN HOOD: Okay. Thank you. Commissioner Wright.

22 COMMISSIONER WRIGHT: Well, I also appreciate your  
23 comments. I guess it didn't fully -- I didn't fully absorb the  
24 24-foot width is the width of two lanes on I-270. They -- that  
25 is a -- I don't think most of our individual lanes on two-lane

1 roads in the District are 12 feet wide for each lane. I mean,  
2 that's a very suburban standard. And it is something that  
3 probably comes right out of a Fire and EMS, like, cookbook of  
4 codes that they want to see. I remember going through some of  
5 this with new alleys that were being constructed in new  
6 communities in Montgomery County, and we had to push back about  
7 having the alleys not be 24 feet wide and being less than 24 feet  
8 wide. So I think you're right; if we make this a requirement,  
9 every single alley structure will have to go through a special  
10 exception process. There is no chance that any of them will not  
11 go through a special exception process. So I think, you know,  
12 we probably need to get more information from Fire and Rescue and  
13 understand their thinking on this. And you're exactly right;  
14 most alleys are -- if they're 15 feet, that's lucky. A lot of  
15 them are only 10. And you do get a lot of vehicles able to, you  
16 know, go through those alleys successfully. So you bring up  
17 great points. I think it's something we're going to have to  
18 really wrestle with. So thank you.

19 CHAIRMAN HOOD: Okay. Thank you. Commissioner Stidham.

20 COMMISSIONER STIDHAM: Thank you for your testimony.  
21 I don't have any other questions or comments, but do appreciate  
22 the thoroughness or your testimony and your attention tonight.  
23 Thank you.

24 CHAIRMAN HOOD: And Vice Chair Miller.

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

1 | you, Commissioner Mark Eckenwiler, for your always thoughtful  
2 | testimony. How could I not agree, since you cited my own comments  
3 | at least twice, if not three times, so I agree with you.

4 |           CHAIRMAN HOOD: All right. And I appreciate it. Again,  
5 | as I said, Commissioner Eckenwiler, I appreciate you, again, for  
6 | helping us navigate and connect the dots, and we will continue  
7 | to have our discussions. So thank you very much for all the work  
8 | you put in and have always put in, so thank you. All right.

9 |           COMMISSIONER ECKENWILER: All right. Thank you. Have  
10 | a good evening.

11 |           CHAIRMAN HOOD: You too. Ms. Schellin, I guess we can  
12 | go to those who are in support. Oh, do we have -- well, those  
13 | who are in support. I know we got a lot of support.

14 |           MS. SCHELLIN: Okay. How many do you want at one time?

15 |           CHAIRMAN HOOD: Let's do three.

16 |           MS. SCHELLIN: Three?

17 |           CHAIRMAN HOOD: Yeah, because my screen is full and  
18 | everybody -- Commissioner Imamura keeps moving. Commissioner  
19 | Wright keeps moving. So let's do three, so I can try to keep  
20 | track, and maybe I'll figure it out.

21 |           MS. SCHELLIN: Okay. All right. Because we got quite  
22 | a few on here, but all right.

23 |           CHAIRMAN HOOD: Okay. Let's do four. Let's do four.  
24 | Let's do four. I'm sorry. Let's do four.

25 |           MS. SCHELLIN: Okay. Four. All right. So going in,

1 | those in support, next we have Cheryl Cort with Coalition for  
2 | Smarter Growth; we have Alana (phonetic) -- Aulona Alia; Brian  
3 | Levy; and Alicia deForest. Mr. Young, I can't see. Do you have  
4 | four?

5 | MR. YOUNG: Yeah, I got them all.

6 | MS. SCHELLIN: Okay. Great. Thank you.

7 | CHAIRMAN HOOD: Yeah, we have all four. Great.

8 | MS. SCHELLIN: Thank you.

9 | CHAIRMAN HOOD: So we'll start with -- thank you. We'll  
10 | start with you, Ms. Cort.

11 | MS. SCHELLIN: Okay.

12 | MS. CORT: Thank you. Good evening, Chair Hood and  
13 | members of the Zoning Commission. My name is Cheryl Cort. I am  
14 | here to testify in support, with some recommended changes, on  
15 | behalf of the Coalition for Smarter Growth. We're a nonprofit  
16 | organization advocating for walkable, bikeable, inclusive,  
17 | transit-oriented communities as the most sustainable and  
18 | equitable way for the Washington, DC region to grow and provide  
19 | opportunities for all. First, we want to express our gratitude  
20 | to DC Office of Planning staff and to the Zoning Commission for  
21 | responding to our request to reconsider certain restrictions on  
22 | alley lots in the earlier case -- I think it was five years ago --  
23 | and also in this case as well.

24 | We recognize that alley lots, while a modest resource  
25 | in our city, can help us address our housing needs with these

1 unique, distinctive, smaller housing opportunities, and we want  
2 to make sure that we make the most of these opportunities. They  
3 can be more affordable, but, really, it's just about taking  
4 advantage of underutilized space and really providing new housing  
5 opportunities that people would like to have. I've written more  
6 detailed comments, but I just wanted to address a couple of  
7 specifics.

8           First, while we overall are in support of this  
9 proposal, I have to say that our number one recommendation would  
10 be to eliminate parking requirements as a matter of right for  
11 these lots. These are all -- these are, basically, very small,  
12 constrained lots where we really are trading off vehicle storage  
13 with the opportunity for an individual or small household to live  
14 in this unique, distinctive place. And so, for these lots, we  
15 really urge that we just remove that burden and major barrier to  
16 creating housing in interesting places.

17           Second, we want to support the special exception  
18 process that is proposed here in your -- in this case for minimum  
19 requirements for alley lot subdivisions and for height standards.  
20 We really appreciate that height is a new addition to the -- to  
21 the case or to the proposal, and while a very -- albeit, a very  
22 modest one, it's a special exception to go to -- is it 35 feet  
23 in -- at the judgement of the Board of Zoning Adjustment, and so,  
24 at this point, we think that that's a good compromise to being  
25 responsive to unique circumstances that can be demonstrated at

1 the BZA that this would not have any sort of negative effects on  
2 surrounding neighbors to have a little bit more height for a  
3 particular -- a specific situation.

4 And then we want to express our support for the  
5 proposals for increased height -- the baseline of 20 to 22 feet,  
6 which aligns with existing rules for accessory buildings and to  
7 support the use of residential -- the residential uses for R-1,  
8 R-2, and for allowing a second residential unit within an alley  
9 lot building, depending on the lot size. We do ask that the  
10 proposals for R-1 and R-2 restrictions be revised. We concur  
11 with OAG's recommendations on this and ask you to take a -- take  
12 a better look at that. We think that this is being overly  
13 restriction for opportunities in R-1 and R-2 zones.

14 And we also ask to revise the minimum lot area for  
15 subdivisions that has a -- sort of a catchall baseline of 1,800  
16 square feet. We concur with OAG suggesting 900 square feet, or  
17 450 square feet, actually, as Commissioner Imamura has suggested  
18 as well. We think that would be more appropriate, and that there  
19 are other requirements in place that would sufficiently guide  
20 construction on such a lot.

21 We do ask you to reconsider the new proposal for a 25  
22 percent pervious surface requirement. We think this is -- this  
23 is not going to work for such small, constrained sites, and so  
24 we wish -- we ask that you reconsider that proposal. And we look  
25 forward to further considering the 15-foot alley width constraint

1 as well. We note the -- we welcome the use of 15-foot width  
2 aligns with 300 feet of a public street, but we certainly think  
3 more can be done to investigate what would be appropriate guidance  
4 here. Thank you for your consideration.

5 CHAIRMAN HOOD: Thank you. Let's go to Ms. Aulona  
6 Alia. And, Vice Chair, I'm going to probably miss Ms. Alia.  
7 But, Ms. Alia, I want you to know I'm going to go back and I'm  
8 going to hear it, but I have something that just came up, an  
9 emergency. So, Vice Chair, if you can take over for a minute.  
10 Let me see if I can get this done in five minutes please. Thank  
11 you.

12 VICE CHAIR MILLER: Okay. I don't know who's next, Ms.  
13 Schellin.

14 MS. ALIA: I'm here. I'm good to go. I have three  
15 minutes.

16 VICE CHAIR MILLER: Great.

17 MS. ALIA: Thank you so much, Mr. Chairman,  
18 Commissioners, and OP for the opportunity. I'm very, very happy  
19 that this opportunity exists. My name is Aulona Alia. I'm an  
20 alley lot owner in the District. Please accept this testimony  
21 in my overall support. I want to share some personal experience  
22 with you all, as I've gone through three BZA cases with all of  
23 you. I purchased my alley lot almost eight years ago to build a  
24 modest family home in DC. Instead, I encountered years of delays  
25 applying for several BZA cases, tens of thousands of dollars in

1 professional fees, and over 150K to 500K in required utility  
2 infrastructure cost estimates just to bring water and sewer to  
3 the property.

4           My lot has a 22-foot grade change from front to back.  
5 Under the current 20-foot height limit for alley lots, most of  
6 the house would be buried underground. Without height relief,  
7 large portions of the home will be unlivable, with no windows,  
8 no light, and no functional space. This is not a design choice;  
9 a zoning-created hardship. I did what the system asked of  
10 property owners. I applied to the BZA for height relief to 30  
11 feet, so the home could be raised out of the ground and be  
12 visible. That relief was not approved. I share this because it  
13 shows that discretionary relief is not a reliable solution. Many  
14 alley lot owners like me spend years and significant resources  
15 pursuing relief that may never come. That is why reasonable by  
16 height standards matter.

17           DC Water, itself, described my site as challenging,  
18 requiring a 20 -- 260-foot water line plus a loop system, uphill  
19 sewer connections, and a grinder pump system just to function.  
20 These are extraordinary costs street-facing lot owners do not  
21 face; yet, street lots are allowed more height, more flexibility,  
22 and more by-right development.

23           This experience is why I strongly support the elements  
24 of the Office of Planning. Plus, I would gently ask, first, to  
25 remove the parking requirements for alley lots. Each required

1 parking space consumes about 200 square feet, adding 80,000 to  
2 120,000 in lost value per space. These dollars are far better  
3 used to offset infrastructure costs. Parking needs have changed.  
4 People rely on transit, rideshare, and micromobility, and, where  
5 parking is needed, owners will provide it. Removing parking  
6 requirements aligns with the Comprehensive Plan's call to reduce  
7 unnecessary and burdensome regulations.

8           Second, support height relief by special exception up  
9 to 35 feet and increase by right ideally to 30 feet, but I  
10 understand that 25 feet has been proposed. Height is the single  
11 biggest lever to make alley lot projects financially feasible.  
12 And a 25-foot or 30-foot by-right height allows some modern  
13 ceilings, but also higher -- bigger projects, roof systems, and  
14 raising homes off the grade for privacy and safety. This is not  
15 about building bigger homes. It's about making homes possible  
16 at all.

17           Third, oppose increasing pervious surface requirements  
18 from 10 percent to 25 percent. For smaller alley lots, this  
19 removes up to 25 percent of buildable land, making projects  
20 infeasible. More than half of the alley lots are under 1,800  
21 square feet and street-facing lots of that size require zero  
22 pervious surfaces. At a time when DC needs housing, alley lots  
23 offer a rare opportunity for gentle infill, like previously said,  
24 but only if the rules reflect the real conditions and costs we  
25 face. And just a reminder that special exceptions just add more

1 stress and cost for alley lot owners with no guarantees. So I  
2 encourage you to do as much by right as you can. Thank you very  
3 much for your time and for listening.

4 CHAIRMAN HOOD: Thank you.

5 VICE CHAIR MILLER: Thank you, Ms. Alia, for your  
6 testimony. Oh, Mr. Chairman, you're back.

7 CHAIRMAN HOOD: I'm back. And, Ms. Alia, I heard most  
8 of your testimony, so I want to apologize. I've taken care of  
9 that. It didn't take me five minutes. But, Vice Chair, you're  
10 more than welcome. Go right ahead. You're on mute, so I'll keep  
11 it moving. Mr. Levy, let's go to you

12 MR. LEVY: Good evening, Chair Hood and members of the  
13 Zoning Commission. My name is Brian Levy. I lived in DC 22  
14 years, and I've owned a 5,200 square foot R-3 alley lot in Ward  
15 5 since 2012. My gratitude here to OP and the Commissioners.  
16 I'm pleased to be here, five years since Case 19-13. I strongly  
17 support these proposed changes, as they support more diversified  
18 housing options in DC and increase DC's tax base. So, clearly,  
19 like, the last round of alley code changes didn't go far enough,  
20 right, because we've seen very limited -- very limited alley  
21 development since 2016. And I fear these proposals even aren't  
22 quite enough, given the economics getting tougher for alley lot  
23 owners. As Aulona alluded to, it's going to cost me \$200,000 to  
24 bring water and sewer to my alley lot, and that cost has gone up  
25 20 percent in the last five years. I don't even have time to

1 talk about alley lot naming tonight, but that's another major  
2 obstacle to development on top of the existing alley lot codes.  
3 My wife and I, you know, we even considered building -- trying  
4 to build our dream home on this alley lot that we -- I've owned  
5 for years and moving out of our expensive rental in Mount  
6 Pleasant, but all the impediments, you know, they added up, and  
7 we ended up leaving DC for Takoma Park just this last summer.

8           So these changes are progress. I think they can be  
9 further strengthened. Number one, the subdivision alley width.  
10 I'm really disappointed that the matter-of-right alley width for  
11 a subdivision originally proposed by OP reverted from 15 feet to  
12 24 feet, after this last-minute FEMS input. We've heard a lot  
13 about that already tonight. I just want to remind everyone,  
14 rewind five years. This is one of the top requests, right, that  
15 many of us testified in favor of in 2020 -- Commissioner Miller  
16 and others -- and all that -- all that is on record. And the  
17 special exception process is really a burden. It's also a double  
18 standard. So you think about all the hundreds of 15-foot alleys  
19 in DC. I can build on them by right, like, tomorrow, right, with  
20 no FEMS review, but as soon as I want to subdivide an alley lot,  
21 I need a special exception. So, to me, that seems like a double  
22 standard, so I strongly support returning to the 15-foot  
23 standard.

24           Number two, the pervious surface requirements. I think  
25 those requirements, as a helpful suggestion, the pervious surface

1 requirements for alley lots should align with the zone  
2 requirements for street-facing lots. I know DOEE, that's I'm  
3 sure well intentioned, but the 10 to 25 percent increase is not  
4 nuanced, highly unsatisfactory, and will come at a direct cost  
5 of additional housing envisioned by the Comprehensive Plan. Some  
6 street-facing lots have no pervious surface requirements at all,  
7 and, suddenly, the alleys behind them are asked to have 25  
8 percent. It's just another -- we're talking about double  
9 standards here. It's another double standard.

10           Number three, I'd like to reiterate my support to  
11 eliminate parking minimums. You know, around my alley lot --  
12 this is like one case -- there's, like, two parking spaces for  
13 every house. There's ample street parking. And, more broadly,  
14 these requirements can quickly make projects unworkable on  
15 smaller sites. So I'd really like to make sure our default is  
16 housing people, not cars, so I urge the Commission to eliminate  
17 parking minimums. I see I'm out of time. I greatly appreciate  
18 being able to testify today. Thank you.

19           CHAIRMAN HOOD: Thank you, Mr. Levy. Let's go to Ms.  
20 Alicia deForest.

21           MS. DEFOREST: Yes. Good evening, Chairman Hood and  
22 members of the Commission. I'm delighted to be here. My family  
23 has been interested in developing our lot for many, many years  
24 now. My parents bought -- purchased our lot over 50 years ago.  
25 It was my mother's garden, but they moved away about 30 years

1 ago, and, since then, we've thought about developing it, but the  
2 cost and the zoning hurdles were just too high for us. So I also  
3 want to reiterate my strong support for OP's proposal and, in  
4 particular, the special exception relief for height. I think  
5 that my lot, like many lots, there would be no adverse impact to  
6 the surrounding lots to build higher -- to build three stories.

7 I'm delighted that more thought will be given to  
8 pervious surface, to parking, and also to the by-right height  
9 from -- to increase it, and I fully support increasing it to at  
10 least 25 feet, for the reasons that have already been stated.

11 And, finally, I want to piggyback on my concern about  
12 not allowing by-right development on 15-foot-wide alleys, and I  
13 would strongly encourage the Commission and those thinking about  
14 this when they talk to FEMS, is there a way to carve out at least  
15 a big chunk of alleys that might have enough entrances to the  
16 alley lot that would alleviate FEMS's concerns, so that everyone  
17 doesn't have to go through a zoning process to build on their  
18 lots.

19 And, finally, I just want to also piggyback on the fact  
20 that these upfront costs are really, really high, and every little  
21 bit of relief that you can give us could make or break a project.  
22 So thank you for your time.

23 CHAIRMAN HOOD: Okay. I want to thank the complete  
24 panel. I appreciate all of you all's testimony. Ms. Alia, I  
25 did hear most of your testimony, so I think I'm good with you.

1 I make sure I keep my word. Colleagues, let's see if we have  
2 any questions or comments. Commissioner Imamura.

3 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. Just  
4 a couple comments or just one for Ms. Cort. Just appreciate the  
5 comments that she had made about height, parking, minimum lot  
6 requirements, and just sharing her perspective and the  
7 organization that she represents. I also want to thank Ms. Alia,  
8 Ms. deForest, and Mr. Levy for sharing your real and lived  
9 experience. I appreciate the details that you all shared and  
10 your personal experiences to help us make a more informed  
11 decision, so -- and thank you for participating in the public  
12 process, so that we can reach a better outcome tonight. So thank  
13 you, Mr. Chairman, and thank the panelists.

14 CHAIRMAN HOOD: Okay. Thank you. Commissioner Wright.

15 COMMISSIONER WRIGHT: I also thank the panelists. I  
16 don't have any additional questions.

17 CHAIRMAN HOOD: Commissioner Stidham.

18 COMMISSIONER STIDHAM: Thank you to all the panelists.  
19 No additional questions for me.

20 CHAIRMAN HOOD: Vice Chair Miller.

21 VICE CHAIR MILLER: Thank you, Mr. Chairman. Yeah,  
22 thank you, each of you, for your testimony and participation  
23 here. I basically share all of the views that you've expressed.  
24 Mr. Levy, I'm sorry you've left the District of Columbia because  
25 of this issue. If we make these facilitated changes, are you

1 going to come back and be with us again?

2 MR. LEVY: I would love that. I'm a little heavily  
3 invested right now in this in Takoma Park, but I'll make sure  
4 that the lot is developed and, hopefully, goes to the family.

5 VICE CHAIR MILLER: I wasn't trying -- I was just being  
6 facetious in a way, but we would love to welcome you back.

7 MR. LEVY: Thank you so much.

8 CHAIRMAN HOOD: I don't necessarily have any questions.  
9 I would agree with all of my colleagues' comments, especially  
10 Mr. Levy, you. I've been hearing about you for years. I believe  
11 you're the same Levy I think I know about. But, anyway,  
12 appreciate all the comments that you all have given us, and we  
13 will continue to move forward, so thank you all for taking time  
14 this evening to give us your views. Thank you.

15 MR. LEVY: Thank you so much.

16 CHAIRMAN HOOD: Ms. Schellin -- Ms. Schellin, can we  
17 do four more people please?

18 MS. SCHELLIN: Yes, sir.

19 CHAIRMAN HOOD: Thank you.

20 MS. SCHELLIN: We have Nikol McCombs, David Crowley  
21 with CPG, Nicholas Burger, and Seth Grimes with the Washington  
22 Area Bicyclist Association.

23 MR. YOUNG: I didn't see the first --

24 MS. SCHELLIN: Do I have four, Mr. Young?

25 MR. YOUNG: I didn't see the first name you called, so

1 I need one more.

2 MS. SCHELLIN: Okay. How about William Teass from  
3 AIA/DC?

4 CHAIRMAN HOOD: Mr. Crowley, you're ready?

5 MR. CROWLEY: Yeah. I'm trying to get my video on.

6 CHAIRMAN HOOD: Okay. Just how --

7 MR. CROWLEY: You can hear me okay? My apologies,  
8 Chairman.

9 CHAIRMAN HOOD: No problem. I hear you very good. You  
10 see something that says stop/start video?

11 MR. CROWLEY: Yeah.

12 CHAIRMAN HOOD: Just hit it. It should start.

13 MR. CROWLEY: Show -- so I'm all (indiscernible) --

14 CHAIRMAN HOOD: You know what I'm going to do. I'm  
15 going to go to the next person and come back to you --

16 MR. CROWLEY: Okay.

17 CHAIRMAN HOOD: -- because I know you -- I know you  
18 want us to see you and we want to see you, so we're going to go  
19 to the next person.

20 MR. CROWLEY: You bet.

21 CHAIRMAN HOOD: All right. Put yourself on mute, so  
22 we won't hear if you say anything bad about us. All right. Let's  
23 go to Nick Burger.

24 MR. BURGER: Good evening, Chairman Hood. Thank you  
25 to you and the rest of the Commission for the hearing tonight

1 | and for having us here. My name is Nick Burger. I'm a resident  
2 | of Ward 6, a former ANC 6B Commissioner, and I own an alley lot  
3 | that is immediately behind my home, where I am right now, here  
4 | in Capitol Hill, just because it's I think -- as I think the Vice  
5 | Chair said a minute ago, the context is helpful. So my alley  
6 | lot is a 30-foot by 50-foot lot. The 30-foot piece faces an  
7 | alley. You're going to hear and you have heard, I think, a lot  
8 | of the same messages tonight, so I will just kind of emphasize  
9 | the pieces I agree with, but, generally speaking, I support the  
10 | proposed text amendment, but, as others have said, with some  
11 | changes that have been discussed this evening.

12 |           As I think the -- Ms. Cain from OAG put it nicely.  
13 | Alley lots, as we all know, are not going to solve our affordable  
14 | housing problem in the District, but I do think they are part of  
15 | the solution. By virtue of being smaller, and if we can make  
16 | them easier and less expensive to build, they can provide a form  
17 | of housing that is increasingly hard to find in places like  
18 | Capitol Hill, where, A, we're not building much new housing,  
19 | generally speaking, and, when we do, they tend to be larger and  
20 | much more expensive homes.

21 |           So, to that end, I'll say that I strongly support kind  
22 | of going back to the original OP proposal of allowing more  
23 | flexibility on 15-foot rather than 24-foot-wide lots. I fully  
24 | support the proposed special exception process for alley lot  
25 | development height. I do think that offers a lot of flexibility

1 for lots. I will express strong support, particularly in my  
2 case, for more permissive subdivision rules. As I mentioned, my  
3 alley lot is 30-feet wide by 50-feet long. If you divide that  
4 in half on the alley frontage to two 15-foot lots, those two lots  
5 would still be wider than the house that I bought in 2008 that  
6 faces E Street Southeast, but two sort of more modest homes,  
7 while being definitionally more cost effective to both build and  
8 for whoever purchases or lives in them would also be much more  
9 in keeping with the form of the housing that's on our square. My  
10 house on E Street is one of a series of homes that are all  
11 somewhere around 13, 14 feet wide, so smaller than many, but not  
12 unusual.

13 I support what Cheryl Cort and others have said around  
14 parking. As you've heard, and I fully agree, making parking a  
15 requirement on these homes, many of which are in a very -- in  
16 neighborhoods that are very well served by transit -- this lot  
17 that I have is about a block-and-a-half from a Metro station.  
18 Reducing that parking requirement adds flexibility and just  
19 provides more livable area, more useful, livable space. I also  
20 oppose the proposed increase in pervious surface requirements.  
21 And then I'll just close by echoing I think what a few others,  
22 including Brian --

23 MS. SCHELLIN: Time.

24 MR. BURGER: -- had said around the importance of making  
25 the BZA process as easy and minimal as possible. Every time we

1 have to go through the BZA process, it increases the time for  
2 the owner, it increases the time for the ANC, it increases the  
3 time for Zoning -- Board of Zoning Adjustment, as you all know,  
4 so I just strongly support anything that the Commission can do  
5 to move as much of this into by right as possible. And I apologize  
6 for going over.

7 CHAIRMAN HOOD: That's fine. And I appreciate hearing  
8 the last part of it. So let's work with that. And, Ms. Schellin,  
9 keep calling time, and I'm sure people will end in time once they  
10 finish their final points. So that was actually excellent, Mr.  
11 Burger, so thank you, former Commissioner. All right. Seth  
12 Grimes.

13 MR. GRIMES: Thank you, Chair Hood and members of the  
14 Commission. My name is Seth Grimes. I am a Washington, DC  
15 organizer with the Washinton Area Bicyclist Association, which  
16 is a membership organization headquartered in DC with over  
17 2,000 -- well, at this moment, precisely 2,066 Washington DC  
18 members. WABA supports the proposed changes to the zoning  
19 regulations for alley lots with revisions, specifically, to  
20 eliminate parking requirements, which absorb habitable space in  
21 neighborhoods that are typically transit-accessible and walkable,  
22 needlessly adding to development costs.

23 I will say I'm appreciative of Commissioner Wright's  
24 earlier comments on the topic of parking requirements and the  
25 advocacy I've heard in this hearing up to this moment. Second

1 revision and third revisions that we'd ask are to align the height  
2 limits with the limits of the zone, consistent with other  
3 residential structures, and to align the height limits -- excuse  
4 me -- with the limits for street-facing lots, again, for  
5 consistency.

6 WABA envisions a just and sustainable transportation  
7 system where walking, biking, and transit are the best ways to  
8 get around. We support equitable development that will create  
9 thriving, attractive, economically diverse communities. ZC 25-  
10 06's proposed revised alley lot regulations will advance the  
11 District toward our vision of a welcoming city that offers  
12 attractive, affordable housing options for everyone who wants to  
13 live here and without -- if the zoning regulations are revised,  
14 to allow alley home parking requirements without an undue  
15 financial burden that reduces ZC 25-06's impact. Thank you for  
16 your consideration of our position, including our suggested  
17 revisions, and I will cede back the rest of my time.

18 CHAIRMAN HOOD: Thank you very much, Mr. Grimes. I'm  
19 looking for -- oh, there he is -- Mr. Teass. Go right ahead,  
20 Mr. Teass. You moved on my screen.

21 MR. TEASS: Good evening. Good evening, Chairman Hood  
22 members of the Commission. My name is Will Teass, AIA, and I'm  
23 here this evening representing the Washington Chapter of the  
24 American Institute of Architects, as a member of our Advocacy  
25 Committee. I also volunteer in the Small Firm Exchange. Many

1 of my colleagues design these types of buildings. We also have  
2 a Custom Residential Architect Network Committee, which is  
3 another group of architects that works on these, and each has  
4 weighed in on the proposed text amendment. As with prior cases,  
5 we recognize -- we want to recognize the Office of Planning for  
6 their dedicated work in addressing this matter, diligently  
7 collecting and disseminating data, clarifying procedures, and  
8 conducting significant public outreach, as well as insuring  
9 thorough consideration throughout the proposal.

10 We are strongly supportive of the proposed text  
11 amendment, and we'd like to share these five points. So, first,  
12 we strongly support the reduction of the minimum area requirement  
13 to lots -- to 450 square foot per lot across all zones. We have  
14 provided some illustrative examples in our letter of small alley-  
15 lot developments that I think are very comparable to surrounding  
16 development.

17 The second point that we wanted to make was just our  
18 support for the special exception process for subdivision. We  
19 believe it's the appropriate tool to evaluate the issues when  
20 potential subdivisions come up.

21 Third, and I think we've talked a little bit about this  
22 tonight -- previously or some folks on the Commission and some  
23 folks from the public, but we really wanted to call attention to  
24 the height. And while three feet doesn't -- may not seem like a  
25 lot, it really offers up some significant possibilities. We had

1 | included an illustrative building section in our testimony -- in  
2 | our submission that really talked about the relationship. And  
3 | so the current 22-foot height limit encourages the design of two-  
4 | story structures with slab-on-grade foundations. This approach  
5 | places living spaces at the same elevation as traffic,  
6 | potentially reducing privacy and there may be some safety  
7 | consideration as well. We're arguing for greater separation  
8 | between vehicular access and habitable zones and elevating -- and  
9 | this can be achieved by elevating the ground floor and can impact  
10 | occupant safety. The increased height provides flexibility for  
11 | structural and mechanical systems and makes it easier to adapt  
12 | to the site's topography, which I think we've heard about this  
13 | evening. Additionally, using a crawl space, rather than a slab-  
14 | on-grade foundation, supports energy efficiency, promotes  
15 | sustainability, and contributes to improved air quality -- indoor  
16 | air quality, rather.

17 |           The fourth item we wanted to speak to is the suggestion  
18 | that we've heard also this evening, but we strongly suggest  
19 | removing the parking requirement for alley dwellings. Again, we  
20 | provided some illustrative examples in our submission that talked  
21 | about alleys that are -- that have parking in front of the  
22 | buildings and the diminishment of the overall alley experience.  
23 | As has been noted, many of these lots are located in areas with  
24 | strong transportation networks. We fully support the comments  
25 | of Commissioner Eckenwiler and the seeming absurdity of having

1 an alley parking lot a mere two or three blocks from Union  
2 Station. Alley lots are often small and irregular and  
3 occasionally making the off-street parking quite difficult. Our  
4 experience is -- in our experience from our own work, we've had  
5 to jump through hoops to provide that parking.

6 And then I think the other point we wanted to make was  
7 that if you think about the size of an off-street parking space  
8 is 9 foot by 18 or about 144 square feet, it's more than double  
9 the minimum bedroom size. And the minimum bedroom size is only  
10 70 square feet, which is also quite small, but I think there's a  
11 direct relationship between having to provide parking,  
12 potentially using a space that might be used as a bedroom.

13 And the fifth item, and I think we've also heard this  
14 from other folks this evening, is we wanted to express our concern  
15 about the proposed increase to pervious surface from 10 percent  
16 to 25 percent. Sustainability is one of the core AIA/DC values,  
17 and so we are -- but we are apprehensive about the practicality  
18 of the change and the increased cost of exceeding the standards  
19 that are applied to non-alley lots. Wit that, I'd like to  
20 conclude my testimony and cede the rest of my time. Thank you.

21 CHAIRMAN HOOD: Okay. Thank you. If everyone can hold  
22 tight, I'm going to come -- we're going to go to our last person.  
23 Mr. Crowley, are you ready for us to see you now?

24 MR. CROWLEY: I'm ready. I hope it comes on.

25 CHAIRMAN HOOD: All right. I hope so too.

1 MR. CROWLEY: Oh, I found it, I found it.

2 CHAIRMAN HOOD: There you go. Give it a little bit of  
3 time. Sometimes you just wait just for a few minutes and --

4 MR. CROWLEY: I'm hitting Control-Shift-D and I'm  
5 hitting start, and it's not coming on.

6 CHAIRMAN HOOD: Okay.

7 MR. CROWLEY: Unbelievable. Start video. Honestly,  
8 Commissioner, I'm not a Webex guy; I'm a Zoom guy.

9 CHAIRMAN HOOD: Okay.

10 MR. CROWLEY: You can't -- it says you can't share  
11 content unless the host or a co-host makes you the presenter.

12 CHAIRMAN HOOD: I don't think -- I don't think we  
13 control that, do we?

14 MR. YOUNG: That's just sharing your screen.

15 MR. CROWLEY: Okay. I'm trying --

16 MR. YOUNG: There might be a drop-down arrow next to  
17 where it says start video.

18 MR. CROWLEY: Okay. Expand video. Expand video. Start  
19 video, Control-Shift-D or hit this button. And I'm hitting  
20 Control-Shift-D. Didn't work either. Well, my apologies.

21 CHAIRMAN HOOD: That's okay.

22 MR. CROWLEY: May I still offer testimony?

23 CHAIRMAN HOOD: Yes, you can. Go right ahead. We can  
24 hear you loud and clear, yeah.

25 MR. CROWLEY: Okay. I can see you perfectly.

1 CHAIRMAN HOOD: I don't know if that's a good thing or  
2 bad thing, but, anyway, go right ahead.

3 MR. CROWLEY: Well, to be perfectly honest, I'm  
4 not -- just a broker guy. I live in Snowmass Village, Colorado,  
5 but I've had a 38-year career in Washington, DC as a commercial  
6 broker. Ironically, I think I advised Cheryl Cort and the  
7 Coalition for Smarter Growth for their office space many years  
8 ago. But I actually happen to have collected upwards of 40 alley  
9 lots in a 30-year career. Instead of feeding a 401(k), I spent  
10 a lot of money on alley lots, because I saw it as the future.  
11 And I also testified in 2019, very supportive of it. But, to be  
12 perfectly honest, I can't be as eloquent as Mark Eckenwiler. I  
13 think 24 feet is complete overkill. Fifteen feet should be --  
14 was the recommendation back in November, and somehow on January  
15 2nd it changed, and now it's -- it was 15; now it's back to 24.  
16 I can be honest with you, I have roamed the alleys for 38 years  
17 in DC. That will knock out 95 percent of the possibility of  
18 development, at least, to be -- just on the back of an envelope  
19 looking at it. So I'm certainly hoping that that can be  
20 corrected.

21 The setbacks should be addressed as well, because,  
22 fundamentally speaking, the street-facing lots have houses on  
23 them and they're facing the street, so, basically, they already  
24 have a backyard. Adding an additional 25 feet to the back side  
25 of that will, quite frankly, knock out quite a bit of the

1 development I had planned over the next five to ten years. And  
2 I can also just use some numbers to -- for the Commission to  
3 appreciate. I have three lots in Northwest, and they add up to  
4 2,943 square feet. Right now, I'm addressing the pervious surface  
5 change. That was quite a shock, seeing Mr. Jesick's revised  
6 memo. They add up to 2,943. I'm sort of negotiating with a few  
7 of the neighbors. They're looking for access across my lots; I'm  
8 looking for a little more land; and I'll eventually end up with  
9 about 4,000 square feet. Well, if the pervious surface stays in  
10 place, I will just be handing over a possibility of a thousand  
11 square foot development.

12           And as I think it was Ms. Lola (sic) -- or Lona Alia  
13 pointed out, if you're handing off 25 percent of your development  
14 for pervious surface, that is a tremendous hit to take, especially  
15 considering all the infrastructure that has to come to alley  
16 lots, meaning, you know, Pepco and water, sewer, et cetera, which,  
17 of course, I found that water -- WASA, you have to pay for your  
18 entire cost. They don't assist at all. You have to hire a  
19 contractor and pay for all the water/sewer to go in yourself for  
20 an alley lot. And, additionally, the alley lots offer -- just  
21 generally speaking, over the years, I've talked --

22           MS. SCHELLIN: Time.

23           MR. CROWLEY: Oh, my apologies. I wasn't watching it.

24           CHAIRMAN HOOD: Just give us your closing thought.

25           MR. CROWLEY: My closing thought is since I've been a

1 professional in the District for 38 years, I did relocate my  
2 family out to Colorado, I'm still in the District every month,  
3 still working. I meet people every day, and they always talk  
4 about intro housing. It just isn't affordable in the District  
5 anymore. This is the way where I can offer upwards of three to  
6 five houses in this one project. That could be as little as 650  
7 to \$700,000 for brand new housing with parking. I don't have a  
8 strong feeling about the parking -- that'll sort itself out --  
9 but I will put garages into my projects, especially considering  
10 this additional height, which I fully support. Upwards of --  
11 anywhere from 25 to 35 would be much appreciated. And I thank  
12 you for your time.

13 CHAIRMAN HOOD: First of all, let's thank this panel.  
14 We appreciate all your input. Let's see if we have any questions  
15 or comments. Commissioner Imamura.

16 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. No  
17 questions; just a couple of comments. Mr. Burger, Mr. Crowley,  
18 thank you both for sharing your personal experiences here in the  
19 District. Mr. Crowley, it sounds like you've traded urban living  
20 for outdoor recreation and better views in Snowmass, so -- but  
21 glad that you --

22 MR. CROWLEY: Yeah, but kept our properties. We're a  
23 multifamily owner in DC. I can't let go and never will.

24 COMMISSIONER IMAMURA: Very good. Appreciate that.  
25 Mr. Grimes, appreciate your sharing your views from your

1 organization, WABA. And, Mr. Teass, also appreciate your sharing  
2 your professional expertise and the views of AIA/DC. Glad to  
3 have AIA weigh in. So thank you, Mr. Chairman.

4 CHAIRMAN HOOD: Okay. Thank you. Commissioner Wright.

5 COMMISSIONER WRIGHT: No questions or comments. Hi to  
6 Seth Grimes, who I worked with in Montgomery County. And I  
7 appreciate everyone coming forward with your -- with your  
8 thoughts. I think there are some very good ideas that have been  
9 expressed.

10 CHAIRMAN HOOD: Thank you. Commissioner Stidham. I  
11 think you're on mute.

12 COMMISSIONER STIDHAM: It might help if I take it off  
13 mute and not turn off my camera. What I tried to say is I have  
14 no comments or questions. Thank you, Mr. Chairman.

15 CHAIRMAN HOOD: Thank you. Vice Chair Miller.

16 VICE CHAIR MILLER: Thank you, Mr. Chairman. Thank you  
17 each of the witnesses for your testimony. I basically share the  
18 viewpoints that you've each expressed. And, Mr. Teass, I think  
19 we need a -- I think we've asked for a written response to the  
20 25 versus 22 feet that you've -- on height that you've, I think,  
21 made a persuasive argument about. So thank you each for being  
22 here.

23 CHAIRMAN HOOD: All right. Again, I want to thank this  
24 panel. I don't have any question. We appreciate you all coming  
25 out and providing your testimony. All right. Ms. Schellin, can

1 we call the next four?

2 MS. SCHELLIN: Yes, sir. The next four will be Dennis  
3 Sendros, DC YIMBYs; Mark Teschauer; Nianyong Hong; and Ian Grice.

4 MR. YOUNG: I only got three of those.

5 MS. SCHELLIN: Okay. How about Kimberlee Scott?

6 MR. YOUNG: I do not see her.

7 MS. SCHELLIN: Jake Hardison?

8 MR. YOUNG: Yeah, that's four.

9 MS. SCHELLIN: Okay. Thank you.

10 CHAIRMAN HOOD: Okay. Thank you. Let's start with  
11 Dennis Sendros.

12 MR. SENDROS: Thank you so much. I have a presentation.  
13 Am I able to display that or --

14 CHAIRMAN HOOD: Did you -- did you give it -- send it  
15 to Mr. Young?

16 MR. SENDROS: I sent it to ZC Submissions, the typical  
17 e-mail address. I don't know if there was a separate one that I  
18 should have sent it to?

19 CHAIRMAN HOOD: Mr. Young, can you access that?

20 MR. YOUNG: If it's in the record, I can, if you give  
21 me an exhibit number.

22 MR. SENDROS: Yes, it is, which went up today, but I'm  
23 checking the exhibit number.

24 CHAIRMAN HOOD: So I did see a PowerPoint. Is that  
25 Exhibit -- oh, yeah, Exhibit 226.

1 MR. SENDROS: That sounds right.

2 (Whereupon, PowerPoint was shared on screen.)

3 MR. SENDROS: Yeah, that's the one. Okay. Thank you  
4 so much Chairperson Hood and members of the Commission. I  
5 represent DC YIMBYs, a volunteer-led organization dedicated to  
6 addressing DC's housing shortage by providing more housing  
7 choices of all types, so that more people can afford to live in  
8 the communities they love. We support the Office of Planning's  
9 proposal, but believe the proposal should be strengthened to  
10 insure more alley homes can be built. Others have spoken a number  
11 of improvements that could be made to allow more housing. We  
12 support most, if not all of them, but will focus on just a few  
13 here, because of time constraints.

14 The first change we're requesting is that the Zoning  
15 Commission revise the amendment to remove parking requirements  
16 for alley homes. Parking requirements are one of the biggest  
17 reasons small infill projects don't get built. On a tight alley  
18 lot, required parking can swallow up living space and make a  
19 project financially impossible; it can force households to pay  
20 for parking they don't want or need; and it encourages car  
21 ownership and increased pollution in a city so walkable and  
22 transit-accessible that nearly 40 percent of households don't own  
23 a car. We note that there is broad support in the record for  
24 eliminating parking mandates, including from three  
25 Councilmembers, five ANCs, including the two ANCs with the most

1 alley lots in the District, and hundreds of District residents.

2 I also want to quickly discuss alley width. OP notes  
3 in its January 2nd report that FEMS personnel indicated a  
4 preference to keep the existing 24-foot lot alley width standard,  
5 but allow special exceptions to reduce the alley width to 15  
6 feet. We support necessary requirements for emergency vehicle  
7 access, but this change has the potential to significantly  
8 restrict alley home building and increase burden for home  
9 builders. We ask that OP and the Zoning Commission explore  
10 whether the current 24-foot requirement is genuinely necessary  
11 and what modifications could be made to encourage the building  
12 of more homes, while preserving emergency vehicle access.

13 Finally, we ask that the Zoning Commission revise the  
14 amendment to align height and unit limits with the underlying  
15 zone. As drafted, this proposal sets a baseline height limit for  
16 alley homes in most zones of 22 feet. Some higher-density zones  
17 would allow up to 30 feet. In part, because of feedback they  
18 received, OP recently amended its proposal to include a special  
19 exception pathway to allow up to 35 feet in residential zones and  
20 40 feet in commercial zones. This is a step in the right  
21 direction, but introduces a burdensome regulatory process to  
22 achieve heights that, in many cases, are still lower than the  
23 limits of the zone.

24 The proposal also limits alley homes in RA zones, which  
25 typically do not have unit limits to two units. It also prohibits

1 more than one unit in RF zones, unless the lot is greater than  
2 1,800 square feet, a condition which does not apply to street-  
3 facing lots. To illustrate the potential lost housing caused by  
4 these restrictions, I prepared some examples. Up right now, R  
5 Street and 15th Street Northwest in Dupont Circle, this is a  
6 6,600-square-foot lot. It's larger than many of the surrounding  
7 street-facing lots. This in the RA-2/DC zone, which allows 40  
8 feet by right, but, even with a special exception granted, a  
9 building could not reach this height, and it be limited to two  
10 units. It's currently a parking lot.

11           On the next slide, on Georgia Ave and Lamont Street  
12 Northwest, which is in the Columbia Heights' Petworth  
13 neighborhood, this is a 5,600-square-foot lot. It's larger than  
14 many of the surrounding street-facing lots. It's in the NMU-  
15 4/GA zone, which allows 50 feet by right -- 50 feet -- 55 feet  
16 by right. OP's proposal would limit this to 22 feet or 40 feet  
17 with a special exception, so still not the actual height that the  
18 zone allows. It's currently an empty lot. And just to illustrate  
19 the buildings around this lot, the second picture there is a  
20 picture of the building right in front of this lot.

21           And on the next slide, 19th Street and Q Street  
22 Northwest in Dupont Circle, it's 1,900 square feet, larger than  
23 many of the surrounding street-facing lots. It's in the RA-2/DC  
24 zone; again, 40 feet by right, but even with a special exception,  
25 it could not reach this height. It's currently parking. On the

1 last slide, 14th Street and Nicholson Street Northwest in the  
2 16th Street -- 16th Street Heights neighborhood, it's a 6,700  
3 square foot lot, larger than many of the surrounding street-  
4 facing lots. It's RA-3 or 60 feet by right, but even with the  
5 special exception, it would be capped at 35 feet and, again, two  
6 units. It's currently parking.

7 DC YIMBYs supports a clear set of standards for alley  
8 homes, but DC's zoning map already reflects community  
9 expectations about scale and form. By aligning alley lot rules  
10 with existing zoning and avoiding extra restrictions, we can add  
11 homes in way that is both predictable and fair. We look forward  
12 to a future where DC's iconic alleys are filled with car-free  
13 starter homes and apartments woven into the fabric of our city.  
14 Thank you for the opportunity to testify.

15 CHAIRMAN HOOD: Okay. Thank you. All right. Let's  
16 go to Nianyi Hong. Hopefully, I didn't pronounce -- mispronounce  
17 that.

18 MR. HONG: Nianyi. Thank you.

19 CHAIRMAN HOOD: Nianyi. Okay.

20 MR. HONG: Thank you, Chairman Hood and members of the  
21 Zoning Committee. My name is Nianyi Hong. I'm a resident of DC  
22 in the U Street area; ANC 1B, to be exact. Like many others who  
23 have spoken today, I strongly support OP's proposal in this ZC  
24 25-06. I think that the proposed changes would help address DC's  
25 housing shortage and align with the city's goals of supporting

1 equitable and inclusive growth. Like many have also mentioned,  
2 to help support housing creation, I think that the Zoning  
3 Commission should also consider a couple of other changes as  
4 well.

5           First and most importantly, as many have already  
6 discussed, I think that eliminating extensive and expensive  
7 parking mandates for these alley homes would be greatly  
8 appreciated and very much help jump start housing creation. As  
9 someone else mentioned, these spaces are very large; they're  
10 larger than the size of a small bedroom, and many other -- many  
11 more individuals could be housed without it.

12           Second, I think that, as Mr. Sendros just mentioned,  
13 aligning with the unit and height limits of alley homes with the  
14 limits of their zones, the same as faced by street-facing homes,  
15 I think would be really important as well. I'd just like to  
16 mention that there are many alley lots across DC. Many of them  
17 are in high-opportunity neighborhoods, near jobs, transit, and  
18 amenities. Unlocking a lot of these lots means more neighbors,  
19 more attainable homes, and stronger and safer alleys. As the  
20 economic evidence and research really tells us, one of the only  
21 ways that we can bring down the housing costs in DC and otherwise  
22 is to build more houses, especially in these vibrant  
23 neighborhoods, and this proposal would be one that would help.  
24 Alley homes, I think, are particularly well suited for DC and  
25 well suited for starter homes and small apartments to help

1 alleviate DC's housing shortage in these high-demand areas.  
2 Myself, I can kind of testify for that. I live in the U Street  
3 neighborhood. I see a lot of alleys that would could be perfect  
4 for housing, especially starter homes, and they're in areas where  
5 you might not need to have a car at all. I bought a house two  
6 years ago. I'm trying to buy my first home, a starter home, in  
7 the U Street area, and I would have loved having these additional  
8 options that alley homes would bring. I would really love to  
9 see more neighbors in my area, so that they can also live an  
10 environmentally-friendly, less expensive, more vibrant life as  
11 well, preferably one that doesn't require a vehicle as well.  
12 That's it. Thank you so much for hearing me.

13 CHAIRMAN HOOD: Okay. Thank you. Let's go to Ian  
14 Grice.

15 MR. GRICE: Good evening, Chairman Hood and members of  
16 the Commission. My name's Ian Grice. I live in the Woodley Park  
17 neighborhood, and I'm a first-time homeowner. I'm in overall  
18 support of the proposed text amendment. Less restrictions on  
19 alley homes would allow underutilized spaces to supply starter  
20 homes and small apartments to help alleviate DC's housing  
21 shortage. Within Ward 3, there are many houses that have alleys  
22 that could support homes on them. I support the elimination of  
23 parking requirements and other restrictions. Thank you for the  
24 opportunity to testify.

25 CHAIRMAN HOOD: Thank you. Hold tight. We may have

1 | some questions for this panel. Jake Hardison.

2 |           MR. HARDISON: Hi. I really appreciate the opportunity  
3 | to speak here tonight, and good evening to everybody. I'm really  
4 | excited that DC's Office of Planning is taking the housing crisis  
5 | and affordability crisis seriously with the proposed changes.  
6 | I've lived in DC for six years. I love my neighborhood. I  
7 | volunteer. I'm on the board of the Dupont Circle Citizens  
8 | Association, and I volunteer at local neighborhood gardens. I  
9 | spend -- you know, I plan on spending the rest of my life here.  
10 | I plan on -- I'd love to be able to plan on raising a family here  
11 | and continuing to put down roots in the community that I've  
12 | already put a lot of roots down in and the community that I love.  
13 | You know, the greatest obstacle to actually realizing that dream  
14 | is the growing cost of housing that has gotten completely out of  
15 | control.

16 |           Every year that I have lived here, I've watched the  
17 | cost of living increase, driven by surging housing costs. Every  
18 | year I watch as young families leave the city for a chance at  
19 | affording a life. There was a guy on here earlier, Levy, who  
20 | literally left the city over the some of the difficulties with  
21 | housing. I don't want to, you know, have decisions about, you  
22 | know, what kind of family I'm going to be able to have made for  
23 | me because our city can't get its act together and allow the  
24 | construction of more housing. I support making it easier to  
25 | build homes in alleys, because I don't think that you should have

1 to be a millionaire to live here, and I don't want DC to be  
2 another one of those places that throws its hands up, doesn't get  
3 anything done, and is, like, a byword for, you know, failed  
4 governance to the housing crisis. So thank you again for letting  
5 me speak.

6 CHAIRMAN HOOD: Thank you. Let's see if we have any  
7 questions or comments. Commissioner Imamura.

8 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. No  
9 questions; just want to thank the panelists for taking the time  
10 to bare your testimony tonight and share your experience and  
11 views with us, many of which I agree with.

12 CHAIRMAN HOOD: Commissioner Wright.

13 COMMISSIONER WRIGHT: No comments or questions. Thanks  
14 for your testimony.

15 CHAIRMAN HOOD: And Commissioner Stidham.

16 COMMISSIONER STIDHAM: No comments or questions. Thank  
17 you.

18 CHAIRMAN HOOD: And Vice Chair Miller.

19 VICE CHAIR MILLER: Thank you, Mr. Chairman. Thank  
20 each of the witnesses for your participation here this evening,  
21 and I share most, if not all, of the comments that you've  
22 expressed here this evening. I would say, on the parking  
23 requirements issue -- I don't know if we've said this, but one  
24 of the written comments -- and maybe we can get OP to confirm  
25 this -- one of the written comments in support of eliminating the

1 parking requirement for alley lots was that RPP would not be  
2 available for an alley lot; you have to have a street-facing lot,  
3 so the concern about taking up parking in the neighborhood on the  
4 street should not be there. So maybe when OP provides its written  
5 response to all of the things we've asked for, they could -- oh,  
6 I see Mr. Jesick. Maybe you can just give that right now.

7 MR. JESICK: Thank you, Commissioner Miller. Yes, we  
8 did consult with DDOT on that question, and they came to the  
9 conclusion that alleys could participate in the RPP program, so  
10 a dwelling on an alley could have an RPP sticker and, you know,  
11 park on the street.

12 VICE CHAIR MILLER: Well, it's good to get that  
13 clarification, so that argument in favor of eliminating parking  
14 requirements doesn't exist, so thank you -- thank you for that  
15 clarification.

16 MR. JESICK: Thank you.

17 CHAIRMAN HOOD: Mr. Jesick, we're -- I'm not going to  
18 get into RPP tonight, but we're going to have some more dialogue  
19 about the RPP, as we get ready to do our dialogue, period -- I  
20 mean, with alley lots. So, all right, I want to thank everyone  
21 for their participation -- this panel. We appreciate it.

22 I think what I'm going to do now colleagues -- I'm  
23 talking to my colleagues now -- instead of me going -- calling  
24 each name, you all tell me -- I'm just going to say, "Any  
25 comments?", and if somebody has a comment, then you speak up.

1 | You know, I do it that way to make sure I get to everybody, but  
2 | just unkey and go for it.

3 |           VICE CHAIR MILLER: How many more witnesses do we have?

4 |           CHAIRMAN HOOD: You want to know how come it took me  
5 | so long to figure that? No, I'm just playing.

6 |           VICE CHAIR MILLER: No. How many more witnesses do we  
7 | have?

8 |           CHAIRMAN HOOD: I'm not sure. Ms. Schellin --

9 |           COMMISSIONER IMAMURA: We're about halfway through, Mr.  
10 | Miller.

11 |           VICE CHAIR MILLER: Okay.

12 |           CHAIRMAN HOOD: Okay. Good. All right. Ms. Schellin,  
13 | can you bring four more up please?

14 |           MS. SCHELLIN: Frederick Hubig or Hubig (phonetic),  
15 | H-U-B-I-G, Mr. Young; James Pearlstein or Pearlstein (phonetic);  
16 | Tom Lalley -- that's L-A-L-L-E-Y -- Jay Bose. Do you have four?

17 |           MR. YOUNG: Yeah, I got all four of them.

18 |           CHAIRMAN HOOD: You have four, so we're going to begin  
19 | with Mr. --

20 |           MS. SCHELLIN: Okay. Great.

21 |           CHAIRMAN HOOD: Mr. Hubig, you may begin.

22 |           (No response.)

23 |           CHAIRMAN HOOD: Mr. Hubig, we can't hear you.

24 |           MR. HUBIG: Better?

25 |           CHAIRMAN HOOD: There we go, right there. We can hear

1 | you.

2 |           MR. HUBIG: Okay.

3 |           CHAIRMAN HOOD: Right there. There you go.

4 |           MR. HUBIG: I'm a Zoom guy myself. Anything besides  
5 | Zoom, I don't know what I'm doing here, but I just want to say  
6 | there's not much I can say -- first of all, thank you so much,  
7 | Chairman Hood and members of the Zoning Commission. Honestly,  
8 | the level of passion is higher than anything I've done for years  
9 | or witnessed for years in DC. I think we all have the same -- I  
10 | think most of us are synchronized on most of the same goals.

11 |           So I'm Frederick or Fritz Hubig. I'm a long -- I'm a  
12 | Washingtonian. Started a company called District Real Estate 20  
13 | years ago, and I do own an alley property since 2021. Spent a  
14 | couple decades working in DC's neighborhoods and, basically, you  
15 | know, I've developed both a professional perspective of somebody  
16 | who's brokered significant transactions and also lived in DC,  
17 | navigating the challenge of alley-lot ownership.

18 |           The -- since I only have three minutes, or less at this  
19 | point, I'll just -- I'll just roll through this real quick.  
20 | Basically, you know, we are in a housing crisis, as Dennis was --  
21 | I think it was Dennis who just mentioned it in Dupont. The --  
22 | you know, we have a -- we have a demand for 36 additional --  
23 | 36,000 additional housing units by 2030. And, obviously,  
24 | affordable options are really important right now, especially  
25 | with the economy the way it is and a 1.1 million dollar shortfall.

1 The -- my own personal experience with the 15th Street alley  
2 project, which has been going on for a couple of years,  
3 illustrates some of the problems that most people are facing  
4 here, the bureaucratic obstacles that go far beyond typical  
5 residential development. The naming, alone, is a whole separate  
6 category. Plan reviews involve interpretation of codes that  
7 weren't written with alley lots in mind, leading to inconsistent  
8 guidance from different reviewers. Each special exception, each  
9 requirement adds time and cost, which is -- you know, adds up  
10 significantly for all -- for most of these folks.

11           Anyhow, the -- there's other cities that have  
12 successfully leveraged alley lots for housing. For example,  
13 Vancouver has over 4,000 laneway houses since 2009. They've  
14 created affordable housing options without changing the  
15 character. Seattle has the accessory -- their accessory dwelling  
16 unit program added a thousand houses since 2019. So, anyhow,  
17 just to get to the important stuff. The -- I think we're all  
18 just -- and most of us are disappointed with the matter-of-right  
19 alley width. That's something that I faced in my project. You  
20 know, the Office of Attorney General's 2025 report significantly  
21 recommended reverting back to 15 feet. Obviously, we've spoken  
22 about this enough today. It's basically -- this 24-foot  
23 requirement effectively eliminates subdivision opportunities for  
24 the majority of alley lots. Not something we're trying to do.  
25 So I support OAG's -- well, I strongly support the --

1 MS. SCHELLIN: Time.

2 MR. HUBIG: Sorry. Go ahead. Can you guys still hear  
3 me? Parking we've gone over.

4 CHAIRMAN HOOD: We can hear you. We can hear you. She  
5 just gave you time, so give us your closing thoughts.

6 MR. HUBIG: Okay. I know. I'm sorry. I wasn't  
7 really -- I forgot about the three minutes, guys. My bad.  
8 Anyhow, every -- besides all of the illustrious speakers before  
9 me, there's nothing I can add that's incredible, other than the  
10 fact that I love this city and I think it's an incredible -- it  
11 would be an incredible win if we could get most of these passed.  
12 The -- as far as the 450-square-foot minimum lot area, that's --  
13 I strongly recommend that as well. And, basically, I love this  
14 city, and I hope we keep moving forward incrementally on reforms  
15 such as these.

16 CHAIRMAN HOOD: Thank you. Let's go to --

17 MR. HUBIG: Thank you, guys.

18 CHAIRMAN HOOD: Thank you. Hold tight. We may have  
19 some questions for you. Let's go to Mr. Gerald (sic) -- I'm  
20 sorry -- James Pearlstein.

21 MR. PEARLSTEIN: Good evening. My name is James  
22 Pearlstein. I'm a homeowner and a resident of Ward 5, and I'm  
23 here to speak in favor of building alley homes. I strongly  
24 believe alley homes should be a part of DC's response to our  
25 severe and growing housing affordability crisis. The reality is

1 simple. We do not have enough homes, and if we're serious about  
2 keeping DC livable for families, workers, and long-time  
3 residents, we need to use every responsible tool available to  
4 build more housing.

5 My wife and I are raising two daughters in DC public  
6 schools. They're 10 and 13 years old. Every year more of their  
7 classmates leave DC, not because families want to leave, but  
8 because they feel they have no choice. They're moving to North  
9 Carolina, Georgia, Texas, places where housing is simply more  
10 attainable. Just this year, our older daughter's closest friend  
11 moved to Dallas, after their rent jumped from \$2,100 a month to  
12 \$2,900 a month in a single year. That family didn't stop suddenly  
13 loving DC; they were priced out. We know what works. In cities  
14 that are building a lot of housing, places like Boston and  
15 Phoenix, rent is actually falling. In cities like DC, where  
16 we've constrained housing for decades, rents continue to spiral  
17 out of control. And I recognize alley homes are not a silver  
18 bullet, but they're a smart, incremental way to add homes within  
19 existing neighborhoods, homes that can support seniors, young  
20 families, and working people who want to stay in the city that I  
21 love. So I agree with the majority of the proposed reforms that  
22 we've heard tonight, especially eliminating parking minimums,  
23 which would constrain the creation of alley homes, and, you know,  
24 I urge your office to adopt a plan that fully unlocks the  
25 potential of alley homes and allows as many homes as possible to

1 | be built. If we want DC to remain a city for families like ours  
2 | and for the next generation, we have to act. Thank you.

3 | CHAIRMAN HOOD: Thank you. Let's go to Tom Lalley. I  
4 | believe I pronounced it correct.

5 | MR. LALLEY: Yeah. Thanks for having me tonight.  
6 | Thanks, Chairman Hood and members of the Zoning Commission for  
7 | the opportunity to testify today. My name is Tom Lalley. I am  
8 | a lifelong resident of Ward 3, and I live in the house I grew up  
9 | in with my wife and two kids near Tenleytown.

10 | So I support the alley lots proposal and generally  
11 | anything that supports alley homes, because it supports the  
12 | city's goals for equitable and inclusive growth and, also, to  
13 | address the city's housing crisis. So, as most Washingtonians  
14 | know, alleys are far more than just where we put our garbage  
15 | cans. There's a lot of life in alleys. The alley behind my  
16 | house is where our children play, including mine when they were  
17 | younger. It's where we meet and socialize with neighbors. We  
18 | use alleys to walk all over the neighborhood. And I believe  
19 | homes are perfect for these vital spaces. There are a number of  
20 | alley homes in our neighborhood right now, and they just melt  
21 | seamlessly into the fabric of the neighborhood.

22 | There were also alley homes where I used to live in  
23 | Columbia Heights, and there, too, these houses were important  
24 | parts of the neighborhoods. Not only do they provide housing,  
25 | but they also brought eyes and ears to alleys, which is important

1 for public safety. So I hope that this Commission supports this  
2 proposal and goes farther. I'm especially excited about  
3 eliminating the parking mandates and the height limits. And it  
4 was interesting to hear the other folks testify today. My wife  
5 and I have no plans to build an alley house in our backyard, so  
6 I'm actually -- she and I are going to be living with alley  
7 houses, but we're absolutely supportive of that and of the  
8 proposal tonight. So thank you for having me speak tonight, and  
9 I just want to voice, again, my support for this proposal.

10 CHAIRMAN HOOD: Thank you. Next name I'm going to  
11 pronounce two ways. I've heard it pronounced two ways; Jay Base  
12 (phonetic) or Jay Bose. Which one did -- which one is it?

13 MR. BOSE: Thank you, Chairman Hood. It's Bose.

14 CHAIRMAN HOOD: Bose. Okay.

15 COMMISSIONER BOSE: Chairman Hood, members of the  
16 Zoning Commission, thank you for the opportunity to speak  
17 tonight. My name is Jay Bose. I am a resident of Cleveland  
18 Park, and I'm also an ANC Commissioner in ANC 3C, which  
19 encompasses Cleveland Park and Woodley Park. I'm speaking  
20 largely in support of the proposed changes tonight.

21 I think the opportunity to build homes in alley lots  
22 is very exciting. And I was, actually, pleasantly surprised to  
23 see in OP's report that ANC 3C has around 50 alley lots, slightly  
24 less than half of which are over 450 square feet. I did not know  
25 that. And while allowing residential construction on these lots,

1 obviously, is not going to solve our city's housing crisis  
2 completely, it does get us a step closer to meeting DC's housing  
3 goals. And, as others have said, I think this is an important  
4 pathway to allowing starter homes, which is incredibly important,  
5 especially in the midst of this affordability crisis we're  
6 experiencing right now.

7           So I think most of this proposal is very reasonable.  
8 I think where it needs improvement is on parking minimums. First  
9 off, I think the Zoning Commission should remove the parking  
10 minimums from this proposal. And, as others have pointed out, a  
11 lot of these alley lots are small and constrained, you know,  
12 tight spaces, and owners really need the maximum amount of  
13 flexibility possible. I think when you're forcing people to  
14 build parking on their lots, you're essentially forcing them to  
15 choose between, you know, is this a space for people or is this  
16 a space for car storage? So I think forcing that choice really  
17 defeats the purpose of this proposal.

18           Second, I think the points about maximum lot occupancy  
19 and the increased yard requirements, I'm not sure what the intent  
20 is for those requirements, but they seem excessive, as written.  
21 I think having especially the huge yard requirements that are in  
22 the current version of the proposal, I think, again, defeat the  
23 purpose of what we're trying to do here by allowing this alley  
24 lot construction, so I would strongly urge the Commission to  
25 reconsider that. And then, finally, I just want to echo what

1 others have said about the subdivision alley width. I don't know  
2 of any alleys in DC that are 24-feet wide. I think going back  
3 to the 15 feet that was originally agreed is just a sensible  
4 solution.

5           So, in conclusion, I want to just wrap up by saying  
6 that this is a step in the right direction towards meeting the  
7 District's housing goals, and, with some modifications, I think  
8 this could be a very important way of unlocking new housing  
9 options for District residents and making our city a more  
10 affordable and vibrant place to live. Thank you.

11           CHAIRMAN HOOD: All right. Thank you. I want to thank  
12 the entire panel for giving us your views and your presentation.  
13 Let's see if we have any questions. I'm looking. Anybody --  
14 any of my colleagues have any questions?

15           (No response.)

16           CHAIRMAN HOOD: Okay. I'm seeing none. So, again,  
17 thank you all. We appreciate your views, and we will continue  
18 to take those into consideration as we deliberate, but thank you  
19 for giving -- expressing your points. All right. Ms. Schellin,  
20 if we can bring up the next four.

21           MS. SCHELLIN: Okay. Let's start this round with --  
22 okay. We have Austin Cipriano, Adam Stevenson, Daniel Smolyak,  
23 Alicia -- well, I think Alicia deForest is on there twice, because  
24 we heard from here already I believe.

25           CHAIRMAN HOOD: So far we don't have anybody that you've

1 called.

2 MS. SCHELLIN: Oh, we have no one yet?

3 CHAIRMAN HOOD: No one.

4 MS. SCHELLIN: Okay. Tanya Topolewski, Shelly -- well,  
5 no, Shelly's undeclared. We've already heard from Mr. Hubig.  
6 How about Adriana Navarro-Sertich, S-E-R-T-I-C-H, and Erin  
7 Palmer? That's all of the proponents. We have one undeclared.

8 CHAIRMAN HOOD: Okay. Let's start off with the -- with  
9 this panel. And so we've gotten all of the -- all the people  
10 who are -- in support who are here?

11 MS. SCHELLIN: Yes.

12 CHAIRMAN HOOD: We only have three up, so we'll go with  
13 what we have. Okay. Let's go with Tanya Topolewski. And I know  
14 I messed that up. Forgive me. You'll straighten me out.  
15 Sometimes my tongue don't move the right way and it just comes  
16 out wrong. If it sounds like your name, I'm calling you. Yes,  
17 there you go. You're still on mute. There you go. You're off  
18 now. No, we can't hear you though. We can't hear you. You're  
19 back on mute. Do you have your speakers -- I'm getting like Mr.  
20 Young there. Do you have your speaker on or do you have your  
21 microphone off or something? Try it again. Try to unmute.

22 MR. YOUNG: So next to your mute button, there's a  
23 little arrow pointing down. If you click on that, there's  
24 different options you can select for your microphone. So I would  
25 unmute yourself and then try a different option and test it.

1 CHAIRMAN HOOD: You had it unmuted one time. Just  
2 unmute yourself first, as Mr. Young was mentioning, because you  
3 did it once. There you go. Now try the arrow that's going down,  
4 and you should get a --

5 MR. YOUNG: You're not on mute, but I think you need  
6 to change your microphone, whichever microphone you're using. Do  
7 you see the little down arrow next to your mute button?

8 (Brief pause.)

9 CHAIRMAN HOOD: We still can't hear you. Are you --  
10 did you use the down arrow? Just shake your head. Did you use  
11 the down arrow? Did you see some options with the arrow that's  
12 going down?

13 MS. TOPOLEWSKI: I can't --

14 CHAIRMAN HOOD: There you go. There you go. I knew  
15 you were going to get it.

16 MS. TOPOLEWSKI: Sorry, folks. I had an external set  
17 of speakers on here that I didn't realize were still activated.  
18 My apologies. Okay. My name is Tanya Topolewski, and I am a  
19 20-plus-year resident of the District of Columbia. I am also an  
20 alley lot owner in Brightwood/Petworth. And I had a prepared  
21 testimony, but a lot of my points have already been covered, and  
22 so I would like to cover a few additional points that I think  
23 have not been covered.

24 In general, I support all of the comments from people  
25 about removing parking and a special exception for height, et

1 cetera, et cetera, but I will want to highlight a couple of  
2 things. One is, along the way of working with the Office of  
3 Planning, I put together a financial proforma analysis of what  
4 it would actually cost to put in the infrastructure for a  
5 prototypical alley lot, and I did this to really highlight to  
6 them how much these things actually cost. And when I used a 750-  
7 square-foot lot, and the lot I chose was 160 linear feet from  
8 the street to the lot, it -- the current cost, based on my  
9 contractors --

10           Let me step back for a moment. I need to step back  
11 and say I am a sustainable real estate developer. I have done  
12 extensive work in the District of Columbia building small-scale  
13 sustainable housing here. I have actually done extensive work  
14 with DDOT and also with -- with DDOT, in particular, to actually  
15 rebuild streets and actually extend water and sewer  
16 infrastructure, so this question is right up my alley, and I have  
17 extensive expertise in this. My point being that when you looked  
18 at these projects and said, "Is it feasible to put in the  
19 infrastructure on a prototypical alley lot?", the answer was no.  
20 And it wasn't a question of it being just a little bit unfeasible.  
21 These projects end up to be deeply in the red.

22           And so we pushed, as owners, for the special exception  
23 for height, in order to accommodate the hurdle -- the very high  
24 hurdle that the infrastructure costs actually imposed on all of  
25 these projects. And to be quite blunt, many of the projects that

1 are -- that are contemplated by alley lots will not be financially  
2 feasible, even with the changes that are proposed to be made. So  
3 I just want to provide that as context for the conversation and  
4 decision-making going forward.

5           Every neighbor and every small amount of square footage  
6 that can be accommodated on these alley lots that are in keeping  
7 with the context of the neighborhood and making them compatible  
8 should be applied as much as possible, because, otherwise, the  
9 financial feasibility of these projects are mostly in the  
10 negative. So I just wanted to provide that for you as context,  
11 because we talk about expense, but I really did the math and I  
12 did the analysis, and I went out of my way to make sure that we  
13 had current numbers for this, and I just wanted to bring that up  
14 to the Zoning Commission, so that you really understand how  
15 devastating the costs of the infrastructure actually are.

16           Beyond that, I would like to highlight --

17           MS. SCHELLIN: Time's over.

18           MS. TOPOLEWSKI: -- one thing, which hasn't been raised  
19 yet, which is that the amount of square footage for ADU units --  
20 I am a strong supporter of decreasing that amount, mainly because  
21 that also is one of the things that increases the value of a  
22 property and can help properties get over that infrastructure  
23 hurdle. Thank you very much for all of your work for the Zoning  
24 Commission, but also, in particular, for Matt Jesick and the  
25 Office of the Attorney General for all of the work that they have

1 done on this.

2 CHAIRMAN HOOD: Thank you. Let's go to Ms. Adriana  
3 Navarro-Sertich. I messed all that up, but correct me.

4 MS. NAVARRO-SERTICH: Yes. Good evening. Adriana  
5 Navarro-Sertich, so very close. And, if you don't mind, I do  
6 have a bit of an unstable internet, so, if it's okay, I would  
7 like to turn off the camera just so you get a continuous flow,  
8 and so thank you. Apologies for that.

9 I am an architect and urban planner, and I'm here in  
10 support of the modifications. I -- firstly, before jumping into  
11 five points that I really want to highlight, I wanted to commend  
12 OP for this excellent work, and I am here as well to respectfully  
13 request several modifications, always with that objective of just  
14 allowing more housing in the District.

15 As Tanya well mentioned, there are extraordinary  
16 infrastructure costs for baseline water, sewer, public space  
17 restoration, and agency requirements. And this is something that  
18 we always have to keep in mind when looking at some of these  
19 changes in the modifications and what they can allow.

20 The five points that I want to highlight are, first,  
21 height. Again, very much supportive of the 35-foot special  
22 exception. Three stories is often the minimum needed to  
23 take -- to make projects viable when distributing  
24 infrastructure costs. However, I do respectfully request 25 feet  
25 by right, instead of 22 feet. I believe this has also been

1 | echoed. 22 feet is extremely challenging for standard two-story  
2 | construction with a proper floor-to-floor height, and height, as  
3 | we have well noted, is one of the primary feasibility levers to  
4 | offset the extraordinary infrastructure costs.

5 |           Second, parking. I request the elimination of parking  
6 | minimums for alley lot residential development. I think most  
7 | arguments have been covered in some of the testimony, so I'll  
8 | skim over that.

9 |           Pervious -- third, pervious surface. As someone who  
10 | works with nature-based solutions and green construction  
11 | standards, I respectfully oppose this increase from 10 to 25  
12 | percent. I support the environmental objectives, but on small  
13 | alley lots, meeting 25 percent pervious surface essentially  
14 | mandates expensive green roofs to projects that are already  
15 | facing incredible infrastructure costs. Most importantly, and I  
16 | think this was highlighted by Brian, this creates a regulatory  
17 | disparity when you have street-facing lots that have zero percent  
18 | requirements.

19 |           Fourth, alley width. I do strongly support OP's  
20 | special exception approach for subdivision on alleys under 24  
21 | feet. This is meaningful progress. However, I'm also a proponent  
22 | of looking at the 15-foot by-right standard, as I do believe  
23 | looking at -- extensively at alleys and noting how few 24 foot  
24 | alleys there are, that the 15 foot by right standard would open  
25 | the spectrum of viable lots, while still providing adequate

1 access and reducing regulatory burden on small property owners.  
2 Again, for reference, one lane in DC is about 10 feet wide.

3           And, finally, the two units per lot, which I strongly  
4 support allowing these two units and residential units, and I do  
5 support, also, the OAG's proposal to reduce per-unit lot size  
6 requirements. This would definitely open up the spectrum to  
7 additional alley lots developable by right and the ability to  
8 build these two units rather than one changes projects economics  
9 by distributing infrastructure across multiple units. I  
10 fear -- and I know that you all echo this, and noting that  
11 alley lots represent critical missing middle housing  
12 opportunities, but I do fear -- and, again, echoing what Tanya  
13 just mentioned -- that without certain modifications,  
14 particularly in height, parking, pervious surface, two units per  
15 lot, extraordinary infrastructure costs will continue to render  
16 most of these economically unfeasible. Thank you so much for  
17 your time. I appreciate it.

18           CHAIRMAN HOOD: Thank you. Let's go to Ms. Erin Palmer.

19           MS. PALMER: Hello. Can you hear me?

20           CHAIRMAN HOOD: Yes, we can.

21           MS. PALMER: Thank you so much. Thank you, Chairman  
22 Hood and members of the Zoning Commission. I'm here to testify  
23 in support of the Office of Planning's proposed zoning text  
24 amendment in this matter to facilitate the reuse and development  
25 of alley lots. I'm a Takoma resident, a former Advisory

1 Neighborhood Commissioner, and a former Chair of ANC 4B's Housing  
2 Justice Committee. I've seen firsthand how land use policies  
3 shapes who can live in our neighborhoods and how difficult it can  
4 be to add even modest housing in amenity-rich, transit-accessible  
5 communities like mine.

6           During my time as an ANC, my single-member district  
7 included an alley lot that reflects these challenges. I believe  
8 there's another former Commissioner here who represented that  
9 area. Over the years, the property owner expressed interest in  
10 developing the site for housing; yet, the lot remained  
11 undeveloped. While I cannot speak for the owner's specific  
12 decisions, it is clear that the existing regulatory framework  
13 creates hurdles to moving an alley lot housing project forward.  
14 Alley lots are a housing justice opportunity. They are a modest,  
15 but meaningful opportunity to support gentle density and a  
16 greater variety of housing types across the District. These lots  
17 are often located in amenity-rich, transit-accessible  
18 neighborhoods with strong access to public transportation,  
19 schools, parks, libraries, and daily necessities. Enabling  
20 housing on alley lots allows more people to access opportunity.

21           I wanted to testify tonight in support of eliminating  
22 the parking requirements for alley homes. This is one way that  
23 you can increase flexibility for alley-lot housing. Requiring  
24 on-site parking consumes scarce buildable space, increases  
25 construction complexity, and raises costs to the point where

1 housing can become infeasible. I also support the Office of  
2 Planning's proposal to -- original proposal to allow matter-of-  
3 right subdivision of alley lots that are at least 15 feet wide,  
4 rather than retaining the current 24-foot minimum. In addition,  
5 unit and height limits for alley-lot housing should be aligned  
6 with the underlying zone, when zoning already allows multiple  
7 units or apartment-scale buildings on street-facing lots. More  
8 restrictive standards for alley lots unnecessarily suppress  
9 housing production and introduce costs, delay, and uncertainty.  
10 These are all things that, as I mentioned, increase flexibility.

11           Whether you're talking in laypeople's terms in terms  
12 of width or height, we are trying to make flexibility for spaces  
13 that are otherwise awkward and may not be developed, given their  
14 unique structure and the limitations on alley lots. These changes  
15 would put housing first on constrained sites and insure that  
16 zoning standards do not privilege long-term vehicle storage over  
17 people's homes. With these changes, alley lots can support small-  
18 scale, context-sensitive housing that expands access to  
19 opportunity in transit-rich neighborhoods across the District.

20           In addition, consistent with the recommendations from  
21 the Office of the Attorney General, I support targeted  
22 adjustments to standards like lot size, yard requirements, lot  
23 occupancy, and pervious surface coverage to insure they are not  
24 overly restrictive. Taken together, thoughtful alignment of  
25 these requirements can help insure that alley lots are used for

1 homes, rather than remaining vacant or underutilized, advancing  
2 the District's housing goals, while maintaining appropriate  
3 safeguards. I just want to conclude by noting again that I  
4 support the Office of Planning's zoning text amendment with  
5 regard to alley lots. I'm grateful for the work of the Office  
6 of Planning. It's their office that informed me about these  
7 proposals and why I was able to engage. I'm also thankful for  
8 the work of the Office of the Attorney General. They always do  
9 great work, in terms of land use. And I have more detailed  
10 written testimony, which I was not able to submit today. If the  
11 Commission will allow it, I will submit that testimony after the  
12 hearing. Thank you so much.

13 CHAIRMAN HOOD: Thank you, Ms. Palmer. And we can --  
14 Ms. Schellin, let's work out a date so we can honor Ms. Palmer's  
15 request to be able to submit. Let's make sure we get that, so,  
16 yes, we will accept -- we'll accept that. Let's see if we have  
17 any questions of this panel. Did I get everybody? Oh, yeah,  
18 yeah. There's only three. Okay. Any questions of this panel?

19 (No response.)

20 CHAIRMAN HOOD: Okay. Not seeing any. All right. We  
21 want to thank you all for your testimony and also for your panel.  
22 And, yes, Ms. Palmer, we will accept your other submission --  
23 your additional submission. All right. Ms. Schellin, I think  
24 the last person we have -- is that Mr. Repp or do we have someone  
25 else with him undeclared?

1 MS. SCHELLIN: Just Mr. Repp.

2 CHAIRMAN HOOD: Okay. Let's bring Mr. Repp up,  
3 undeclared. Mr. Repp, you may begin whenever you're ready.

4 MR. REPP: Okay. Good evening, Chairman Hood and  
5 members of the Zoning Commission. My name is Shelly Repp, and  
6 I'm testifying on behalf of the Committee of 100. While the  
7 proposed changes to the alley lot rules are extensive, the overall  
8 structure provides a set of by-right standards for the  
9 development of alley lots with a list of more flexible standards  
10 that could be -- that could be approved by special exception.  
11 The Committee of 100 supports this approach, which is sympathetic  
12 to community involvement.

13 At the outset, we should say that we are surprised by  
14 the volume of public interest in this proposal. There are 229  
15 exhibits in the record, all but one supporting the proposal,  
16 including the support from -- supporting comments from three  
17 Councilmembers. I must say, however, that now I realize that the  
18 alley lot owners are in -- are well organized and that a number  
19 of those exhibits come from alley lot owners.

20 We do not see how the proposal, if approved, will  
21 meaningfully move the needle on OP's goal, increasing housing  
22 availability. I think OAG actually confirmed the same thing. OP  
23 states that alley -- vacant alley lots are the ones most likely  
24 to experience new development, but 43 percent of these lots are  
25 lots that are too small for residential use. In fact, median

1 lot area for all the vacant lots is only 552 square feet, hardly  
2 sufficient for a residence, after taking into account minimum  
3 yard requirements. Also, according to OP, citywide, there are  
4 only two vacant lots located in R-1A zones, the least dense zone.  
5 The proposal will not achieve additional housing in the top tier  
6 of high-opportunity, amenity-rich neighborhoods that OP has  
7 targeted for additional density. Further, the costs of water,  
8 sewer, and electric connection present another hurdle to  
9 development, as we heard tonight.

10 All this is not a reason not to go forward. We  
11 introduce these points simply as a reality check. It would be  
12 interesting to hear how many alley lots OP might -- believes  
13 might be developed in the next ten years. As a general comment,  
14 the Committee of 100 believes that compatibility with surrounding  
15 areas should be the decisive component of development standards  
16 for alley lots. We support the proposed 22-foot height maximum  
17 for by-right development and agree that greater height must be  
18 approved through special exception.

19 Many homes in the city are two stories tall. In these  
20 neighborhoods, an alley structure of greater height could very  
21 well raise incompatibility concerns. The proposed special  
22 exception standard would permit an alley structure of 35 feet or  
23 three stories in residential zones. This makes sense to us, as  
24 it would allow the landowner and neighbors to air their positions  
25 before a neutral body.

1           At setdown, OP proposed to reduce the matter of right  
2 alley width for all residential uses to 15 feet; whereas, today  
3 the standard is 24 feet. Fire and Emergency Management Services  
4 indicated -- indicates a preference to keep the existing  
5 standard, which includes a special exception for alleys not  
6 meeting the by-right standard. In response, OP now proposes to  
7 leave the matter-of-right alley width for residential uses as is,  
8 which allows for review by both FEMS and the community. We  
9 support this approach. Since setdown and in order to simplify  
10 the development standards and avoid confusion, OP has deleted  
11 minimum side and yard dimensions and replaced them with a new  
12 minimum yard requirement. We question how this revised rule will  
13 work in practice. OP's report shows that since 2016, 29 alley  
14 lots have been filed with the Office -- Board of Zoning  
15 Adjustment; 21 of these were approved, with six being denied.  
16 Thus, the BZA has had a problem with more than 20 percent of the  
17 applications. We suggest that the Commission ask OP whether any  
18 of the denied cases would have been approved if the by-right  
19 proposals contained in the proposed text amendment were in  
20 effect.

21           Finally, I have two points here. First of all, I want  
22 to commend Mr. Jesick for his clear presentation. I've never met  
23 him before, never talked to him, but I thought his presentation  
24 was very thoughtful and clear. Second of all, the Committee of  
25 100 would like to accept Commissioner -- Chairman Hood's offer

1 made last week for an offline conversation on issues of community  
2 involvement. The offer was made during questioning of Laura  
3 Richards by Commissioner Miller. While we appreciate  
4 Commissioner Miller's perspective, we feel strongly about the  
5 need for community involvement in development issues. That's why  
6 it is appropriate to have the conversation offered. Thank you.

7 CHAIRMAN HOOD: Thank you, Mr. Repp, and I appreciate  
8 you all stepping up. Ms. Schellin, let's work on that. Let's  
9 make sure I'm not violating anything or we're not doing anything  
10 wrong, because that's the first thing we will get accused of, so  
11 let's work that out. I think we can. We can have a general  
12 discussion --

13 MR. REPP: Yeah.

14 CHAIRMAN HOOD: -- and whoever wants to be present can  
15 be present.

16 MR. REPP: Okay. I'll follow up with Ms. Schellin.

17 CHAIRMAN HOOD: Okay. Thank you. Let's see if we have  
18 any questions of Mr. Repp. Any questions, comments, anybody?

19 (No response.)

20 CHAIRMAN HOOD: Okay. All right. Well, thank you, Mr.  
21 Repp. And let's make sure you follow up, because I definitely  
22 want to do that. It's good sometimes to talk outside of it --  
23 outside of a case, and let's just talk, and I think that would  
24 be great for the whole city, as a whole, so that's where I am  
25 with that.

1 MR. REPP: Thank you.

2 CHAIRMAN HOOD: All right. Thank you. All right. Ms.  
3 Schellin, do we have anyone else?

4 MS. SCHELLIN: That's it.

5 CHAIRMAN HOOD: Okay. All right. We've asked for some  
6 stuff. I'm not sure -- I know we want to deliberate and comment  
7 some more. Do my colleagues have any last minute things they  
8 want to talk about, or, Mr. Jesick, did you want to mention  
9 something?

10 (No response.)

11 CHAIRMAN HOOD: Okay. Okay. Colleagues, do you have  
12 anything else? I think we got it. Ms. Schellin, if you can give  
13 us a time frame, I guess we can go ahead and proceed. We're  
14 good.

15 MS. SCHELLIN: Mr. Jesick, do you know approximately  
16 how much time you think you're going to need to provide what was  
17 asked for?

18 MR. JESICK: I think we're going to need to some  
19 outreach to some stakeholders, as well as other city agencies.  
20 That may take a little bit of time. You know, I would say a  
21 month or maybe looking at a meeting at the beginning of March  
22 even, whatever the pleasure of the Commission is.

23 MS. SCHELLIN: Okay. So maybe the first meeting in  
24 March?

25 MR. JESICK: I think that should give us enough time.

1 MS. SCHELLIN: Okay. So, working from that, since we  
2 don't have to wait for responses from anybody, if you could  
3 provide that by March 2nd, that would allow our attorneys a couple  
4 of days to take a look at it, if they need to, and then we can  
5 put this on for March 12th at four p.m. If you can just provide,  
6 again, your documents by March 2nd, three p.m., that would be  
7 great.

8 MR. JESICK: Got it.

9 CHAIRMAN HOOD: Okay. So I think we're all straight.

10 MS. SCHELLIN: Yes.

11 CHAIRMAN HOOD: Anybody have any follow-up questions  
12 or comments?

13 (No response.)

14 CHAIRMAN HOOD: All right. I want to thank everyone  
15 for their participation and all the hard work that went into  
16 this. Looking forward to dealing with this on March 12th. Again,  
17 the Commission will meet again at -- we have our regular monthly  
18 meeting, which we will have a closed meeting at the beginning,  
19 which has already been announced, and we will be meeting again  
20 on January the 15th at four p.m. on this same platform. So, with  
21 that, I want to thank everyone, and you all have a great evening.  
22 This hearing's adjourned.

23 (Whereupon, the above-entitled public hearing was  
24 adjourned at 7:04 p.m.)

25

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 Hearing - Case No. 25-06

Before: DC Zoning Commission

Date: 01-12-26

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.



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Deborah B. Gauthier