

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ZONING COMMISSION

SPECIAL MEETING

THURSDAY
SEPTEMBER 30, 1999

The Commission met in Hearing Room 220 South at 441 4th Street, N.W., Washington, D.C., at 6:30 p.m., Angel Clarens, Chairperson, presiding.

PRESENT:

Angel F. Clarens	Chairperson
Herbert M. Franklin	Commissioner
Anthony J. Hood	Commissioner
John F. Parsons	Commissioner

STAFF PRESENT:

Jerrily R. Kress	Director	Office of Zoning
Alberto P. Bastida		Secretary to the Zoning Commission
Kenneth Karkeet		Office of Zoning

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3 CHAIRPERSON CLARENS: I am going to first start
4 with the special meeting. Good afternoon, ladies and gentlemen.
5 This is a special meeting of the Zoning Commission of the District of
6 Columbia, and we can proceed to the agenda items, preliminary
7 matters, Mr. Bastida.

8 MR. BASTIDA: Mr. Chairman, the first item is case
9 96-12Z which is map amendments to the Comprehensive Plan of the
10 Amendments Act of 1994, and that is various amendments that the
11 Commission adopted in '97 and for some reason or another, it was
12 delayed until now for the final action, and I am requesting that you
13 approve the proposed Zoning Commission Order 909 that was
14 included in your package.

15 CHAIRPERSON CLARENS: Very good.
16 Commissioners, this item is before us. We have received the item in
17 our package and we have reviewed it. Do I hear a motion to approve
18 final action on this case?

19 COMMISSIONER HOOD: Mr. Chair, I make a motion
20 that we approve 96-12Z.

21 COMMISSIONER FRANKLIN: Second, Mr.
22 Chairman.

23 CHAIRPERSON CLARENS: It has been moved and
24 seconded. Any discussion on this issue? Hearing none, all in favor of
25 the action, signify by saying aye.

26 (Ayes)

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1 CHAIRPERSON CLARENS: Opposed. The ayes
2 have it. So ordered.

3 MR. BASTIDA: We will record the vote four to zero.
4 Mr. Hood, Mr. Franklin, Mr. Parsons, Mr. Clarens to approve.

5 CHAIRPERSON CLARENS: Very good. The issue.

6 MR. BASTIDA: Is 98-11 which is the 8th Street
7 overlay. I provided to you this evening a copy of the proposed order.

8 CHAIRPERSON CLARENS: Do I hear a motion on
9 98-11?

10 COMMISSIONER FRANKLIN: I move approval, Mr.
11 Chairman, with a clarification that provisions in the order and the new
12 regulation clarify that fast food establishments can not occupy more
13 than 25 percent of the street frontage given over to eating and drinking
14 establishments.

15 CHAIRPERSON CLARENS: Okay.

16 MR. BASTIDA: That would require, Mr. Franklin, then
17 to delete 1309.5.

18 COMMISSIONER FRANKLIN: Whatever is required.

19 MR. BASTIDA: Fine. Thank you.

20 CHAIRPERSON CLARENS: Mr. Franklin, do you
21 mean --

22 COMMISSIONER FRANKLIN: I mean 25 percent of
23 the entire street frontage.

24 COMMISSIONER PARSONS: So you really mean
25 half of the 50 percent.

26 COMMISSIONER FRANKLIN: Half of the 50 percent.

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1 That's correct.

2 MS. KRESS: And I think staff can clarify that
3 language.

4 CHAIRPERSON CLARENS: Okay. I need a second
5 on that motion.

6 COMMISSIONER PARSONS: Second.

7 CHAIRPERSON CLARENS: Mr. Franklin moved it,
8 Mr. Parsons seconded it, and the clarification is that we want to make
9 sure that it's clear in the order that the intention of the Commission is
10 to make half of the street frontage which is allowed for eating
11 establishments to be for fast food eating establishment.

12 COMMISSIONER FRANKLIN: Not more than.

13 CHAIRPERSON CLARENS: No more than.

14 MR. BASTIDA: That's right.

15 CHAIRPERSON CLARENS: No more than half of
16 that which is allowed for regular eating establishment.

17 COMMISSIONER PARSONS: Then I think we
18 probably ought to clarify that the case was heard by Mr. Clarens, Mr.
19 Hood, Ms. Kress, and Mr. Franklin and I didn't participate.

20 MR. BASTIDA: That is correct.

21 COMMISSIONER PARSONS: And we both now -- I
22 don't want to speak for Mr. Franklin -- but both have read the record.

23 COMMISSIONER HOOD: I have read the record.
24 Yes.

25 COMMISSIONER PARSONS: And are prepared to
26 vote on the final.

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1 CHAIRPERSON CLARENS: Very good. With those
2 modifications, any further discussion? Hearing none, all in favor
3 signify by saying aye.

4 (Ayes)

5 CHAIRPERSON CLARENS: Opposed. The ayes
6 have it. So ordered.

7 MR. BASTIDA: The vote was recorded four to zero,
8 Franklin, Hood, Parsons and Clarens to approve. I didn't see. In the
9 notification to the Walter Washington Estates you were provided in the
10 package the details of the proposed modification. I gave you this
11 evening a proposed order and since this could be in the consent
12 calendar, I requested on the order that you provide the proposed and
13 final approval of the order. It would be a proposed and final approval
14 of the order. The order is in front of you as Order 829A, Case 99-
15 7MN/97-3C.

16 CHAIRPERSON CLARENS: That is correct. Do I
17 hear a motion one way or another on this case?

18 COMMISSIONER PARSONS: I'm having trouble
19 finding 829A. Do you all have it?

20 COMMISSIONER HOOD: It's dated, I believe,
21 September 30, 1999. I think it's pretty straightforward. I will make a
22 motion that we approve case no. 99-8MM/97-3C modification.

23 COMMISSIONER PARSONS: Second.

24 CHAIRPERSON CLARENS: Very well. It has been
25 properly moved and seconded. Any discussion? We are voting then
26 on this case, both as a proposed and final action because it is a minor

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1 modification that can be approved in this manner.

2 MR. BASTIDA: Let me clarify that, Mr. Chairman.
3 The regulation is -- on that aspect but since the whole idea of the
4 consenting calendar was to expedite the process, that's why I am
5 making that suggestion.

6 CHAIRPERSON CLARENS: That's fine.

7 MS. KRESS: And I would just add it is provided for in
8 the regulations that are going to take effect in about 10 days and it will
9 be formally then just one vote and it will just be a final action.

10 MR. BASTIDA: Thank you, Ms. Kress.

11 CHAIRPERSON CLARENS: Very good. All in favor,
12 signify by saying aye.

13 (Ayes)

14 MR. BASTIDA: Opposed. The ayes have it. We will
15 record the vote four to zero, Mr. Hood, Mr. Parsons, Mr. Franklin and
16 Mr. Clarens to approve.

17 CHAIRPERSON CLARENS: That concludes the
18 agenda on the special meeting of September 30th. Now we will
19 proceed to the meeting.

20 (Whereupon, the special meeting was concluded at
21 7:26 p.m.)

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