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STEVEN COCHRAN  
ARTHUR ROGERS

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

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This transcript constitutes the minutes from the Public Hearing held on July 26, 2007.

TABLE OF CONTENTS

WELCOME:

Anthony Hood . . . . . 4

ZC CASE NO. 04-33B

INCLUSIONARY ZONING - ADDITION OF R-2 ZONES

OFFICE OF PLANNING:

Arthur Rodgers . . . . . 8, 26, 32

Steve Cochran . . . . . 11, 30

PERSONS/ORGANIZATIONS IN SUPPORT:

Neha Bhatt . . . . . 52

Tad Baldwin . . . . . 56

Cheryl Cort . . . . . 59

Melissa Bondi . . . . . 64

Allie Hajian . . . . . 71

Carol Casperson . . . . . 75

Tom Quinn . . . . . 76

PERSONS/ORGANIZATIONS IN OPPOSITION:

Laura Richards . . . . . 81

SET FOR DECISION JULY 30, 2007: . . . . . 89

ADJOURN:

Anthony Hood . . . . . 89

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

2 6:39 p.m.

3 VICE-CHAIRPERSON HOOD: This is  
4 the public hearing of the Zoning Commission of  
5 the District of Columbia for Thursday, July  
6 26, 2007. My name is Anthony J. Hood.  
7 Joining me this evening are Commissioners Greg  
8 Jeffries, John Parsons and Mike Turnbull.

9 We are also joined by the very  
10 accomplished staff, Ms. Sharon Schellin and  
11 Ms. Esther Bushman. Also, from the Office of  
12 the Attorney General Mr. Bergstein. And to my  
13 right we have the Office of Planning, who will  
14 introduce themselves at the appropriate time.

15 The subject of this evening's  
16 hearing is Zoning Commission Case No. 04-33B.  
17 This is a request by the Office of Planning  
18 for text amendments to Title 11 of the  
19 District of Columbia Municipal Regulations  
20 zoning to fine tune a number of sections in  
21 the Inclusionary Zoning Law.

22 Notice of today's hearing was

1 published in DC Register on June 1, 2007.  
2 Copies of today's hearing announcement are  
3 available to you and are located to my left on  
4 the table near the door. The hearing will be  
5 conducted in accordance with provisions of 11  
6 DCMR 3021.

7 The order of procedure will be as  
8 follows: Preliminary matters; presentation by  
9 the Office of Planning; reports of other  
10 Government agencies; report of the ANC;  
11 organizations and persons in support;  
12 organizations and persons in opposition. The  
13 following time constraints will be maintained  
14 in this hearing: Organizations 5 minutes;  
15 individuals 3 minutes.

16 This will pertain to both cases  
17 which we have tonight, which will be also  
18 Zoning Commission Case No. 07-17, and I will  
19 be reading excerpts from that case also, but  
20 this next part will pertain to both cases.  
21 The Commission intends to maintain these time  
22 limits as strictly as possible in order to

1 hear the case in a reasonable period of time.  
2 The Commission reserves the right to change  
3 the time limits for presentations, if  
4 necessary, and notes that no time shall be  
5 ceded.

6 All persons appearing before the  
7 Commission are to fill out two witness cards.  
8 These cards are located to my left near the  
9 door. Upon coming forward to speak to the  
10 Commission, please, give both cards to the  
11 reporter sitting to my right before taking a  
12 seat at the table.

13 Please, be advised that these  
14 proceedings are being recorded by a Court  
15 Reporter and it is also webcast live.  
16 Accordingly, we must ask you to refrain from  
17 any disruptive noises or actions in the  
18 hearing room. When presenting information to  
19 the Commission, please, turn on and speak into  
20 the microphone, first stating your name and  
21 home address. When you are finished speaking,  
22 please, turn your microphone off, so that your

1 microphone is no longer picking up sound or  
2 background noise.

3 The decision of the Commission in  
4 this case must be based on the public record.  
5 To avoid any appearance to the contrary, the  
6 Commission requests that persons present not  
7 engage the Members of the Commission in  
8 conversation during a recess or any other  
9 time.

10 The staff will be available  
11 throughout the hearing to discuss procedural  
12 questions. Please, turn off all beepers and  
13 cell phones, at this time, so not to disrupt  
14 these proceedings.

15 At this time, the Commission will  
16 consider any preliminary matters. Does the  
17 staff have any preliminary matters?

18 MS. SCHELLIN: No, sir.

19 VICE-CHAIRPERSON HOOD: Okay. We  
20 will turn to the Office of Planning, Mr.  
21 Rodgers. Is Mr. Rodgers -- okay. Mr.  
22 Rodgers?

1                   MR.     RODGERS:            Thank     you,  
2                   Commissioner Hood. My name is Arthur Rodgers.  
3                   I'm the Senior Housing Planner for the D.C.  
4                   Office of Planning. Tonight myself and my  
5                   colleague, Steve Cochran, will once again be  
6                   tag-teaming on our presentation regarding  
7                   Inclusionary Zoning. I'll cover the  
8                   Application of the IZ to the R-2 Zone  
9                   District. Steve Cochran will cover the IZ in  
10                  the Overlay Zones. Then I will bring it back  
11                  to the SP-2 and C-2-C changes that we are  
12                  recommending. And then we will just briefly  
13                  go over some of the technical and consistency  
14                  amendments and then, finally, the  
15                  applicability date by which the regulations  
16                  should actually take effect.

17                  The Commission asked that the  
18                  Office of Planning take a look at applying IZ  
19                  in the R-2 Zone District. We -- in our set  
20                  down report, we did an analysis of what was a  
21                  rough guess of the land capacity. In our  
22                  final report, we have refined that number.

1 But I think more importantly, what we are most  
2 concerned about was as a planning tool, is it  
3 applicable in the R-2 Zone?

4 As we go forward, if there are  
5 rezoning changes based on the Comprehensive  
6 Plan or so and so forth, it is -- are the  
7 changes resulting from IZ appropriate to the  
8 R-2 Zone? So to that end, we did a series of  
9 drawings that we will be presenting to the  
10 Commission.

11 These are just the plan drawings  
12 of the basic forms of the R-2 as they are  
13 right now. The sort of lot occupancy you see  
14 in the gray area of the building would be the  
15 maximum possible based on the zoning  
16 requirements. On the left is the single-  
17 family detached in the R-2 and on the right is  
18 the semi-detached.

19 And just quickly, here are some  
20 drawings of what a maximum -- the largest  
21 house might look like in the R-2 detached form  
22 and then here is what it might look like in

1 the semi-detached form. And then going  
2 forward on the changes in our set down report  
3 and in our final report, we are recommending  
4 that, basically, two possible changes be  
5 permitted.

6 Here is our first option. It is,  
7 essentially, making the lot shallower to fit  
8 more lots, changing the lot depth from a  
9 minimum of 100 feet, essentially, down to 83  
10 feet.

11 And then here is our second option  
12 of narrowing the lot by -- from 30 feet to 25  
13 feet and the resulting change in the building  
14 form. Basically, you can see that we go from  
15 four windows on the second floor to three  
16 windows on the second floor, because of the  
17 narrower lot size.

18 And so again, we are recommending  
19 that the shallower lots be permitted as a  
20 matter-of-right, that the narrower lots be  
21 permitted due to the size or shape of a given  
22 parcel that is being subdivided and that the

1 similar standards be applied to the R-3 and  
2 the R-4, as we recommended in our set down  
3 report.

4 And again, this is based on  
5 further analysis that a lot of existing lots  
6 that were smaller than what's currently  
7 permitted by the Zoning Regulations, but would  
8 be permitted under IZ are due to shallower  
9 lots and not narrower lots.

10 And so, in general, these IZ  
11 changes would be in conformance with the  
12 existing neighborhood character and context of  
13 the zones.

14 MR. COCHRAN: That's okay, Art.  
15 Thanks. I'm going to go over overlays. If  
16 you are following along, basically, our  
17 presentation is following the same order that  
18 we have in the report that we submitted on  
19 July 16<sup>th</sup>.

20 The IZ-related modifications for  
21 the overlays would limit building envelope  
22 changes to the smallest possible amount in

1 order to avoid impact on neighborhood form as  
2 much as possible. They would also cause no  
3 change in building types.

4           However, OP knew that some changes  
5 would be needed to FAR height or lot occupancy  
6 overlays in order to achieve the bonus density  
7 provided by the regulations, the IZ  
8 Regulations, we assumed a maximum permitted  
9 lot occupancy of 80 percent and an 11 foot  
10 floor-to-floor average in everything we will  
11 be looking at for the illustrations tonight  
12 when we were trying to determine the number of  
13 stories or the height that might be needed to  
14 accommodate the bonus density.

15           Now, as in our report, we have  
16 grouped the overlays into three categories and  
17 recommend changes appropriate to each type of  
18 overlay. For the overlays where there is  
19 matter-of-right development and that's  
20 restricted to -- by the overlay our IZ bonus  
21 recommendation starts from the overlay's  
22 restricted FAR.

1           For the overlays that actually  
2 provide bonus density incentives, the IZ bonus  
3 is calculated from the base zone and then the  
4 IZ requirements, of course, have priority over  
5 the other incentives in that overlay.

6           We have also looked at overlays  
7 that have both density incentives and involve  
8 combined lot development. Again, the IZ bonus  
9 is calculated from the base zone. The IZ  
10 requirements again have priority over other  
11 incentives. And then there is additional  
12 language that takes the combined lot  
13 provisions into account.

14           Okay. There are seven -- well,  
15 let's see, three, seven, yes, seven overlays  
16 with density restrictions and they are listed  
17 there and I won't go through them, but the  
18 sections that are involved in the regulations  
19 are in parentheses.

20           If one starts from the overlay's  
21 restrictions to the base zone, OP recommends  
22 a maximum FAR increase ranging from, if you

1 can go back a slide, Art, 0.18 in the Naval  
2 Observatory Overlay to 1.0 in one zone at Fort  
3 Totten, that we'll look at tonight.

4 The recommended lot occupancy  
5 increases range from none in the Eighth Street  
6 Overlay to 15 percent in Cleveland Park and  
7 the height increases range from none in the  
8 Capitol Interest Overlay to 10 feet in one of  
9 Woodley Park's Zone Districts.

10 Okay, next. At set down, however,  
11 the Zoning Commission requested that OP  
12 analyze four of these seven density restricted  
13 overlays in more detail. Cleveland Park,  
14 Woodley Park and Eighth Street, each of which  
15 have overlay restrictions designed to preserve  
16 the character of the neighborhood commercial  
17 center and to some extent the Historic  
18 District within which the overlay is located.

19 And then there was also Fort  
20 Totten, which is actually an overlay designed  
21 to protect the view shed from the Historic  
22 Civil War era battlements of the fort. OP has

1 done visual simulations to analyze the impact  
2 of IZ on each of these overlays. For the  
3 images we're about to show, if you would like,  
4 Art can take you on a longer virtual tour  
5 after we complete the Powerpoint  
6 presentations, but we're just going to show a  
7 little bit of it now, but it's a great show.

8 For Cleveland Park, there are --  
9 after OP reviewed several sites within the  
10 Cleveland Park Neighborhood Commercial  
11 Overlay, which we did in conjunction with the  
12 staff of the Historic Preservation Review  
13 Board, we chose the site of the existing  
14 Cleveland Park Library as one that had a  
15 combination of a real estate potential for  
16 development with a minimal impact on the  
17 overlay or the Cleveland Park Historic  
18 District.

19 Now, in showing this site, OP is  
20 not necessarily recommending any redevelopment  
21 of the site. We're just -- it's illustrative.  
22 We're trying to show how the building employed

1 and the IZ bonuses might relate to the  
2 overlay's development patterns from a general  
3 massing standpoint.

4           You can see that the overlay took  
5 the height of the base zone down by 10 feet.  
6 It kept the same lot occupancy and it reduced  
7 the base zone's FAR by 0.5. With IZ, the  
8 height is still less than what was formerly  
9 permitted, but it does go up by 5 feet. The  
10 lot occupancy does go up 15 percent from both  
11 what had been the base zone and what the  
12 overlay permits. And you can see that the FAR  
13 is still slightly less than what had been  
14 permitted before the overlay went into effect.

15           If you could go on to the next  
16 slide? This is looking up Connecticut Avenue.  
17 The site of the Cleveland Park Library is on  
18 the left. It's the second red building. It's  
19 in between Newark Street and Ordway Street.  
20 This is the site as it could be developed  
21 under the existing overlay. You can see that  
22 it would actually be less than the apartment

1 building on the south side of Ordway. It  
2 would be less than the height of the  
3 combination of retail shops and apartment  
4 buildings that exist at Newark Street and it  
5 would be less even than the height of both the  
6 Uptown Theater and the apartment building  
7 directly across from it on Connecticut Avenue.

8 Now, let's look at what would  
9 happen with IZ. That would be the height  
10 increase and there we have it almost, maybe  
11 it's just the lighting, but there are some  
12 fenestration in that and it goes from three  
13 stories to four stories. You can see that  
14 it's congruent with the general feeling of the  
15 Cleveland Park Overlay, which we usually think  
16 of as consisting of one to two story  
17 commercial structures.

18 When we look at the overlay with  
19 the residential zones -- excuse me, the  
20 residential structures, in fact, it already  
21 has structures of four and five stories. It  
22 has other structures that are three stories on

1 berms that are 1.5 stories, etcetera. So this  
2 shows you what it would really look like,  
3 especially if it were a lighter color.

4 Okay. Let's go on to the next  
5 one. Woodley Park is somewhat similar. We  
6 chose for the illustrative site actually two,  
7 because we wanted to look in both what would  
8 happen in the C-2-A Zone and what would happen  
9 in the C-2-B Zone, both of which are in  
10 Woodley Park.

11 For the first one, we looked at  
12 the site that's directly south of the Metro  
13 entrance. There is a small bank there now and  
14 a CVS and then a restaurant south of there.  
15 You can see that the overlay, again, took 10  
16 feet off of what would otherwise have been  
17 permitted, kept the lot occupancy the same and  
18 kept even the FAR the same, so it was just a  
19 height decrease.

20 With IZ, development would go back  
21 to what had been permitted by the base zone.  
22 Again, as with Cleveland Park, the lot

1 occupancy would go up by 15 percent. And  
2 here, the FAR would go up 0.5 over what had  
3 been permitted by both the base zone and the  
4 FAR.

5 Now, when you look at this  
6 elevation, again, because it's shortened as an  
7 elevation, you can see that along Connecticut  
8 Avenue the buildings are generally three to  
9 three and a half stories and we're looking at  
10 -- actually, Art, if you could go back one, I  
11 want to make sure we're looking at now what  
12 would be permitted under the overlay, which  
13 would be a three story building with a 15 foot  
14 ground floor and probably two 10 foot floors  
15 above that.

16 But you can see the Calvert House  
17 immediately behind it. It's just across 27<sup>th</sup>  
18 Street just slightly outside the overlay and  
19 that's 10 stories. To the right and you can  
20 see, if you go into the next slide, a  
21 perspective again with the Calvert House on  
22 the left. The next slide, that's what the

1 development would look like at four stories.  
2 And you can see that it would be much more  
3 like the Salon Roy Building that also has that  
4 famous mural of Marilyn Monroe.

5 What you can't see here is even  
6 the Wardman Park Hotel, which is about nine  
7 stories behind and is up on a hill that's  
8 probably at least two stories high, and then  
9 you have a five story apartment building  
10 directly across the street from the proposed  
11 site that is now used by Stanford University.

12 So again, we have reviewed with  
13 this with the Historic Preservation staff.  
14 They were honestly skeptical, at first, but  
15 when we showed them more of the street level  
16 perspectives, they realized that with the  
17 appropriate design, this could be congruent  
18 with the overlay.

19 Now, let's look at the C-2-B site.  
20 Again, it's just an illustrative site. Could  
21 you go back to the -- okay, that's the  
22 elevation. This is what is permitted by the

1 overlay. You can see that the overlay in the  
2 C-2-B shaved 15 feet off of the base zone. We  
3 would actually go up only by 5 feet, still 10  
4 feet less than the base zone.

5 Under IZ, we would go -- all three  
6 would have 80 percent lot occupancy and the  
7 FAR with IZ would be only 0.1 greater than  
8 what had been permitted by the base zone.

9 Okay. What you are looking at now  
10 is matter-of-right development. Now, you have  
11 got a one story building there, as we will see  
12 in the perspective, but this is a five story  
13 building.

14 MR. RODGERS: This is matter-of-  
15 right.

16 MR. COCHRAN: Sorry, the matter-  
17 of-right is four stories and you can see that  
18 that top story is setback from the street and  
19 you will see in the perspective that  
20 establishes a good corner slide.

21 Now, let's go on to the  
22 perspective.

1 MR. RODGERS: Here is IZ.

2 MR. COCHRAN: Okay. Sorry. I'm  
3 not doing animations. Here is IZ at 55 feet.  
4 As you will see in the perspective, that also  
5 gets a setback on the top floor and makes it  
6 much more congruent with the heights of the  
7 Woodley Park Zone, which you didn't see in  
8 that last slide.

9 Again, a block away, there is an  
10 eight story apartment building, six stories of  
11 which are above the grade of Woodley Road,  
12 four of which -- excuse me, a couple of which  
13 go below the grade of Woodley Road. And then  
14 directly across the -- from this one story  
15 building that you now see across Calvert  
16 Street there is a three story plus sort of an  
17 attic story building that went up about five  
18 years ago.

19 Now, what you have got here now is  
20 it's a Long and Foster Building that used to  
21 be an antique store. Obviously, this is not  
22 the first building that was on the site. This

1 is probably a 1940s or 1950s replacement for  
2 a tear-down of what were clearly higher  
3 buildings on the site. It's on the northwest  
4 corner of Connecticut and Calvert.

5 Now, let's go and look at what  
6 might be developed here. This is matter-of-  
7 right. You can see that there would be four  
8 stories, again a 15 foot with 10 feet a top  
9 and there would be a setback and a terrace  
10 presumably at the fourth level.

11 Now, let's look at what would be  
12 permitted by IZ. If you are up close, it  
13 would still look like a four story building.  
14 But you have a partial fifth story which has  
15 presumably more terraces and you do have a  
16 slight bay's width more of five stories over  
17 towards the eastern side. Again, these are  
18 illustrative designs which would undoubtedly  
19 be tweaked when it goes through the Historic  
20 Preservation Review process.

21 But once gain, HPRB staff felt  
22 that this would not be out of context and it

1 would actually serve to define the corner much  
2 better than the existing building does.

3 Now, another overlay that has  
4 density restrictions is the Eighth Street  
5 Southeast Overlay. We are looking at a site  
6 that currently is a combination of vacant and  
7 has a one story building on it. It's  
8 immediately southwest -- excuse me, south of  
9 the Southeast/Southwest Expressway, which you  
10 see off to the left there.

11 It is on the east side of Eighth  
12 Street. For the base zone that existed before  
13 the overlay went in, 65 feet were permitted.  
14 The overlay took the height down to 45 feet.  
15 We, basically, split the difference and  
16 reduced from the base zone by only 10 feet to  
17 55 feet.

18 The lot occupancy remains the same  
19 for all three. The lot occupancy was reduced  
20 by zero point -- excuse me, by a full FAR with  
21 the overlay, but -- and we have gone up to 0.4  
22 less than would have been permitted under the

1 base zone, but still a 0.6 increase from what  
2 is permitted with the overlay.

3 And as you can see, the building  
4 would go from 45 feet to what's shown here 55  
5 feet high. Again, we are assuming that that's  
6 a four story building.

7 MR. RODGERS: No, it's 55 feet.

8 MR. COCHRAN: 55 feet 5 would be,  
9 yeah, right. 15 foot ground floor and four 10  
10 story -- 10 foot high stories above that.  
11 Now, let's go to the perspective. What you  
12 are seeing there is what could be built under  
13 the existing matter-of-right. And you are  
14 looking up towards the freeway, which it  
15 fortunately does mask a bit.

16 And then here is what we have got  
17 with the fifth story added under Inclusionary  
18 Zoning. Again, OP staff reviewed this, felt  
19 that there would be a number of sites within  
20 the overlay, which has a number of vacant and  
21 under-utilized sites, where IZ would probably  
22 be appropriate. They cautioned us that the

1 devil is in the details on this one.

2 A lot of it is going to have to do  
3 with the actual design, but they did warn us  
4 that the closer you get to the Navy Yard gate,  
5 the less likely it is that Historic  
6 Preservation would allow the kind of mass that  
7 would permit full-utilization of the IZ bonus  
8 density. Fortunately, this site is all the  
9 way up against the freeway, it actually  
10 protects some of the Historic District from  
11 the freeway and doesn't block the view of the  
12 Navy Yard gate.

13 Art is going to go through Fort  
14 Totten.

15 MR. RODGERS: The Commission asked  
16 the Office of Planning to take a look at the  
17 Fort Totten Overlay and just review what the  
18 intent of the overlay was and then see what  
19 the impact of adding 10 feet to the CR Zone  
20 from 80 feet to 90 feet. The purpose of the  
21 Fort Totten Overlay is to protect the views  
22 from the Fort Totten battlements and the park.

1 It is part of the Fort Circle Parks.

2 But one of the things that we  
3 looked with the topographic maps is that the  
4 top of the Fort Totten hill is between 127 and  
5 176 feet higher than the ground level of the  
6 Fort Totten CR Zone, that IZ would be adding  
7 10 feet to.

8 We tested the site you see in red.  
9 It's currently a WMATA parking lot. On the  
10 other side of the red line is a Clark  
11 development that is almost completed now and  
12 I believe it is between four and five stories.  
13 Of course, they did not use the full height  
14 permitted by the CR. But the site we chose,  
15 as I said, was on the western half or western  
16 side of the red line.

17 And essentially, what we were  
18 trying to do is imagine being at the top of  
19 the Fort Totten hill and looking out to the  
20 northeast in that general direction where the  
21 building, perspective building might block the  
22 view. What you see here is a GIS analysis

1 done by our GIS staff. It is -- we were  
2 really surprised that they could do this. I  
3 think it was -- it presents a very  
4 illustrative example of what we are talking  
5 about.

6           Essentially, the underlying colors  
7 you see, the brown and the blues, are the  
8 elevations of the surrounding countryside.  
9 The brown being the highest elevations and the  
10 blue being or aqua color sort of being the  
11 lowest elevations.

12           In the lower left hand corner you  
13 see where we -- our advantage point would be  
14 looking over the perspective building. Within  
15 the dotted lines are the results of the GIS  
16 analysis. Essentially, the bright green area  
17 you see is the area of land that would be  
18 obstructed by either an 80 foot tall building  
19 or a 90 foot tall building. So, essentially,  
20 any building using the matter-of-right as it  
21 exists right now would obstruct the green  
22 area.

1           The red area you see is the area  
2           that would be obstructed by a 90 foot tall  
3           building, but not by an 80 foot tall building.  
4           And then finally, the blue area, the bright  
5           blue area you see is the area of land that  
6           would be unobstructed by either building.  
7           There areas where you see no color, you just  
8           see the underlying color of the map are areas  
9           that are obstructed by slope.

10           Essentially, again what would be  
11           obstructed by adding 10 feet to the Fort  
12           Totten CR Zone is just a little portion of red  
13           starting just south of the district line and  
14           proceeding just a little bit north of the  
15           district line. Oh, one more thing, this  
16           basically assumes that you would either be at  
17           the top of the hill in wintertime or some of  
18           the trees being removed, because currently  
19           right now, as we go back to this, you can see  
20           that the hill is pretty thick with trees and  
21           there's not much view because of that during  
22           the summertime.

1                   And then now Steve will go back  
2 into some of the other overlays.

3                   MR. COCHRAN: Okay. Well, in our  
4 last report we looked at some overlays that  
5 have density incentives and no combined lot  
6 development. The ones that we looked at are  
7 up there. The Commission did not ask us to do  
8 any additional study on these and, therefore,  
9 we're recommending adoption of the advertised  
10 language based on the analysis we did earlier.

11                   There are also overlays with  
12 incentives and combined lot developments, the  
13 ARTS Overlay and the Capitol Gateway Overlay.  
14 The Commission did ask us to look at Capitol  
15 Gateway in more detail. We have realized that  
16 -- well, there are three zones that would be  
17 affected, W-1, W-2 and W-3. All of the W-1  
18 and W-3 are moot. They are already part of  
19 what Fort McNair recently bought or the  
20 Federal Government bought for the fort.

21                   That leaves us with the CG/CR  
22 Zone. In that zone, you may not be able to

1 capture as little as 0.2 FAR of the CG bonus.  
2 Now, this is based on having the same 11 foot  
3 floor-to-floor height average building two  
4 floors, but building two floors, you know, we  
5 took the 11 foot floor-to-floor, but that's a  
6 very conservative estimate. We have been  
7 looking at more of the current residential  
8 construction.

9 We realize that many builders are  
10 going more like 9.2 to 10.8 feet from top of  
11 floor slab to top of floor slab. If you  
12 assume these more realistic numbers, that  
13 actually captures most of the CG bonus FAR  
14 that IZ permits. The overall development in  
15 CG with IZ wouldn't be affected. You would  
16 still be able to have the same amount.

17 There would be a little bit of  
18 compromise of the CLD opportunities. There  
19 might be some minimal effect on that, but it's  
20 so minimal and because the overall development  
21 would still be able to be the same, we still  
22 recommend the adoption of the advertised

1 language both for ARTS and for CG.

2 Again, we would like to emphasize  
3 that except for CG, all of the overlays we  
4 have looked at are in Historic Districts and,  
5 therefore, we vetted our illustrations and our  
6 analysis thoroughly with Historic Preservation  
7 staff and they all found it okay, that they  
8 thought that the concept that we showed  
9 wouldn't necessarily be inappropriate in the  
10 zone.

11 So we are recommending adoption of  
12 all the amendments that we have proposed in  
13 our May 4<sup>th</sup> report on pages 12 through 14.  
14 These are the same amendments that were  
15 advertised by you all on June 1<sup>st</sup>.

16 MR. RODGERS: Based on our  
17 analysis last year, the Office of Planning  
18 realized that we needed to change the bonuses  
19 in the C-2-C and the SP-2 Zones. Essentially,  
20 90 percent lot occupancy was not practical.  
21 It didn't -- as you can see in this  
22 illustration, changing it from 80 percent to

1 90 percent eliminated a lot of light and air.

2 So OP recommended that we should  
3 add 10 feet in height to these two zones,  
4 similar to what was recommended last year  
5 under the W-3 in the CR.

6 To look at the potential impacts  
7 of this, we identified first where these zones  
8 interact with Historic Districts, such as the  
9 West End and Dupont Circle and 16<sup>th</sup> Street and  
10 the DD and we also looked at where it  
11 interacted with single-family districts, zone  
12 districts. Again, such as the West End, part  
13 of the -- the lower part of the ARTS District  
14 perhaps, the Capitol Hill Interest Overlay,  
15 yeah, again, the Capitol Gateway, H Street and  
16 then a little portion up in Rhode Island  
17 Avenue.

18 Basically, what we concluded was a  
19 lot of these areas have development control  
20 such as Historic Preservation or the Zoning  
21 Commission in the case of the Capitol Gateway  
22 or in the case of H Street fairly strong

1 language in the H Street Plan advocating  
2 affordable housing and bonus incentives for  
3 it.

4 So that left for us looking at  
5 what would be the impact on the Rhode Island  
6 Avenue C-2-C and R-2 that you see up there.  
7 So what Office of Planning did was undertake  
8 some shadow studies. The graphic you see here  
9 is based on shadows on March 21<sup>st</sup> at roughly  
10 2:20 in the afternoon. And there is the R-2  
11 Zone that we are talking about and the C-2-Z  
12 Zone. And then the little red oval you see is  
13 the area where, essentially, you will see the  
14 change in the shadows between the 90 foot tall  
15 building and the 100 foot tall building,  
16 recommended for IZ.

17 Again, it's a very minimal  
18 difference. At different times of the year,  
19 the impact ranged from 7 to 20 minutes. We  
20 ran shadow studies in January and in July. So  
21 again, based on this, we saw that there was  
22 relatively minor impact, based on the shadow

1 studies, in the limited areas where there was  
2 interaction between single-family row houses  
3 and the C-2-C or SP-2 and in other areas the  
4 Zoning Commission had oversight controls or,  
5 as I said again, there was neighborhood plans  
6 that were recommending incentives for  
7 affordable housing.

8 So we're again recommending that  
9 10 feet be granted for IZ in the C-2-C and SP-  
10 2 Zones.

11 We will just go quickly over the  
12 list of refining moments that we had set down.  
13 We didn't really go into too much analysis in  
14 our final report on these, but, essentially,  
15 there were some clarification of the set aside  
16 calculations basing it on the residential use  
17 provided and not the matter-of-right density.  
18 So in the case of mixed-use projects, we were  
19 not basing affordable requirements on retail  
20 or other uses.

21 Some clarification of the off-site  
22 compliance and exemption procedures. And then

1 finally, we just wanted to go quickly over the  
2 applicability date to remind the Commission we  
3 started this effort back in fall of 2004 when  
4 the campaign for mandatory Inclusionary Zoning  
5 set it down. We then had the hearings through  
6 2005 and 2006 and we are now on 2007.

7 Essentially, OP's recommendation  
8 is that IZ take effect no later than 90 days  
9 after the publication of the first purchase  
10 price schedule. Essentially, we are  
11 recommending all the things that we proposed  
12 in the set down and, at this time, I guess we  
13 would like to say that we are open to  
14 questions the Commission may have.

15 VICE-CHAIRPERSON HOOD: Okay.  
16 Thank you, Mr. Rodgers and Mr. Cochran, for  
17 that very thorough report. And I just want to  
18 say that I really appreciate the illustrations  
19 and the graphics of the Office of Planning  
20 report and of your presentation.

21 And I also want to thank you all  
22 for looking at, I know I was one of the

1 Commissioners that requested and I'm sure my  
2 colleagues probably also, including the IZ in  
3 the R-2 Zone. So I appreciate that, whether  
4 it's achievable, how much is achievable or  
5 not, the more we include, I think, the more we  
6 try to accomplish our goal here.

7 What I'll do is I'll open it up to  
8 my colleagues for any questions of Office of  
9 Planning. Commissioner Turnbull?

10 COMMISSIONER TURNBULL: Thank you,  
11 Mr. Hood. I had a question on page 28 of your  
12 report, which shows the Capitol Gateway chart.

13 MR. RODGERS: Yeah, I understand  
14 there was some confusion. The intent was to  
15 show the difference on streets that -- I think  
16 it's labeled on the left hand side of the  
17 column the CR at 110 and CG at 130. The  
18 intent was to try to show the difference in  
19 the CR where the street width permits  
20 buildings up to 110 or 130.

21 Obviously, the base height of CR  
22 is 90 feet.

1 COMMISSIONER TURNBULL: Okay.

2 MR. RODGERS: And in the Capitol  
3 Gateway, it is permitted to go up to 110 or  
4 130, because of street width.

5 COMMISSIONER TURNBULL: Depending  
6 on the street width?

7 MR. RODGERS: Right. And we're  
8 not changing that.

9 COMMISSIONER TURNBULL: Okay.  
10 Just when I looked at it, it just looked a  
11 little disturbing. It sounded like we were  
12 raising everything, I thought, to 130. Okay.  
13 Thank you.

14 MR. RODGERS: Sorry.

15 VICE-CHAIRPERSON HOOD:  
16 Commissioner Parsons?

17 COMMISSIONER PARSONS: Well, it  
18 has been very persuasive, but I need to  
19 revisit Eighth Street, because you haven't  
20 sold me on that. I think 55 is just too big  
21 and saying that the rationale is to screen the  
22 freeway. I mean, 45 feet would do that, so

1 maybe you could put that slide up, it's No.  
2 18, I guess, and I just -- and I'm also  
3 reflecting on the ANC's comments about this,  
4 which stimulated my question, frankly.

5 But I just feel that that 10 feet  
6 seems to make a lot of difference, to me. Can  
7 you talk more about that?

8 MR. COCHRAN: I'd be happy to. If  
9 we had -- if perhaps we had acted more as  
10 architects instead of people who had just  
11 learned sketch-up, we would have been able to  
12 do a better design for this building. It  
13 would almost certainly, given the size of this  
14 site, be possible to do four stories along  
15 Eighth Street with a partial fifth story off  
16 of Eighth Street, so that we would be able to  
17 maintain something more like the height that  
18 exists there now.

19 We are assuming that a number of  
20 the vacant sites, if they do come in for  
21 development, will be consolidated and there  
22 would be some opportunity for this kind of

1       tweaking of volume and massing. As you get  
2       closer to the gate, we would not be surprised  
3       if the Historic Preservation Review Board  
4       comes in and says no, that's inappropriate to  
5       the District. In which case, somebody would  
6       have every right to come back to the BZA and  
7       say hey, we couldn't get this, so let's get an  
8       exemption.

9                        But by and large, the District can  
10       accommodate historic -- excuse me, IZ as far  
11       as both we and the staff were concerned.

12                      MR. RODGERS: Yeah, the Historic  
13       Preservation staff definitely said it was  
14       dependent on the site. There were certain  
15       sites, and if you look in our report on page  
16       20, we show a little map of the area, that  
17       they thought the bonus height might be  
18       appropriate, but certainly where there is more  
19       existing context within the Eighth Street  
20       Overlay, they felt that the bonus height would  
21       probably not be appropriate.

22                      If you look at the map, there are

1 vacant parcels in the southeastern square, on  
2 the east side of that square, where they  
3 thought addition bonus height might be  
4 appropriate, because it's a fairly large  
5 vacant site where the closest adjacent  
6 building, I think, is 45 feet high. And you  
7 can see that, basically, on the right hand  
8 side of the elevation we have, it's the  
9 building in the back where the context would  
10 be similar.

11 However, in the northwest square  
12 or the eastern half of the northeast square  
13 where there is more existing context, the HPRB  
14 staff definitely felt that there would  
15 probably be some problem in achieving the  
16 bonus height.

17 COMMISSIONER PARSONS: Well, thank  
18 you, but I continue to disagree with you. I  
19 mean, that exhibit whether it's a cartoon or  
20 not just shows me that the bulk of that is  
21 just totally incompatible with what we were  
22 trying to achieve with the Overlay District.

1           Could we go to Fort Totten,  
2 please? Fort Totten for 200, please. You  
3 have got this view shed analysis, which is --  
4 there it is. And I don't fully understand it,  
5 so could you run through it again, please?

6           MR. RODGERS: Sure. Again, the  
7 site, the idea is if we're on the top of the  
8 Fort Totten hill at the battlements, which are  
9 about -- well, I know it in meters, it's --  
10 they are like 96 meters high above sea level.  
11 You are then looking at northeast over the  
12 hill to -- you know, we don't have a pointer,  
13 so Steve is going to help out.

14          MR. COCHRAN: Where's the pointer?

15          MR. RODGERS: There is the WMATA  
16 parking lot that is zoned Fort Totten CR,  
17 FT/CR that would be -- that's the site that we  
18 tested. Again, right now it's the only vacant  
19 site in the CR Zone, in the Fort Totten  
20 Overlay, because the east side of the tracks  
21 has been developed.

22          COMMISSIONER PARSONS: Um-hum.

1           MR. RODGERS: So we looked at the  
2 difference in what area of the land behind  
3 that building would be blocked by an 80 foot  
4 tall building or a 90 foot tall building. So  
5 the area in bright green is an area of land  
6 that you would not see, essentially, if any  
7 building was built there, 80 or 90 feet in  
8 height.

9           So running from -- I can't -- at  
10 this level of detail, I can't read the  
11 streets, but so the bright green is again what  
12 would be obstructed by either an 80 foot or a  
13 90 foot tall building. The red area is the  
14 effect of the marginal increase from 80 to 90  
15 feet. So the red area is the area that would  
16 be blocked from the top of Fort Totten by a 90  
17 foot tall building.

18           The bright blue area is an area of  
19 the land that you would see regardless of an  
20 80 or 90 foot tall building. And then the  
21 area where you just see the underlying colors  
22 of the map, the browns to aquas are areas that

1 would be obstructed due to slope and not a  
2 building.

3 COMMISSIONER PARSONS: Now, do you  
4 know, I should know, but I don't, whether  
5 that's a particular vista from Fort Totten  
6 that was important in the Civil War?

7 MR. RODGERS: Well, we actually  
8 looked at that and the most important battle  
9 site is actually to the northwest over at 16<sup>th</sup>  
10 Street, in the 16<sup>th</sup> Street area and Georgia  
11 Avenue, I believe. I can't remember the name  
12 of the battle, but that's the major battle  
13 that, essentially, occurred within the  
14 District's boundary.

15 COMMISSIONER PARSONS: So nobody  
16 was looking at northeast?

17 MR. RODGERS: There was no battle  
18 to the northeast.

19 COMMISSIONER PARSONS: I see.

20 MR. RODGERS: We only analyzed  
21 that, because that's the only part that's  
22 within the overlay.

1                   COMMISSIONER       PARSONS:           I  
2 understand.

3                   MR. COCHRAN:     And I have been up  
4 to that area with the Ward Planner in the  
5 middle of the winter. We could barely see  
6 through the tree trunks in that direction.

7                   COMMISSIONER PARSONS: I see.

8                   MR. COCHRAN:     Let alone what it  
9 would be like in the summer.

10                  COMMISSIONER PARSONS:     So your  
11 analysis, does that include the penthouses  
12 that would occur on the roofs or when you say  
13 90 feet, is it --

14                  MR. RODGERS:     No, that would not  
15 include the penthouses, that's true.

16                  COMMISSIONER PARSONS:    Okay. All  
17 right.

18                  MR. RODGERS:     Yeah.

19                  COMMISSIONER PARSONS:    Thank you  
20 very much.

21                  VICE - CHAIRPERSON       HOOD :  
22 Commissioner Jeffries?

1                   COMMISSIONER JEFFRIES: I guess we  
2 always go back to what our original questions  
3 were in set down. I think I had the question  
4 around just making certain as it related to  
5 the R-2 District, you know, how much housing  
6 could we fetch in terms of looking at IZ in R-  
7 2? And I'm looking at your page 5 going into  
8 6 and I just want to make certain that I'm  
9 clear.

10                   You started off, your set down  
11 report said that there were 49 parcels that  
12 are Zoned R-2 that are large enough to trigger  
13 an IZ requirement and you took it down to 11  
14 parcels. The criteria for that was what?

15                   MR. RODGERS: A combination of  
16 ownership and developability.

17                   COMMISSIONER JEFFRIES: Okay. And  
18 that assumed those sites were occupied sites  
19 and then there were other sites that were  
20 vacant, right?

21                   MR. RODGERS: No, these are --

22                   COMMISSIONER JEFFRIES: These are

1 all vacant?

2 MR. RODGERS: These are all  
3 vacant.

4 COMMISSIONER JEFFRIES: Okay.

5 MR. RODGERS: Yeah. So the  
6 486,000 square feet is -- are vacant. That's  
7 vacant land.

8 COMMISSIONER JEFFRIES: Okay.  
9 Okay. And then you go into in addition to  
10 this there is 3.6 million of scattered site  
11 that is unassembled R-2 Zone land.

12 MR. RODGERS: Right. Of which 10  
13 percent of that is larger parcels that when  
14 combined with others, they might trigger an IZ  
15 requirement. But as themselves, they are not  
16 large enough.

17 COMMISSIONER JEFFRIES: I guess  
18 what I'm really getting at is I'm just trying  
19 to figure out how would a developer, who is in  
20 an R-2 Zone, could sort of avoid -- I mean,  
21 there would have to be some substantial  
22 assembly to really trigger some of that, a lot

1 of this, right?

2 MR. RODGERS: Yeah, and, in fact,  
3 the regulations require, you know, adjacent  
4 parcels under common ownership. And I think  
5 it's pretty -- it's fairly common that  
6 developers will create an LLC specific to  
7 given parcels.

8 COMMISSIONER JEFFRIES: Um-hum.

9 MR. RODGERS: I think where we  
10 came down on was not necessarily the existing  
11 capacity as it is right now, but as a planning  
12 tool going forward. What is -- is  
13 Inclusionary Zoning appropriate to the R-2  
14 Zone? And secondly, given that it was a  
15 fairly limited -- let me back up. Given the  
16 opportunity for single-family homes that are  
17 affordable is going to be fairly limited in  
18 the District going forward.

19 COMMISSIONER JEFFRIES: Right.

20 MR. RODGERS: We basically  
21 concluded that we should try to maximize any  
22 opportunity we could to increase our range of

1 housing choices.

2 COMMISSIONER JEFFRIES: So let me  
3 -- so I still want to understand. So how many  
4 going forward do you -- how many homes, do you  
5 think, IZ houses can be generated?

6 MR. RODGERS: Well, based on the  
7 current capacity right now, it would be the 24  
8 units of the land that is currently large  
9 enough to trigger a --

10 COMMISSIONER JEFFRIES: So 24  
11 units?

12 MR. RODGERS: 24 affordable units.

13 COMMISSIONER JEFFRIES: Affordable  
14 units.

15 MR. RODGERS: Yeah. And then,  
16 let's see, well, it would be the difference.  
17 It would be another 12 or 13 units if the  
18 larger parcels, but still smaller than 30,000  
19 square feet, were assembled also. So the  
20 difference between the 116 units and the 139  
21 units, 75 percent of that. Actually, I guess  
22 it would be more like 15 units then.

1                   COMMISSIONER JEFFRIES:  So is this  
2                   like an equity issue?  I mean, in 24, 36 units  
3                   over -- I mean, there just seems to be a lot  
4                   of fuss.

5                   MR. RODGERS:  Well, I think it  
6                   goes -- it does go back to the equity issue  
7                   that we laid down in our report last year.  
8                   And then finally, it also goes to the -- as I  
9                   said, a planning tool going forward.  The  
10                  Comprehensive Plan recommended a lot of  
11                  changes in the land use in the northeast/  
12                  southeast planning area.

13                  You can see on our -- on page 6,  
14                  the differences between the two land use maps  
15                  of the old plan and the new plan and,  
16                  essentially, for consistency on the  
17                  neighborhood character on the ground, there  
18                  are a lot of changes from what is basically  
19                  moderate residential density down to low  
20                  residential density.  So in other words, down  
21                  from a garden cell apartment in R-5-A or  
22                  something like that down to single-family

1 homes.

2 COMMISSIONER JEFFRIES: Excuse me,  
3 far northeast is?

4 MR. RODGERS: It's east of the  
5 river.

6 COMMISSIONER JEFFRIES: Okay.

7 MR. RODGERS: Yeah.

8 COMMISSIONER JEFFRIES: Okay. I'm  
9 wondering -- well, okay. I do have -- I still  
10 continue to have concerns about, you know,  
11 exactly what's being generated. I mean, you  
12 know, I've -- you know, I like to see, you  
13 know, planning exercises that really do net,  
14 you know, some, you know, decent level of  
15 affordable units.

16 I mean, 24 to 36, I mean, you  
17 know. I mean, I appreciate, you know, the  
18 work you have done and so forth, but I still  
19 have some concerns about that.

20 VICE-CHAIRPERSON HOOD: Any other  
21 questions? I don't have any questions. Not  
22 at this point. Okay. Do we have any ANC

1 representative that would like to testify, at  
2 this time? Anybody that is representing ANC?  
3 Okay. With that, I will go down the list that  
4 I have here that has been given to me. I'm  
5 going to ask -- and if I mention your name, if  
6 it sounds close, just come on to the table.

7 Neha Bhatt, D.C. resident, Tad  
8 Baldwin, I guess you're with the Campaign,  
9 there's nothing here stating that, Cheryl  
10 Cort, Campaign for Mandatory Inclusionary  
11 Zoning, and I think we can get one more  
12 person, Melissa Bondi, Coalition for Smarter  
13 Growth.

14 And we're going to start with you,  
15 Ms. Bhatt. You may begin. If you could turn  
16 on your microphone, so we can hear you? Thank  
17 you.

18 MS. BHATT: Members of the Zoning  
19 Commission, I want to thank you for this  
20 opportunity to testify on what is a very  
21 important subject for me. My name is Neha  
22 Bhatt and I live in -- I have lived in

1 Washington, D.C. for over 10 years now and I  
2 live in the Deanwood neighborhood in Ward 7,  
3 which is an R-2 Zone, not far from Marvin Gaye  
4 Park.

5 I'm here today because I support  
6 the proposed refinements to Inclusionary  
7 Zoning requirements regarding adding R-2 Zones  
8 and also the specific standards for overlays.  
9 After decades of flight, the city is seeing a  
10 wonderful resurgence of population and new  
11 vitality and it has been great to see so many  
12 of the positive changes.

13 However, almost directly  
14 proportional to the upswing is the dwindling  
15 of good affordable housing options. Even  
16 though affordable housing is such a hot topic  
17 and we all talk about it, we are still way  
18 behind in meeting demand. And meeting this  
19 growing demand will require a lot of well-  
20 coordinated strategies and Inclusionary Zoning  
21 is a key one, I think.

22 Inclusionary Zoning is so

1 important because it makes sure that we  
2 develop in a manner that does not include  
3 entire segments of the population. It's a  
4 mechanism that allows us to continue to have  
5 mixed income neighborhoods, something I  
6 consider to be essential to the long-term  
7 health and character of a community.

8 Inclusionary Zoning is a tool that  
9 will help protect the diversity and longevity  
10 of our growing neighborhoods. It is -- this  
11 concept has been largely accepted as a good  
12 tool for providing affordable housing that  
13 even today affordable housing is still largely  
14 clustered. Experienced numerous case studies  
15 and unending research have told us that this  
16 is a bad formula. We should be striving for  
17 mixed income neighborhoods along with a mixed  
18 income city. This means that we have to  
19 include affordable housing in all parts of the  
20 city.

21 The proposed amendments currently  
22 under consideration will help strengthen and

1 complete the program, so that affordable homes  
2 can be provided throughout the city and in as  
3 many neighborhoods as possible by expanding  
4 the Inclusionary Zoning requirements to R-2  
5 Zones will be opening up even more areas of  
6 the city to middle and lower income families.

7 And I believe this is critically  
8 important if we are going to walk the walk  
9 when it comes to building a truly inclusive  
10 city. Given that we are so far behind in  
11 meeting affordable housing demand, I ask can  
12 we really afford to forego any opportunities  
13 to provide additional affordable units?

14 A balanced community needs upper,  
15 middle and lower income households and we need  
16 such balanced communities in all parts of the  
17 city, whether they are Zoned R-4 or R-2 or R-  
18 3. And the fact is that middle and lower  
19 income families should have housing options  
20 that include townhomes and single-family  
21 homes, just as upper income families do.

22 Why would we restrict

1       affordability only to certain zones? There is  
2       really no good reason for fair reason to do  
3       this. The proposed -- I would like to add  
4       that I also support the proposed overlays. I  
5       think that they actually help the Inclusionary  
6       Zoning mechanism work better in our city.

7                   Thank you for the opportunity to  
8       testify today. Thank you.

9                   VICE-CHAIRPERSON HOOD: Thank you.  
10       Mr. Baldwin?

11                   MR. BALDWIN: Good evening,  
12       Members of the Zoning Commission. My name is  
13       Tad Baldwin. I reside at 3507 Morrison  
14       Street, N.W., in the Chevy Chase neighborhood  
15       of Ward 3. Thank you for the opportunity to  
16       testify in support of the two proposed  
17       amendments to the IZ requirements.

18                   I work with the Campaign for  
19       Mandatory Inclusionary Zoning Technical  
20       Committee and so I have some familiarity with  
21       both the issues under consideration. I  
22       believe many Ward 3 residents share the Zoning

1 Commission's vision that affordable housing  
2 should be created and preserved in all parts  
3 of the city.

4 With the exception of Regency  
5 House, the Public Housing for the Elderly,  
6 there has been no substantial addition to  
7 affordable housing stock in Ward 3 since we  
8 moved to the ward 36 years ago. In many  
9 market-rate once affordable units have been  
10 lost to market forces since then.

11 The first decision tonight that I  
12 support is the proposed amendment of the R-2  
13 Zone to IZ. Many of the residential zones of  
14 this -- most of the residential zones in this  
15 city, with the exception of R-1, are subject  
16 to IZ and so this proposed expansion will over  
17 time add some much needed permanently  
18 affordable units to this stock.

19 OP research found a few  
20 undeveloped parcels west of the park capable  
21 of carrying more than 10 units. There are  
22 undeveloped R-2 parcels in other areas of the

1 city, however, and some future redevelopment  
2 is always possible in future years.

3 I worked with the MPD program in  
4 Montgomery County, their IZ program for many  
5 years, and that program always included both  
6 R-2 and R-1 Zones. The IZ element worked very  
7 well, even at R-1 density, especially when  
8 developers were encouraged to provide their  
9 single-family units in multiplex structures  
10 containing two units, resuming the scale of  
11 larger market rate homes. The only exception  
12 there is an exclusion for zones with lots of  
13 5 acres and larger.

14 The second decision I support is  
15 the proposed adjustment to several Commercial  
16 Overlay Zones to permit the implementation of  
17 IZ. The two specific Commercial Overlays in  
18 Ward 3 I'm aware of relate to Cleveland Park  
19 and Woodley Park. The revisions recommend  
20 modest increases in max FAR, lot occupancy and  
21 building heights of 5 to 10 feet.

22 The work of the OP has shown that

1 these changes can be made while retaining the  
2 integrity of the historic buildings and  
3 Commercial Overlay. Gaining affordable units  
4 in these high cost locations is, in my view,  
5 a reasonable accommodation to make, especially  
6 in proximity to Metro Stations. Thank you.

7 VICE-CHAIRPERSON HOOD: Thank you.  
8 Cheryl Cort.

9 MS. CORT: Thank you,  
10 Commissioners. My name is Cheryl Cort and I'm  
11 here on behalf of the Campaign for Mandatory  
12 Inclusionary Zoning. We are a diverse  
13 coalition of local labor unions, affordable  
14 housing advocates, social service providers,  
15 civic organizations and faith-based groups  
16 seeking to meet the housing needs of D.C.'s  
17 working families.

18 We have worked together over the  
19 last four years forming a broadly-based  
20 campaign proposing mandatory Inclusionary  
21 Zoning program and mobilizing extensive  
22 community support to win approval. We are

1 pleased to continue to work with the city and  
2 the Zoning Commission to ensure full  
3 implementation of this important tool to  
4 address our city's growing need for more  
5 affordable homes and we support the proposed  
6 amendments and ask that you adopt them as  
7 proposed.

8           While the run up in housing prices  
9 is slow to some extent, affordable housing  
10 remains out of reach for many families in D.C.  
11 who either work here and would like to live  
12 here or already live here. We're eager to see  
13 Inclusionary Zoning begin in October and we  
14 don't think it can come soon enough.  
15 Inclusionary Zoning is an important tool to  
16 provide more affordable housing choices as the  
17 private market continues to build new homes in  
18 the city.

19           We continue to work with the  
20 Administration and the Council on other  
21 housing tools, such as increasing affordable  
22 housing opportunities on publicly owned land,

1 increased funding for the Housing Production  
2 Trust Fund and other tools, but we think the  
3 Inclusionary Zoning is an important part of  
4 the tool box.

5 We comment the Zoning Commission  
6 for inquiring about including R-2 with other  
7 residential zones and looking at Office of  
8 Planning's examination, we are convinced that,  
9 in fact, the R-2 Zone can be -- can  
10 accommodate inclusionary units and we support  
11 the expansion of inclusionary requirements to  
12 the R-2 Zones, as appropriate for those  
13 affected neighborhoods and for the city.

14 We support Office of Planning's  
15 assessment of this by looking at principles of  
16 simplicity, equity and effectiveness and  
17 believe that it is fair and equitable to  
18 include R-2 along with R-3 and R-4. And  
19 believe that it can simplify the application  
20 of Inclusionary Zoning by making it more  
21 broadly applicable to everything, except for  
22 pretty much R-1.

1           And although it's likely to be a  
2 modest number of units that we can be gained  
3 in R-2 Zones, we think that it's important to  
4 provide whatever single-family housing  
5 opportunities we can for people who otherwise  
6 would not have that opportunity. And that R-2  
7 opens up these neighborhoods to some of these  
8 families.

9           The other significant amendments  
10 proposed here tonight are regarding a number  
11 of overlays. Office of Planning has proposed  
12 minor changes to these overlays in order to  
13 make IZ work in these overlays and has  
14 demonstrated that the density bonus and IZ  
15 units can be accommodated on-site. We  
16 appreciate the detailed work that OP has done  
17 to devise a respectful solution for fitting  
18 Inclusionary Zoning into these overlays.

19           Most of these overlays were not  
20 originally concerned with providing any  
21 affordable housing opportunities. We think  
22 that including inclusionary units in these

1 overlays from Cleveland Park to Eighth Street  
2 is an important part of the fairness and  
3 equity of this requirement.

4 In many instances, an extra story  
5 or a modestly larger footprint is what is  
6 required to fit Inclusionary Zoning into the  
7 overlay. We believe the Office of Planning  
8 has provided measured proposals to meet the  
9 need to apply IZ as broadly as possible while  
10 respecting the intention of the overlay.

11 So we ask the Commission to accept  
12 this analysis and adopt these proposed  
13 amendments to ensure that IZ is applied as  
14 broadly as is feasible. So we are eager to  
15 see the first inclusionary units be built in  
16 the city and we think it's an important tool  
17 and part of the city's portfolio to address  
18 our housing needs and the need to maintain and  
19 increase the stock of affordable housing.

20 We thank the Commission for their  
21 leadership on this issue and being part --  
22 doing their part as part of the solution for

1 providing more housing choices for city  
2 residents and workers. Thank you.

3 VICE-CHAIRPERSON HOOD: Thank you.  
4 Melissa Bondi?

5 MS. BONDI: Thank you, Chairman  
6 Hood. Good evening and thank you for  
7 providing the opportunity for me to speak. My  
8 name is Melissa Bondi and I serve as the  
9 Housing Director for the Coalition for Smarter  
10 Growth. The Coalition is a regional nonprofit  
11 headquartered in Washington, D.C. It supports  
12 communities in accommodating appropriate  
13 levels of growth while providing more housing  
14 and travel choices within the District and  
15 throughout the greater Metropolitan area.

16 I'm here tonight to express the  
17 Coalition's support for the Office of  
18 Planning's proposed Inclusionary Zoning  
19 amendments and to request that you adopt them  
20 as presented in their report.

21 Inclusionary Zoning ordinances are  
22 widely recognized as the best practice for

1 local Governments in addressing affordable  
2 housing demand. IZ permits communities to  
3 create new affordable housing choices in a  
4 variety of neighborhoods and through a broad  
5 spectrum of building types while integrating  
6 within the existing fabric of their  
7 communities.

8 The District's IZ program has been  
9 designed to reflect these important goals and  
10 through the leadership of the Zoning  
11 Commission and many others, it is poised for  
12 implementation later this year. Regionally,  
13 Montgomery County, Maryland and Fairfax,  
14 Loudoun and Arlington Counties in Virginia  
15 have also adopted their own versions of  
16 Inclusionary Zoning as part of a balanced  
17 portfolio of new housing production tools.

18 As one of the authors of the  
19 Arlington ordinance, I can attest to the  
20 success of the program, including throughout  
21 recent cycles of the waxing and waning of the  
22 residential market. The predictability of IZ

1 allows builders and developers to estimate up  
2 front the proforma and balance sheet  
3 calculations, as well as the generated  
4 affordable units, which serve as an important  
5 byproduct of the region's steady economic  
6 growth.

7           Already recognized as a regional  
8 leader in the issue, expanding the District's  
9 IZ program further showcases the private  
10 sector's ability to contribute to the  
11 affordable housing needs of our community.  
12 The Coalition has analyzed the proposed  
13 amendments and finds them consistent with the  
14 District's current IZ program and in keeping  
15 with its intent to provide simplicity, equity,  
16 effectiveness and balance.

17           The Coalition agrees with the  
18 Office of Planning's rationale and its careful  
19 implementation recommendations, such as  
20 including the R-2 Zoning within the IZ  
21 umbrella, helpful Administrative  
22 clarifications and introducing additional

1 proposed Overlay Districts as outlined in the  
2 report.

3 The recommendations are simple in  
4 that they are easy to describe within the  
5 overall context of the existing IZ program.  
6 The proposed application in R-2 Zoning is  
7 comparable to that of R-3 and R-4 Residential  
8 Zoning, which are already incorporated. And  
9 Overlay Districts provide clear and  
10 illustrated implementation provisions as we  
11 have seen.

12 Staff has clarified that the  
13 technical and consistency language within the  
14 ordinance is necessary and has acknowledged  
15 the need for clear Administrative Regulations  
16 to ensure straightforward compliance with the  
17 program.

18 The recommendations are also  
19 equitable, including current and future R-2,  
20 provides more opportunities for additional  
21 neighborhoods to participate in the program  
22 throughout the District. The income

1 eligibility requirements are the same as for  
2 the existing programs. For those residents  
3 who will be able to live in the newly created  
4 affordable units, R-2 and Overlay Districts  
5 will also allow greater access to  
6 transportation choices from approximate  
7 Metrobus and rail services to walkable  
8 adjacent trips for meeting daily needs.

9 The recommendations are effective  
10 in increasing the opportunities to achieve  
11 additional affordable units. They further  
12 support the goals and implementation  
13 provisions already adopted within the IZ  
14 program. The recommendations do not force  
15 housing in places where the lot sizes are not  
16 appropriate. They do allow for modest  
17 increases in the production of affordable  
18 semi-detached housing choices and multi-family  
19 for families.

20 And every unit produced through IZ  
21 will be a unit in perpetuity. Given the  
22 tremendous depth of need for affordable

1 housing of all types in the District, every  
2 single additional housing unit reinforces the  
3 value of this overall program. Finally, the  
4 parameters for implementation are balanced as  
5 demonstrated by the staff analysis.

6 The recommendations accommodate  
7 additional opportunities for on-site  
8 affordable units without negatively impacting  
9 the neighborhood scale, form or character.  
10 They also allocate options for affordable  
11 housing in a variety of locations and building  
12 types. The recommendations are not over  
13 reaching and appropriately acknowledge and  
14 respect the intent of the Comprehensive Plan  
15 and existing overlays.

16 These reasonable and relevant  
17 considerations are evident in the proposed  
18 amendments before you. For all these reasons,  
19 the Coalition for Smarter Growth is pleased to  
20 support the staff recommendations for the  
21 amended Application of Inclusionary Zoning  
22 program amendments.

1           On behalf of our organization, we  
2           thank the Zoning Commission for your  
3           commitment and continued leadership in  
4           exploring the very best ways to apply the  
5           principles of the Inclusionary Zoning program  
6           throughout the District. Again, I appreciate  
7           the opportunity to present views to you this  
8           evening. It's a pleasure to be here. Thank  
9           you.

10           VICE-CHAIRPERSON HOOD: Thank you.  
11           Colleagues, any questions for this panel? No  
12           questions? Okay. I would like to thank you  
13           all for your testimony. Thank you. Okay.  
14           Allie Hajian, Carol Casperson, D.C. Habitat  
15           for Humanity and Tom Quinn. And is there  
16           anyone else who would like to testify in  
17           support? Anyone else who would like to  
18           testify in support?

19           And let me start off, if I messed  
20           your name up, I apologize.

21           MS. HAJIAN: She is going to give  
22           them to you afterwards.

1                   VICE-CHAIRPERSON HOOD: She likes  
2 your cards before you get started, but I guess  
3 she will make an exception this time. Thank  
4 you.

5                   MS. HAJIAN: They're not filled  
6 out.

7                   VICE-CHAIRPERSON HOOD: Oh,  
8 they're not filled out. Okay. Ms. Hajian,  
9 you want to begin? I'm sorry, Hajian?  
10 Hajian. Turn on your microphone. There you  
11 are. Thank you.

12                  MS. HAJIAN: Is that better?

13                  VICE-CHAIRPERSON HOOD: How do you  
14 pronounce your name?

15                  MS. HAJIAN: Hajian.

16                  VICE-CHAIRPERSON HOOD: Hajian.

17                  MS. HAJIAN: Yes, thank you.  
18 Hello, Members of the Commission. My name is  
19 Allie Hajian. I'm a resident of Tenley Town  
20 where I have lived at 4504 38<sup>th</sup> Street for  
21 eight years. I'm testifying in support of the  
22 amendment to add R-2 Zones to those where

1 Inclusionary Zoning is applicable.

2 I want to, first, thank the Zoning  
3 Commission for your efforts to address D.C.'s  
4 affordable -- D.C.'s housing crisis by  
5 adopting Inclusionary Zoning requirements.  
6 It's a valuable tool for providing new  
7 affordable housing options for D.C. residents  
8 and workers. I fully support Inclusionary  
9 Zoning as a means of encouraging a variety and  
10 a diversity of housing options within the  
11 District of Columbia.

12 Mandatory Inclusionary Zoning has  
13 a lot of benefits. It addresses the cost of  
14 affordable housing as well as its location and  
15 helps to create vibrant mixed income, multi-  
16 racial communities that provide opportunities  
17 for community residents. This is increasingly  
18 true and important in neighborhoods like  
19 Cleveland Park or the Naval Observatory where  
20 housing prices have risen so much, that much  
21 of the housing is unaffordable to many working  
22 families, including District teachers, fire

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1 fighters and rescue workers.

2 Nurturing diversity and mixed uses  
3 in all areas of the District is what will  
4 continue to make our nation's capital a  
5 thriving vibrant city. Adding R-2 Zones to be  
6 covered by IZ is fair and reasonable. Most  
7 other residential zones are already required  
8 to provide inclusionary units. So it's  
9 appropriate for the R-2 Zones to do so as  
10 well.

11 IZ in R-2 Zones will add to the  
12 city's housing choices by providing some more  
13 affordable single-family units in areas that  
14 otherwise have few opportunities for IZ Zone  
15 development.

16 The IZ only applies to a few  
17 parcels in the R-2 Zone. OP has identified a  
18 small number of vacant sites that are large  
19 enough for at least 10 or more units to be  
20 built, including these sites strengthens and  
21 completes the IZ program ensuring that more of  
22 the city is blanketed with the IZ requirement.

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1 And that additional affordable units could be  
2 built with at most a negligible effect on the  
3 appearance of the neighborhoods in integrating  
4 the affordable housing throughout the  
5 District.

6 The wording of the proposed  
7 amendment ensures that the character of the  
8 surrounding R-2 Zoning is maintained at the  
9 same time density bonuses are awarded for  
10 additional affordable housing. Such a plan is  
11 a win-win situation for the District as a  
12 whole as well as for the individual  
13 neighborhoods.

14 Three areas close to my house  
15 impacted by this amendment include the  
16 overlays for Cleveland Park, where I often  
17 walk, Woodley Park and the Naval Observatory.  
18 In each of these cases, minor adjustments to  
19 the lot occupancy --

20 VICE-CHAIRPERSON HOOD: We're  
21 going to ask you to give us your closing  
22 thought on that.

1 MS. HAJIAN: Okay. I would  
2 welcome the addition of this housing to my own  
3 neighborhood or one near mine and I thank you  
4 again for your efforts on this.

5 VICE-CHAIRPERSON HOOD: Okay.  
6 Thank you. Ms. Casperson?

7 MS. CASPERSON: Good evening,  
8 Members of the Zoning Commission. My name is  
9 Carol Casperson. I live at 1423 1/2 22<sup>nd</sup>  
10 Street, S.E., in the Fairlawn Neighborhood  
11 near Anacostia Park. I'm a 29 year resident  
12 of Fairlawn Neighborhood and have become very  
13 concerned about the skyrocketing prices there.

14 I purchased my home 29 years ago  
15 brand new, \$64,750, three bedrooms, two and a  
16 half baths, back yard, front yard, parking  
17 spot. I mean, I couldn't believe it even  
18 then. Okay. Now, the future, it's assessed  
19 at over \$250,000 selling in the neighborhood  
20 of \$400,000, except nobody on my block is  
21 selling. And I believe that the  
22 implementation of D.C.'s Inclusionary Zoning

1 requirements is an important part of how we  
2 address the problem.

3 I support the proposed extension  
4 of IZ requirements to R-2 Zones. I think it  
5 should be everywhere in the city. We all will  
6 benefit by having greater density or diversity  
7 of housing choices in our single-family  
8 neighborhoods. The proposed amendments  
9 current under consideration by the Zoning  
10 Commission will strengthen and complete the  
11 program, so that inclusionary units can be  
12 provided throughout the city in as many  
13 neighborhood as possible.

14 And I should tell you that I'm the  
15 executive director of the local affiliate of  
16 Habitat for Humanity in Washington, D.C., so  
17 my big concern for affordable housing. Thanks  
18 very much for listening.

19 VICE-CHAIRPERSON HOOD: Thank you.  
20 Tom Quinn?

21 MR. QUINN: Good evening,  
22 Commissioners. My name is Tom Quinn and I am

1 a 14 year resident of the District. The last  
2 five years in Friendship Heights just off of  
3 Wisconsin Avenue. And prior to that I was a  
4 resident of both Mount Pleasant and Columbia  
5 Heights.

6 I'm speaking this evening to urge  
7 the Zoning Commission to pass the proposed  
8 refinements to Inclusionary Zoning  
9 requirements regarding adding R-2 Zones and  
10 specific standards for overlays.

11 Inclusionary Zoning is an  
12 important tool to further provide additional  
13 affordable housing units and I appreciate this  
14 Commission's interest in this important  
15 matter. I'm here tonight to specifically  
16 request that this important zoning mechanism  
17 be applied to all of the city, particularly to  
18 upper northwest in Ward 3.

19 There are parcels in Ward 3,  
20 particularly along Wisconsin Avenue that are  
21 Zoned R-2 that may be ripe for redevelopment  
22 and it will be a lost opportunity if these

1 parcels are built-out with the IZ requirement.  
2 Most other residentially zoned areas of the  
3 city will be covered by the new Inclusionary  
4 Zoning rules, but there is no compelling  
5 reason to exclude lots Zoned R-2 from this  
6 requirement.

7 Although this may only include a  
8 handful of lots in my community, these are  
9 important lots and it would be a shame to have  
10 the Inclusionary Zoning not apply to any  
11 future development or redevelopment.

12 I would also like to urge you to  
13 pass the proposed amendments to the Commercial  
14 Overlays for both Woodley Park and Cleveland  
15 Park. Unlike my neighborhood further north,  
16 there are very few undeveloped lots in these  
17 two neighborhoods and any opportunity for  
18 affordable housing is going to be contingent  
19 on redeveloping lots that are currently under-  
20 utilized.

21 To that end, I would like to urge  
22 you to make the modest increases and the

1 maximum FAR, lot occupancy and height to the  
2 Cleveland Park Commercial Overlay. These  
3 changes will hopefully be adequate incentive  
4 to see redevelopment of some currently under-  
5 utilized lots. And with that redevelopment,  
6 the inclusion of some affordable housing  
7 units.

8 It is only fair that upper  
9 northwest shoulder some of the responsibility  
10 of providing badly needed affordable housing  
11 units in the District. Without Inclusionary  
12 Zoning, few moderately priced housing units  
13 will be built in my neighborhood, so we need  
14 to make the most of this policy.

15 Since residents of Ward 3 already  
16 paid this proportionate share of the city's  
17 taxes, this is an opportunity for our  
18 community to contribute to a more vibrant and  
19 diverse neighborhood and city without  
20 requiring additional taxes.

21 In particular, we need to provide  
22 work force housing in upper northwest, so our

1 civil servants can live in the neighborhoods  
2 and city they serve. Considering that these  
3 new developments would largely be situated  
4 near existing transit lines, they could have  
5 the added benefit of removing additional cars  
6 from our crowded roadways while increasing  
7 transit use and walking.

8 Thank you again for your time and  
9 efforts on behalf of our neighborhoods and our  
10 city.

11 VICE-CHAIRPERSON HOOD: Thank you.  
12 Colleagues, any questions of this panel?  
13 Okay. Thank you all for your testimony.  
14 Okay. Now, we'll move to organizations and  
15 persons in opposition. I don't have any  
16 names, so if you are in opposition, you can  
17 just come forward. Just come forward then.  
18 Anyone else in opposition? Okay. You're  
19 standing alone.

20 MS. RICHARDS: Good evening.

21 VICE-CHAIRPERSON HOOD: Good  
22 evening.

1 MS. RICHARDS: My name is Laura  
2 Richards. I'm appearing for the Committee of  
3 100 on the Federal City and I believe you have  
4 Ms. Zartman's statement on the record already,  
5 her written testimony and we are principally  
6 opposed to expanding IZ to the R-2 Zones. And  
7 I want to say I'm so glad to be testifying  
8 with my near neighbor, Ms. Casperson. I, too,  
9 bought my house in the Historic Anacostia 28  
10 years ago for \$38,000, 100 years old, you  
11 know. And, you know, I couldn't believe it.  
12 It was great watching the neighborhood come  
13 alive.

14 And basically, we don't see any  
15 need to expand it to R-2, at this point, for  
16 the following reasons. The decision on  
17 locations was made in January 2007. And OP's  
18 own document says IZ is applied by appropriate  
19 zones without significant impact on  
20 neighborhood character or conflict. Excluded  
21 areas include R-1 and R-2 and others.

22 And I would say nothing has

1 changed in the city fabric between January and  
2 now that would warrant to suddenly turn R-2  
3 into an appropriate zone. Also, although some  
4 people say they understand how the rules work,  
5 I think that if you're going to tweak it at  
6 all, you need to put some examples in. It's  
7 still not clear how the IZ bonus works with  
8 the other bonuses.

9 I did have a chance to ask Mr.  
10 Cochran and Mr. Rodgers at a public meeting  
11 and they said that the IZ bonus comes first,  
12 but I remain unclear as to whether or not any  
13 additional PUD bonuses are added to the IZ  
14 bonus. So I think we need some more  
15 clarification and some better examples.

16 Also, the Office of Planning is on  
17 public record that IZ in all its forms is only  
18 going to produce between 170 and 250 houses a  
19 year, housing units a year. There are 1,500  
20 unsold market units in the pipeline and  
21 apparently one developer, according to OP, is  
22 already trying to wiggle out of the IZ

1 obligation.

2           And you know, as Mr. Cochran very  
3 colorfully stated, some people disown their  
4 own children. So also, we do not yet have  
5 promulgated any -- the Administrative  
6 Regulations and we're looking for these to  
7 come. And there is no -- I think it's a  
8 little too soon to go wildly expanding IZ  
9 until we can see how it's going to operate and  
10 how neighborhood groups are going to be able  
11 to participate in the process on a case-by-  
12 case basis.

13           You know, I don't think it's going  
14 to be very easy for any ANC to just  
15 participate in an IZ case. These are very  
16 complex regulations and we're going to make  
17 them more complex and more expansive without  
18 any real showing of need or change in the  
19 urban fabric. I think that what we're  
20 basically going to do with -- by expanding it  
21 to R-2 Zones is encourage the R-2 landowners  
22 to try to up-zone to R-3.

1           We're just encouraging additional  
2           upzoning and development and more intense  
3           development. So I urge you not to expand to  
4           R-2 until we have seen how IZ works in the R-3  
5           and R-4 Zones where it is allowed. Thank you.

6           VICE-CHAIRPERSON HOOD: Thank you.  
7           Thank you, Ms. Richards. Any comments, I  
8           mean, I'm sorry, any questions of Ms.  
9           Richards? Any questions? Okay. Thank you  
10          for your testimony. Anyone else in  
11          opposition? Okay. What I will do is just ask  
12          the Office of Planning if they wanted to  
13          recap. If not, Mr. Parsons, I heard one issue  
14          from the Commission, other than the  
15          statements.

16          I will tell you, I want to add to  
17          what Mr. Parsons mentioned about Eighth  
18          Street, the height issue. I don't know if any  
19          of my other colleagues have that same issue?  
20          Okay. You have the same issue on Eighth  
21          Street? Okay. Well, it's two and two. I'm  
22          fine, too, so we need to make sure. I guess

1 we will deliberate that.

2 I just wanted to put that out  
3 front so we won't wait and make a change when  
4 we deliberate. I'm fine with that, are you  
5 fine?

6 COMMISSIONER JEFFRIES: Well, no,  
7 I mean, I don't have an issue with the height.

8 VICE-CHAIRPERSON HOOD: Right.

9 COMMISSIONER JEFFRIES: With the  
10 proposal, but I just wanted to say for the R-2  
11 and my concerns that I expressed, I mean, I  
12 still have those concerns. I think it's  
13 probably largely symbolic and I don't know how  
14 much catch-24. I think these developers will  
15 find a way out of this. But I do think it's  
16 a symbolic thing and I understand the equity  
17 and I heard a lot of the individuals speak  
18 about the need to have this be throughout the  
19 city.

20 So I mean, I just want to state  
21 that I'm, you know, prepared to move on this  
22 whenever we are looking to move.

1                   VICE-CHAIRPERSON HOOD: Okay. I  
2 just want to be mindful that there is only  
3 four of us. I don't think -- is Carol  
4 participating? Okay. There's only four of  
5 us, so we'll have to make sure we make it  
6 work.

7                   The other thing is the Committee  
8 100 Ms. Richards mentioned and I saw it in  
9 their letter, she also mentioned about how  
10 people are going to participate. I'm of the  
11 mindset when we had these hearings we talked--  
12 they talked about Montgomery County changing  
13 so many times and I appreciate the Office of  
14 Planning, because that was one of the things  
15 that I know we mentioned we see a disparity or  
16 something happening, differing or shift or  
17 move or swing or whatever the issue is, come  
18 right back to us, so we can correct it.

19                   And I think this is, from my  
20 standpoint, a process continuing. So I'm sure  
21 the Office of Planning has seen developers  
22 stop developing and all this stuff has already

1       been discussed. I'm sure they will come back  
2       to this Commission as quickly as possible and  
3       I'm sure that Ms. Steingasser and Mr. Rodgers  
4       and Mr. Cochran still sit on that premise.

5                   MS. STEINGASSER: Absolutely, you  
6       have our commitment.

7                   VICE-CHAIRPERSON HOOD: Okay. All  
8       right. Anything else? Ms. Schellin, what do  
9       we do now?

10                  MS. SCHELLIN: Well, you can close  
11       the record. You can close the hearing.

12                  VICE-CHAIRPERSON HOOD: Okay. Any  
13       other concerns that my colleagues would like  
14       to put on the record, because we do have  
15       another hearing right after this? Ms.  
16       Schellin, do we need -- we don't have anything  
17       that we're expecting, so we can close the  
18       record. Okay. Any other comments?

19                  MS. SCHELLIN: And we would put it  
20       on our September agenda for consideration.

21                  VICE-CHAIRPERSON HOOD: So this  
22       will be on our September agenda for

1 consideration.

2 COMMISSIONER JEFFRIES: I mean,  
3 can we -- it doesn't have to go. I mean, can  
4 -- we have a June 30<sup>th</sup>. Can't it go on June  
5 30<sup>th</sup>? I mean, July 30<sup>th</sup>?

6 VICE-CHAIRPERSON HOOD: June 30<sup>th</sup>  
7 is a long time.

8 COMMISSIONER JEFFRIES: July 30<sup>th</sup>.

9 VICE-CHAIRPERSON HOOD: Oh, you  
10 mean next year?

11 COMMISSIONER JEFFRIES: Monday.

12 VICE-CHAIRPERSON HOOD: July 30<sup>th</sup>?

13 COMMISSIONER JEFFRIES: Yeah, July  
14 30<sup>th</sup>.

15 VICE-CHAIRPERSON HOOD: Oh, you  
16 said June.

17 COMMISSIONER JEFFRIES: Sorry.

18 VICE-CHAIRPERSON HOOD: Can we?

19 COMMISSIONER JEFFRIES: I mean, I  
20 don't -- I mean, I guess my point is, I mean,  
21 what are we waiting for? I mean, what's -- I  
22 mean, what are we waiting for? I mean, it's

1 not any additional --

2 MS. SCHELLIN: It's fine.

3 VICE-CHAIRPERSON HOOD: Notice  
4 requirements?

5 MS. SCHELLIN: No.

6 VICE-CHAIRPERSON HOOD: Let's put  
7 it on for June 30<sup>th</sup>.

8 COMMISSIONER JEFFRIES: July.

9 VICE-CHAIRPERSON HOOD: July. I'm  
10 going --

11 COMMISSIONER JEFFRIES: I'm sorry.

12 VICE-CHAIRPERSON HOOD: July.

13 COMMISSIONER JEFFRIES: I put --

14 VICE-CHAIRPERSON HOOD: You got me  
15 saying June. Okay. July 30<sup>th</sup>, which is  
16 Monday. Okay. So this case will be  
17 deliberated and decided on on our next meeting  
18 on July 30<sup>th</sup>. And with that, I will move out  
19 of that hearing. I will adjourn that hearing.

20 (Whereupon, the Public Hearing was  
21 concluded at 8:03 p.m.)

22