

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

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IN THE MATTER OF: :
 :
MAP AMENDMENT AND SPECIAL : Case No.
EXCEPTION: 3660 ALABAMA : 09-17
AVENUE, S.E. (PARCEL 207/64) :
-----:

Thursday,
December 3, 2009

Hearing Room 220 South
441 4th Street, N.W.
Washington, D.C.

The Public Hearing of Case No. 09-17 by the District of Columbia Zoning Commission convened at 7:00 p.m. in the Office of Zoning Hearing Room at 441 4th Street, N.W., Washington, D.C., 20001, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

- ANTHONY J. HOOD, Chairman
- WILLIAM W. KEATING, III, Vice Chair
- KONRAD W. SCHLATER, Commissioner
- PETER MAY, Commissioner (NPS)
- MICHAEL G. TURNBULL, FAIA, Commissioner (AOC)

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Board of Zoning Adjustment
District of Columbia
CASE NO. Transcript
EXHIBIT NO. null

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

JOEL LAWSON
MAXINE BROWN-ROBERTS

The transcript constitutes the minutes from the Public Hearing held on December 3, 2009.

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

2 7:04 p.m.

3 CHAIRMAN HOOD: Zoning Commission
4 Case No. 09-17, and I'm not going to go
5 through all of the opening, but I'm going to
6 read everything that's germane to this
7 particular case.

8 Notice of today's hearing was
9 published in the *D.C. Register* on October 30,
10 2009. And copies of that announcement are
11 available to my left on the wall near the
12 door.

13 The hearing will be conducted in
14 accordance with provisions of 11 DCMR § 3922
15 as follows: Preliminary matters, applicant's
16 case, report of the Office of Planning, report
17 of other government agencies, report of the
18 ANC 7B in this case, organizations and persons
19 in support, organizations and persons in
20 opposition, rebuttal and closing by the
21 applicant.

22 The following time constraints will

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1 be maintained in this meeting: The applicant,
2 I think, 30 minutes or 10 minutes?

3 MS. BRAY: I think we may need a
4 total of 20 minutes for this case.

5 CHAIRMAN HOOD: Okay. Twenty
6 minutes; that's the happy medium.

7 Organizations five minutes,
8 individuals three minutes. The Commission
9 intends to adhere to the time limits as
10 strictly as possible in order to hear the case
11 in a reasonable period of time.

12 All persons appearing before the
13 Commission, as you know, are to fill out two
14 witness cards. The staff will be available
15 throughout the hearing to discuss procedural
16 questions.

17 Please turn off all beepers and
18 cell phones at this time so as to not disrupt
19 these proceeding.

20 Would all individuals wishing to
21 testify please rise to take the oath?

22 Ms. Schellin, will you please the

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1 oath?

2 (Witnesses sworn).

3 CHAIRMAN HOOD: Okay. At this time
4 the Commission will consider any preliminary
5 matters. Does the staff have any preliminary
6 matters?

7 MS. SCHELLIN: Yes, sir. There's a
8 couple of. The first one, of course, are
9 expert witnesses. I believe there are two for
10 this case. Then there's also an issue
11 regarding posting of the property.

12 CHAIRMAN HOOD: Ms. Schellin, could
13 we deal with the issue of -- let's deal with
14 the expert witnesses first.

15 Ms. Bray, could you tell who we
16 have?

17 MS. BRAY: Yes. We have, again,
18 Ellen McCarthy with Arent Fox, our Director of
19 Planning and Land Use, an expert is planning
20 and Zoning.

21 And we also have with us Mr. Hal
22 Zalslow with Wiencek + Associates. He's a

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1 registered architect in the District of
2 Columbia and the Studio Director for Wiencek +
3 Associates, the local architects on this
4 project.

5 CHAIRMAN HOOD: Okay. Let me open
6 it up. Has he been accepted before,
7 previously?

8 MS. BRAY: He's not been accepted
9 by this body before. He has testified before
10 other local similar bodies.

11 CHAIRMAN HOOD: Okay. I think
12 we're already straight with Ms. McCarthy. Any
13 issues with Mr. Zalslow?

14 COMMISSIONER MAY: Mr. Chairman?

15 CHAIRMAN HOOD: Mr. May?

16 COMMISSIONER MAY: Typically with a
17 qualification of an expert witness we look to
18 see a little bit more information about prior
19 projects that are related. And since we don't
20 have that on paper, if Mr. Zalslow can talk a
21 little bit about his experience. If he's got
22 30 years of experience, I'm sure he has plenty

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1 of relevant experience to be qualified. But I
2 think it's appropriate to have that in the
3 record since we only have a couple of projects
4 that are mentioned in his résumé.

5 CHAIRMAN HOOD: Sir, just speak
6 into the microphone.

7 Can you identify yourself first and
8 just tell us.

9 MR. ZALSLOW: Good evening. I'm
10 Hal Zalslow with Wiencek + Associates, Studio
11 Director and architect of record for the
12 Frances Gregory Neighborhood Library. And I'm
13 involved, obviously, in these two libraries.

14 In addition to that, I have
15 completed a project for NCBA, which was 175
16 unit rehab and addition -- an addition
17 building on 14th Street to start construction
18 soon.

19 I have 30 year's experience. I've
20 done hospitals in Baltimore, a lot of multiple
21 family housing, a renovation of a high rise
22 building in Silver Spring that's 15 stories

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1 for low income families.

2 I've been the builder for multiple
3 residential high rise/mid-rise buildings and
4 historical buildings in Baltimore.

5 I'm not sure what else you'd like
6 to know.

7 I' a registered architect. I'm
8 registered in D.C. since 1981, I believe.

9 COMMISSIONER MAY: Other
10 institutional work, libraries or other -- I
11 mean, hospitals are pretty specialized. Any
12 other public buildings? I'm just curious?

13 MR. ZALSLOW: Oh, yes. Two
14 District Courthouses, multi-service centers.
15 One in Centreville, Maryland and in
16 Queenstown. And the other one is in Glen
17 Burnie.

18 COMMISSIONER MAY: Okay. Thank
19 you.

20 CHAIRMAN HOOD: Okay. Any
21 objections?

22 Okay. So, Ms. Bray, both of them

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1 will be expert witnesses. We've already
2 accepted Ms. McCarthy. Mr. Zalslow be also.

3 MS. BRAY: Thank you.

4 CHAIRMAN HOOD: Okay. We can begin.

5 Oh, wait a minute. We have one
6 more -- I'm sorry.

7 Ms. Schellin, what was the other
8 one?

9 MS. SCHELLIN: The posting of the
10 property. If you'll recall, is a case where
11 the Zoning Commission granted an abbreviated
12 publication notice period, 30 days. And the
13 property was not posted on time. Typically the
14 property is posted for a 40 day time period.
15 And this property was not posted until
16 November 24th. And they're asking for a
17 waiver.

18 CHAIRMAN HOOD: So we did a
19 expedite. Okay. I'm trying to understand.
20 We did expedite, we gave them a shorter time
21 of what? Thirty days?

22 MS. SCHELLIN: Right.

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1 CHAIRMAN HOOD: Okay. So and the
2 property was posted when?

3 MS. SCHELLIN: November 25th.

4 CHAIRMAN HOOD: November 25th.
5 November 25th?

6 MS. SCHELLIN: Correct.

7 CHAIRMAN HOOD: Was that Wednesday?
8 When was that? Last Wednesday?

9 MS. SCHELLIN: Last week.

10 MS. BRAY: It was posted last week.

11 Mr. Chairman, the Library apologizes for the
12 tardiness of the posting. It was simply an
13 oversight on the part of the Library.

14 We did coordinate with the Advisory
15 Neighborhood Commission and appeared on the
16 Advisory Neighborhood Commission's agenda for
17 their regularly scheduled November meeting.
18 We were present at the ANC meeting on November
19 19th, at which the case was fully considered
20 and there were members of the community in
21 attendance.

22 CHAIRMAN HOOD: Well, I appreciate

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1 that, Ms. Bray. My concern is the members
2 that weren't in attendance; everybody don't go
3 to ANC meetings, they don't come to civic
4 meetings. And I've been here long enough to
5 hear them say that they don't go to the ANC
6 meetings, they did not see a sign, this was
7 not posted. And those are the relatively the
8 ongoing issues that we hear. But let open it.
9 That's a big concern for me.

10 I can see maybe missing a week, but
11 only being up a week; I have a problem with
12 that. I really do.

13 Let me open it up. Commissioner
14 Schlater?

15 COMMISSIONER SCHLATER: This is a
16 case where the neighborhoods are notified with
17 a letter if they're within a certain distance
18 of the property?

19 MS. BRAY: It is. It is. And the
20 record reflects that the Office of Zoning
21 diligently sent out those notices on time and
22 the publication did take place in the D.C.

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1 *Register.*

2 COMMISSIONER SCHLATER: So all of
3 the neighbors should be aware of the fact that
4 this hearing was coming up irrespective of
5 whether the posting was up there?

6 MS. BRAY: That's correct.

7 COMMISSIONER SCHLATER: I mean, I
8 share the Chairman's concern. You certainly,
9 particularly when we've expedited the
10 notification period, you want to get that
11 posting up there as quickly as possible. And
12 it makes it look like there hasn't been enough
13 opportunity for public comment, although I
14 think the fact that the neighbors were
15 notified is good.

16 MS. MCCARTHY: And we should
17 probably also note that the library is
18 surrounded on three sides by Park land and an
19 elementary school. So there are not very many
20 people that even have the possibility of being
21 adversely impacted.

22 COMMISSIONER MAY: May I speak for

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1 a second?

2 I would say that the people who
3 would get the letters in the mail are only
4 within what? Two hundred feet? And given
5 that its surrounded by school and Park land,
6 probably not a lot of letters that went out in
7 the first place.

8 And I think the purpose of the
9 posting is to reach a broader audience. It's
10 the people walking by or driving by who are
11 going to notice that.

12 That having been said and also
13 sharing the very serious concerns of the
14 Chairman and Commissioner Schlater, you know I
15 do think that this is a project that is fairly
16 well known in the community.

17 I guess I would wonder, the
18 question I have has there been prior to the
19 Zoning case and the appearance of the ANC, can
20 you tell us something about the prior public
21 outreach to the community, how many community
22 meetings you had, what the attendance was

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1 like. Just to communicate that this is a very
2 well known project and that people will not be
3 surprised that you are getting permission to
4 build what you propose to build.

5 MR. BONVECHIO: Yes, I can speak to
6 that.

7 We have had a total of three public
8 meetings regarding the design of the library.
9 I don't remember the exact dates we had each
10 of those. There were two of them, one at the
11 beginning of the summer and then one towards
12 the end -- I'm getting the information, I
13 believe.

14 So we had, the first meeting was
15 September 18, 2008. A second meeting was then
16 held as the designs progressed and we worked
17 through some of the issues with the design on
18 May 6, 2009. And then a third meeting was held
19 September 15, 2009. Each meeting was very
20 well attended. And subsequent to those
21 meetings or in between those meetings, the
22 Library also held a series of focus groups

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1 with community leaders, teens, seniors in
2 order to get their input on library services
3 and how those services would be implemented
4 into the design process.

5 COMMISSIONER MAY: Yes. Judging
6 from the fact that we don't have large crowds
7 of people here today who are concerned about
8 what's being proposed, and also knowing that
9 not every one of the Library projects that
10 you're currently working on have been totally
11 well received by the neighborhood, I guess my
12 question is: Has the neighborhood generally
13 been very enthusiastic about the building and
14 the design or do you have a significant
15 constituency that's kind of up in arms about
16 it?

17 MR. BONVECHIO: I almost want to
18 speak lightly in hopes of not checking it.
19 But this a project that's received great
20 support from the community and they're very
21 eager for us to move forward as quickly as
22 possible with the new building.

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1 COMMISSIONER MAY: Okay. Well,
2 again, repeating once again that the notice's
3 posting is exceedingly important in every
4 case, but I think I feel relatively
5 comfortable at this point that there's been
6 enough public discussion that I don't think
7 anybody's going to be too terribly surprised
8 if we move forward with the case tonight.

9 CHAIRMAN HOOD: Mr. May, on the
10 flip side of your conversation, you said
11 nobody's here. They might not have seen the
12 posting. So that's another flip side. That
13 just concerns me. I always get nervous when
14 that kind of stuff happens. And I know the
15 other avenues. I know about the 200 feet
16 within 200 feet. But I think that that sign up
17 there -- I can tell you this: In some areas
18 we would have had to hold this case up tonight
19 and postpone it and do it with due diligence
20 what needs to be done.

21 So I would encourage the D.C.
22 Libraries and the applicant to make sure that

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1 you post. Because technically in some cases, I
2 will tell you, this Commission, I've seen it,
3 we would come back another night when it's
4 done correctly.

5 And I think, Ms. McCarthy, you've
6 been around. You've seen us do that.

7 MS. McCARTHY: Right. And I should
8 probably add, too, Mr. Chairman, not that
9 National Capital Planning Commission and the
10 Commission of Fine Arts are popularly attended
11 events, but this project has been reviewed by
12 both of those groups. And those review
13 sessions and comments and discussion have been
14 reported in the local media in the local
15 newspapers in that community. And in
16 addition, the Library has very active friends
17 of Francis Gregory Library group which has
18 been extensively involved.

19 So I think that it really is quite
20 well known in the community and quite well
21 supported.

22 Anyone else want to comment?

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1 I will tell you that the comments I
2 heard on the record, at least they're on the
3 record, I would recommend to my colleagues
4 that we move forward. I'm not sure, I think I
5 heard Commissioner May -- Commissioner
6 Turnbull?

7 COMMISSIONER TURNBULL: Well, as
8 you can see, our Chairman is very upset that
9 you only have eight day son record. And I
10 would share his concern.

11 About how many people did you get,
12 or what type of crowd do you think you had at
13 those three other meetings? They're at the
14 library?

15 MR. BONVECHIO: They were at the
16 library. And I think we averaged between 20
17 to 30 individuals, and it was probably closer
18 to 30 than to 20.

19 COMMISSIONER TURNBULL: Were those
20 primarily organized members that showed up
21 from either the ANC or other friends of the
22 library?

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1 MR. BONVECHIO: They were friends
2 of the library. There were, I believe, almost
3 every ANC Commissioner attended at least one
4 of the public meetings. And then there were
5 just general neighbors or library users that
6 attended those meetings.

7 COMMISSIONER TURNBULL: Okay.
8 Thank you.

9 MS. MCCARTHY: In addition to, I
10 would say, 40 to 50 people at the ANC meeting
11 on November 19th?

12 MR. BONVECHIO: Sure, if that's
13 your count. I didn't count, so --

14 CHAIRMAN HOOD: Any other comments?
15 Okay. Ms. Schellin is informing me
16 we need something else?

17 MS. SCHELLIN: The Affidavit of
18 Maintenance even though it would only be for
19 one week, did you bring that?

20 MS. BRAY: No. WE would have to
21 submit that. Okay.

22 CHAIRMAN HOOD: Okay. So is there

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1 something up there, is it posted now?

2 MS. BRAY: The posting is posted
3 now.

4 CHAIRMAN HOOD: Okay.

5 MS. BRAY: And we did submit an
6 Affidavit of Posting.

7 CHAIRMAN HOOD: I will tell you,
8 here's my two issues. If you ever want to get
9 something over, I'm not saying that you did,
10 on people in this you do it either in the
11 summertime or you do it around the holidays.
12 And the very next day, I believe, was
13 Thanksgiving day.

14 MS. BRAY: That's correct.

15 CHAIRMAN HOOD: Okay. So anyway,
16 all right. Let's move forward and move with
17 the case.

18 MS. BRAY: Mr. Chairman, one last
19 comment on the posting issue. The applicant
20 would certainly not object to holding the
21 record open, as Ms. Schellin suggested, for
22 the text amendment case so that any interested

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1 members in the community who wish to comment
2 can do so after this evening's hearing.

3 CHAIRMAN HOOD: Let's see. Okay.
4 I'm seeing some nods. Okay. That'll be good.
5 And we're going to have to leave it open
6 anyway for ANC.

7 MS. SCHELLIN: For the Affidavit of
8 Maintenance, too.

9 CHAIRMAN HOOD: Also for the ANC to
10 straighten their letter out in this case.

11 MS. SCHELLIN: Right. They're
12 going to have to do that for this case also.

13 CHAIRMAN HOOD: Okay. Thank you.

14 MS. BRAY: Thank you, Mr. Chairman.
15 Kinley Bray with Arent Fox.

16 We are requesting a map amendment
17 of presently unzoned property located at 3660
18 Alabama Avenue is a parcel of land
19 approximately 15,000 square feet in land area
20 transferred from the National Park Service to
21 the District of Columbia for the purpose of
22 constructing, operating and maintaining a

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1 neighborhood library in 1958. And the library
2 was built shortly thereafter.

3 As you've heard from Mr. Bonvechio
4 this evening, the Library is currently in the
5 process of modernizing many, if not all, of
6 its branches. The current program is to raise
7 and reconstruct a new neighborhood library on
8 this site.

9 The applicant did consult with the
10 Office of the Zoning Administrator earlier
11 this spring and was advised, as it turns out,
12 erroneously that the property was not subject
13 to zoning. So we are seeking a map amendment
14 to R-5-A, which is the zoning directly across
15 the street and immediately adjacent -- I'm
16 sorry, sort of immediately adjacent. Within
17 the same square as Anne Beers Elementary
18 School which is the nearest non-Park property
19 on the same side of Alabama Avenue is also
20 zoned R-5-A and subject to a transfer of
21 jurisdiction to the District of Columbia from
22 the National Park Service.

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1 Secondly, we are seeking a special
2 exception based on the text amendment that you
3 just approved to allow additional lot
4 occupancy and a reduction in off-street
5 parking spaces provided on this property.

6 I'd like to introduce Hal Zalslow
7 from Wiencek + Associates who will walk
8 through the design of the proposed library.
9 And with that, Mr. Zalslow, if you can go
10 ahead with your presentation?

11 MR. ZALSLOW: Sure. Good evening.

12 The first couple of slides
13 basically gives you an idea of the location
14 within the city at 3660 Alabama Avenue,
15 Southeast.

16 And the second slide gives you an
17 idea of what was just discussed about the
18 adjacent zoning, the R-5-A zoning, showing the
19 location of the existing site within the
20 unzoned government Park land.

21 And here we've got four slides of
22 the existing library looking at four different

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1 directions which really shows you how much the
2 existing library today fills the site as it
3 nestled in the Park land.

4 The existing building is about
5 15,000 square feet and its got an FAR just
6 under one.

7 The next two slides are photographs
8 from different angles of the existing library
9 along Alabama Avenue.

10 This is a diagram of the property
11 itself. And what you're seeing now is the
12 existing building footprint which shows a side
13 yard setback of approximately 8 feet, 16 feet
14 of the rear yard and about 40 feet on the left
15 hand side where the existing parking is.

16 What I've pulled in is the setback
17 without the text amendment. And what that
18 shows presently is that our existing building
19 actually is nonconforming to the setbacks
20 required as of today. We've got 8 foot on
21 either side, 20 foot setback in the rear.

22 What this shows is the new building

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1 footprint where we've held the side yard
2 setbacks equaling the existing side yard
3 setback. And the FAR is approximately 1.2.
4 And the lot occupancy is approximately 74
5 percent.

6 What we have are the two floor
7 plans. And the design of the building was
8 based on the square footage and program
9 requirements of the library. And in addition
10 to that, there was the rule of separating the
11 adult and teen areas from the children's area.

12 So what we have up on the second
13 floor are the children area and a meeting
14 room, and the adult and teen areas are
15 segregated down on the first floor.

16 So the size of the building, as you
17 can see there is not a lot of wasted
18 circulation space. The size of the building
19 is based directly on the program square
20 footage requirements from DCPL.

21 This is a building section. It
22 gives you an idea of how the building looks.

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1 And this is an interior rendering
2 of the adult reading room area. And if the
3 orientation of the building on the floor plans
4 that I showed previously are north/south, on
5 the northeast corner is the adult reading room
6 area. And this gives you an idea to the extent
7 at which the library is trying to produce a
8 really nice building for the neighborhood.

9 This is an exterior rendering
10 during the day on the site.

11 MS. SCHELLIN: I'm going to turn
12 the lights off because it's hard for them to
13 see. If you'd just turn the light on the
14 table there in front of you, that way you'll
15 have some reading light. I didn't want to do
16 that without you knowing.

17 MR. ZALSLOW: Okay. Sure. Would
18 you like me to back any at all? Okay.

19 So what you're looking at, as I
20 said a minute ago, is the exterior rendering
21 of the building sitting out as a daytime view.

22 And this is another view at dusk.

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1 And then what I brought back is
2 this drawing in case there were any questions
3 or comments that we'd like to discuss.

4 Any questions or comments?

5 CHAIRMAN HOOD: Typically we
6 usually wait until the end. So unless you
7 have some questions now, we can just go ahead
8 and deal with the architect, Commissioners.
9 Any questions? Okay.

10 We may have some at the end.

11 MR. ZALSLOW: Okay.

12 CHAIRMAN HOOD: You're not leaving,
13 are you?

14 MR. ZALSLOW: Not at all.

15 CHAIRMAN HOOD: Okay.

16 MR. ZALSLOW: It took me 2½ hours
17 to get down here.

18 MS. BRAY: Thank you, Mr. Zalslow.

19 MR. ZALSLOW: You're welcome.

20 MS. BRAY: Ms. McCarthy?

21 MS. MCCARTHY: Good evening again,
22 Mr. Chairman and members of the Commission.

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1 Let me deal, first of all, with the
2 map amendment. I think it's pretty
3 straightforward. I wasn't planning on spending
4 a lot of time on it. Basically the
5 regulations, the Zoning Act creates criteria
6 in terms of determining map amendments that
7 zoning in general needs to contribute to the
8 public welfare and health safety, and morals.
9 And I think a zoning change that permits the
10 construction of a new and modernized library
11 is clearly contributing to the public welfare.

12 The regulations also call for
13 zoning changes to be consistent with the
14 Comprehensive Plan. And there's an extensive
15 listing both in my testimony and in the
16 original application and prehearing statement
17 that indicates a number of provisions of the
18 Comprehensive Plan with which this is
19 consistent.

20 In terms of the future Land Use Map
21 and the Comprehensive Plan, while this was
22 identified in the future Land Use Map as parks

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1 and open space element, the future Land Use
2 Map indicates that for any sites that are less
3 than an acre, any public facilities that are
4 less than an acre, they were frequently just
5 included in the larger parks and open space
6 map. And this one is only 15,000 square feet,
7 so its substantially less than acre. But the
8 zoning that we're proposing to put on the
9 library is the same as the zoning next door at
10 Ann Beers Elementary, it's the same as the
11 zoning across the street. So I think that the
12 map amendment, again, it's very
13 straightforward, it meets all the criteria.
14 And I'd be happy to go into that in more
15 detail if you wanted.

16 What I thought I might spend a
17 little more time addressing is the special
18 exception relief that we've requested.

19 As you know, the criterion under
20 3104 is that the relief requested needs to be
21 in harmony with the general purpose and intent
22 of the Zoning Regulations and maps and not

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1 have any adverse impacts.

2 And in terms of the harmony, the
3 proposed relief that we're talking about, it's
4 consistent with the treatment of other public
5 facilities. As Mr. Zalslow just showed you,
6 the side yard relief that we're requesting
7 gives us a side yard on the left hand side of
8 the building, which is no smaller than the
9 side yard which has existed for years on the
10 right hand side of the building.

11 The proposed addition is a
12 relatively modest increase in the footprint
13 and a relatively modest increase in the square
14 footage, makes it still very similar in scale
15 to the surrounding buildings, very similar in
16 scale to Ann Beers Elementary that right next
17 door.

18 And so the requested relief in
19 terms of the area requirements I think is very
20 much in harmony with the general purpose and
21 intent of the Zoning Regulations and map,
22 particularly I'd remind you that the R-5-A

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1 zone specifically says this is a zone that you
2 put in place that would, if you are wanting to
3 include public facilities that are consistent
4 in character with residential.

5 And then in terms of the parking
6 reduction, that's in harmony with the Zoning
7 Regulations and maps in that it's very
8 consistent with the nature of a neighborhood
9 library branch to be one that's designed to
10 serve the neighborhood. It's not looking to
11 attract cars and people who are coming from
12 half way across the city.

13 Then in terms of the adverse
14 impact, first of the reduction in the area
15 requirements. As you saw in the map and in
16 our submission, this increase in land or the
17 amount of land for this proposed library is
18 still only 2 percent of Reservation 518.
19 There is a substantial amount of open space
20 that surrounds the building.

21 And the library itself has no
22 adverse impact. As we've already mentioned,

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1 it already is nonconforming. It only has six
2 spaces. It's nonconforming with regards to
3 yards.

4 There is certainly no loss of
5 light, air and privacy from reducing the side
6 yards or increasing the lot occupancy, because
7 there is open space all around the building.
8 Well, basically on four sides because you have
9 the street on one side and Park land on the
10 other side. So it's not like by reducing our
11 side yards or increasing our lot occupancy we
12 have adversely effected a neighbor or impaired
13 their views or privacy.

14 With regard to no adverse impact
15 from the reduction in parking, my testimony in
16 our application notes that this section of the
17 city has a substantially higher percentage of
18 young people than is the case for the city as
19 a citywide average, and a slightly higher
20 percentage of folks over 65. And they happen
21 to be two very important user groups for the
22 library who tend to have a substantially

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1 reduced amount of driving or substantially
2 reduced likelihood that they would be needing
3 parking on the site.

4 We did do a survey of the library
5 patrons and discovered that almost 40 percent
6 of the patrons walked, 9 percent took the bus,
7 6 percent were dropped off. Of the 55 percent
8 who drove, 80 percent of those parked on the
9 street anyway. Only 20 percent used the
10 existing off-street parking.

11 And we asked those who drove what
12 they considered to be the difficulty or ease
13 with which they could find parking at the
14 library. Eight-eight percent rated parking
15 availability as easy. Thirty-three percent
16 indicated that it sometimes difficult. Only
17 11 percent said that it was usually difficult.

18 And 17 percent had no opinion or did not
19 usually drive.

20 In addition to the fact that
21 generally there's a very manageable number of
22 people who are actually driving and needing

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1 parking at the library based on the survey, we
2 should note there is also extremely ample on-
3 street parking available. Eighty-six on-
4 street parking spaces from the length of both
5 side of Alabama Avenue and a short distance of
6 37th Street. I'd be happy to show you the area
7 that we used for calculating that on the
8 aerial map if you would like.

9 In addition to the fact that
10 there's a lot of on-street space available,
11 remember that those aerials, there's a very
12 low density development in the area. So it's
13 not like there are high activity generators
14 who are generating a lot of demand for those
15 on-street space.

16 The entire length of Alabama from
17 the library north to Pennsylvania Avenue on
18 the left hand side -- or on the north side is
19 open space as Park land. There's a set of
20 townhouses across the street from the library,
21 just a little bit south and east of the
22 library. They all have their own driveways.

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1 And the rest of the development around there
2 is largely rowhouses with a few very small
3 scale garden apartments as well. So the
4 density is very low. There's a lot off streets
5 that traverse that area. There's a lot of on-
6 street space that's available.

7 In addition, the peak hours of the
8 library for usage are Monday and Wednesday
9 nights, and Saturdays.

10 Ann Beers Elementary School
11 restricts the parking immediately around Ann
12 Beers until 4:00 p.m. So their parking spaces
13 are released at that point in time and are
14 available for the patrons of the library on
15 Monday and Wednesday nights and Saturdays when
16 the school is not in session. So that
17 provides additional parking spaces beyond the
18 ones that we already calculated.

19 And in addition, there's a church
20 with its own parking lot just south southwest
21 of Beers Elementary. And talking to the
22 Librarian, she had not noticed any conflict or

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1 competition for spaces between activities at
2 the church and people who are parking on the
3 street for the library.

4 In addition to all of those reasons
5 to conclude there's not an adverse impact from
6 reducing the amount of parking, there are two
7 Metro bus routes that run within a block of
8 the property. And the fact that the
9 elementary school, a major source of children
10 patrons for the library, is right next door I
11 think also substantially reduces the need for
12 parking. Parents don't need to drive the kids
13 to the library, they are there right there
14 when they get out of school.

15 So in summary, classifying the
16 property as R-5-A is consistent with the
17 Comprehensive Plan and with the public welfare
18 tests. The relief that's requested can be
19 provided in harmony with the Zoning
20 Regulations and with no substantial adverse
21 impact on the neighboring property or the
22 intent or purpose of the Zoning Regulations.

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1 So, I would recommend adoption of
2 the proposed relief and the proposed map
3 amendment.

4 MS. BRAY: That concludes our
5 presentation.

6 I would like a minute or two in
7 summation at the close of this matter.

8 CHAIRMAN HOOD: We'll have a time
9 for you to have closing comments.

10 I'm going to start off with Ms.
11 McCarthy. Let's look at 37th Street, and
12 we're talking about adverse impacts. Oh,
13 okay. That's better for me to see.

14 So there are no homes on 37th
15 Street. Well, except for to the right, I
16 believe.

17 MS. McCARTHY: Right.

18 CHAIRMAN HOOD: Looking at the
19 picture to our right.

20 MS. McCARTHY: Right.

21 CHAIRMAN HOOD: You want to use
22 this?

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1 MS. McCARTHY: No, that's okay.

2 This is 37th Street. And, no,
3 these are rowhouses and this is a small
4 apartment building.

5 CHAIRMAN HOOD: Now do those
6 rowhouses, they have their own parking, right?

7 MS. McCARTHY: They do not have
8 their own parking.

9 CHAIRMAN HOOD: They're street
10 parking. Okay.

11 MS. McCARTHY: Right.

12 CHAIRMAN HOOD: How Alabama Avenue-
13 -

14 MS. McCARTHY: These rowhouses have
15 their own parking. If we had a slightly higher
16 aerial, you'd see each of them has a driveway
17 and a garage.

18 CHAIRMAN HOOD: I'm trying to
19 remember. Alabama, I'm on it all the time.
20 Alabama Avenue has, what, four lanes all the
21 way across, right?

22 MS. McCARTHY: Right.

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1 CHAIRMAN HOOD: Right. So let's say
2 we're in front of the library. Now I'm trying
3 to think. Closest to the curb is there ever a
4 time when you can't park there?

5 MS. McCARTHY: No.

6 CHAIRMAN HOOD: You can always park
7 there?

8 MS. McCARTHY: Until 4:00 --

9 CHAIRMAN HOOD: By the school?

10 MS. McCARTHY: -- the parking is
11 restricted for the school. Immediately in
12 front of the townhouses because of their
13 driveways there's no parking here. But all
14 the rest of the way along Alabama Avenue
15 parking is permitted. It's restricted to Ward
16 7 permit if you want to park for more than two
17 hours, but --

18 CHAIRMAN HOOD: Do we know if
19 across the street from the library is there a
20 child center in one of those homes? A day
21 care center?

22 MS. McCARTHY: The library

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1 mentioned that there are some day care centers
2 in the neighborhood who come to the library
3 for a story hour.

4 CHAIRMAN HOOD: Okay. I think
5 there's one in the corner, actually.

6 MS. MCCARTHY: I know there's a
7 church -- yes. There's a church just down
8 here another block and that appeared to have a
9 day care facility.

10 CHAIRMAN HOOD: Okay. so to make
11 sure I understand. So on Alabama Avenue
12 closest to the curb, there's nothing except by
13 the school, there's nothing restricting
14 movement of cars? I mean, you can always park
15 there to the right by the curb?

16 MS. MCCARTHY: Yes.

17 CHAIRMAN HOOD: Okay. Let me ask
18 this, maybe Mr. Williams may -- I'm not sure
19 if he's going to testify. But do we know how
20 many meetings particularly they may have at
21 this library?

22 MS. MCCARTHY: Well, I did talk to

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1 the Branch Manager about that. The Fort Davis
2 Civic Association and the other neighborhood
3 civic association, which I forget right now,
4 have their meetings there. That's why Monday
5 nights are one of their busy nights because
6 they tend to meet on Monday nights.

7 CHAIRMAN HOOD: And there's plenty
8 of parking there on Mondays and I guess on
9 Wednesday nights when they're -- Monday and
10 Wednesday they open late, am I correct?

11 MS. McCARTHY: Yes.

12 CHAIRMAN HOOD: Okay. What time do
13 they close? 9:00, 10:00?

14 MS. McCARTHY: 9:00?

15 CHAIRMAN HOOD: 9:30. Okay.

16 All right. That's all the
17 questions I have.

18 Commissioner May and then we'll go
19 to Commissioner Turnbull.

20 COMMISSIONER MAY: Thank you.

21 Alabama Avenue on both sides is RPP
22 restricted?

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1 MS. McCARTHY: No. It's only
2 restricted across the street from the library.

3 On the library side --

4 COMMISSIONER MAY: In front of the
5 homes?

6 MS. McCARTHY: Right. On the
7 library side -- right. On the library side
8 it's not restricted to residential parking.

9 COMMISSIONER MAY: Not restricted?
10 So presumably employees who drive would park
11 on the unrestricted side?

12 MS. McCARTHY: If they're not Ward
13 7 residents, right.

14 COMMISSIONER MAY: Right. RPP in
15 wards -- do they always coincide now?

16 MS. McCARTHY: Yes. But if you live
17 -- if you -- you can live in a neighborhood in
18 Ward 7 that doesn't have residential permit
19 parking.

20 COMMISSIONER MAY: All right.

21 MS. McCARTHY: And then you
22 wouldn't have a sticker.

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1 COMMISSIONER MAY: Right.

2 MS. McCARTHY: Because the area
3 around here does have a fair amount of
4 commuter traffic.

5 COMMISSIONER MAY: Right.

6 MS. McCARTHY: It seemed that there
7 were RPP signs as I was driving around I
8 noticed it was substantially saturating the
9 neighborhood.

10 COMMISSIONER MAY: Okay. Do you
11 have any sense of when people have indicated
12 that it's difficult getting parking, do you
13 have any indication of when that occurs, what
14 time of day? I mean, is it on the times of
15 those evening meetings?

16 MS. McCARTHY: I wish I had brought
17 the surveys with me. But I didn't look at
18 that. Systematically I did notice that a few
19 were 4:30/5:00. I don't know whether that was
20 because people were stopping there on their
21 way home from work, or when they were picking
22 up kids from day care.

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1 COMMISSIONER MAY: Yes.

2 MS. McCARTHY: It's just south of
3 the Fairfax Village and the Fort Davis
4 Shopping Center. And we also asked people if
5 they were just coming for library purposes or
6 if they were visiting stores in the area. And
7 several people did note that they were
8 visiting stores in the area.

9 COMMISSIONER MAY: Okay. The
10 building itself, there isn't going to be any
11 kind of curb cut anymore, right?

12 MS. McCARTHY: No.

13 COMMISSIONER MAY: Okay. So what
14 about deliveries and pick-up of things like
15 trash. How is that going to occur?

16 MR. BONVECHIO: The deliveries will
17 occur on a scheduled basis from the Central
18 Library. I don't know --

19 COMMISSIONER MAY: No. I mean how
20 is it going to physically occur? I mean, are
21 you going to have a posted loading zone out
22 front so that your vehicle can park there or

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1 something?

2 MR. BONVECHIO: I'm not sure that
3 we've looked into the actual -- the delivery
4 aspect of it or if we would require from DDOT,
5 you know DPW a loading zone only or no parking
6 between the hours of 6:00 and whatever that
7 time frame would be. I think we'd have to
8 explore how to handle that so that our
9 delivery trucks aren't double parking out in
10 Alabama Avenue.

11 COMMISSIONER MAY: Yes. I think
12 that is something that needs to be resolved,
13 and you probably need to have a conversation
14 with DDOT about that sooner rather than later,
15 and maybe before we make final decision on
16 this.

17 MR. BONVECHIO: Yes. We have
18 ongoing discussions with DDOT regarding the
19 parking along Alabama. Because there's also
20 the need to, obviously, have the required
21 number of handicap spaces, which there is
22 already one -- spots out on the street. So we

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1 would keep that and make the determination for
2 another one's required or not.

3 COMMISSIONER MAY: Okay. And is
4 DDOT since you've talking, they don't have any
5 plans to do, I don't know, metered parking or
6 anything like that here?

7 MR. BONVECHIO: We don't believe
8 so, no.

9 COMMISSIONER MAY: All right.
10 That's the curb side of the loading and
11 delivery, pick-up kind of thing. What about
12 the actually access to the building? I mean,
13 where's the loading door? Where does stuff go
14 in and out?

15 MR. BONVECHIO: Here.

16 MR. ZALSLOW: The loading for this
17 building directly for the staff area is over
18 here on the side of the building.

19 COMMISSIONER MAY: And how big is
20 that side yard?

21 MR. ZALSLOW: The side yard is 6
22 feet.

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1 COMMISSIONER MAY: And what's the
2 trash going to move in? I'm sorry, I may be
3 getting too heavily into the trash question.

4 MR. BONVECHIO: The trash will move
5 out through standard residential size
6 canister. So they'll just pull them out
7 street side, given the LEED Silver rating of
8 this building, the recycling and the trash.
9 We're no longer at the six yard dumpsters or
10 anything like that.

11 COMMISSIONER MAY: I wasn't
12 expecting you to be having that kind of -- I
13 mean, what I'm concerned about is that the
14 Park Service is the adjacent neighbor the
15 other side of that six feet, right? That's
16 still Park land. And we don't want that to
17 become part of the loading path, if you will.
18 So I'm just a little concerned about what the
19 traffic is that's going to be -- what's going
20 in and out and what kind of --

21 MS. McCARTHY: There's a grade
22 change that's pretty substantial.

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1 MR. ZALSLOW: There's a major grade
2 change. There'd be an inability to go beyond
3 that 6 foot path and enter the building.

4 COMMISSIONER MAY: Is there --

5 MR. ZALSLOW: It's restricted at
6 that point. I mean --

7 COMMISSIONER MAY: Where is the
8 grade change as you --

9 MR. ZALSLOW: The grade drops off
10 and at this point it's about six or seven feet
11 down and it comes back up to about zero.

12 COMMISSIONER MAY: So if you veer
13 off the path along side the building, you
14 would fall down?

15 MR. ZALSLOW: Yes. You can see the
16 grade right here.

17 MR. BONVECHIO: There is a rail,
18 though, along the --

19 MR. ZALSLOW: Oh, yes. Yes. It's a
20 standard --

21 COMMISSIONER MAY: Well, that's
22 what I'm getting at. What's going to keep

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1 people on your six feet and out of the Park
2 land, that's all.

3 Six feet is kind of tight, that's
4 all I would say. It's kind of tight. And I
5 don't know what kind of carts or whatever you
6 use to bring stuff in, but I would just -- I'm
7 a little nervous about that.

8 So, anyway, I think I'm done.

9 COMMISSIONER TURNBULL: I'm just
10 curious. You mentioned six feet. I thought I
11 heard eight feet earlier. Did I, or maybe I'm
12 wrong?

13 MR. ZALSLOW: It actually, it
14 increases as it goes back around the building.

15 I was talking about the area on the side
16 adjacent to the door. But it actually drops
17 even further as it gets back.

18 COMMISSIONER TURNBULL: No. I'm
19 talking about the actual side yard itself. I
20 thought the existing one on the other side of
21 the building was eight feet, did I hear that
22 wrong?

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1 MR. ZALSLOW: No. It's six feet.
2 It is six feet. The existing side yard
3 setback on the other side was six feet.

4 COMMISSIONER TURNBULL: Oh, I
5 thought I heard eight.

6 MR. ZALSLOW: Okay.

7 COMMISSIONER TURNBULL: Okay. Let
8 me ask something int he planning. It's not a
9 regional, so its a local library. What kind
10 of planning tool? Is there a radius? You
11 were looking around about how far you expect
12 someone to walk to this library?

13 MR. BONVECHIO: And again, I'm not
14 a librarian. I'm a civil engineer by degree.

15 COMMISSIONER TURNBULL: We won't --
16 we don't hold that against you.

17 MR. BONVECHIO: Good.

18 There is a process that we do have
19 a Senior Librarian that's in charge of
20 building programs that goes through a process
21 that looks at Census data, youth data, to
22 determine what goes into that Library program;

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1 how big the library space needs to
2 accommodate, what will be the users of a
3 particular facility. So there is -- there's
4 probably not a definite here's how far people
5 are coming from to use the building. But we do
6 look at where people would come from. And
7 based on that, determine the size and services
8 necessary to serve that particular community.

9 COMMISSIONER TURNBULL: Well I
10 guess what I'm trying to -- just looking at
11 the picture and the map, you've really only
12 got one side. Instead of having a
13 circumference, a whole radius that you go all
14 the way around to draw people, say, a quarter
15 of a mile from; you really only got one side
16 that you're pulling people from. So does that
17 increase to a half mile? I guess I'm just
18 trying to rationalize that you're building a
19 whole new library. Do you really have the
20 population that's going to walk a half mile or
21 more to this? I'm just curious the rationale
22 on how you want to expand to this size on this

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1 piece of property given the fact that you
2 don't have quite the neighborhood that a lot
3 of other libraries would have, the complete
4 circumference? You've really got a radius
5 that's only reaching out one way and you want
6 them to walk, no driving. You want them to
7 walk.

8 And there was something about
9 elderly. You mentioned how much elderly, a
10 certain -- and I'm just wondering how -- I
11 guess I'm losing the train of the rationale on
12 how this -- what causes this library to be
13 increased and why can't you just renovate the
14 existing building?

15 From a planning standpoint, I'm
16 trying to figure out how you're drawing people
17 from a half mile away or whatever to walk to
18 rationalize getting this library this size and
19 not having any parking at all?

20 MR. BONVECHIO: Well, one, the size
21 of the library is determined by the Library
22 program. So this Francis Gregory Library will

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1 be the same size as the Washington Highlands
2 Library, as the Tenley Friendship Library, as
3 the Anacostia Library, as the Benning Library.

4 As these buildings were planned,
5 the Library saw it important that there was a
6 parity between the communities and the wards
7 of the District. We didn't want to go down
8 that path that why does one community get
9 22,000 feet, another community only gets a
10 14,000 square foot renovation.

11 We are moving towards a master
12 facilities strategy that will address those
13 questions moving forward on future buildings.

14 But given the long history of this project
15 and some other projects, the decision was made
16 that any new branch library would be in that
17 22,000 square foot range.

18 I think looking at if we had the
19 circulation numbers and the attendance of the
20 some programs, I think you would see there is
21 a very large draw. It's a very popular
22 library, and it's also a library that

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1 circulation numbers compare very well to other
2 libraries that are in more densely populated
3 residential areas.

4 So the need is definitely there.

5 COMMISSIONER TURNBULL: Well, I can
6 understand the parity issue. I mean, I can
7 understand neighborhoods want the same thing.

8 And to a certain degree I'm just trying to
9 rationalize in my way getting -- there seems
10 to be some planning things that haven't been
11 picked up. Haven't been picked up. The
12 loading, the unloading.

13 I assume there's a stop light at
14 37th and Alabama or no?

15 MR. ZALSLOW: No.

16 COMMISSIONER TURNBULL: So kids
17 have got to cross this street. I'm just
18 wondering, you're wanting more people to walk
19 to this library, you know, and let's say they
20 got to go a half mile. I'm missing something
21 on the rationale on how there's some planning
22 steps seemed to have been missed in laying out

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1 this library from a site planning.

2 Again, you've got one street in
3 front of the building. Everybody's coming from
4 a half mile to this. Apparently nobody's
5 driving. I guess you're going to have people
6 dropped off. There's no drop off lane.
7 There's no little space for them to pull in
8 and safety get people out. The loading is an
9 issue. Am I missing -- I'd like to ask my
10 colleagues. Am I missing some things here
11 from a planning standpoint or am I off the
12 wall here?

13 COMMISSIONER SCHLATER: Commission
14 Turnbull, if I will, I'll say that the
15 Libraries did note in their testimony that,
16 you know, they don't get to pick their sites.

17 I mean, when it comes down to it, they're
18 building a library on what was a library site.

19 So it's not as if they could go to a
20 different area of the city or go to a new
21 location.

22 COMMISSIONER TURNBULL: No. I'm not

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1 -- I have no disagreement with that. I mean,
2 that is what it is.

3 I'm just saying that once you get
4 that site and you know the restrictions, and
5 you know about the people that are coming, you
6 need to provide for the people to get there
7 safely and to have the facility welcome them.

8 I'm just concerned that you've got
9 this busy street. You've got a bigger
10 library. It's going to probably be a
11 wonderful facility. Okay. It looks like it's
12 an interesting, exciting design. I'm just
13 concerned that the people who are going to use
14 this library get there and get to be able to
15 use it safely. And I'm just worried about
16 access, I'm worked about the loading that
17 Commissioner May brought up.

18 I just see it's like, the site is
19 what it is, here's what it is and let people
20 fend for themselves. And I'd like to have --

21 MS. McCARTHY: Right. No, I
22 understand your concern, Mr. Turnbull. And I

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1 think, first of all, while the library would
2 anticipate an increase in attendance, as we
3 said, this library has been -- it's a very
4 popular library. They have programs from Wii
5 fitness to hand dancing, to literacy training,
6 going basically all through the week in
7 addition to the civic associations meeting
8 there. And that has taken place up until this
9 point in time with six parking spaces.

10 So the flip side of the
11 disadvantage that you're pointing out that
12 there's Park land which limits the access from
13 certain directions, the flip side of that is
14 nobody is living there wanting to park on the
15 street at that point in time.

16 So I asked the Librarian what's the
17 typical load at her peak evening times. She
18 said when the civic association is meeting and
19 they have, you know, one of the classes going,
20 they may have a 100 people. If the ratio holds
21 roughly the same as the survey; if you have a
22 100 people, 55 of them are going to drive. If

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1 they're there for hand dancing or they're
2 there for the civic association, there's a
3 good possibility that there's an average
4 occupancy of those vehicles of, you know, 1.5,
5 1.7 because people do tend to come with their
6 neighbor, or their spouse or their kid.

7 So if you've 86 parking spaces,
8 assuming 30 of those were taken by people
9 around there, you still have a pretty good
10 margin of comfort. And we didn't even count
11 the parking spaces along 36th Street in front
12 of Ann Beers Elementary School and the single-
13 family houses that are on the other side of
14 36th Street across from Ann Beers.

15 Now the issue of Alabama Avenue not
16 being conducive to crossing safely, you know,
17 Mr. Bonvechio and I were talking about that
18 when I came back from my site visit and
19 suggested that we talk to DDOT about putting a
20 stop sign.

21 Right now what DDOT has done, which
22 you saw I think in some of the aerials, is

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1 they've put those very big --

2 COMMISSIONER TURNBULL: I see the
3 strip, yes.

4 MS. MCCARTHY: And then they also
5 put those reflective signs that say "The law
6 is you must stop pedestrians in the
7 crosswalk," and they are in the middle of the
8 two lanes of traffic on either side going in
9 either direction. So they're visible. I
10 don't think that's enough if we're really
11 trying to encourage pedestrian activity at the
12 library. But, you now, DDOT has a pretty
13 substantial emphasis now on improving
14 walkability and pedestrian safety. So I don't
15 think it would be a problem to get them to
16 look at, say, a stop sign, even a stop light,
17 something to make it easier for people to
18 cross.

19 COMMISSIONER TURNBULL: I would
20 think that would be something. I mean, I'm
21 just concerned that people get to use this
22 library. I mean, it's going to be a great

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1 library and I just worry about the safety of
2 the people and making sure they're able to get
3 across and use it and to take advantage of all
4 the programs.

5 And I'm worried about too much
6 parking going into the neighborhood from other
7 people. I mean, there's a lot of apartments
8 and they're going to have cars. And if Mr.
9 Jennings was here from DDOT, I'm sure we'd
10 hear a few comments.

11 But I just saw this as some issues
12 that from a logistical standpoint of planning
13 that, you know just again, just a little bit
14 shortsighted, I guess.

15 MS. MCCARTHY: Well, I think the
16 last time we were -- I think the last time we
17 were here talking about libraries, Mr.
18 Jennings was saying we shouldn't have any
19 parking.

20 COMMISSIONER TURNBULL: Well,
21 that's -- yes, I know. Well, there you go.

22 CHAIRMAN HOOD: Vice Chair?

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1 VICE CHAIR KEATING: Yes, I'd have
2 to concur with many of Commissioner Turnbull's
3 comments about this. That was one of the
4 first things I noted on when I looked at the
5 site, looked closely at Alabama, noticed there
6 was no real traffic control measures there in
7 front of the library. Noticed there doesn't
8 appear to be much connectivity either with the
9 school. I see a plot of land in between, but I
10 don't see any paths or anything that might
11 allow the school kids to get to the library or
12 someone who is parking in the -- you mentioned
13 the school parking lot. I don't know how
14 somebody gets from there to the school either
15 easily.

16 But my concern, I share it with
17 Commissioner Turnbull, is how do you connect
18 this building to the community across the busy
19 four lane street? And how much thought has
20 been given to that, and has as much thought
21 been given to that as has been given to
22 creating a unique design for the building? I

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1 see, it seems like a lot of thought has gone
2 into that building design, exterior and
3 interior. But has the thought been given to
4 how does this connect with this community?

5 You know, for instance, I look at
6 that, I look where you placed the entrance on
7 that building, and I look at where the cross
8 walks are for 37th Street. I'm not sure if
9 that entrance is in the right place, you know.

10 I'm kind of, like, is this really set up for
11 working with what you have there in this
12 community.

13 And I think that those
14 conversations with DDOT really do need to
15 happen around kind of what can we do at this
16 location in order to get and assure that
17 there's a connectivity and that tie.

18 You know, I think to myself, you
19 mentioned 9 percent of the folks arrive by
20 bus. I don't know where the nearest Metro
21 stop is along Alabama Avenue on that side. Is
22 it right in front of the building?

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1 MS. McCARTHY: I believe, I'm
2 trying to picture it exactly, I believe it is
3 in between the library site and the school.

4 VICE CHAIR KEATING: So in that
5 piece of Park land that's there, between the
6 two?

7 MS. McCARTHY: On the bus shelter
8 there in between the two.

9 VICE CHAIR KEATING: The "bus
10 shelter?" Sorry. I don't see a bus shelter.

11 MS. McCARTHY: Oh, that's right.
12 That's right. Yes. It's further up towards
13 Pennsylvania Avenue.

14 VICE CHAIR KEATING: All the way
15 back towards Pennsylvania?

16 Again, this kind of goes to the
17 question of planning. Kind of as you design
18 this building, right, and you think about --
19 you mentioned things about delivery. Do you
20 need a curb cut of some sort of delivery
21 there? Do you need something there in order
22 to allow for handicap drop off? Should there

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1 be some thought given to, you know, how to set
2 this site along with some sort of Metro stop,
3 allowing the bus to pull in, or something to
4 allow this to be a little more, again,
5 connected to the community?

6 You said 6 percent of the people
7 are dropped off. You know, how are you going
8 to make sure that they've got access in front
9 of the building and don't have to be dropped
10 off down the street, or around the corner, or
11 however it might be?

12 But I just get this feeling that,
13 again, you know thought has been put into the
14 facility, thought's been put into the design
15 of the facility, but not enough thought has
16 been put into how do you connect that facility
17 and truly make it a community center that's
18 easily accessible.

19 You may not have heard this concern
20 raised by the residents in the neighborhood.
21 It may not have come out in the focus groups.
22 I don't know if it did or didn't. You didn't

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1 mention what was revealed in the focus groups.

2 But if it didn't, it may be because people
3 are just used to it. Well, that's not a
4 reason to continue that.

5 You know, if there's opportunity to
6 improve, and I think that's what this program
7 is all about is improving services to the
8 community, then the time ought to be taken to
9 consider how do we make sure that access is
10 where it should be. Even if today it's
11 perhaps substandard, I got to believe it's a
12 little difficult to get across Alabama with
13 just the crosswalks, you know. You want a
14 half mile and then you sprint, you know,
15 across Alabama to get to the library. It gets
16 a little tiring, perhaps.

17 But I do feel like some more
18 thought needs to be given to that.

19 Maybe you could share with me.
20 What did come out of the focus groups around
21 building design and location?

22 MR. BONVECHIO: The focus groups,

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1 they focused on the library services and how
2 those services could be incorporated into the
3 building design.

4 During the community meetings some
5 of the points you brought up about access were
6 addressed. The community did show and
7 expressed a desire to be able to have some
8 sort of walkway through that piece of Park
9 land from Ann Beers over to the library.

10 We didn't hear a concern from the
11 community about crossing Alabama Avenue as
12 being a hindrance to getting to the library.
13 We did hear that please have those
14 conversations with DDOT about improving
15 whether it's a stop sign or stop light there
16 at that intersection.

17 But in terms of planning and
18 looking at the site, it is such a challenging
19 site. We do have a requirement that makes
20 program-wise for our libraries to get as much
21 square footage of library programs on one
22 floor. And therefore, you know we need to

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1 maximize the land area that we have.
2 Unfortunately, that does lead to some of the
3 issues and some of the challenges that we're
4 hearing.

5 As far as our loading and trash
6 collection, you know we're bring in books
7 which after the initial move in will generally
8 come in either by hand or on a dolly. It's not
9 a huge shipment of books comes on a ballot
10 every month. It's a distribution that happens
11 in much smaller quantities.

12 And again, the trash pick-up will
13 be handled on off hours when normal trash
14 pick-ups tend to occur.

15 So those issues that you bring up
16 are a concern to the Library; that's how we
17 operate. But we do understand that we are --
18 we're so constrained by the site we can't, you
19 know, expand our property any in order to try
20 to accommodate or make some of these features
21 a little more manageable. And the Library
22 feels that the building and the site does meet

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1 our programmatic needs.

2 You know, the entrance is where it
3 is so it's as close to Ann Beers where we feel
4 the majority of our patrons will come on those
5 after school hours.

6 You know, so that's some of the
7 siting things that went into it is about that.

8 VICE CHAIR KEATING: Right. But
9 you just said that there's no connectivity and
10 the library. How do you address that?

11 MR. BONVECHIO: Well, I think, I
12 mean there's obviously a lot of ways to
13 address it. And I think, you know, maybe it
14 doesn't start off so much with that physical
15 connectivity. I think it's more of the
16 library's outreach and going to the school and
17 making sure that the kids know that the
18 library is in fact there. That they simply
19 walk down the sidewalk to get to the library.

20 It doesn't -- you know, it doesn't
21 seem feasible to us to cross that sort of --
22 you know, to create some sort of path across

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1 that Park land.

2 VICE CHAIR KEATING: Yes.

3 MR. BONVECHIO: But the Library can
4 do more in its outreach from the Branch
5 Managers making visits and making themselves
6 known to the students. Just not being that
7 the building's there, it's more about the
8 people going and making that human-to-human
9 connection.

10 VICE CHAIR KEATING: Yes. I think
11 it's got to -- you know, is there a way to
12 partner with DPW to get a sidewalk improvement
13 there as well, you know, with lighting or
14 something that makes it more accessible?
15 Wider sidewalk if the space is available so
16 that it connects better to the school. You
17 may not be able to cut through the Park
18 Service land, I don't know. Okay.

19 COMMISSIONER TURNBULL: No.

20 VICE CHAIR KEATING: Okay. I'm
21 hearing no on that. But perhaps partnering
22 with other agencies to kind of, you know,

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1 really kind of bring a full improvement there,
2 I think that's important. You know, I think
3 that's very important to try to make sure that
4 that's happening because it could possibly
5 change some of what you have designed if you
6 have an opportunity to make those kind of
7 improvements.

8 MS. MCCARTHY: I should add, I was
9 there very late in the afternoon into the
10 evening. And one of the things I was checking
11 for was to see if there was good lighting all
12 the way up Alabama so that people would feel
13 confident and safe in parking there. And
14 there's a pretty good array of street lights
15 the whole length.

16 And actually, as D.C. sidewalks go,
17 the sidewalks along from Ann Beers to the
18 library were in good shape. They weren't
19 cracked, there were roots poking up. And
20 there are exits from the school. I watched
21 kids coming out of the school on this side,
22 not just on what's actually technically the

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1 front of -- yes.

2 VICE CHAIR KEATING: Yes.

3 MS. MCCARTHY: So it's more
4 connected than it might seem.

5 VICE CHAIR KEATING: Okay. That's
6 the comments I had.

7 CHAIRMAN HOOD: Other comments?
8 Mr. Schlater?

9 COMMISSIONER SCHLATER: I guess I
10 have a couple of questions about the design.
11 Could you put the facade up?

12 Great. Thank you very much.

13 Is that entire facade glass?
14 Because it makes it look like here's
15 reflections off of each of the diamond shaped
16 panels.

17 MR. ZALSLOW: Yes, the facade is
18 glass with expander panels. It's, for lack of
19 a better word, a checkerboard of open
20 translucent and transparent glazing as windows
21 and solid spaces. And you saw from the
22 rendering of the adult space where you had the

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1 wood panel behind the expander glass

2 COMMISSIONER SCHLATER: Yes.

3 MR. ZALSLOW: So you end up with a
4 diamond shaped glazing throughout the facade
5 of the building all around.

6 COMMISSIONER SCHLATER: And then
7 what's going on on the roof line there?

8 MR. ZALSLOW: Well, you've got your
9 basic roof with mechanical systems. And there
10 is a canopy above for solar issues.

11 COMMISSIONER SCHLATER: Solar
12 issues? Is there going to be solar panels, or
13 you mean just for solar --

14 MR. ZALSLOW: Well, no. For
15 sunscreen. I'm sorry. It's made up of the same
16 pattern that you see on the facade and it
17 actually ties to -- design-wise it ties to the
18 elements on the facades in terms of the
19 pattern. And what you see are louvers all the
20 way through and all the way around so that it
21 provides suncreening.

22 COMMISSIONER SCHLATER: I'm curious

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1 about the community reaction to the design
2 itself and just the very forward modern
3 building. And it certainly suits my tastes,
4 and I think it's great that the Library is
5 bringing in high quality architects and
6 investing this much money into their
7 facilities. So that being said, I'm just
8 curious as to it certainly I would say it fits
9 the character of the neighborhood so well. I
10 mean, not that that's a goal. But was there
11 unease in the community about the design?

12 MR. ZALSLOW: Starting off, the
13 Library had -- there was an unease that we
14 were presenting this very iconic design to the
15 community. They do like the design. They have
16 embraced the design. They feel it's what
17 needed in that community. You know, it's
18 iconic architecture, and that's what they
19 wanted.

20 COMMISSIONER SCHLATER: Cost-wise,
21 how much is it going to cost to build this?

22 MR. ZALSLOW: Between \$10½ and \$11

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1 million.

2 COMMISSIONER SCHLATER: Is this one
3 of the libraries had a design and then got
4 pulled back, as I remember?

5 MR. ZALSLOW: No. That was the
6 Washington Highlands Library.

7 COMMISSIONER SCHLATER: That was
8 Washington Highlands.

9 Okay. No further questions. Thank
10 you.

11 VICE CHAIR KEATING: I just wanted
12 to confirm, you did say earlier that the
13 building is LEED Silver?

14 MR. ZALSLOW: Yes, LEED Silver.

15 VICE CHAIR KEATING: And there
16 aren't solar panels up top?

17 MR. ZALSLOW: No solar panels.

18 VICE CHAIR KEATING: No solar
19 panels. Okay.

20 MS. BRAY: Commissioner Keating, I
21 might direct you Tab E under the special
22 exception in the application documentations.

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1 There's a good view of the canopy from the
2 street on this drawing. There's no solar
3 panels, but there's actually -- you can see
4 the diamond pattern and the louvers, as well.

5 CHAIRMAN HOOD: Any other
6 questions?

7 What kind of architecture is this?

8 MR. BONVECHIO: It's designed by
9 Ajay & Associates --

10 CHAIRMAN HOOD: No. I mean what
11 kind? You gave it a name.

12 MR. BONVECHIO: Iconic.

13 CHAIRMAN HOOD: Iconic?

14 MR. BONVECHIO: Which was one of
15 the primary goals of all of these libraries is
16 that we wanted unique iconic architecture for
17 each of our buildings. And I think if you look
18 at some of the other designs we've done, they
19 all meet that criteria, as does this one.

20 CHAIRMAN HOOD: Do you a design yet
21 for the Woodridge community yet?

22 MR. BONVECHIO: No, but we are --

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1 I'm please to report we are working towards
2 that and would love to talk to you about it
3 after this.

4 CHAIRMAN HOOD: Okay. Well, we'll
5 talk about that in our other capacity. I don't
6 know if I agree with my colleague. But if
7 it's something new and that's where we're
8 going, you know then it takes a little getting
9 use to. Just like those tall heights around
10 Metros and that kind of stuff.

11 Anyway, you know we're always open,
12 looking forward to that.

13 Any other questions?

14 COMMISSIONER SCHLATER: Was Ajay
15 Associates commissioned to do a design for
16 another public building in the District
17 recently?

18 MR. BONVECHIO: Yes. The African-
19 American Museum. The Smithsonian African-
20 American Museum on the National Mall.

21 CHAIRMAN HOOD: Well, I'll make
22 sure we stay in constant contact with former

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1 Councilmember Smith and see what that design
2 look like. I'm sure that's who you're worried
3 with.

4 MR. BONVECHIO: Absolutely.

5 CHAIRMAN HOOD: Anything else?
6 Okay.

7 Thank you very much.

8 Let's go to the report of the
9 Office of Planning.

10 MS. BROWN-ROBERTS: Good evening
11 again, Mr. Chairman. For the record, I'm
12 Maxine Brown-Roberts from the Office of
13 Planning.

14 The R-5-A zone we think is
15 appropriate for the site because it is not
16 anticipated that the property would be
17 developed with any other use as the transfer
18 of jurisdiction agreement limits the use of
19 the property.

20 The R-5-A District is currently
21 mapped and adjacent to Ann Beer School and on
22 properties directly across Alabama Avenue from

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1 the site.

2 The R-5 District in section 350.1
3 is described permits all types of residential
4 use, but also permit the construction of those
5 institutional and semi-public buildings that
6 would be compatible with adjoining residential
7 use.

8 The R-5-A Districts lists public
9 libraries as a permitted use. Although the R-
10 5-A District allows libraries at a higher
11 density for FAR than for residential
12 developments, the proposed development at 1.2
13 FAR would be compatible to the existing
14 residential density.

15 The subject site is designated as
16 local public facilities on the futures Land
17 Use Map. That map, the proposed map amendment
18 is not inconsistent with many of the
19 Comprehensive Plan themes, goals, objectives
20 and policies. Major themes of the plan tend
21 to promote maintaining or improving the
22 character of neighborhoods as well as

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1 enhancing public safety and effective
2 provision of public services.

3 Regarding the special exception
4 DCPL proposes to increase the lot occupancy
5 allowed and to eliminate the parking spaces.
6 Under the requested text amendment in 09-17
7 the maximum lot occupancy of libraries could
8 be increased 100 percent and the required
9 parking could be waived if they meet the
10 special exception requirement standards as
11 outlined in 3104.1.

12 The amendment also allows side
13 yards which are adjacent to parks to have no
14 side yard. However, the applicant has
15 requested a side yard of between eight and ten
16 feet, although the gentleman said it was six
17 feet.

18 Regarding the lot occupancy, the
19 property is approximately 15,000 square feet
20 in land area. And according to DCPL standard
21 for full service neighborhood library is
22 22,000 square feet. Due to the size of the

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1 property and the need to keep the library at
2 two levels, the lot occupancy has been
3 increased to 74 percent.

4 Regarding the parking, the building
5 has 18,500 square feet and would require 16
6 parking spaces. Due to the small size of the
7 property and the building occupying most of
8 the property, required parking spaces would be
9 only accompanied under the building. The
10 option for providing 16 spaces on the ground
11 is prohibitive.

12 The reduction would not have an
13 adverse impact on the surrounding neighborhood
14 as the library would serve the neighborhood
15 residents who are within easy walking
16 distance. The adjacent school has parking
17 spaces that will also accommodate those
18 instances when there are events at the
19 library.

20 The proposed map amendment and the
21 special exception is not inconsistent with the
22 Comprehensive Plan goals and would not

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1 adversely effect the surrounding neighborhood,
2 the Zone Plan and the map and would allow a
3 quick and orderly construction of the Francis
4 E. Gregory Library. We therefore recommend
5 approval the requested map amendment and
6 special exception.

7 Thank you, Mr. Chairman. And I'll
8 take any questions.

9 CHAIRMAN HOOD: Thank you, Ms.
10 Brown-Roberts. Let's open it up to the Office
11 of Planning. Mr. Turnbull?

12 COMMISSIONER TURNBULL: Thank you,
13 Mr. Chairman.

14 Ms. Brown-Roberts, good evening.

15 MS. BROWN-ROBERTS: Good evening.

16 COMMISSIONER TURNBULL: On page 2
17 of your report the map, the site is shown and
18 the area that we're talking about being R-5-A.
19 There is another designation on the rest of
20 the land that says "Incorrect designation.
21 Property unzoned" and then there's "R-1-B."

22 MS. BROWN-ROBERTS: Yes.

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1 COMMISSIONER TURNBULL: What is
2 that referring to?

3 MS. BROWN-ROBERTS: Unzoned map of
4 the Zoning map that is part of the record in
5 the Office of Planning. It has that R-1-B
6 designation on it.

7 COMMISSIONER TURNBULL: For just
8 the site?

9 MS. BROWN-ROBERTS: No. For the
10 whole Park land. That yellow area that is
11 shown on the map.

12 COMMISSIONER TURNBULL: But that's
13 really unzoned?

14 MS. BROWN-ROBERTS: But it is
15 really unzoned. So that's why I inserted the
16 statement that it's an incorrect designation.

17 COMMISSIONER TURNBULL: All right.

18 MS. BROWN-ROBERTS: Unzoned.

19 COMMISSIONER TURNBULL: So then the
20 R-5-A only applies to the site?

21 MS. BROWN-ROBERTS: To the site of
22 the library.

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1 COMMISSIONER TURNBULL: The rest of
2 it remains federal unzoned?

3 MS. BROWN-ROBERTS: That's correct.

4 COMMISSIONER TURNBULL: Okay.
5 Thank you.

6 CHAIRMAN HOOD: Any other questions
7 for Office of Planning? Okay.

8 Let's move right along. Report of
9 other government agencies. I don't think we
10 have any in this case.

11 Report of ANC 7B. I think the same
12 thing goes in effect as it did in the prior
13 case. The ANC, we'll leave the record open
14 and let them tighten up their submittal.

15 But the ANC obviously supports it.

16 They had seven people, but I think they need
17 to tighten up how many people constitute a
18 quorum and go from that point. But they do
19 have a letter in support in both cases.

20 Organizations and persons in
21 support?

22 Organizations and persons in

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1 opposition?

2 Ms. Bray, if you have any closing
3 remarks?

4 MS. BRAY: Okay. Thank you very
5 much, Mr. Chairman, and members of the
6 Commission. Thank you for your time this
7 evening.

8 Thank you to the Office of Planning
9 for two excellent reports and their assistance
10 in this case.

11 As you've heard tonight, and is
12 based in our application materials, we believe
13 that the zoning proposed, the R-5-A, is
14 consistent with the Comprehensive Plan.

15 We further believe that the special
16 exception relief based on the text amendment
17 approved in Case 09-17 is appropriate in this
18 case. And that would be special exception
19 relief for lot occupancy and to increase lot
20 occupancy to 74 percent and to waive the
21 parking requirements on this property.

22 This was a property that is smaller

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1 than many of the libraries in the system in
2 terms of land area. And it's further
3 constrained because it's owned by the National
4 Park Service, but under the control of the
5 District of Columbia. And as you heard, both
6 from Mr. May and from the applicant tonight,
7 that the land is what it is and we're not able
8 to take advantage of any additional land in
9 this property on this site.

10 It is a very small percentage of
11 the Park land in this area. The Reservation
12 in question actually consists of about 18
13 acres and here we're talking about 15,000
14 square feet in land area.

15 The application is in harmony with
16 the Zoning Regulations and the Zone Plan.
17 It's consistent with the treatment of other
18 Library properties.

19 In terms of adverse impact the
20 Commissioners, you have all made extremely
21 cogent points about planning of the site and
22 the constraints of the site; how we load, how

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1 we drop off, how people get to the site. And
2 to the extent that this is an exercise in
3 improving the property, in fact the arrival of
4 folks from the community to the library is not
5 something that the library has been aware of
6 in terms of it being problematic.

7 This is a very active library in
8 contrast to several of the other libraries in
9 the District. It has a very active Friends
10 organization and it has programs going on at
11 all hours of library operation seemingly
12 without issue.

13 As the Library is required under
14 the D.C. Green Buildings Act to construct this
15 project in accordance with LEED Silver
16 requirements, so you do a sustainable design
17 before you.

18 And providing parking on the site
19 in the amounts that are required currently
20 under the Zoning Regulations would actually
21 require the Library to go find other LEED
22 points. Because reduction in parking below

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1 the minimum required actually produces a LEED
2 credit.

3 Forty percent of property owners
4 walk to the site, and we believe that there
5 will be very little adverse impact. In fact
6 because of the LEED certification there would
7 actually be a positive impact in limiting the
8 parking on this site. It is adjacent to at
9 least one major bus route and there is a
10 substantial amount of on-street parking
11 available. As such, we believe we've met the
12 requirements for the special exception. In
13 addition, we believe we've met the
14 requirements in the Zoning Regulations for a
15 map amendment and that the R-5-A requested is
16 appropriate for this site. And we urge the
17 Board's approval.

18 Thank you very much.

19 CHAIRMAN HOOD: Okay. Thank you
20 very much, Ms. Bray.

21 Let me it out like this. Are
22 anyone of my colleagues ready to move on this

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1 tonight?

2 COMMISSIONER MAY: Mr. Chairman?

3 CHAIRMAN HOOD: Commissioner May?

4 COMMISSIONER MAY: Given the --

5 CHAIRMAN HOOD: Oh, your
6 microphone's on. Usually I don't want to hear
7 you. Okay. There you go.

8 Okay. Usually I don't want to hear
9 you, but --

10 COMMISSIONER MAY: Given the fact
11 that the property was only posted for eight
12 days and we've already decided that we would
13 leave the record open for some period of time
14 to receive comments, I think that it would be
15 wise for us to wait until a regularly
16 scheduled meeting to take action on this case.

17 I mean, I understand that this is
18 urgent, but this is not an issue the
19 Commissioner's making and I think it's
20 appropriate to give the community -- make sure
21 that the community's had sufficient notice.

22 CHAIRMAN HOOD: You know, I don't

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1 know where -- but I also think that
2 Commissioner Keating has some very good points
3 and Commissioner Turnbull. I think they were
4 both simultaneously bringing those points
5 about planning.

6 I'm not sure. I know this is not a
7 design case. but this is adverse impacts. And
8 I think that -- and I'll let them speak for
9 themselves. But I think that their points are
10 very well taken, at least it got over to me.
11 I'm just wondering how we would go back and
12 ask the applicant to revisit some of that.
13 And I know that they had all the focus groups
14 in the community for those who saw the
15 postings or who knew about it. And I'm not
16 throwing that out there like that to be
17 sarcastic. But I'm sure that we're going to
18 catch somebody who is probably going to say
19 they didn't. And if we don't, somebody doesn't
20 show up, then I'll be the first one to say
21 okay, I've heard what they've said, everybody.
22 It was well vetted through the community.

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1 But I think what my colleague Commissioner
2 Turnbull and Commissioner Keating said, I
3 think it's something that really needs to be
4 take heed to. And I'll let them speak for
5 themselves. I don't know how far they want to
6 go with it, but I would be inclined to see the
7 applicant revisit some of that.

8 I think Commissioner Keating
9 mentioned the interests, you know, of how do
10 you cross the street. Working with DDOT,
11 having a discussion with a DDOT about some
12 traffic mitigation methods.

13 Because I think at the other end of
14 it, is this that church, Ms. McCarthy? You've
15 been down there. Is that the church on the
16 other end? Is that a Baptist church? Is that
17 New Macedonia? Is that where I am, in that
18 area? I'm just trying to think of how the
19 street flows.

20 MS. MCCARTHY: The one that's at
21 the corner of Alabama and 36th is --

22 CHAIRMAN HOOD: It's right on the

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1 corner. It's right across from --

2 MS. McCARTHY: Yes. It's not a
3 big--

4 CHAIRMAN HOOD: Is it a red brick?
5 Red brick?

6 MS. McCARTHY: No. It's sort of
7 like a big white house

8 CHAIRMAN HOOD: Oh. Okay. No,
9 that's not it.

10 MS. McCARTHY: And it's Holiness, I
11 think is --

12 CHAIRMAN HOOD: No, that's not the
13 church I was thinking of.

14 MS. McCARTHY: And then I think the
15 one that's in another block further down on
16 the other side of the street is I want to say
17 St. Phillips. It's an Episcopalian church,
18 I'm pretty sure.

19 CHAIRMAN HOOD: Okay. That's not
20 what I was thinking. Okay.

21 But I don't know what my colleagues
22 would -- I would leave that up to Commissioner

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1 Turnbull and my other colleague, Commissioner
2 Keating. But hopefully I didn't instill with
3 you guys how you want to proceed, but I really
4 thought you brought up some very valid points.

5 I'd just like to the applicant really
6 revisit.

7 I mean, if we get a blank sheet of
8 paper, then I understand that they took heed
9 and they're going to still go with what they
10 had. But I think they need to revisit some of
11 the concerns that you all have brought.

12 And I'll just open it up.
13 Commissioner Turnbull?

14 COMMISSIONER TURNBULL: Mr. Chair,
15 I think they're concerns. I don't know how
16 much they're going to do. I don't know how
17 much they're going to get.

18 I mean, I'm concerned about
19 crossing the street and having a stop sign.
20 And as Ms. McCarthy was saying, I guess
21 they're in conversations with trying to do
22 that.

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1 It would be nice if DDOT could
2 comment on that and say what their view, if
3 they're going to put a stop sign or stop
4 light. I don't know.

5 It's not -- again, under the
6 special exception I guess we're looking from
7 the standpoint -- I don't know. Mr. Keating?

8 VICE CHAIR KEATING: Yes. I just
9 feel like I would like to see a little more
10 thought in that. I mean, it's just I would
11 like to see what they might come back with,
12 yes.

13 CHAIRMAN HOOD: And this is a
14 special exception. We're looking at adverse
15 impacts and that. I think that's -- at least
16 that's what I heard from Commissioner Keating.

17 I heard more planning from Commissioner
18 Turnbull. But the point, though, it still is
19 impacts.

20 COMMISSIONER TURNBULL: Yes, I
21 think -- and I respect where they are. The
22 site is what it is. and what you can do with

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1 it. My only concern is would DDOT -- I would
2 like to know if DDOT is going to give them a
3 loading zone on the street, do they have to
4 make a curb cut to at least move in a lane to
5 make people drop off? I just don't know,
6 whether it's handicap getting off, little kids
7 getting off.

8 I mean, this is going to be a well
9 used library. It's a major facility. It's
10 going to have -- you know, it's going to draw
11 a lot of attention. It's going to be well
12 used.

13 I'm looking at it just primarily as
14 a safety issue and how well people can really
15 get to use this facility without fear of
16 being hurt.

17 VICE CHAIR KEATING: I would have
18 to agree with that. I mean, I think it
19 really, it sounds like it is a community
20 center right now. And anything that could be
21 done to enhance its standing as a community
22 center, which includes improving safety and

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1 access is important.

2 So to the extent that there could
3 be additional discussions with DDOT and that
4 that shapes kind of this building and the
5 site, I think it's important to kind of
6 encourage that to happen.

7 COMMISSIONER TURNBULL: Yes. I
8 mean, I know that they don't have much room.
9 But I'm just wondering what DDOT thoughts they
10 would have on doing that, making some type of
11 a drop off. I mean, if Alabama is as busy, I'm
12 sure you don't want a vehicle that's pulling
13 off double parking in front of someone else to
14 get them over there.

15 CHAIRMAN HOOD: So why don't we do
16 this? We ask Ms. Bray to go off and relook at
17 this. The record's going to be left open
18 anyway. I don't know how much time we're
19 looking at. But see if we can look at have
20 those discussions, kind of make our record a
21 little more complete for us to make a
22 decision.

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1 And also as Vice Chair Keating
2 said, if the applicant the choose to kind of
3 look at some of your thinking there of how
4 things are exactly going to -- the inner
5 workings of how that all is going to work with
6 the community. I'm not saying go back and
7 change it, but relook at it. If you desire to
8 change it, I think Vice Chair Keating wouldn't
9 mind seeing some other options or some change.

10 And that's kind of where we are.

11 MS. BRAY: With all due respect,
12 Mr. Chairman and Commissioners, we are very
13 concerned about any further delay in this
14 case. Primarily because we began planning of
15 this process in February of 2008, I believe.
16 And we began speaking in earnest about the
17 permitting process in May of this year.

18 I understand that the posting issue
19 is quite troubling and we need to leave the
20 record open for that. Also that there are
21 concerns, particularly those relative to
22 traffic that could continue to be refined

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1 between now and permit.

2 What I might suggest and request of
3 the Commission is that perhaps that we could
4 move to propose action and we could continue
5 to work with DDOT and get a DDOT report prior
6 to final action.

7 CHAIRMAN HOOD: This is, I believe,
8 a one vote case. This is two votes? We do a
9 proposed or the map amendment. Okay.

10 COMMISSIONER MAY: Mr. Chairman?

11 CHAIRMAN HOOD: Yes.

12 COMMISSIONER MAY: If we need two
13 votes on the map amendment, I think the map
14 amendment is not troubling. I mean, I think
15 that's the appropriate zone.

16 So we could take proposed action on
17 the map amendment and leave the decision
18 making on the special exception for when we
19 take final action. And that would give you
20 enough time to study it because we'd need to
21 have 30 days on the map amendment, right?

22 CHAIRMAN HOOD: Is it 30 days or 40

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1 days?

2 COMMISSIONER MAY: What's the time
3 between proposed -- so 30 days at a minimum.
4 So we wouldn't be able to take final action
5 until mid-January anyway.

6 CHAIRMAN HOOD: Okay. I think--

7 MS. SCHELLIN: That's correct.
8 Because they need the text amendment to be
9 approved before they can have the special
10 exception anyway.

11 CHAIRMAN HOOD: Okay. And I think
12 that's the way we'll move. We will deal with
13 the map amendment, we will give you that
14 tonight. So everybody's getting a little
15 something. We'll give you that tonight and
16 we'll wait to get what we want with the
17 special exception, or should we just hold
18 both?

19 COMMISSIONER MAY: No. Map
20 amendment.

21 CHAIRMAN HOOD: Okay. So why don't
22 we deal with the map amendment. Let me do

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1 that now.

2 I move that we approve in part
3 Zoning Commission Case No. 09-17, which is the
4 map amendment from unzoned to R-5-A and ask
5 for a second.

6 VICE CHAIR KEATING: Second.

7 CHAIRMAN HOOD: Any further
8 discussion? All those in favor aye.

9 ALL: Aye.

10 CHAIRMAN HOOD: Not hearing any
11 opposition, Ms. Schellin would you record the
12 vote?

13 MS. SCHELLIN: Yes. Staff records
14 the vote five-to-zero-to-zero to approve
15 proposed action on the map amendment portion
16 of Zoning Commission Case No. 09-17.

17 Commissioner Hood moving.
18 Commissioner May seconding. Commissioners
19 Schlater, Turnbull, Keating in support.

20 CHAIRMAN HOOD: And again, Ms.
21 Bray, if we could work on the special
22 exception part of it. You've heard the

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1 concerns of my colleagues. And actually, it
2 would help make our record complete.

3 MS. BRAY: Understand, loud and
4 clear.

5 CHAIRMAN HOOD: All right. Good.
6 Anything else?

7 MS. SCHELLIN: Actually there is.
8 We need to figure out how long we're going to
9 leave the record open so that if the community
10 wants to submit something that they may.

11 CHAIRMAN HOOD: Okay.

12 MS. SCHELLIN: If we could go ahead
13 and set a date for that. We could leave the
14 record open until January 4th.

15 And also, if we could have the
16 applicant submit draft findings of fact
17 conclusions of law by December 28th.

18 CHAIRMAN HOOD: This is the--

19 MS. SCHELLIN: On the map
20 amendment.

21 CHAIRMAN HOOD: Okay. Okay. And
22 we're probably going to need more time on this

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1 special exception.

2 Okay. That's fine. Everybody okay
3 with that schedule on the map amendment?
4 Okay.

5 MS. BRAY: Mr. Chairman, if you
6 could give us just one second?

7 CHAIRMAN HOOD: Sure.

8 MS. BRAY: Thank you.

9 COMMISSIONER MAY: Ms. Schellin,
10 when do you think we would actually do a
11 decision making then final action and the
12 special exception? That would be the first
13 January meeting?

14 MS. SCHELLIN: January 11th
15 meeting.

16 COMMISSIONER MAY: The 11th
17 meeting.

18 MS. SCHELLIN: Correct. And that's
19 going to depend on whether the proposed
20 rulemaking gets published. It depends on when
21 that -- that may not happen until the January
22 25th meeting, which is probably more likely.

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1 COMMISSIONER MAY: Right. Yes.

2 Given that we're --

3 MS. SCHELLIN: Correct. Because
4 the proposed rulemaking has to be published
5 for a 30 day comment period.

6 COMMISSIONER MAY: The comment
7 period.

8 MS. SCHELLIN: So realistically
9 you're probably really looking at January
10 25th.

11 COMMISSIONER MAY: Yes.

12 CHAIRMAN HOOD: Okay. We all on
13 the same page?

14 Ms. Bray, did you have something
15 else you wanted to add?

16 MS. BRAY: No, Mr. Chairman.
17 We're--

18 CHAIRMAN HOOD: It's not that bad.
19 I know it couldn't be that bad.

20 MS. BRAY: We wanted to see if
21 there was any opportunity for a special public
22 meeting in there. But it doesn't sound like it

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1 because of the time period required between
2 proposed and final.

3 MS. SCHELLIN: Since we have two
4 meetings a month, we're kind of doing away
5 with this.

6 CHAIRMAN HOOD: Okay. All right.

7 COMMISSIONER SCHLATER: I know this
8 is not the time to do this, but what stage of
9 the designs are the plans at this point?

10 MR. BONVECHIO: We are proceeding
11 with the construction document phase. We have
12 selected our construction manager who will
13 build this project. So we're waiting for this
14 process in order to be able to move forward in
15 the permitting process.

16 COMMISSIONER SCHLATER: Okay.
17 Thank you.

18 CHAIRMAN HOOD: Okay. So do we
19 need any more dates or anything? We all
20 straight, Ms. Schellin?

21 MS. SCHELLIN: We're straight.

22 CHAIRMAN HOOD: Okay. I want to

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1 thank everyone for their participation
2 tonight.

3 And this hearing -- or these
4 hearings are adjourned.

5 (Whereupon, the Public Hearing was
6 adjourned at 8:39 p.m.)

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