

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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REGULAR MEETING

+ + + + +

MONDAY

FEBRUARY 12, 2018

+ + + + +

The Regular Meeting of the District of Columbia Zoning Commission convened in the Jerrily R. Kress Memorial Hearing Room, Room 220 South, 441 4th Street, N.W., Washington, D.C., 20001, pursuant to notice at 6:30 p.m., Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson
ROBERT MILLER, Vice Chairperson
PETER G. MAY, Commissioner (NPS)
PETER SHAPIRO, Commissioner
MICHAEL G. TURNBULL, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

BRANDICE ELIOTT
JENNIFER STEINGASSER, Deputy Director, Development
Review & Historic Preservation
JOEL LAWSON
STEPHEN MORDFIN

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

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HILLARY LOVICK, ESQ.
JACOB RITTING, ESQ.

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF PRESENT:

KARINA RICKS, Associate Director for Policy, Planning
and Sustainability
JEFF JENNINGS

The transcript constitutes the minutes from
the Regular meeting held on February 12, 2018.

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

2 (6:32 p.m.)

3 CHAIRMAN HOOD: Okay, we're ready to begin. Good
4 evening ladies and gentlemen. This is a public meeting of
5 the Zoning Commission for the District of Columbia. My name
6 is Anthony Hood. And today's date is February 12th, 2018.

7 Joining me for this meeting are Vice Chair Miller,
8 Commissioner Shapiro, Commissioner May, and Commissioner
9 Turnbull. We're also joined with the Office of Zoning staff,
10 Ms. Sharon Schellin, as well as the Office of Attorney
11 General, Ms. Lovick and Mr. Ritting, as well as the Office
12 of Planning, Ms. Elliott and Mr. Mordfin. I'm not going to
13 get that wrong.

14 Copies of today -- I even wrote it down to make
15 sure I didn't get it wrong. Copies of today's meeting agenda
16 are available to you and are located in the bin near the
17 door. We do not take any public testimony at our meetings
18 unless the Commission requests someone to come forward.

19 Please be advised this proceeding is being
20 recorded by a court reporter. It's also webcast live.
21 Accordingly, I must ask you to refrain from any disruptive
22 noise actions in the hearing room including any display of
23 any signs or objects. Please turn off all electronic devices
24 at this time.

25 Does the staff have any preliminary matters?

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1 MS. SCHELLIN: No.

2 CHAIRMAN HOOD: Okay. Let's go right along with
3 our agenda. First we have Consent Calendar. A modification,
4 Zoning Commission Case No. 15-23A. AGMR Square 700
5 Residential Owner, LLC. Minor Modification to Design Review.
6 Capitol Gateway to add penthouse habitable space at Square
7 700. Ms. Schellin.

8 MS. SCHELLIN: Yes sir. The Applicant has filed
9 for a minor modification to an improved design review case,
10 to add approximately 2,280 square feet of habitable penthouse
11 space. Exhibit 4 is an ANC 6D report of conditional support,
12 contingent on the Applicant providing an on-site dog-walk
13 since the rooftop dog-walk will no longer exist.

14 The Applicant agreed to this request per their
15 submission at Exhibit 6. At Exhibit 5, there's an OP report
16 and support contingent upon the Applicant moving the dog-wash
17 and to show the guard rails and some additional dimensions
18 on the drawings, which they did per the Applicant's
19 submission at Exhibit 6.

20 So, I would ask the Commission to consider final
21 action on this case.

22 CHAIRMAN HOOD: Okay. Thank you. I think this
23 is a -- does anybody have an issue with this being on the
24 Consent Calendar?

25 (No audible response.)

1 CHAIRMAN HOOD: Okay, not seeing any. Also we've
2 been joined by Mr. Lawson from the Office of Planning.

3 Let's get into it. Any comments or questions,
4 anyone?

5 VICE CHAIR MILLER: Yes.

6 CHAIRMAN HOOD: Vice Chair Miller.

7 VICE CHAIR MILLER: Thank you, Mr. Chairman. I
8 think this is the right case. Is this the one, and Office
9 of Planning can correct me, where your report noted that the
10 Applicant had not provided the estimated contribution to the
11 Housing Production Trust Fund to fulfill its affordable
12 housing requirement?

13 We realize it's only an estimate or guesstimate
14 because it's, I don't think it was calculated at the time of
15 the building permit. But if there's a way we can get that
16 into the record I just would like to see that. Did we ever
17 get that, Mr. Lawson?

18 MR. LAWSON: I was just checking to see, sorry.

19 VICE CHAIR MILLER: Okay.

20 MS. SCHELLIN: The Applicant doesn't have, the
21 Attorney doesn't have that with him this evening. It's not
22 been provided.

23 VICE CHAIR MILLER: If we take action tonight, I
24 don't really want to hold it up, but is there a way that that
25 can be submitted into the record? I don't think it's going

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1 to affect, whatever the amount is, I don't think it's going
2 to affect our disposition. I just think that we should have
3 that information.

4 COMMISSIONER MAY: So can I, you know, I mean this
5 was submitted as a minor modification. And it remains on the
6 Consent Calendar.

7 But the Office of Planning -- I'm a little
8 confused. The Office of Planning had recommended it be
9 treated as a modification of consequence, in which case we
10 would have -- if we decided that's what it should be, then
11 there would be the opportunity for subsequent submissions.

12 VICE CHAIR MILLER: Yes, that was really the
13 second question I was going to raise. What is this?

14 COMMISSIONER MAY: Well, that was my only
15 question. So, it would help me to hear from the Office of
16 Planning on that question.

17 MR. LAWSON: For the Office of Planning, this is
18 Joel Lawson. We're comfortable with this being considered
19 a minor modification. They did submit some additional
20 information. We did a little bit more looking at the
21 regulations as well. And saw that the regulations do call
22 for this kind of application to typically be considered a
23 minor modification. So we're comfortable with that.

24 VICE CHAIR MILLER: I'm fine with proceeding
25 tonight, but is it possible that they can submit that

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1 information into the record after tonight?

2 (No audible response.)

3 VICE CHAIR MILLER: Okay, thank you. What we'll
4 do, yes, we would not issue the order until we get that
5 information.

6 CHAIRMAN HOOD: Okay.

7 VICE CHAIR MILLER: I thank you for that advice,
8 Mr. Chair.

9 CHAIRMAN HOOD: All right. I think we can move
10 in that fashion. Anything else? Mr. Ritting, you were going
11 to say something?

12 MR. RITTING: No, I was going to suggest that we
13 hold up the order, to get the information. And I think
14 that's appropriate if it wouldn't change your vote either
15 way. You just wanted it to be stated in the record. I think
16 that's an appropriate way to proceed.

17 CHAIRMAN HOOD: Okay.

18 VICE CHAIR MILLER: I'm very supportive of this
19 application, as I think we all are. And of the Applicant's
20 working with the ANC to accommodate the dog part. And the
21 habitable space on the roof, so that's, I think it's all
22 good.

23 CHAIRMAN HOOD: Any other comments or questions?
24 Commissioner May.

25 COMMISSIONER MAY: Yes, so I did have one other

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1 question, which is that -- and I think this was probably in
2 the record but I missed it in my first read. Is the, there's
3 no new relief that's requested for setbacks on the roof on
4 this. Does that mean -- well there's no relief requested in
5 this minor mod. Was there ever relief granted for rooftop
6 setbacks on this?

7 MR. LAWSON: I'd have to check that to be sure
8 too. I don't believe so. But certainly there's no relief
9 being requested for --

10 COMMISSIONER MAY: As a result of this.

11 MR. LAWSON: -- the work that they're doing now.

12 COMMISSIONER MAY: And this, I mean it was hard
13 to tell because we didn't have a good map of the site and the
14 bounding properties. But it is, actually has properties on
15 the north and the south. And then it is a through block
16 building, right? Between South Capital and Van? Did I
17 understand that correctly?

18 MR. LAWSON: I believe that's the case, yes.

19 COMMISSIONER MAY: Yes, so in which case if
20 there's any issue with setback relief, it would have to do
21 with the north and south property lines. Not with the
22 streets?

23 MR. LAWSON: Right. It's one of the reasons why
24 we asked for the additional information.

25 COMMISSIONER MAY: Yes.

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1 MR. LAWSON: To make sure that there were no non-
2 comparties. But the Applicant --

3 COMMISSIONER MAY: Right.

4 MR. LAWSON: -- hasn't requested any relief, so.

5 COMMISSIONER MAY: Right, okay. Thank you.

6 CHAIRMAN HOOD: And I see we were joined a moment
7 ago by Ms. Steingasser as well for the record.

8 Anything else on this?

9 (No audible response.)

10 CHAIRMAN HOOD: Somebody like to make a motion?

11 VICE CHAIR MILLER: I would move, Mr. Chairman,
12 that we, the Zoning Commission, take action on Zoning
13 Commission Case No. 15-23A AGMR, Square 700, Residential
14 Owner, LLC. Minor modification to design review in the
15 Capital Gateway related to add penthouse habitable space at
16 Square 700, and ask for a second.

17 COMMISSIONER TURNBULL: Second.

18 CHAIRMAN HOOD: Okay. It's been moved and
19 properly seconded. Any further discussion?

20 (No audible response.)

21 CHAIRMAN HOOD: All in favor?

22 (Chorus of ayes.)

23 CHAIRMAN HOOD: Any opposition?

24 (No audible response.)

25 CHAIRMAN HOOD: Not hearing any. Ms. Schellin,

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1 if you'll record the vote.

2 MS. SCHELLIN: I just want to confirm, that's
3 contingent upon the Applicant providing that information
4 before the order is issued. Is that correct?

5 VICE CHAIR MILLER: Yes.

6 MS. SCHELLIN: Okay, so staff will record the vote
7 5-0-0 to approve final action in Zoning Commission Case No.
8 15-23A. And with the order being held until the requested
9 information is provided. Commissioner Miller moving,
10 Commissioner Turnbull seconding, Commissioners Hood, May, and
11 Shapiro in support.

12 CHAIRMAN HOOD: Commissioner Shapiro.

13 COMMISSIONER SHAPIRO: Thank you Mr. Chair. Just
14 for my own clarification. Since this is just going to be an
15 estimate. Are we, we can't hold them to the number that
16 they're going to provide us. Is that right?

17 VICE CHAIR MILLER: I think it gets calculated at
18 the time of building permit issuance. But I think Office of
19 Planning can confirm that.

20 MR. LAWSON: That is correct. And then it's
21 provided, half I believe at the time of the permit. And half
22 at the time of occupancy. But we feel that it's helpful to
23 have an estimate on the record so that you understand just
24 what the impacts are.

25 And so that we understand just what the potential

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1 contribution or onsite housing would be. But it is just an
2 estimate at this point.

3 COMMISSIONER SHAPIRO: So it's noted in the order
4 that this is an estimate?

5 MR. LAWSON: Yes, it would be. Yes.

6 COMMISSIONER SHAPIRO: Thank you. Thank you, Mr.
7 Chair.

8 CHAIRMAN HOOD: Anything else on this?

9 (No audible response.)

10 CHAIRMAN HOOD: Okay. Let me ask you, let me ask
11 Mr. Ritting this next case, or Ms. Lovick. This next case,
12 do I need to call, I can call them together? Or do I need
13 to do the map, I mean the campus plan amendment first?

14 MS. LOVICK: You can call them together.

15 CHAIRMAN HOOD: Call them together, okay. All
16 right, thank you.

17 Zoning Commission Case No. 16-0 George Washington
18 University, Boston Properties, 1st-Stage PUD Modification of
19 Significance, 2nd-Stage PUD, and Related Map Amendment at
20 Square 75. B, Second case, Zoning Commission Case No. 06-110
21 George Washington University, Campus Plan Amendment at Square
22 75. Ms. Schellin.

23 MS. SCHELLIN: Yes, as the Commissioner may
24 recall, this was on the last meeting agenda. The Commission
25 deferred action to allow the Applicant to provide a response

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1 to the Commission's question regarding the signage. And I
2 believe the Commission said the only thing to be discussed
3 was the signage.

4 So, they did provide a response at Exhibits 43
5 through 43B. And asks the Commission to consider final
6 action on both cases this evening.

7 CHAIRMAN HOOD: Okay. Again, I think we've hashed
8 everything else as stated by Ms. Schellin, and the only thing
9 we have outstanding is the signage. So, any comments or
10 questions. Mr. Turnbull.

11 COMMISSIONER TURNBULL: Yes, we did get an Exhibit
12 43 by the Applicant, which would -- and they have agreed that
13 they would go with the 36 inch height limit for the signage
14 part, other than the logo.

15 So, I think that needs to read that it supersedes
16 that Exhibit B on -- Exhibit 43B would then supersede some
17 of the signage element in their old Exhibit 18E. So, I think
18 that just needs to be noted that the signage height should
19 be corrected by that.

20 CHAIRMAN HOOD: Okay.

21 COMMISSIONER MAY: Mr. Chairman.

22 CHAIRMAN HOOD: Yes.

23 COMMISSIONER MAY: As I recall what the Applicant
24 admitted was that they would prefer to keep it as they
25 originally submitted it, which was five foot limit. But they

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1 said as a fallback, they would accept three foot?

2 COMMISSIONER TURNBULL: Right.

3 COMMISSIONER MAY: Except for the logo, which they
4 would still want at five feet.

5 COMMISSIONER TURNBULL: At five feet, right.

6 COMMISSIONER MAY: Right, so?

7 COMMISSIONER TURNBULL: I'm okay with the three
8 feet, and five feet for the logo.

9 COMMISSIONER MAY: Okay. I mean I was okay at
10 five feet for everything.

11 COMMISSIONER TURNBULL: Well, it's up to you guys.
12 I'm still going for three.

13 CHAIRMAN HOOD: At three and five. Anybody want
14 four?

15 (No audible response.)

16 CHAIRMAN HOOD: So, I think, so Mr. May, you don't
17 have a problem with going with that. I think we held this
18 up because of --

19 COMMISSIONER MAY: No I don't. I mean the thing
20 is that I think that if this were just a matter-of-right
21 project, they would get five feet or more. I mean I don't
22 think it's a -- I'm just a little -- I know I appreciate the
23 sensitivity to it. And I agree to a great extent there are
24 many things that we've seen that have been objectionable.

25 But I just don't see a need to sort of keep

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1 shrinking things. I think five feet is really not of great
2 consequence on the top of a building that's 130 feet tall.

3 CHAIRMAN HOOD: Does anybody else have any --

4 COMMISSIONER SHAPIRO: Mr. Chair, with respect to
5 Commissioner Turnbull, I agree with Mr. May. I don't see why
6 we need to shrink it if they could do five feet by right.

7 COMMISSIONER MAY: Maybe we should clarify whether
8 in fact --

9 VICE CHAIR MILLER: It's like Deja vu.

10 COMMISSIONER MAY: That could be. I mean I'm
11 assuming that they could easily have done something taller.
12 Do we know in fact, does anybody in the Office of Planning,
13 can you tell what in fact they could do as a matter-of-right?

14 (No audible response.)

15 COMMISSIONER MAY: No. Okay. I mean I certainly
16 have seen bigger signage on matter-of-right buildings in the
17 past.

18 VICE CHAIR MILLER: This building is facing -- is
19 it facing Pennsylvania Avenue?

20 COMMISSIONER MAY: Yes. It faces Pennsylvania
21 Avenue.

22 (Simultaneous speaking.)

23 VICE CHAIR MILLER: Pennsylvania Avenue, kind of
24 a big avenue and it's a big building.

25 COMMISSIONER MAY: Yes, and it's also it's over,

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1 I think the way it's placed it's actually overlooking the
2 Triangle Park to the east.

3 VICE CHAIR MILLER: Is that your park?

4 COMMISSIONER MAY: Of course. But it wouldn't be
5 very visible from there. I mean you'd have to -- you don't
6 want to look like that. It'll be quite visible when you
7 make, you know, make that left from -- or coming up, going
8 out Pennsylvania Avenue to the west it will be quite visible.
9 But --

10 VICE CHAIR MILLER: It'll be visible from the 13th
11 floor of the building across the street.

12 COMMISSIONER MAY: Well it'll be visible from the
13 street. It won't look like it's five feet tall.

14 CHAIRMAN HOOD: All right. We held this up for
15 the Applicant to go back and relook at the sign as requested.
16 Seems to me like we're in the same situation, same place that
17 we were before we started.

18 Let me just ask this question. Mr. Turnbull, not
19 putting you on the spot. Is this, if we go five feet is that
20 a show stopper?

21 COMMISSIONER TURNBULL: You have enough votes to
22 carry this. You don't need my vote.

23 CHAIRMAN HOOD: Well, you know, sometime I thought
24 --

25 COMMISSIONER TURNBULL: Doesn't have to be

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1 unanimous.

2 CHAIRMAN HOOD: It doesn't, but I try, sometimes
3 I try and I've always tried to accommodate, because I think
4 when we vote 5-0.

5 COMMISSIONER TURNBULL: If you want me to vote,
6 okay, I'll vote. But I want to go on the record. I think
7 three feet is more appropriate.

8 CHAIRMAN HOOD: I'm not saying --

9 COMMISSIONER TURNBULL: If you guys think bigger
10 is better, you know, like a Big Mac that's fine.

11 CHAIRMAN HOOD: I don't want --

12 COMMISSIONER TURNBULL: I think you want a grand
13 Big Mac maybe.

14 CHAIRMAN HOOD: No, all I'm saying is I try to be
15 -- consider everyone's opinions. And I have my own, but I
16 try to be considerate of everyone opinions. And I've always
17 done that as we move forward because I think the projects get
18 better that way.

19 So, I don't know do we give them flexibility,
20 three to five. I don't know, because I don't want to -- what
21 about four?

22 PARTICIPANT: Either way.

23 COMMISSIONER MAY: You know I think --

24 CHAIRMAN HOOD: Realistically, I mean
25 realistically. Because he has a design, you have a design,

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1 or you two have a design. And --

2 PARTICIPANT: Yes, it's a numbers game.

3 CHAIRMAN HOOD: Yes, it's a number's game.

4 COMMISSIONER MAY: You know what, I think one of
5 the things that I would actually appreciate and we've talked
6 about this before. Is knowing a little bit more and having
7 kind of more consistent guidance on signage anyway. Because
8 it seems to be one where it comes up regularly.

9 And we decide each one of these individually. And
10 I don't know that we're really being consistent about it.
11 And this is why I have a concern about this one. Because I
12 feel like we probably have been okay with five foot tall
13 signage in the past, in the recent past for PUDs. And I
14 don't know why we would treat this any differently.

15 So, I mean, again I appreciate the sensitivity.
16 I agree with Mr. Turnbull. I mean, you know, we have been
17 strongly in favor of being conservative about, you know,
18 rooftop signage in the past.

19 But I just feel like we're, you know, we may be
20 pushing a little bit too far in this circumstance, so.

21 COMMISSIONER TURNBULL: I just don't ever recall
22 putting a five foot high sign. I think we've had things that
23 have been tall, but seems to me -- I don't think we've had
24 five feet. But I might be wrong.

25 COMMISSIONER MAY: Yes, and I can't say for

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1 certainty myself.

2 CHAIRMAN HOOD: So, let me do this. Ms. Schellin
3 is it too late for us to put something like that on our
4 training session?

5 (No audible response.)

6 CHAIRMAN HOOD: No, it's not too late. See what
7 we can do on signage. If we can see what we can do. Okay,
8 somebody like to make a motion?

9 COMMISSIONER MAY: I would like to make a motion
10 that we approve Zoning Commission Cases No. 06-110 and
11 06-120, George Washington and Boston Properties 1st-Stage
12 Modification, and 2nd-Stage PUD 2100 Pennsylvania Avenue,
13 with the signage heights as proposed and submitted, in other
14 words, five feet, not three feet.

15 COMMISSIONER SHAPIRO: Is that both cases, the
16 motion?

17 COMMISSIONER MAY: Yes.

18 COMMISSIONER SHAPIRO: Second.

19 CHAIRMAN HOOD: Okay. It's been moved and
20 properly seconded. Any further discussion?

21 (No audible response.)

22 CHAIRMAN HOOD: All those in favor?

23 (Chorus of ayes.)

24 CHAIRMAN HOOD: Opposed?

25 COMMISSIONER TURNBULL: Abstain.

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1 CHAIRMAN HOOD: Abstentions, okay. Ms. Schellin,
2 would you record the vote?

3 MS. SCHELLIN: Staff records the vote 4-0-1 to
4 approve final action Zoning Commission Case Nos. 06-110 and
5 06-120. Commissioner May moving, Commissioner Shapiro
6 seconding, Commissioners Hood and Miller is support.
7 Commissioner Turnbull abstaining.

8 CHAIRMAN HOOD: Okay. And Ms. Schellin, let's see
9 if Ms. Barnes can add that to our training session next
10 month. Okay.

11 All right, let's go to Hearing Actions, Zoning
12 Commission Case No. 17-27. Spring Flats MD, LLC, Map
13 Amendment at Square 2902. Ms. Elliott.

14 MS. ELLIOTT: That's correct, Mr. Chairman, thank
15 you. Good evening Members of the Commission. The Office of
16 Planning recommends set down for a proposed map amendment
17 that would rezone the Hebrew Home and former Robeson School.
18 Located at 1125 Spring Rd NW from RF-1, which is a
19 residential flat zone, to RA-2, a residential apartment zone.

20 The site is currently developed with the historic
21 Hebrew Home for the Aged, which is not occupied. The former
22 Paul Robeson School which is also not occupied, and a utility
23 chiller building.

24 The future land use map designates the property
25 as local public facilities. However, the Comprehensive Plan

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1 specifically indicates that properties with this designation,
2 where density or intensity have not been provided, should be
3 comparable to the surrounding neighborhood.

4 The neighborhood surrounding the Hebrew Home is
5 designated as moderate density residential. And the proposed
6 RA-2 Zone is not inconsistent with this designation, or the
7 guiding principles and framework element as identified in the
8 report.

9 OP's report provides additional information
10 regarding the history of the site and the Hebrew Home
11 Historic Landmark designation. The property was the subject
12 of an hour RFP process through the Deputy Mayor's Office.
13 Through which the community identified its priorities for
14 redevelopment of the site.

15 Although it's not part of the review for the
16 requested map amendment, the development would include
17 significant affordable housing, including senior dwelling
18 units, family sized dwelling units, and workforce housing.

19 The Petitioner is continuing to work with ANC and
20 surrounding community in the development of a community
21 benefits agreement. And has agreed to provide updates to the
22 Commission at the public hearing.

23 OP will continue to work with the Petitioner to
24 provide any information requested by the Commission and
25 recommends that the Commission set down the application for

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1 a public hearing. I'm happy to answer any questions you may
2 have.

3 CHAIRMAN HOOD: Thank you, Ms. Elliott.
4 Commissioners, any questions or comments? Commissioner
5 Shapiro.

6 COMMISSIONER SHAPIRO: Thank you, Mr. Chair. I
7 don't have any problems with setting this down. I saw the
8 ANC reports who both their concerns was to make sure that
9 there would be adequate process. And OP is in favor of
10 setting this down as well. It looks like an interesting
11 project, and I look forward to the hearing for it.

12 CHAIRMAN HOOD: Thank you, any other comments?
13 Mr. May.

14 COMMISSIONER MAY: Yes. So the feedback from ANCs
15 was that they're interested in community benefits agreements,
16 but that's not typically something that would occur with a
17 map amendment, right? I mean --

18 MS. ELLIOTT: It is not. This particular project
19 actually has a long history and coming from the Deputy
20 Mayor's Office, the Applicant has already agreed to develop
21 that agreement. And so --

22 COMMISSIONER MAY: And so, it might be part of a
23 LDA, or something like that?

24 MS. ELLIOTT: That's what they're discussing.

25 COMMISSIONER MAY: Yes. Okay, because I mean it

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1 was an interesting question. It sort of posed a question in
2 my mind and I can't quite remember, but I'm wondering if the
3 OAG can tell us, I mean could we actually require a CBA for
4 a map amendment?

5 MR. RITTING: No.

6 COMMISSIONER MAY: Yes, okay. So I appreciate
7 that answer. It was very direct. So that was a little bit
8 odd, and I know how long the history on this is because I was
9 in that building when I worked for the city more than ten
10 years ago. And we were trying to figure out what to do with
11 it.

12 So then the last question I have is, at least one
13 of the ANCs had commented that they thought this was going
14 to happen as a planned unit development. And I'm wondering
15 why it is not a planned unit development? I can guess what
16 the answer is, but I'd rather hear.

17 MS. ELLIOTT: Well we believe that the Petitioners
18 put forward an application that actually fairly well
19 justifies the map amendment. What's being requested is
20 consistent with the future land use designation.

21 COMMISSIONER MAY: So it's a complying consistency
22 case and there isn't significant other flexibility requested
23 for the project?

24 MS. ELLIOTT: Yes, there are no deviations from
25 the requirements for the development. They're just moving

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1 forward with the, should it be rezoned, with a by-right
2 project.

3 COMMISSIONER MAY: Okay, thanks.

4 CHAIRMAN HOOD: Any other comments or questions?
5 Vice Chair.

6 VICE CHAIR MILLER: Thank you, Mr. Chairman. Yes,
7 I'm very supportive of setting this down for public hearing
8 and realize this has been a vacant site for a long time. And
9 been a lot of discussion and outreach for the community as
10 to how we develop the site.

11 And I agree with the Office of Planning's analysis
12 about the Comp Plan, consistency with the map amendment
13 that's being proposed. And I realize we're not evaluating
14 specifically the project that's associated that will be
15 facilitated by the map amendment.

16 But since there has been a selection of a project
17 that has 187 units of housing and 88 which are affordable for
18 seniors, I think -- it may be in the record already, but I
19 just would like to see -- not that's it's dispositive of our
20 conclusion about the Comp Plan consistency.

21 I just would like to see a breakdown of the AMI
22 level for all, and size units for all this housing. I think
23 there's a lot of affordable housing for seniors and for
24 families and much more than what would be required under
25 Inclusionary Zoning. And I think that's obvious but I'm not

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1 sure I saw it broken out.

2 And I realize we're not evaluating the project
3 specifically but I just think it would be helpful to my own
4 analysis of the case, and the public's.

5 MS. ELLIOTT: That information was not provided
6 in the Application, but we're certainly work with the
7 Applicant to make sure you have that for the public hearing.

8 VICE CHAIR MILLER: Okay, thank you very much.

9 CHAIRMAN HOOD: Any other comments or questions?

10 (No audible response.)

11 CHAIRMAN HOOD: Okay, somebody can make a motion
12 on -- Mr. Turnbull.

13 COMMISSIONER TURNBULL: No, I'm in favor of going
14 ahead, setting it up.

15 CHAIRMAN HOOD: All right, somebody like to make
16 a motion? Mr. Shapiro.

17 VICE CHAIR MILLER: Okay, oh go ahead.

18 COMMISSIONER SHAPIRO: I'd like to make a motion
19 Mr. Chair, that we set down Zoning Commission Case No. 17-27
20 Spring Flats MD, LLC, Map Amendment at Square 2902. And look
21 for a second.

22 VICE CHAIR MILLER: Second.

23 CHAIRMAN HOOD: It's been moved and properly
24 seconded. Any further discussion?

25 (No audible response.)

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1 CHAIRMAN HOOD: All in favor?

2 (Chorus of ayes.)

3 CHAIRMAN HOOD: Any opposition?

4 (No audible response.)

5 CHAIRMAN HOOD: Not hearing any, Ms. Schellin will
6 you record the vote?

7 MS. SCHELLIN: Yes, staff records the vote 5-0-0
8 to set down Zoning Commission Case No. 17-27 as a contested
9 case. Commissioner Shapiro moving, Commissioner Miller
10 seconding, Commissioners Hood, May and Turnbull in support.

11 MR. RITTING: I wanted to bring out an issue to
12 the Commission's attention. That the Petitioner requested
13 a rulemaking map amendment. And so the Commission needs to
14 decide right now, when you're setting it down, whether you're
15 setting it down as a rulemaking, as requested by the
16 Petitioner, or as a contested case? Those are my comments.

17 CHAIRMAN HOOD: Yes, yes.

18 (Off mic comments.)

19 CHAIRMAN HOOD: I was just trying to get
20 clarification on our past history on rulemaking. We can
21 discuss it. I'm in favor of honoring the request. We just
22 did one, was it last week? But anyway, not the best of case,
23 but let me hear from others.

24 Any other comments on whether this is rulemaking
25 or contested? Mr. May.

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1 COMMISSIONER MAY: There was a period where we did
2 all map amendments as contested cases, or pretty much. And
3 I'm wondering why, you know, how we make the distinction now?
4 What's the basis for deciding between the contested case and
5 a rulemaking?

6 MR. RITTING: I think maybe it would helpful to
7 look at Zoning Regulation Subtitle Z, Section 201.7(b)(2),
8 which I can read.

9 It says, map amendments in rulemaking cases may
10 be initiated by private persons, where the petitioner owns
11 all of the property proposed to be rezoned, but the ownership
12 pattern is geographically scattered or -- this would be the
13 relevant language coming up -- or otherwise of a character
14 that raises land use policy questions to a greater degree
15 than highly localized issues of fact and effects on
16 neighboring properties.

17 So, you would have to decide that this situation
18 is one of those cases.

19 COMMISSIONER MAY: So, in other words, if we think
20 that it's going to have a broader impact on the neighborhood,
21 then we should set it down as a contested case?

22 MR. RITTING: No, the opposite.

23 COMMISSIONER MAY: The opposite. Okay. All
24 right.

25 CHAIRMAN HOOD: Hey, I've said what I believe.

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1 Others?

2 VICE CHAIR MILLER: I think I also support the
3 Petitioner's request for it to be a rulemaking. We have the
4 two ANCs in support. We will give them full opportunity to
5 testify and air whatever issues they have at the hearing.
6 And so I think there's been a lot of community engaged in
7 this issue so I think we can go forward with that process.

8 COMMISSIONER SHAPIRO: I concur, Mr. Chairman.

9 CHAIRMAN HOOD: Okay. So, we don't need to do
10 anything. We've already voted to set it down. And this will
11 be set down as a rulemaking. Okay.

12 MR. RITTING: I believe, yes. Ms. Schellin asked
13 for a clarification was it? So, perhaps if you could just
14 reclarify that it's a rulemaking. Or I supposed you may have
15 already done that. But just to say that on the record.

16 CHAIRMAN HOOD: Let me reclarify, the Commission
17 is going to set this down as a rulemaking case.

18 VICE CHAIR MILLER: I support it.

19 CHAIRMAN HOOD: Any objections?

20 (No audible response.)

21 CHAIRMAN HOOD: All right. Can we move to the
22 next case?

23 COMMISSIONER MAY: If I could ask one other -- Mr.
24 Ritting can you give me that citation for the regs one more
25 time? I want to read it again.

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1 MR. RITTING: It's Subtitle Z, Section 201,
2 Paragraph .7(b)(2).

3 COMMISSIONER MAY: Okay, thank you.

4 VICE CHAIR MILLER: Did we change that in the ZR16
5 from what it had been previously?

6 (No audible response.)

7 VICE CHAIR MILLER: No, it's the same kind of
8 language?

9 MR. RITTING: Yes.

10 VICE CHAIR MILLER: Okay.

11 CHAIRMAN HOOD: Okay, are we ready to move on to
12 the next?

13 Okay let's go to Zoning Commission Case No. 18-02
14 MR 1700 Columbia Retail, LLC, Text Amendments to Subtitle U,
15 Special Exception MU-Use Groups C through E. We've been
16 asked for emergency as well as a setdown. Mr. Mordfin.

17 MR. MORDFIN: Good evening, Chairman and Members
18 of the Commission. I'm Stephen Mordfin. And the Applicant
19 proposes text amendments to permit veterinary hospitals and
20 veterinary boarding hospitals to abut residential uses in
21 residential zones in the MU-Use Groups C, D and E, as special
22 exception uses subject to a list of conditions.

23 Those conditions mimic those required for animal
24 boarding, a separate animal use, when located within 25 feet
25 of R-RF or R-A zones, or on the same floor directly below

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1 residential use within a mixed use building.

2 Their request is not inconsistent with the
3 Comprehensive Plan as it would advance the ability to provide
4 for mixed use residential in commercial buildings. And
5 improve the mix of goods and services available to residents.

6 The Applicant requests the application be set down
7 as an emergency rulemaking. Emergencies are defined as those
8 that are necessary for the immediate preservation of the
9 public peace, health, safety, welfare or morals.

10 OP does not find the inability to obtain special
11 exception approval for veterinary uses within a mixed use
12 building to be an emergency when the zoning regulations offer
13 other options for the location of veterinary uses.

14 Therefore OP recommends the Commission set down
15 the application for a public hearing, but not as an emergency
16 rulemaking. Thank you.

17 CHAIRMAN HOOD: Okay. Commissioners, any
18 questions or comments on the emergency or on the setdown,
19 either one? Vice Chair Miller.

20 VICE CHAIR MILLER: I had one question of the
21 Office of Planning. So, I guess the -- where does the
22 distinction between the animal boarding case, where we did
23 proceed with the emergency and regular proposed rulemaking,
24 and this veterinary boarding and hospital case?

25 Is the Applicant saying we did it, the Zoning

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1 Commission decided to do it on an emergency basis there
2 because we had more pending cases that were out there where
3 people were seeking that? But I don't know if you're
4 prepared to answer that question tonight.

5 MR. MORDFIN: No.

6 VICE CHAIR MILLER: But the Applicant made that
7 point in their argument for an emergency. I just was curious
8 as to what the distinction is between the animal boarding
9 case and this? Why we wouldn't do the same thing that we did
10 a year or two ago in that case?

11 MR. MORDFIN: I will get you that information.
12 I don't recall the specifics of that case as to why.

13 VICE CHAIR MILLER: And I don't either. Just to
14 be perfectly honest. That's why I'm asking the question.
15 But I know we did it as an emergency and regular rulemaking.
16 And so we will need for working on that.

17 CHAIRMAN HOOD: Okay, any other? Commissioner
18 Shapiro.

19 COMMISSIONER SHAPIRO: Thank you, Mr. Chair. I
20 have no objections to setting this down. In terms of the
21 emergency, if I'm looking at what the D.C. Code says. At
22 face value I don't see how this would be necessary for the
23 immediate preservation of the public peace, health, safety,
24 welfare, morals of the operative or there's public -- I don't
25 see a reason to support the request for an emergency

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1 rulemaking.

2 COMMISSIONER MAY: Mr. Chairman.

3 CHAIRMAN HOOD: Yes.

4 COMMISSIONER MAY: I'd like to ask the Office of
5 Attorney General. In the memo that was provided to us, I
6 mean I think we got some communication from the OAG about,
7 on this question of emergency or not. Right?

8 So, my question is whether, I mean, well not just
9 on that -- but I mean there's a question of scheduling.
10 Right? I mean this, they're requiring, they're requesting
11 emergency so that they don't have to wait six months for us
12 to change the rules. And then six months to get a BZA,
13 special exception. And then six months to build it out.

14 But the implication is that once we set this down,
15 they could apply for the special exception. Is that right?

16 (No audible response.)

17 COMMISSIONER MAY: That's not correct.

18 MS. LOVICK: I mean they could. Yes, but in --

19 COMMISSIONER MAY: It just couldn't be decided
20 until the rule was passed.

21 MS. LOVICK: Well, I mean somebody could apply for
22 a special exception in the interim. Yes, but --

23 VICE CHAIR MILLER: We could have a hearing too,
24 as a --

25 COMMISSIONER MAY: Right.

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1 MS. LOVICK: But I mean, you're charged right now
2 with trying to determine whether or not the emergency
3 standard has been met. So, whether or not the Applicant has
4 been able to show -- let me find the language -- that
5 there's, that the action is necessary for the immediate
6 preservation of the public peace, health, safety, welfare or
7 morals.

8 COMMISSIONER MAY: So, the Applicant has made the
9 case that not having more of these facilities is an issue for
10 public safety? And I'm not saying that I necessarily buy
11 that. But I think, you know, there's a question of whether
12 it's going to be a 12 month wait, or an 18 month wait. You
13 know, the Applicant is arguing that it's going to be 18
14 months.

15 If we did set it out as an emergency, it would
16 still be like 12 months before they could do anything, right?
17 And but --

18 MR. RITTING: Well if you set it down as an
19 emergency, the rule would be immediately effective and they
20 could apply for it tomorrow --

21 COMMISSIONER MAY: So, they could apply for the
22 special exception tomorrow.

23 MR. RITTING: Right, and you're suggesting that
24 there would still be some lag-time while the special
25 exception sort of worked its way through the --

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1 COMMISSIONER MAY: Right, and if the special
2 exception, you know, hearing happens and gets ahead of what
3 we would be undertaking as the rulemaking. They would simply
4 have to wait until we make the decision on the rulemaking to
5 get the decision for the special exception. Right?

6 MR. RITTING: No, because the emergency would be
7 immediately effective.

8 COMMISSIONER MAY: No, no, no, I mean if there was
9 no emergency. If we did not treat it as an emergency. If
10 we set it down as a non-emergency now, they could still apply
11 for the special exception, could they not?

12 MR. RITTING: I think so, I'm not, I don't know
13 the answer to that question. I think they probably could.
14 But --

15 COMMISSIONER MAY: All right.

16 MR. RITTING: I think some of our --

17 COMMISSIONER MAY: Now I'm even more confused.

18 MR. RITTING: -- colleagues have more knowledge
19 and insight.

20 COMMISSIONER MAY: I'm even more confused. All
21 right maybe I should have asked the Office of Planning on
22 that.

23 MR. RITTING: Yes, sorry about that.

24 COMMISSIONER MAY: Sorry.

25 MS. STEINGASSER: Yes, the owner could always

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1 apply for a variance, a use variance and get up again to the
2 point of a hearing. And then depending on the status of the
3 text, request less flexibility, less relief than originally
4 advertised. So, they could indeed parallel that, that BZA
5 action with the Zoning Commission.

6 COMMISSIONER MAY: So and how, if we set it down,
7 how quickly do you think that we would get this to the point
8 of having a hearing and starting the rulemaking decisions?

9 MR. LAWSON: Well, I think to some extent that
10 would be up to the Applicant and up to you. We would not be
11 opposed to an expedited process during or forward to a
12 hearing. I don't have the application in front of me, so I
13 don't know if the Applicant requested that in the alternative
14 to emergency action. But we certainly wouldn't oppose that.

15 COMMISSIONER MAY: Yes, so I mean I appreciate the
16 sensitivity having to do with time. But I agree with
17 Commissioner Shapiro that it doesn't seem like it really
18 meets the test for an emergency.

19 Again, I don't understand what we did last time,
20 but I also don't think that that's necessarily what should
21 guide us here.

22 So, I would be inclined to set it down, not as an
23 emergency, but to do everything that we can. And for the
24 Applicant to do everything they can to move it along quickly.

25 So that includes expediting on the part of the

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1 Office of Planning. And the Applicant could chose to apply
2 for the variance and then step back the relief request as
3 they get closer to the day.

4 MS. LOVICK: Excuse me, so I just wanted to
5 interject that you don't have to, obviously don't have to do
6 the emergency route. But you could expedite it by
7 authorizing the immediate publication of a hearing without
8 waiting for the Petitioner. And then you could schedule the
9 hearing with 30-day's notice instead of 40.

10 COMMISSIONER MAY: And we can do all that without
11 it being an emergency?

12 MS. LOVICK: Correct.

13 COMMISSIONER MAY: So I'm for that too.

14 CHAIRMAN HOOD: Okay.

15 VICE CHAIR MILLER: Let's do that.

16 CHAIRMAN HOOD: I thank you, Ms. Lovick. Let me
17 just comment. I think that the, what I was in favor of, I'm
18 still in favor of the emergency. And I know we have a
19 requirement. But I think from what I'm hearing the time-lag.
20 But, you know, what -- I don't want to get onto my soap box.

21 I think we've got a remedy. We can expedite this.
22 Is there a notice requirement? Because you say we can do it
23 within 30 days as opposed to 45. So we can do that, as well
24 as Office of Planning.

25 So we can expedite this hearing. Because nobody

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1 should have to wait 18 months to make a decision. And wait
2 on our rules sometimes it does get bogged down. And that's
3 what a lot of people are -- sorry.

4 MS. SCHELLIN: Our process does not take 18
5 months.

6 CHAIRMAN HOOD: Well that's what's being
7 articulated, 18 months or a year, whatever the case is.

8 MS. SCHELLIN: Their process may take 18 months,
9 ours it'll be done in like less than four months probably.

10 CHAIRMAN HOOD: To me that's still too long, four
11 months. But anyway --

12 MS. SCHELLIN: The rest of it is on them.

13 CHAIRMAN HOOD: Let's see what we can do to
14 expedite this. I'm hearing a 30 minute, I think Ms. Lovick
15 said, not 30 minutes but --

16 MS. LOVICK: Right, you could authorize the
17 immediate publication of the Hearing Notice. And do a 30-day
18 notice as opposed to the normal 40.

19 PARTICIPANT: Mr. Chair.

20 CHAIRMAN HOOD: So, we'll cut it back ten days
21 there. Where else can we save some time?

22 MS. LOVICK: Well you would authorize the
23 immediate publication of the Hearing Notice instead of
24 waiting for the Petitioner.

25 CHAIRMAN HOOD: So, we would authorize that.

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1 MS. LOVICK: Right, the immediate publication of
2 it.

3 CHAIRMAN HOOD: Okay, so we'll save some time
4 there. And then where else will we save some time?

5 MS. LOVICK: I mean, that's how you would save
6 time. I mean it's not a huge time saver, but it's, you know,
7 an option to expedite.

8 CHAIRMAN HOOD: So, there's a little help. Help
9 me, I only made Bs in math. I didn't never make As. But
10 help me, so when do you think we would be able to -- and I
11 know you might not know the schedule now -- when will we be
12 able to hear this case?

13 MS. LOVICK: Well, I mean, I would defer to Ms.
14 Schellin.

15 CHAIRMAN HOOD: Oh, Ms. Schellin.

16 MS. SCHELLIN: Early April, probably.

17 CHAIRMAN HOOD: Early April, okay, that's good.

18 MS. SCHELLIN: Sometime in April.

19 CHAIRMAN HOOD: That's good, that's good. Okay.

20 VICE CHAIR MILLER: I think we also --

21 MS. SCHELLIN: Depending on what's available.
22 It's probably not going to be that controversial, I wouldn't
23 think, or we don't know. OP is kind of, we don't know.

24 CHAIRMAN HOOD: Okay.

25 MS. SCHELLIN: So, we might be able to double it

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1 up if have another case that's alike.

2 CHAIRMAN HOOD: Well let's see what we can do.
3 And one of the things that Commissioner May did say, like we
4 did another case. I want to make sure we're starting to be
5 precise. And we kind of got our arms wrapped around what
6 we're doing. We did it before. We did something before in
7 the emergency, and now we --

8 VICE CHAIR MILLER: We just don't know why we did
9 it.

10 CHAIRMAN HOOD: So maybe we need to, I don't want
11 to add that to the training session either, but we could just
12 do some fact finding and figure that out. So somebody can
13 help us with that.

14 VICE CHAIR MILLER: The other way we might, Mr.
15 Chairman, be able to expedite this, and someone can correct
16 me if I'm wrong is that when we go -- this would be a two
17 vote text amendment, I think. We could do proposed, and we
18 could do emergency as proposed if we felt that there -- we
19 cannot?

20 CHAIRMAN HOOD: Sounds like a good idea.

21 MR. LAWSON: You could take proposed action at the
22 hearing, that's correct. But then --

23 VICE CHAIR MILLER: We take proposed action at the
24 hearing.

25 MR. LAWSON: Yes, at the end of the hearing,

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1 that's correct.

2 VICE CHAIR MILLER: And we can't take emergency
3 at the same time as proposed?

4 COMMISSIONER MAY: Well, if we're going to do an
5 emergency then, we'd have to make the same determination as
6 to the emergency, which we can't, which we're not doing.

7 VICE CHAIR MILLER: Right. Well, we may have more
8 information as to why we thought, we did it previously.

9 COMMISSIONER MAY: Okay, so the Applicant could
10 make the case even stronger?

11 VICE CHAIR MILLER: Yes, if it's really --

12 COMMISSIONER MAY: Really, really --

13 VICE CHAIR MILLER: -- would make a difference in
14 timing, yes.

15 CHAIRMAN HOOD: Okay. So, I think, thank you
16 everyone. I think we know which way we're going to move.
17 We're going to do all those expediting scenarios. And then
18 we'll also listen to what the Vice Chair said about when we
19 get to proposed action, we can possibly do that.

20 So, the Zoning Commission again is being very
21 accommodating. So, I want to commend this Commission for
22 doing that.

23 Somebody like to make a motion, because I don't
24 know the motion will even be now?

25 COMMISSIONER SHAPIRO: Mr. Chair.

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1 CHAIRMAN HOOD: Commissioner Shapiro.

2 COMMISSIONER SHAPIRO: Question for the Office of
3 Attorney General, does the direction around the immediate
4 publication of the Hearing Notice, would that needed to be
5 included in the motion? Or is that just direction to staff?

6 MR. RITTING: Yes, included in the motion.

7 COMMISSIONER SHAPIRO: Okay.

8 MR. RITTING: Because you're waiving some Zoning
9 regulation.

10 COMMISSIONER SHAPIRO: So, then Mr. Chair, I move
11 that we set down Zoning Commission Case No. 18-02 MR 1700
12 Columbia Retail, LLC, Text Amendments to Subtitle U, Special
13 Exception MU-Use Groups C through E. And that we waive our
14 rules to have immediate publication of the Hearing Notice.
15 And look for a second.

16 CHAIRMAN HOOD: Okay, I'll second it. Did we
17 cover everything as far as the expedited process?

18 MS. LOVICK: But also you'd need to note that that
19 will be a 30-day notice period.

20 COMMISSIONER SHAPIRO: And I would add to the
21 motion that there will be a 30-day notice period.

22 CHAIRMAN HOOD: And I will accept that as a second
23 as well. Anything else?

24 (No audible response.)

25 CHAIRMAN HOOD: Okay, it's been moved and properly

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1 seconded. Any further discussion?

2 (No audible response.)

3 CHAIRMAN HOOD: All those in favor?

4 (Chorus of ayes.)

5 CHAIRMAN HOOD: Any opposition?

6 (No audible response.)

7 CHAIRMAN HOOD: Not hearing any, Ms. Schellin will
8 you record the vote?

9 MS. SCHELLIN: Yes, staff records the vote 5-0-0
10 to approve for set down as a rulemaking case, Case No. 18-02.
11 Commissioner Shapiro moving, Commissioner Hood seconding,
12 Commissioners May, Miller and Turnbull in support. That
13 includes a 30-day notice period and immediate publication of
14 a Public Hearing Notice.

15 CHAIRMAN HOOD: Okay. Thank you. Does the Office
16 of Planning have anything?

17 (No audible response.)

18 CHAIRMAN HOOD: Okay. Next, other business.
19 Election of Officers. And I will release the mic and turn
20 it over to my colleagues.

21 VICE CHAIR MILLER: Mr. Chairman, I would move
22 that we select you again as Chairman of the Zoning
23 Commission.

24 COMMISSIONER TURNBULL: For life.

25 (Laughter.)

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1 VICE CHAIR MILLER: You've been Chairman for 14
2 years? You've been here for 20 years.

3 CHAIRMAN HOOD: Yes, 20. It might be 24, but
4 that's still up in the air.

5 VICE CHAIR MILLER: That's up in the air, okay.
6 Anyway. As I said at my own confirmation hearing not too
7 long ago, that I have the privilege of sitting next to you
8 and observing up close and personal your outstanding
9 leadership and performance. And how you balance all of the
10 competing interests of the city.

11 And I've learned a lot from you and from all of
12 my colleagues, so with all of that, I move that we select you
13 as Chairman, and ask for a second.

14 COMMISSIONER SHAPIRO: Second.

15 CHAIRMAN HOOD: Okay, it's been moved and properly
16 seconded. Any further discussion?

17 (No audible response.)

18 CHAIRMAN HOOD: All in favor?

19 (Chorus of ayes.)

20 CHAIRMAN HOOD: Any opposition?

21 (No audible response.)

22 CHAIRMAN HOOD: Thank you, Ms. Schellin, will you
23 record the vote?

24 MS. SCHELLIN: Yes, staff records the vote 5-0-0
25 to approve Commissioner Hood as Chairman once again.

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1 Commissioner Miller moving, Commissioner Turnbull seconding,
2 Commissioners Hood, May, and Shapiro in support.

3 COMMISSIONER SHAPIRO: Mr. Chair, I would like to
4 take this opportunity to nominate Vice Chair Miller to
5 continue as Vice Chair. And recognize him for his,
6 especially commitment to affordable housing and Juliet
7 Balconies.

8 CHAIRMAN HOOD: I will second that motion. And
9 let me just say this. I think the Vice Chair does a great
10 job. Especially sometime when I get stuck. And if you ever
11 see me lean over to my left, I'm always asking him for some
12 advice. So, he's great counsel.

13 COMMISSIONER SHAPIRO: I feel the same way. He's
14 just a wealth of information and I appreciate the resource.

15 VICE CHAIR MILLER: Thank you all.

16 CHAIRMAN HOOD: Okay. So it's been moved and
17 properly seconded. Any further discussion?

18 COMMISSIONER MAY: Is there a second? I didn't
19 hear a second?

20 CHAIRMAN HOOD: Oh, I seconded it.

21 COMMISSIONER MAY: Oh, okay. Sorry, I didn't hear
22 that.

23 CHAIRMAN HOOD: Any further discussion?

24 (No audible response.)

25 CHAIRMAN HOOD: All in favor?

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1 (Chorus of ayes.)

2 CHAIRMAN HOOD: Any opposition? Certainly, not.
3 Ms. Schellin will you record the vote?

4 MS. SCHELLIN: Yes, the vote is 5-0-0 to continue
5 Commissioner Miller as the Vice Chairman. Commissioner
6 Shapiro moving, Commissioner Hood seconding, Commissioners
7 May, Miller, and Turnbull in support.

8 CHAIRMAN HOOD: I was just wondering why nobody
9 stuck around in the audience to hear our elections. I guess
10 that was real important. Anything else?

11 VICE CHAIR MILLER: It'll be very popular on video
12 on demand.

13 CHAIRMAN HOOD: Is there anything else Ms.
14 Schellin?

15 MS. SCHELLIN: No, sir.

16 CHAIRMAN HOOD: Okay, so we're -- I thank everyone
17 for their participation. This meeting is adjourned.

18 (Whereupon, the above-entitled matter went off the
19 record at 7:21 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Regular Meeting

Before: DC Zoning Commission

Date: 02-12-18

Place: Washington, DC

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

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Court Reporter

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