The Regular Meeting of the District of Columbia Zoning Commission convened in 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, Chairman
MICHAEL G. TURNBULL, FAIA, Commissioner (OAC)
PETER MAY, Commissioner (NPS)

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary
DONNA HANOUSEK, Zoning Specialist
ESTHER BUSHMAN, General Counsel
OFFICE OF PLANNING STAFF PRESENT:

    JENNIFER STEINGASSER
    JOEL LAWSON
    TRAVIS PARKER
    STEPHEN MORDFIN
    MAXINE BROWN-ROBERTS
    MATT JESICK
    STEPHEN RICE
    STEPHEN VARGA

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

    JACOB RITTING, ESQ.

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CHAIRPERSON HOOD: Okay. This meeting will please come to order.

Good evening, ladies and gentlemen. This is the November 10th, 2008 public meeting of the Zoning Commission. My name is Anthony Hood and joining me are Commissioner Turnbull and Commissioner May. Also we're joined by the birthday lady, Ms. Sharon Schellin.

Would you like to tell us, you have any plans?

Well, the goal tonight is to get Ms. Schellin out so she can enjoy her birthday.

Also Ms. Donna Hanousek and Ms. Bushman. From the Office of the American General, Mr. Ritting and the Office of Planning under the leadership of Ms. Steingasser.

Okay. Copies of today's meeting
agenda are available to you and are located in the bin near the door.

We're also being web cast live.

Okay. Let's get right into our agenda.

Ms. Schellin, we have any preliminary matters?

MS. SCHELLIN: I think none except that you talked about maybe rearranging the agenda.

CHAIRPERSON HOOD: Okay. We're going to take everything until we get to three. Our new number three will be final action. Number four will be hearing action. Number five will be proposed action. And then we will proceed as indicated. Again number three, now noted as hearing action, becomes number four. Proposed action, known as number four, becomes number five. And number five, which is final action, becomes number three. Hopefully no one's mixed up. If not, just go along and we'll get through it.
Okay. Ms. Schellin, we have any preliminary matters?

MS. SCHELLIN: No, sir.

CHAIRPERSON HOOD: Consent calendar items? None?

MS. SCHELLIN: None.


Ms. Schellin?

MS. SCHELLIN: Staff has nothing further to add for this one other than to say that we do have an absentee ballot from Commissioner Jeffries.

CHAIRPERSON HOOD: Okay. Thank you very much, Ms. Schellin.

MS. SCHELLIN: I'm sorry, this one, I forgot, there is a request from the applicant withdrawing its phasing request. That was something that you guys requested at the last meeting before you would take final
action. And they have provided a letter withdrawing that phasing request.

CHAIRPERSON HOOD: Okay. We have that letter in front of us, colleagues; it's Exhibit 72. And that was one of the outstanding issues and they are withdrawing the phasing.

With that, unless there's anything else, I would approve Zoning Commission Case 07-35, the Sheridan Redevelopment and ask for a second.

COMMISSIONER TURNBULL: Second.

CHAIRPERSON HOOD: Second. Any further discussion? Any further discussion?

All those in favor? Aye.

COMMISSIONER TURNBULL: Aye.

COMMISSIONER MAY: Aye.

CHAIRPERSON HOOD: Sounds like those present, all are in agreeance.

Ms. Schellin, could you record the vote?

MS. SCHELLIN: Yes, staff records
the vote 4-0-1 to approve final action in Zoning Commission Case No. 07-35. Commissioner Hood moving; Commissioner May and Turnbull in support. Commissioner Jeffries in support by absentee ballot. The third mayoral appointee, vacant, not voting.

CHAIRPERSON HOOD: Okay. Our next case is Zoning Commission Case No. 08-03 and that's the Beulah Baptist Church of Deanwood Heights, map amendment for portions of Squares 5228, 5253, 5262, 5263, 5264 and 5265.

MS. SCHELLIN: Staff has nothing further to add on this case either, other than to advise that we do have an absentee ballot from Mr. Jeffries.

CHAIRPERSON HOOD: Okay. I did not participate on this case, so what I would do is ask if we have any discussion. I would like for one of my colleagues to make a motion, if so choosing, and moving that order.

COMMISSIONER TURNBULL: I would
move that we approve Zoning Case No. 08-03, petition of Beulah Baptist Church of Deanwood Heights to amend Zoning Map, portions of Squares 5228, 5253, 5262, 5263, 5264 and 5265.

CHAIRPERSON HOOD: Okay. Can I get a second?

COMMISSIONER MAY: Second.

CHAIRPERSON HOOD: Moved and properly seconded. Any further discussion?

All those in favor?

COMMISSIONER TURNBULL: Aye.

COMMISSIONER MAY: Aye.

CHAIRPERSON HOOD: Ms. Schellin, could you record the vote?

MS. SCHELLIN: Yes, staff records the vote 3-0-2 to approve final action in Zoning Commission Case No. 08-03. Commissioner Turnbull moving; Commissioner May seconding. Commissioner Jeffries in favor by absentee ballot. Commissioner Hood not voting, having not participated. And the third mayoral appointee position being vacant,
not voting.

CHAIRPERSON HOOD: Thank you, Ms. Schellin.

Let's move right along. Zoning Commission Case No. 07-27, EYA, LLC and St. Paul's College, consolidated --

MS. SCHELLIN: Before we go there, there's one more case in between, 08-03-1. That was another one that, Chairman Hood, you didn't participate in.

CHAIRPERSON HOOD: The one that I put it to the side? Okay.

MS. SCHELLIN: Yes.

CHAIRPERSON HOOD: All right. All right. Let's go, colleagues. Zoning Commission Case No. 08-03-1. Ms. Schellin?

MS. SCHELLIN: Again, I have an absentee ballot from Commissioner Jeffries.

COMMISSIONER TURNBULL: I would move approval of Zoning Case No. 08-03-1, text amendment, a Deanwood Heights map amendment, portions of Square 5253, 5254, 5262, 5263,
CHAIRPERSON HOOD: Get a second?

COMMISSIONER MAY: Second.

COMMISSIONER MAY: Moved and properly seconded. Any further discussion?

All those in favor?

COMMISSIONER TURNBULL: Aye.

COMMISSIONER MAY: Aye.

CHAIRPERSON HOOD: Ms. Schellin, could you record the vote?

MS. SCHELLIN: Yes, staff records the vote 3-0-2 to approve final action of Zoning Commission Case No. 08-03-1. Commissioner May moving; Commissioner Turnbull seconding. Commissioner Jeffries in support by absentee ballot. Commissioner Hood not voting, having not participated. And the third mayoral appointee, vacant, not voting.

CHAIRPERSON HOOD: For the record, when council looks at my attendance, both of those cases were the same night and went relatively quickly. So maybe I should stay
away more often.**

Okay. Zoning Commission Case No. 07-272aye, EYA, LLC and St. Paul's College, consolidated PUD and related map amendment at 3015 4th Street, Northeast.

Ms. Schellin?

MS. SCHELLIN: There were a couple documents received that the Commission requested. We did get, I believe it was today; maybe it was Friday or today, a letter from DPR supporting the project and I believe it was the park. And also we have a report from NCPC stating that it did not adversely affect any federal interest and would not be inconsistent with the Comp Plan of the National Capital.

CHAIRPERSON HOOD: Okay. Thank you very much, Ms. Schellin. And I would just allude we also received a letter from the ANC in which there were some questions asked. A lot of it was traffic. Also it mentioned about the amenities package. The applicant
has increased the amenities package, and I
know my colleagues thought that the package
was sufficient when we dealt with it at
proposed. And it looks like by the simple
request they have increased it now. The
community probably get everything they want?
No. Are they still a park? Yes. But was
that increase made? Yes.

And there are some questions from
Commissioner Grant that were asked, and I
think there are other venues that can handle
that. Some of this is outside of our
jurisdiction because one of the questions was
the fifth point in the construction traffic
management plan, listed all construction, all
routes shall be approved by the District of
Columbia. And the question was, which agency?
I would believe that is DDoT, but I don't want
to sit here and try to mention what the
relative agencies are which handle this, but
there are other venues which handle things,
especially when consistent with the
construction management plan. So I wanted to make sure that was on the record.

Let me just ask this: The ANC asked for additional time. Is there anyone here interested in additional time in this particular case? Okay. Hearing none.

Let's open it up for discussion.

Commissioner Turnbull?

COMMISSIONER TURNBULL: I think one of the things which we had asked for, and we did receive, a construction management plan?

CHAIRPERSON HOOD: Correct.

COMMISSIONER TURNBULL: And I think a lot of the things that the Committee was concerned about is enumerated here, but I think the big point is that they're going to have a representative who will be authorized to address compliance and that the representative shall have a local office, phone, fax and voice mail and be accessible during business hours. And I think there's a
means of communication with the contractor, with the applicant, during this whole process. So I think that's a good aspect of it. I think we got what we wanted on that.

CHAIRPERSON HOOD: Okay. I will tell you that, and then we'll go to Commissioner May, and I'm looking at some of the points where I read, "We are pleased to report that the dialogue was in many ways responsive, respective and productive, but ultimately the applicant was unable to close the gap between the requests of the ANC and what the applicant believes is reasonable and financially sustainable by the project."

And, you know, this is a process and I have some things here underlined where they went up from 24 to 28 affordable units, but again, I will rest on this because the construction management plan, everything which will be in our order, the Zoning Administrator, I think that gives, at least me, a confidence level to move forward.
There's a recourse for the community to go to.

Commissioner May?

COMMISSIONER MAY: For reasons that have not been addressed and any subsequent submissions, I opposed this project when we took proposed action, and I don't see any reason at this point to change my position on this one. I'm prepared to go forward, but I'm still opposed to the project.

CHAIRPERSON HOOD: Okay. All right. With that, we also have a letter from National Capital Planning Commission. Said it's not inconsistent with the Comp Plan for the National Capital Renewal, would be adversely affect any other identified federal interests.

So with that, I would move approval, modified approval of modifying of the amenities and what was submitted in for final, Zoning Commission Case No. 07-27 and ask for a second.

COMMISSIONER TURNBULL: Second.
CHAIRPERSON HOOD: Moved and properly seconded. Any further discussion?

Any further discussion?

All those in favor? Aye.

COMMISSIONER TURNBULL: Aye.

CHAIRPERSON HOOD: Any opposition?

COMMISSIONER MAY: Opposed.

CHAIRPERSON HOOD: Okay. Ms. Schellin, could you record the vote and the proxy?

MS. SCHELLIN: Yes, staff records the vote 3-1-1 to approve final action in Zoning Commission Case No. 07-27.

Commissioner Hood moving; Commissioner Turnbull seconding. Commissioner Jeffries in support by absentee ballot. Commissioner May opposed and the third mayoral appointee, vacant, not voting.

CHAIRPERSON HOOD: Okay. Thank you, Ms. Schellin.

Next is Zoning Commission Case No. 06-40. This is the Gateway Market Center,
Inc., consolidated PUD and related map amendment at 1240-1248 4th Street, Northeast.

Ms. Schellin?

MS. SCHELLIN: We also have an absentee ballot from Mr. Jeffries on this case.

CHAIRPERSON HOOD: Okay. The NCPC mentions that the Comprehensive Plan for the National Capital Area is not inconsistent with that, nor would it adversely affect any other identified federal interests.

What I would like to do in this case, unless there are some other comments, is to move approval of this case, but give Office of Attorney General the latitude or flexibility to make sure it's correct with legal sufficiency.

Okay. So I would move approval of Zoning Commission Case No. 06-40 and leave in the flexibility for Office of Attorney General to make sure that the order is sufficient legally and ask for a second.
COMMISSIONER MAY: Second.

CHAIRPERSON HOOD: Moved and properly seconded. Any further discussion?

Any further discussion?

All those in favor? Aye.

ALL: Aye.

CHAIRPERSON HOOD: Not hearing any opposition, Ms. Schellin, could you record the vote?

MS. SCHELLIN: Staff records the vote 4-0-1 to approve final action in Zoning Commission Case No. 06-40. Commissioner Hood moving; Commissioner May seconding.

Commissioner Turnbull in support; Commissioner Jeffries in support by absentee ballot. The third mayoral appointee, vacant, no voting.

CHAIRPERSON HOOD: Okay. Thank you.

Now we'll go to hearing action.

Zoning Commission Case No. 08-25. This is the Matthews Memorial LP and Matthews Memorial Church, consolidated PUD and related map
amendment at Square 5868.

Let me see, and I know his name, Mr. Weis? Rice. How did I forget that? I just haven't seen you in about a month.

Okay. Mr. Rice?

MR. RICE: Good evening. My name is Mr. Stephen Rice. I'm with the Office of Planning.

The applicant, which is Matthew Memorial Church, is requesting a consolidated PUD and PUD-related map amendment from the R-5-A to the R-5-B for a property located in Square 5868.

The Office of Planning recommends the application be set down for public hearing as proposed, but in the alternative OP recommends that a C-2-A PUD-related map amendment for the entire site be advertised.

Just to give a brief description of the site. It's located about a third of a mile south of the Anacostia Metro station in Ward 8. The site is bound by Martin Luther
King Avenue to the west and Dunbar Road to the east. The surrounding area is comprised of mainly multifamily housing buildings and also some single family houses and other institutional uses.

The applicant is proposing to remove four existing small houses and to reconstruct a four-story 100-unit apartment building and a three-story community center. Thirty-two of those units would be devoted to seniors and the community center would include a health clinic, a community room, a small book store, a café, and a restaurant. The community center would service both the existing church and the greater community.

As far a zoning is concerned, the residential building would be well within the PUD height and FAR provisions of the R-5-B. The R-5-B, however, does not have permit retail uses. OP is not opposed to limited retail uses on this site as a part of the church-related community spaced. Therefore,
in the alternative, OP is recommending that the Zoning Commission set down a C-2-A PUD-related map amendment to permit the retail uses associated with the community center.

The following areas of flexibility would be needed: The height and FAR increase that's associated with the PUD-related map amendment. This height would be above what's permitted by right, but it would be well below what would be permitted with a PUD. Relief from parking would also be required. Twenty-two spaces is required for the community center, but only 12 spaces would be provided. And a request to construct the two buildings on one lot is also a matter of relief that's needed.

OP notes that under R-5-B additional relief would be needed to permit the community center for this portion of the project, but such relief would not be needed if the site is amended to a C-2-A as proposed by OP in the alternative.
As far as the land use map and the Comp Plan policies, according to the land use map, the site is designated for moderate density residential. Although the map does not specifically call out commercial uses in this area, the map is generalized and there are multiple policy statements in the plan supporting the forms of non-residential uses that are proposed. Further, the entire site is located within the community enhancement area as identified in the Comprehensive Plan generalized policy map. The community enhancement area encourages in-field development and land uses that reflect the historic mixture and diversity of the community. The project would promote this policy by enhancing the available housing variety and by establishing a diversity of land uses in this neighborhood.

As detailed in our report, the project would advance numerous specific provisions that are labeled in the Comp Plan.
It would advance family style sit-down restaurants, which are specifically identified for this area, medical clinics, affordable housing, family housing and tier housing.

As far as the amenities and public benefits, the residential piece would be 100 percent affordable. As far as the housing is concerned, roughly a third of the housing would be reserved for seniors.

The project would also have environmental benefits as the development would incorporate green building features.

So the Office of Planning believes that this proposed PUD is not inconsistent with the elements of the Comp Plan and would be a benefit to the surrounding neighborhood. OP recommends that the application be set down for public hearing for a consolidated PUD and related map amendment from R-5-A to R-5-B.

But in the alternative, OP recommends that the C-2-A PUD-related map amendment be advertised for this site.
Just to sort of clarify something that was noted in our report, OP recommends that this alternative for C-2-A be advertised for the entire site. The Office of Planning will continue to work with the applicant to ensure that more details are provided regarding the green building components, details regarding its social services programming and also to ensure refined building and landscape drawings are provided prior to a public hearing.

I'm open for questions.

CHAIRPERSON HOOD: Mr. Rice, let me just ask you one quick question about the advertisement. Does the applicant have a problem with -- I don't know if I read that they were in agreeance with -- are they in agreeance with the C-2-A, the entire site?

MR. RICE: As far as we know, we haven't heard any complaints about re-advertising for a C-2-A.

MR. LAWSON: To clarify, Mr. Hood
actually did discuss it with the applicant and
they indicated that they had no concern, that
they concurred with the alternative mapping
for the site.

CHAIRPERSON HOOD: Okay. Thank
you very much.

Okay. Colleagues -

COMMISSIONER TURNBULL: But that's
larger than the site of the original R-5-B,
right? Or is this you're increasing the --

MR. RICE: Well, in the report I
think we noted that it would only be for the
community center. But in fact, in the
alternative it would be for the entire portion
of the site that's identified in this
application.

COMMISSIONER TURNBULL: Okay. So
you're not splitting it? You're really saying
it's the whole thing?

MR. RICE: It's the entire site, correct.

COMMISSIONER TURNBULL: Oh, okay.
I'm just looking here, now the loading berth is simply a space outside, from what I can see here. It's not really inside the building. It's a reserved area on the outside near the entrance to the garage for a truck to pull up, which looks kind of tight with the parking, with the cars. I mean, again, even if you're looking at a 50 or a 40-foot truck, I don't know, maybe it's fine. It just seems you're going to have to back in a ways to do this. But, yes, I guess you're just going to be off-loading in the parking lot then?

MR. RICE: Are you referring to --

COMMISSIONER TURNBULL: I'm looking at drawing A-1.

MR. RICE: Okay.

COMMISSIONER TURNBULL: But it's on a couple of the other site plans, any one of the site plans, but A-1 just sort of shows the garage entrance going in and out and then it's got a reserve space which just says "loading." And from what I've seen, it's
simply a place on the parking lot.

   MR. RICE: Yes, that is how it appears.

COMMISSIONER TURNBULL: I'm just wondering if that's the most advantageous way to do this.

   MR. RICE: That could be something I could actually get more information from the applicant.

COMMISSIONER TURNBULL: Okay. I'm just curious. I'm sorry. Yes, you're right. There is another commercial loading space on the entrance as you're coming in off of Martin Luther King Drive. There's a space. There's another one. These are simply just spaces. I guess you're just going to off-load. There's not really a loading berth; there's not a loading dock. It's simply a space outside of the buildings that you simply pull up in and unload.

   MS. STEINGASSER: That's correct. That's the initial design, is that it's a
loading space. And on the residential building, you would come in through the garage, but you would unload outside of the garage.

COMMISSIONER TURNBULL: And then you'd have to have the garage doors open to wheel things in, I guess.

MS. STEINGASSER: And there are two elevators that you would work from there.

COMMISSIONER TURNBULL: Okay. I'm just wondering. It looks kind of tight with the cars. I'm just wondering how a truck pulls in there. I mean, maybe it's fine. It just looks awkward.

MS. STEINGASSER: We can ask the applicant to provide the drawings the Commission's used to seeing that shows the radius and the trucks' movements. They'll be happy to do that.

COMMISSIONER TURNBULL: Okay. I guess the only other thing that sort of struck me, there's a bike rack on the outside and I'm
just curious why there wasn't bike storage on
the inside in the parking garage. I mean,
it's a nice place to pull up and park your
bike while you're there, but I think for
overnight storage and safekeeping you might
want to have something inside the building.

   MS. STEINGASSER: We'll ask them
to look at that. That's a valid point.

   COMMISSIONER TURNBULL: I mean,
ask the applicant to look at that.

   MS. STEINGASSER: Yes, to at least
give some kind of weather and security.

   COMMISSIONER TURNBULL: Yes, I was
just concerned that it's just out in the open
and it would be better for the residents to
have something inside the building.

   MR. RICE: To go back to your
original question, I think there is a drawing
showing the circulation from the rear. It's
the C-2.20. It gives a little indication of
how the truck would actually turn around from
the rear.
COMMISSIONER TURNBULL: Okay. I see it. I think that works. I just see that the last vehicle still could be -- I mean, it still looks a little awkward there. I mean, they've got it to work, but it just seems like it's still --

MS. STEINGASSER: We'll ask them to take a look at that and work with DDoT on options.

COMMISSIONER TURNBULL: Take another look at it. Okay.

Mr. Chair, I'll give it someone else.

CHAIRPERSON HOOD: Okay. Thank you.

Before I go to Commissioner May, Vice Chair Jeffries has some comments on this case and if we can read those?

MS. SCHELLIN: Yes. The applicant should spend some time discussing the operations of the community center because of the varied and intense uses proposed.
Secondly, I am asking the applicant to revisit the punched-out windows shown in the facades. In other words, please review how the windows are organized as it makes the facade seem flat.

CHAIRPERSON HOOD: Is that all? I won't say anything bad about his comments, because he'll probably read the record.

Okay. Commissioner May?

COMMISSIONER MAY: Yes, I generally agree with Commissioner Jeffries' comments as well. I think the elevations in general need work, as do I think the plans overall. I mean, just looking at the loading situation in both circumstances, I mean, it looks like there's a loading dock, if you look at the civil plans based on the elevations that I read there. But it's C-2.0. You can see a difference in the height of the elevations. So there's a four-foot high dock there, but it doesn't seem to connect to anything. And it certainly makes sense that
there would be an actual loading dock.

There's enough grade change that it's easy.

There's access to the garage. I mean, there's just really not an excuse for not having that work well.

The community center building, similarly the loading is somewhat tortured. I mean, you sort of have this false impression that maybe you're loading at the level where the stuff is going to be going, but you're actually loading and taking it down a ramp and going into the basement, and then coming up the elevator to the kitchen. And that's where most of the traffic is going to be. So, I think that needs some work and they ought to look at some sort of more direct loading circumstance there.

I think that what this reminds me of, you know, between the loading and the parking and, I mean, there's just a huge amount of parking there that's existing, I know, but with this new use and new activity
I'm concerned about seeing some level of traffic study that goes along with this, particularly looking at the turning movements off of MLK, given the upcoming development further up Martin Luther King Boulevard and also the improved interchange between the Suitland Parkway and MLK.

As I said before, echoing Commissioner Jeffries, the elevations I think need work. I'm particularly concerned about the view of the building from Suitland Parkway. It's not bad; it's not like it's a forgotten elevation and they've just focused on the Martin Luther King side, but I do think you need to be very careful about what the view is actually from the parkway, because we want it to look like a very good building from that side. The lowest level there is probably the least attractive, but that's also going to be the least visible I think from Suitland the way the grades work out. But it may be worth actually doing some sort of a study there to
see how much slope you see, you know, what kind of trees are between you and the building. But I'm very interested in that being that the parkway is a parkway.

When we see the final versions or the hearing package, ordinarily I wouldn't even think I'd need to comment on this, but so often we wind up at hearings without having the right drawings to be able to evaluate it, but enlarged elevations that show us in some detail what materials are being used where and sample boards that show that. We had a hearing not too long ago where there was no sample board and I just want to make sure we get those things this time around so that we can have an efficient hearing.

There are a lot of drawings in here, a lot of renderings and different views, and things like that. And I think that they need to be judicious in using those and I think some of them are a little heavy on the color and the shadow, and it's not quite
realistic. I'm not sure we're getting a really good view of that. But I think it's worth taking a good look at what views are shown.

And I'm a little confused. I mean, is the community center building going to have a full-time operating restaurant? Is that what we're seeing in the plans?

MR. RICE: Based on the statement, my understanding is that it would function as a dining hall for the church, but it also would be open for the community during restricted hours. Those hours weren't detailed. Yes, it would be a restaurant, a full restaurant.

COMMISSIONER MAY: It would be a full restaurant?

MR. RICE: Open to --

COMMISSIONER MAY: I think it would be very good to have a clear understanding of what that is and whether it's going to be, you know, an outside operator
and, you know, running seven days a week. And course all that will factor into the traffic study as well. And I think that's right, I think, you know, that what we see so far is, you know, fairly mature, but clearly I think there are some areas that you all will be working with them on. That's about it for me.

CHAIRPERSON HOOD: Okay. Thank you.

The only thing I would add, and this goes in line with Commissioner May's comments, one of the things that we've had problems with is when we do our expert witnesses. We want to make that the applicants or whoever you're going to proffer as an expert, that we have a sufficient résumé, meaning case in point, architect, some projects you may have done previously. So just not that you're an architect and you need to show us a little more of what your work consists. So we don't want to turn you down as an expert witness. And I think we just did
that last week. So I want to make sure that we also start mentioning that.

And, colleagues, if I forget, let's make sure we do that because as you all know, we have some good architects and I hate for them not to get that status.

And let me just go back, because I know if Commissioner Jeffries is going to read the record, and all I was going to say to Mr. Jeffries, when you read this record, I can't believe you only had three comments.

But anyway, that's an inside joke. Okay. Anything else?

Commissioner Turnbull?

COMMISSIONER TURNBULL: Mr. Chair, I'd like to add, following up on Commissioner May's comments though on the sample board, as it is now when do you look at the drawings, it's hard to tell what's masonry, what's precast or stone. Some of this thing could be siding, some of it could be veneer plaster and some of that affects how we look at this. So
I think we'd really like that. You know, and as we were getting at, maybe some close-up details on how some of these look at, because it really helps us to get a better feel for how this building is sitting on the site and what it looks like.

And the other thing is, the roof plan is not very well laid out. I mean, I think I'm just seeing a very basic roof plan and it looks like the penthouses are dashed in, unless there is another drawing that I'm not looking at. I'm looking at A-10, but there's nothing really that says what's going on up there and if it's a three-foot-six parapet all the way around or whatever. So I think a little bit more information on the roof plan.

CHAIRPERSON HOOD: Okay. And the only thing I would add to that, I think Mr. Rice brought our attention to C-2.20. I'm really concerned or really interested in knowing how the circulation pattern is going,
where you got the handicap spaces, you have
the truck and C- 2.20 is like a truck over top
of the truck and it has to pull in and out.
And I personally want to see how all that's
going to work, so the whole circulation
pattern and how it's going to all operate
together.

Okay. Anything else?

Ms. Schellin, we have everything
covered?

Okay. With that, I would move
that we set down Zoning Commission Case No.
08-25 and ask for a second.

COMMISSIONER MAY: Second.

CHAIRPERSON HOOD: Moved and
properly seconded. Any further discussion?

All those in favor? Aye.

COMMISSIONER TURNBULL: Aye.

COMMISSIONER MAY: Aye.

CHAIRPERSON HOOD: Okay. Ms.

Schellin, could you record the vote?

MS. SCHELLIN: The staff records
the vote 4-0-1 to set down Zoning Commission Case No. 08-25 as a contested case.
Commissioner Hood moving; Commissioner May seconding. Commissioner Turnbull in support; Commissioner Jeffries in support by absentee ballot. Third mayoral appointee, vacant, not voting.

CHAIRPERSON HOOD: Okay. Our next case is Zoning Commission Case No. 08-26. This is Georgia and Lamont LP, consolidated PUD and related map amendment at Square 2892.

Mr. Mordfin?

Thank you, Mr. Rice.

Mr. Mordfin?

MR. MORDFIN: Good evening, Chairman and members of the Commission. I'm Stephen Mordfin with the Office of Planning. The applicant is requesting a consolidated planned unit development and a PUD-related map amendment so as to construct a six-story mixed-use building consisting of 69 residential units, 10,560 square feet of
retail space and 29 below-grade off-street parking spaces at the southwest corner of Georgia Avenue and Lamont Street, Northwest.

The site is currently improved with commercial buildings fronting on Georgia Avenue within the C-2-A and Georgia Avenue Overlay Districts and a surface parking lot within the R-4 District. A public alley separates the commercial from the residential zone districts. The PUD-related map amendment is to rezone the entire site to the Georgia Avenue Overlay District and C-2-B Districts to permit an increase in building height and FAR.

A separate application has been filed to close the portion of the public alley that divides the property and establish a 20-foot wide public ingress/egress easement along the western edge of the property.

The application also requests flexibility to reduce the number of off-street parking spaces from 33 to 29, permit the provision of shared loading facilities between
the residential and retail uses of the building, permit more than one roof structure, and to construct on the lot an excess of 12,000 square feet within the Georgia Avenue Overlay District.

The application also requests flexibility to modify the plans as approved so as to vary the number of residential units, vary the interior components of the building, vary the arrangements of the parking spaces and vary the final selection of the exterior materials without reducing quality.

The applicant proposes several public benefits and amenities. These include afford housing. A minimum of 50 percent of the residential square footage is proposed to be offered as affordable at 60 to 80 percent AMI.

Urban design and architecture. The application proposes high quality community- oriented retail uses, but does not define what those are and the Office of
Planning will work with the applicant to further define those.

Environmental. The applicant proposes to participate in the Green Communities Program, including the provision of a cool roof, Energy Star appliances and lighting fixtures and use of low or no-volatile organic compound paints.

And First Source Employment Program and Local Business Opportunity Program. The application indicates that the applicant will participate in these programs for the proposed development.

The application is not inconsistent with the policies of the Comprehensive Plan, including promote mixed-use development including housing on commercially-zoned land, particularly in neighborhood commercial centers, strive to retain the character of mid-city as a mixed-income community by promoting the construction of new affordable units. Georgia
Avenue should be an attractive pedestrian-oriented main street with retail uses, mixed-income housing and finally encourage the use of green building methods in new construction.

Therefore, the Office of Planning recommends that the Commission set down the subject application. Thank you.

CHAIRPERSON HOOD: Okay. Thank you, Mr. Mordfin.

Who would like to start off?

Mr. May?

COMMISSIONER MAY: Yes, my first question is, what's directly south of this? I see in the drawings just a two-story row house.

MR. MORDFIN: They're two-story commercial structures.

COMMISSIONER MAY: Commercial? And is this the historic district? Are those structures likely to be there a long time?

MR. MORDFIN: There is no historic
commissioner may: Yes. Okay. So
I mean, at some point they're expected that
there will be a building of similar size built
next door and to the south?

Mr. Mordfin: Perhaps that is a
possibility.

Commissioner May: Okay. Because
right now, I mean, you know, coming up Georgia
Avenue and looking across the street there
like that, you're looking at a big blank
facade.

Mr. Mordfin: On the south side of
the building?

Commissioner May: Yes.

Mr. Mordfin: Yes. Right, it's a
big blank facade. Right now the Georgia
Avenue Overlay District is encouraging -- the
purposes of that is to encourage the
redevelopment, increase the number of
residential uses on the street and modernize
the retail spaces. So the entire square is
located within -- or rather the entire frontage on Georgia Avenue is located within the Overlay District. So as what is happening on this part, part of the plan is that we anticipate is that that would also happen on other portions of that square.

COMMISSIONER MAY: Okay. The reason I ask that is, I mean, looking at that, I mean, you have this great big south-facing facade and not a window on it. And I know that if it's on the property line, it could wind up going away if you build a building next door. But there are portions of that facade that are not on the property line. They're on a public alley, right?

MR. MORDFIN: The rear part of the building, yes, that is correct that the rear part of the building is public alley and that would not be anticipated to go away. So it is possible that they could provide windows in that section.

MS. STEINGASSER: I think the
alley elevation is the west elevation.

COMMISSIONER MAY: Yes.

MS. STEINGASSER: That's A-2.3.

And it does have an extensive wall of windows.

COMMISSIONER MAY: Right, but

that's the west-facing.

MR. MORDFIN: You're speaking

about the existing public alley system that is

proposed to remain?

COMMISSIONER MAY: Yes.

MR. MORDFIN: Not the proposed

easement.

COMMISSIONER MAY: Right.

MR. MORDFIN: And that portion,

there is a small part there.

COMMISSIONER TURNBULL:

Commissioner May, you're referring to drawing

A-2.4?

COMMISSIONER MAY: Yes, A-2.4.

MR. MORDFIN: All right. If you

look at C-3.0, you see just where the public

alley does intersect with the building.
COMMISSIONER MAY: Yes. You know, it's just unfortunate. You know, who knows how long the building to the south is really going to be there, but it's just unfortunate that we wind up with a big blank south-facing facade which could be two years, could be 30 years, who knows? And, you know, even if it is patterned EIFS, it's still not going to look real great.

A number of the drawings need quite a bit more work to understand better. I mean, the elevations do look very flat. Even though it's called out, once again I would ask for enlarged elevations that show us in some detail what's there. They're not called out, but I assume that we've got through-wall ventilator units across the facades. Is that right?

MR. MORDFIN: It appears that way.

COMMISSIONER MAY: Yes.

MR. MORDFIN: We'll get more information from the applicant on that.
COMMISSIONER MAY: Yes, I'm not real found of that idea. And there are ways to do that and do it well, and I don't think that this has been done particularly well. So I would look carefully at that.

I like the general idea that the alley which was kind of contorted goes away and there's an easement instead, but in effect what we wind up doing is having the rear yard go away so that they could have the rear yard become the alley in effect. And I'm not sure how I feel about that one yet. I have to think about that issue.

The roof plan, they make a big deal of the so-called cool roof. I mean, obviously there are some benefits to that, but a cool roof is no great innovation in my book. I mean, it's not that much more sophisticated than aluminized roof paint, which has been around forever. And the roof plan itself is really kind of barren and so you have the paved walkway that, you know, leads you in a
very square path from an elevator that's far away from the roof top terrace thing and, you know, you've got to walk across this great desert of a roof to get to the nicer habitable space in the one corner. I mean, I like having that nicer habitable space, but the rest of the roof, if it's going to be an occupied space, even if it's just getting from point A to point B, ought to look better than that and I think they ought to look seriously at doing a green roof as we see on so many projects of late.

Yes, I mean, I think that there's quite a bit more massaging that needs to happen to the elevations in general for this project to be approvable, but I'm generally in favor of setting down. Thanks.

CHAIRPERSON HOOD: Mr. Turnbull?

COMMISSIONER TURNBULL: Thank you, Mr. Chair.

A lot of my comments are very similar to Commissioner May's. He makes good
points about the roof plan. And what's
deceptive, when you look at elevation A-2.2,
you see two people up on the roof looking over
the railing, but in actuality there's no
walkway that gets you to that railing. So
it's a little deceptive on what you're really
trying to do with that. And I think
Commissioner May made a good point. You've
got to go a long way across what's going to be
very blinding roof to get to this little oasis
up there and it should be rethought a bit and
looked at a little bit more carefully.

I think some of the comments we
made on the previous case also go to this one,
in that the elevations right now, although
they do call out what the materials are, are
at a really rendered phase. They really are
very much cartoon-like and don't really show
the brick, they don't really show the EIFS.
It's at a very elementary level. I think we
really need better drawings that actually show
-- and as Commissioner May said, whether it's
a blow up of certain sections, it would be
good to see that detailed a little bit more.

I'm also concerned, just as on the
other project, with the loading berth on
there. It's a 30-foot wide dock. It's
recessed into the building. There is a dock,
but I think you're going to have to make
several three-point turns to get a 20-foot
long vehicle in there. I'm not sure. I'd
like to see that shown, but they ought to do
a diagram showing how you get in and out of
that loading berth. And plus you've got
parking, you've also got the garage going in,
so I think it could be a little awkward at
times. It's tight. I mean, it is a solution,
but I think we need a little bit more
information on how that really works.

I think we've covered everything
that I've got.

COMMISSIONER TURNBULL: Mr.
Chairman, can I add one more thing?

Looking again at elevation A-2.4
and at the roof plan, there are several
penthouses and two of them are atop the stair
units,. And it's shown on A-2.4 as if it's
somehow set back from the edge of the
building, but according to the plan, it's not.
So you've got these two little stair towers
that just extend above the roof and those I
think, at least according to plan, are in the
same plane as the surface of the elevation.
And, I know about the classic problem of
dealing with stairways and apartment
buildings, and the need to have multiple
penthouses as a result. And I can understand
that, but I'm not ready to buy that you have
to have that separate stair unit on the
outside face of the building. So I think that
they need to look very carefully at that and
find a way to move that stairway away from the
front edge so that it's set back like a
penthouse should be.

COMMISSIONER TURNBULL: Mr. Chair,

and let me follow up. I think we need a
little bit more information on the residential amenity courtyard. It's a tight little space. You know, it's 24 feet wide. There's either fences that are going to be breaking off to different courtyards for the units that are down there. I'd like a little bit more information, either a perspective or some kind of a view that actually shows how that space actually works. It looks like it's been sort of geometrically configured just to make it work and it just seems a little awkward right now. It seems tight. It's a tight space and I think I'd like to just see a little bit more information on how this is really laid out.

CHAIRPERSON HOOD: Okay. My comments are relatively easy. I just want to know how that's going to work with the alley, the uses of the alley into the site and just the circulation pattern. I won't ask about the level of service, because I think that this applicant has done a good job in the transportation, at least from the level of
service, so that killed my groove and my questions on that.

Not that we haven't mentioned any architectural questions, but I will just mention about the trellis. And I'm not sure if this is adequate for this site, because I know up the street we did a circular one, but I know the treatment of the corner was a little different. But looking at the overhang and, you know, is it proper, does it look good? But what I would suggest is at the hearing maybe re-look at that. I didn't hear from the experts, so I don't know if anyone else has a concern with that. I'm not necessarily saying I have a concern, but I want to understand the intent and could we do something a little more redefined like we did up the street on another project. So that's all I have.

Anyone else?

Commissioner Turnbull?

COMMISSIONER TURNBULL: I would
agree. I guess it kind of goes back to our
comments earlier. It sort of follows up.
You're up on the roof and you're going through
this to get to this, and we don't have enough
detail that actually shows it. I'd say, the
drawings to me are a very early sketchy phase
here. We really do need more --

COMMISSIONER MAY: A sketch-up
phase.

COMMISSIONER TURNBULL: Sketch-up
phase, right.

COMMISSIONER MAY: That's where
they're at.

COMMISSIONER TURNBULL: So you're
right, we really do need more information on
that. It's just kind of a bland statement
right now.

CHAIRPERSON HOOD: Okay. All
right.

COMMISSIONER MAY: I would move
that we set down Zoning Case No. 08-26,
Georgia and Lamont LP, consolidated PUD and
related map amendment at Square 2892, and ask for a second.

    COMMISSIONER TURNBULL: Second.

    CHAIRPERSON HOOD: It's been moved and properly seconded. Any further discussion?

    All those in favor? Aye.

    COMMISSIONER TURNBULL: Aye.

    COMMISSIONER MAY: Aye.

    CHAIRPERSON HOOD: Ms. Schellin, could you record the vote?

    MS. SCHELLIN: Yes, staff records the vote 3-0-2 to set down Zoning Commission Case No. 08-26 as a contested case. Commissioner May moving; Commissioner Turnbull seconding. Commissioner Hood in favor; Commissioner Jeffries, not present, not voting. Third mayoral appointee, vacant, not voting.

    CHAIRPERSON HOOD: Okay. Next we're going to do Zoning Commission Case No. 08-27. This is the American Institute of
Architects, consolidated PUD and related map amendment at Square 170.

And, Mr. Lawson, I think I've seen this gentleman before, but I'm not sure if I've seen him as -- could you introduce?

MR. LAWSON: Thank you, Mr. Chair.

Yes, it's my honor and privilege to introduce one of our newer members to the Office of Planning. This is Stephen Varga. He's been working on the zoning review process, but he's also been doing some of our BZA and now our Zoning Commission work as well. So I'll turn it over to Steve.

CHAIRPERSON HOOD: Welcome and you may begin.

COMMISSIONER TURNBULL: Steve, before you start, I just want to put down for the record that I am a member of the American Institute of Architects. I'm also a fellow of the AIA and I've served on the Fellowship Committee. Not an officer, have no position within the organization that I think would
affect my ability to hear this case.

COMMISSIONER MAY: I also need to note that I'm an associate member of the AIA and I've done none of that other stuff at all.

CHAIRPERSON HOOD: So since I'm the only that didn't have to do a disclosure, I have all the architectural questions.

Okay. Steve -- I'm sorry, Mr. Varga, you can begin.

MR. VARGA: That's fine. Thank you, Mr. Chairman and members of the Commission. Again, my name is Stephen Varga, as Joel noted.

The applicant is requesting a consolidated planned unit development and a PUD-related map amendment from SP-2 to C-3-C to allow them to renovate and rehabilitate the AIA's national headquarters building at the corner of 18th Street and New York Avenue, Northwest.

The site is currently improved with the AIA headquarters building at the
northeast section and the historic Octagon House at the southwest corner and a plaza between the two. The PUD-related map amendment is to rezone the entire site to the C-3-C Zone to permit ground level retail uses which is not permitted in the SP Zone.

The application also requests flexibility to the rear yard setback and rooftop structures. There is no proposed increase in FAR, height and lot occupancy or affective impacts to the parking ratio for the AIA headquarters. Also, there is no proposed change to the Octagon House.

The project proposes the following benefits: LEED platinum certified renovation with up to 60 percent less energy use, ground floor retail uses and retention and activation of an existing plaza by greatly expanding the ground floor retail component. The proposed PUD is not inconsistent with the land use, environmental and urban design elements of the Comprehensive Plan for its proposal to convert
an existing building into a LEED platinum certified building and create an environment for active street life.

Therefore, the Office of Planning recommends that the Commission set down the subject application. Thank you.

CHAIRPERSON HOOD: Okay. Thank you, Mr. Varga. Am I pronouncing that right, Varga?

MR. VARGA: You sure are.

CHAIRPERSON HOOD: Thank you.

MR. VARGA: Thank you.

CHAIRPERSON HOOD: Okay. Any questions? Any comments?

COMMISSIONER MAY: This is going to be an interesting case. I'm very interested in the roof structures and seeing much great detail on exactly what they are and what they look like, because they're revolving not only functionally, but aesthetically and are becoming something of a feature. So, I'm
just interested in seeing more about that.

CHAIRPERSON HOOD: Commissioner Turnbull?

COMMISSIONER TURNBULL: Thank you, Mr. Chair.

Obviously, this is a fascinating project to be doing on this particular building. I'm a little bit confused, not confused, but perplexed by some of the language that's in the report and what's in the applicant's document where they talk about minimal foot traffic, pedestrian traffic and yet at the same time, we're drawing people here to shops. So, I'm confused as to is there more foot traffic on 18th, is there more on New York? The shops that they're showing located, I mean, the AIA currently has a book store on that first floor, on that ground floor and I believe it's back in a bit. I forget what it's called. Let me go to the plan here. If you go to ZA-1.2, I believe the current book store is in what's labeled the
"breakout space." Because I remember going in. You walk back and you go back behind the elevator and I think the book store is right there. The library is where the two new retail areas are. So if these are potential retail, I'm wondering is one of these going to be a relocation of the shop? Or are these totally out-sourced retail?

MR. VARGA: The applicant was not specific in how that retail space that currently exists, the book store as it currently exists, if that would remain where it is. My understanding based on their proposal was that, I believe they noted coffee shop and book store related retail uses.

COMMISSIONER TURNBULL: Right. Yes, I guess, which again, looking at this from a programmatic standpoint, New York Avenue, to get up to the plaza there are stairs, there are steps. The handicap entrance, the way you get in is on 18th Street. And I'm not sure where the major foot
traffic gets in, but are they doing something
with signage graphics to draw people in to let
them know, or is this something that once
neighbors know, it's word of mouth that's
going to draw people in here, I guess?

MR. VARGA: That would be
interesting proposal. They didn't have any
mention of signage. However, they did say
that their anticipation was that retail
traffic would be oriented to 18th Street.

COMMISSIONER TURNBULL: To me,
that's always, from the number of times I've
been there, is the primary foot traffic.

MR. VARGA: Sure. And I think the
belief from the applicant's point of view is
that hopefully this would offer those
pedestrians that do travel through that
corridor a respite of sorts and in order to
activate that plaza, so they would actually
have somewhere to go, a destination in the
area for either coffee or books, and have a
place to enjoy those in that existing plaza.
COMMISSIONER TURNBULL: I guess the thing then, are they looking for bike traffic also? Are they concerned about people on bikes coming here? Is that an issue? I know that I read comments that they weren't planning on "redoing" the plaza, but several elevations, several perspectives in here show divergent views on how they're going to do that. So I think we need a little bit more information on where they're going with that.

If you look at ZA-4.2 and then compare that with ZA-4.3, one is sort of looking from the back of the Octagon; it was where the brick wall circles around, and the other one is more from 18th Street. But one on ZA-4.3, you've got this walkway with a planting strip that has low, could be a liriope, and a few other things in the garden, but then on ZA-4.2 they've got these cute little trees in pots, which, you know, you want to take your eraser and erase those. It looks like a sophomore level in architectural school. I mean, it
just looks like they had to put something down
and it just doesn't look very thought out.

And I'm just wondering, if you're
going to have a coffee shop are you going to
have an outside space? I mean, the thing is
to make this an urban oasis. That was the
key. So it's an urban oasis. What kind of
street furniture in there? Are you planning
on having people come out, drink their coffee?
Is there going to be seating, you know, urban
furniture that somehow relates and doesn't get
overdone, but is sensitive to, you know, the
Octagon, the space around the building itself
and how does that relate to the whole site
plan, and how do you pull that in? So, I'd
like to see something on that.

And then are they leaving the
steps on New York Avenue? There is the grade
change, but I mean, if the main concentration
is 18th Street to pull people in on, what's
the draw? What's the friendly thing that's
going to make this the urban oasis. I'd like
to know a little bit more about the sensitivity of how that happens as you come into the grounds.

And I believe it was there's nothing being done to the Octagon itself.

MR. VARGA: That's right.

COMMISSIONER TURNBULL: They're not touching anything.

MR. VARGA: No.

CHAIRPERSON HOOD: Commissioner Turnbull, when you say the "Octagon," you're talking about the --

COMMISSIONER TURNBULL: No, the historic structure.

CHAIRPERSON HOOD: Oh. Oh, yes.

COMMISSIONER TURNBULL: The historic house is called the Octagon.

CHAIRPERSON HOOD: Okay.

COMMISSIONER TURNBULL: I'm just going over my notes here.

And getting back to what Commissioner May had said, these new light and
air shafts on the roof, other than the fact that yes, they're going up to 20 feet, they're also large. They have a width to them, a dimension that's significant. So they are becoming a very prominent feature on the building. So I think we need a little bit more detail on what they're really going to look like, as Commissioner May said.

And I'd like to know a little bit more about these light and air shafts. They seem to go down just to the office floors and they stop short of the ground and the first floor, I believe. So I think we need a little bit more information on it. These are huge elements.

And on the roof plan, is there anything else happening up there? Is there any green roof up there? There's nothing really shown on the roof other than the penthouses themselves.

MR. VARGA: Well, there is the lower green roof area.
COMMISSIONER TURNBULL: Yes.

MR. VARGA: There's the lower green roofing proposed.

COMMISSIONER TURNBULL: Right.

MR. VARGA: On top there are just the four roof top structures, the four shafts that you discussed that are going to be 20 feet tall.

COMMISSIONER TURNBULL: Yes.

Okay. We've talked about the report, and the applicant's report talked about the building as potentially a historic structure. And you've met the Historic Preservation to go over the issues. So you feel confident you've addressed all of that then?

MR. VARGA: Yes, the applicant met with the State Historic Preservation officer and apparently they learned from that meeting that it is a possible historic structure. It has historic significance and that they may pursue that in the future, however, right now they haven't pursued that avenue yet.
COMMISSIONER TURNBULL: Okay.

MR. VARGA: However, the improvements that they're making to the building will not jeopardize that potential historic designation in the future.

COMMISSIONER TURNBULL: Okay.

MR. VARGA: They've determined.

MS. STEINGASSER: I'd like to just clarify. The building has not officially been deemed eligible. So it will not be going to HPRB and undergo the same level of review that if it were officially deemed eligible.

COMMISSIONER TURNBULL: Okay. In your report, I think, or was it the applicant's? No, I think it was in the OP report. On page 7 you talked about under your land use section, negligible impact. But I don't think anything ever talks about impacts. I mean, if there is negligible impacts, what are those negligible impacts, I guess? I'm just curious. Is it simply from the height of the penthouses? I mean, that's the only thing
that really changes. I mean, I didn't understand that comment.

MR. VARGA: Yes, I apologize for that. That was unclear. I think the intention there was to show that the impacts were very slight.

COMMISSIONER TURNBULL: Okay.

MR. VARGA: I think that was the intention of that.

COMMISSIONER TURNBULL: The plaza, this little oasis, are they going to extend the hours? Is this going to be used at night? Is this going to go in beyond day? Are these shops looking to be open? I mean, normally the book store now closes like around 5:00 or something, I think, so I don't know. Are we looking for extended hours in these shops to go on and some different lighting in the plaza?

MR. VARGA: The applicant didn't give specific hours of operation for the proposed ground floor retail or any lighting.
COMMISSIONER TURNBULL: Okay.

Yes, I'm must curious whether the plaza's being seen as going into the night, like 8:00 or --

MR. VARGA: Sure.

CHAIRPERSON HOOD: -- you know, some extended use of it.

Okay. Mr. Chair, those are my questions.

CHAIRPERSON HOOD: Thank you very much.

Any other questions?

With that, I would move that we set down Zoning Commission Case No. 08-27 and ask for a second.

COMMISSIONER MAY: Second.

CHAIRPERSON HOOD: Any further discussion?

All those in favor? Aye.

COMMISSIONER TURNBULL: Aye.

COMMISSIONER MAY: Aye.

CHAIRPERSON HOOD: Ms. Schellin,
could you record the vote?

    MS. SCHELLIN: Yes, staff records
the vote 4-0-1 to set down Zoning Commission
Case No. 08-27 as a contested case.
Commissioner Hood moving; Commissioner May
seconding. Commissioner Turnbull in support;
Commissioner Jeffries in support by absentee
ballot. Third mayoral appointee, vacant, not
voting.

    CHAIRPERSON HOOD: I actually did
have some questions, but with respect to Ms.
Schellin's birthday, I will forego. I'm sure
mine could be answered at the hearing, but I
will just say the comments from the Office of
Planning at the end where it mentioned about
still having discussed this about the amenity
package. And also I was interested in the
views of the ANC, but all that I'm sure will
be presented at the hearing. Thank you.

    Okay. Next Zoning Commission case
No. 08-29.

    Mr. Jesick?
MR. JESICK: Thank you, Mr. Chair and members of the Commission. My name is Matt Jesick.

The Office of Planning recently received a proposal for a development located in the Uptown Arts Overlay, specifically in the Arts/CR Zone. And this proposal highlighted an issue which we feel may be a weakness in the overlay.

The Arts/CR Zone is located in two small pockets near U Street, Northwest near the intersections of 14th, 13th and 12th Streets and that zone requires 2.5 FAR residential for any single lot or 2.5 FAR residential for any combined-lot development. And the Office of Planning feels that this requirement could be hindering the provision of arts uses by limiting the development options on a property, especially when the site design is also governed by the presence of an historic structure.

So the Office of Planning is
proposing a text amendment to Section 1902.3 that would create an exemption to the residential requirement in order to grant maximum flexibility to property owners who want to provide an arts use.

What we're proposing is that a property would be exempt if it meets three criteria: (1) that this an historic structure on the site; (2) that an arts use would be located in the historic structure; and (3) that the arts use has or will have ceiling heights of at least 20 feet.

Now what this means is that the properties that meet those criteria would not have a residential use requirement and could provide any permitted use in addition to the arts use. Residential uses would still be encouraged by other zoning mechanisms; for example, in the base CR Zone. That zone creates a maximum of 3.0 FAR for non-residential uses. So if a builder wants to maximize the development on their site,
they would need to provide a residential component for the project.

This proposal would not be inconsistent with the Comprehensive Plan policies, specifically those policies which talk about the reuse and restoration of historic art facilities or general historic buildings being reused for new arts uses.

More specifically, the historic preservation element talks about developing special incentives to support the preservation of historic properties like schools, places of worship, theaters, and other prominent historic structures with communal value. Those policies go to say that a variety of tools should be used to reduce development pressures on these sites and to help with the unusually high cost of maintenance.

The Office of Planning therefore recommends that this text amendment be set down for a public hearing.

The proposal is not inconsistent
with the Comprehensive Plan and the proposed changes are narrow and would only affect a small geographic area and those changes, while granting extra flexibility, would help meet the intent of the Uptown Arts Overlay by encouraging the provision of arts uses.

So I'd be happy to take any questions.

CHAIRPERSON HOOD: Okay. Any questions?

Commissioner Turnbull?

COMMISSIONER TURNBULL: Yes, Mr. Jesick, what's driving this? In this area are you finding situations, historic properties that are having a tough problem, or what?

MR. JESICK: Well, as I mentioned, there is one proposal that brought this to our attention.

COMMISSIONER TURNBULL: Right.

MR. JESICK: And while there aren't that many sites left to develop in the Arts/CR, there is the potential that this
situation could arise again where there might not be enough flexibility given the residential requirement.

COMMISSIONER TURNBULL:

Requirement.

MR. JESICK: So we wanted to grant maximum flexibility for property owners.

COMMISSIONER TURNBULL: Okay. All right. Thank you.

CHAIRPERSON HOOD: Commissioner May?

COMMISSIONER MAY: Yes, I have sort of a different way of asking the same question, I think.

It's a relatively small area that is affected by this. How many existing arts venues with 20-foot interior spaces are there within that zone?

MR. JESICK: We know of one. That would be the Lincoln Theater.

COMMISSIONER MAY: Right.

MR. JESICK: But that's not to say
that an arts venue couldn't be created in other historic structures in the area.

COMMISSIONER MAY: Yes. And I assume that's what the project is about. It's the back lot of the Lincoln Theater?

MR. JESICK: That's correct.

COMMISSIONER MAY: Yes. I don't know, did you consider alternative ways of granting relief from this requirement? In other words, that there be some sort of further review by the Zoning Commission or the BZA? Because I don't know if you want to just let go of this without -- you know, I mean, granting this exemption, I don't know that there's really a great potential downside for it. I'm just curious about what's going to come about.

MS. STEINGASSER: This property is historic. It will be subject to review by the HPRB, so we felt creating a secondary design review just for the purpose of design review is redundant.
COMMISSIONER MAY: Darn. Okay.

CHAIRPERSON HOOD: Okay. Any other questions?

Okay. I will move that we set down Zoning Commission Case No. 08-29 and ask for a second.

COMMISSIONER TURNBULL: Second.

CHAIRPERSON HOOD: All those in favor? Aye.

COMMISSIONER TURNBULL: Aye.

COMMISSIONER MAY: Aye.

CHAIRPERSON HOOD: Not hearing any opposition, Ms. Schellin, would you record the vote?

MS. SCHELLIN: Staff records the vote 4-0-1 to set down Zoning Commission Case No. 08-29 as a rule making case. Commissioner Hood moving; Commissioner Turnbull seconding. Commissioner May in support; Commissioner Jeffries in support by absentee ballot. Third mayoral appointee seat vacant, not voting.

CHAIRPERSON HOOD: Okay. I don't
know if there's a lot of opposition or
discussion, that we could possibly maybe put
this case with another case, but I'll leave
that to staff to work out.

Okay. That's all we have on the
hearing action.

I know I'm taking this out of
order. Mr. Sobelson's, under correspondence,
let me just mention this. We have received
his request, and just for the record, Mr.
Sobelson has filed an appeal with the court
and we have had this request from him
previously and I just wanted to acknowledge
that for the record, that we are in receipt of
that and that he has filed an appeal of one of
our decisions in court.

Do I need to say anything else,
Mr. Ritting, on that?

MR. RITTING: No.

CHAIRPERSON HOOD: Okay. Thank
you.

Okay. Next, we're going to go to
proposed action. Can we take Zoning Commission Case No. 06-32 first? Is that Ms. Brown-Roberts?

Ms. Steingasser, can we take that out of order?

MS. STEINGASSER: Sure. Yes.

CHAIRPERSON HOOD: Oh, wait a minute. What am I doing? I don't need to come to you. Ms. Schellin. See, I mixed myself up. It's just the last one.

MS. SCHELLIN: Right. This is a hearing that actually just happened recently, the end of October. And I think there might have been a couple of questions that you guys still had from OP, and I'm not sure if you got answers to them or not, but it is before you for proposed action.

CHAIRPERSON HOOD: Okay. Thank you, Ms. Schellin.

And, colleagues, if you remember, we had had a case previously and this Square 766 was omitted. And I know there were some
questions asked during the hearing, particularly Mr. Turnbull. I'm not sure if all your answers have been satisficed or you have any questions at this point.

COMMISSIONER TURNBULL: Well, I guess OP has changed their stance on this and are willing to go ahead with it with a few caveats added onto what they can do. And I guess that caveat is regarding the height as it relates to the Capper/Carrollsburg Development. And I guess my question is, are they concerned about Square 0767 and how the height meets that building also. I guess we're addressing part of it, but I'm just wondering if you want to maybe comment on the block directly south.

And I guess the other thing is, or one of the big concerns that OP had was the IZ, which is going to be gone. Those are my two main questions that I have, is the block, you know, 767 and the OP's sort of backing off of the IZ.
MS. STEINGASSER: Square 767 is covered by the Arthur Capper PUD, so we know what its height is and it is a taller building; it already is I think at 90 feet. So we're less concerned about its relationship to this particular project.

COMMISSIONER TURNBULL: And I went back to your massing plan. I went to, I guess it's attachment 7. Well, I guess you have to look at a couple of them. But I remember attachment 7. You're sort of showing a step back. I mean, it looks like a little ziggurat back there or something that's happening.

MS. STEINGASSER: They were just schematic drawings.

COMMISSIONER TURNBULL: I know. I know.

MS. STEINGASSER: To show the relationship. But our main concern was how the building fronts on the park and how it fronts on the 40-foot row houses to the east.

COMMISSIONER TURNBULL: Well, I
guess that's what I'm looking at. From attachment 7, if I look at the three other buildings going south along the park, I'm assuming you're saying that this would be a matter of right that somebody could build this block. It looks like a behemoth. It looks huge.

MS. STEINGASSER: I'm sorry, which one is the behemoth, the square in question?

COMMISSIONER TURNBULL: Yes, the square in question.

MS. STEINGASSER: As a matter of right right now it could go up to a 90-foot building.

COMMISSIONER TURNBULL: It just looks like it dwarfs everything. It's just huge.

MS. STEINGASSER: It's an existing structure that -- it's the printing --

COMMISSIONER TURNBULL: Right, I know.

MS. STEINGASSER: -- so it is a
huge sturdy structure.

COMMISSIONER TURNBULL: I know.

MS. STEINGASSER: It's got

incredible weight-bearing floor plates.

COMMISSIONER TURNBULL: I mean,
you're asking them to change it. I mean,
basically the language that we're putting in,
they're going to have change some of that
building anyway.

MS. STEINGASSER: It's kind of a

semi-industrial, because it was all printing.

COMMISSIONER TURNBULL: Yes.

Right.

MS. STEINGASSER: There's going to

have to be some significant modification to

convert it to any kind of office use.

COMMISSIONER TURNBULL: Yes.

MS. STEINGASSER: If they go over

90 feet is what we're more concerned.

COMMISSIONER TURNBULL: Right.

MS. STEINGASSER: We're not

looking at taking away any of the entitlements
that it has had all these years.

    COMMISSIONER TURNBULL: Okay.

    MS. STEINGASSER: It's just when
it breaks 90 feet, it starts to get to a
height that we're concerned about how it
relates to its neighbors. And that's why we
wanted at least a design review.

    COMMISSIONER TURNBULL: But again,
your feeling is that it still relates to the
block to the south. I mean, you're mainly
concentrating on the Capper/Carrollsburg
Development, but not on the lot directly
south, 767, which you feel its got the extra
height anyway.

    MS. STEINGASSER: That building is
a less of a concern because it is more of a
compatible height.

    COMMISSIONER TURNBULL: Yes, you
know, it's huge.

    Well, what about your IZ? The IZ
concern which you had originally is now gone
away. You're willing to accept that you're
not going to get it?

MS. STEINGASSER: We'd like to see
the building get back into some kind of active
use.

COMMISSIONER TURNBULL: Right.

MS. STEINGASSER: It's been vacant
for a number of years now; the city has the
lease. IZ would only trigger if it went
residential. We have no reason to think that
it will be going residential, so we're
comfortable with that.

COMMISSIONER TURNBULL: Yes, it's
got -- the floor loading in that building is
tremendous, yes. Okay.

CHAIRPERSON HOOD: Okay.
Commissioner May, did you want to add
something?

COMMISSIONER MAY: No, I mean, the
whole case is rather puzzling. But I guess,
you know, if we were to move forward with a
provision that there would be Zoning
Commission review of height above 90 feet, you
know, I'm comfortable that that gives us
certain protection. It's just that, I don't
know, there's still just something about it
that it's such an anomaly in so many different
ways. It's hard to feel really totally
comfortable with dealing with it, you know, in
this way, but I don't have any other better
way to deal with it, so I guess I'll have to
take comfort in the idea that we get another
shot at it when it's an actual building.

CHAIRPERSON HOOD: Okay. All
right. With that, I would approve Zoning
Commission Case No. 06-32 with the caveats
that Office of Planning has so outlined in its
report and ask for a second.

COMMISSIONER MAY: Second.

CHAIRPERSON HOOD: Moved and
properly seconded. Any further discussion?

All those in favor? Aye.

COMMISSIONER TURNBULL: Aye.

COMMISSIONER MAY: Aye.

CHAIRPERSON HOOD: Ms. Schellin,
would you record the vote?

MS. SCHELLIN: Yes, staff records
the vote 3-0-2 to approve proposed action in
Zoning Commission case 06-32. Commissioner
Hood moving; Commissioner May seconding.
Commissioner Turnbull in support.
Commissioner Jeffries not present, not voting
and the third mayoral appointee seat vacant,
not voting.

CHAIRPERSON HOOD: Okay. Next
under proposed action is Zoning Commission
Case 08-06-3, and the Office of Planning of
Office of Attorney General and staff has
prepared a worksheet for us to give direction.
And now tonight we're dealing with loading.

Let me try something. I'm not
saying this is going to work. On page 1 of
the loading worksheet; and I hope everyone in
the audience has a copy of the loading
worksheet, I would move in block option 1
under No. 1, 2 and 3 and ask for a second.

COMMISSIONER TURNBULL: Second.
CHAIRPERSON HOOD: Any further discussion?

COMMISSIONER MAY: I need to catch up. Give me one second, please. We're only voting on No. 1?

CHAIRPERSON HOOD: One, two and three. Option 1 for 1, 2 and 3. I moved them all in block.

COMMISSIONER MAY: I'm not ready to vote option 1 on No. 3 yet. I'd like to have a little more discussion of that.

CHAIRPERSON HOOD: Okay. On No. 3? So let's go ahead with discussion.

COMMISSIONER MAY: No. 3.

CHAIRPERSON HOOD: Because I'm going to move it in block.

COMMISSIONER MAY: Okay.

CHAIRPERSON HOOD: Do we have a proxy?

MS. SCHELLIN: Yes.

CHAIRPERSON HOOD: Okay. So Commissioner May wants to talk about relief
from the loading requirement.

COMMISSIONER MAY: Yes, right.

And again, you know, I raised this in the hearing and I wasn't totally comfortable with the answers, which is that, you know, basically we're subjecting the zoning loading requirements to DDoT's process to determining whether or not they would grant a curb cut.

And I'm not sure that I'm ready to just accede that authority to DDoT, because, you know, I don't know what the process was and I asked the question about what their process was and what I got was, you know, that it was somewhat whimsical at times. And so, you know, I'm not totally comfortable with that idea at this point and I'm not sure how to solve it. I mean, I'm sympathetic to the problem and would like to find another solution for it, but I'm not sure that we can simply do away with a loading requirement because DDoT has denied a curb cut.

CHAIRPERSON HOOD: Well, I
remember us having this discussion and I know
that this doesn't give a whole lot of
confidence level, but when we get the text;
and I know this is getting old because we say
the same thing, I think we have another shot
at it. This basically, as you know, is only
giving them some direction. I understand
that.

It's so general now. I think to
solve that issue, we'll be stuck on that for
the rest of the evening. I mean, that's just
my --

COMMISSIONER MAY: And I'm not
suggesting that we're going to solve it
tonight. All I'm suggesting is that if we
were to go ahead and, you know, agree with
option 1, in terms of a direction, I would
just want to register the uneasiness that I
have about making it subject to, you know, the
DDoT process for determining a curb cut and
that it needs to be more specific than that
and that there are some very specific controls
on it, and that it's not just because, you
know, the guy at DDoT was having a bad day, or
whatever the reason may be. You know, I'm not
going to trivialize it totally. But the thing
is that, you know, circumstances for internal
agency regulation change over time and change
somewhat with the individuals who enforce
them. And so I'd like to see something a
little bit more regimented.

CHAIRPERSON HOOD: And I think I
would incorporate that into the motion as we
move forward. Oh, Mr. Parker. I saw some
hands. Oh, you were just speaking, right, Ms.
Brown- Roberts? Okay.

MR. PARKER: Unless I'm
mis-remembering, one of the places where you
did change our parking recommendations was to
make this recommendation, rather than matter
of right, make it special exception. So it
would be consistent between the parking and
loading chapters for us to make this a special
exception rather than matter of right. I
think that's what we had done in the other chapter, or the guidance that you had given in the other chapter.

CHAIRPERSON HOOD: To make it a special exception?

MR. PARKER: Correct.

COMMISSIONER MAY: I'd be comfortable with proceeding that way, at least for the moment.

MR. PARKER: And certainly if we find more information on the policies, we'll bring them to you.

COMMISSIONER MAY: Yes. And if there were a way to sort of write it into the code in such a way that we have assurance that it's going to be a rational process and a consistent process, then maybe we could relax on the idea of the special exception.

CHAIRPERSON HOOD: So would you accept incorporating Commissioner May's comments into this motion?

COMMISSIONER TURNBULL:
Absolutely.

CHAIRPERSON HOOD: Okay. So,

Commissioner May, are you okay?

COMMISSIONER MAY: I'm excellent.

Thank you.

CHAIRPERSON HOOD: All right.

Moving in block the first 1, 2 and 3, option 1, with the refinement of option 1, No. 3, or No. 3, option 1.

Okay. All those in favor? Aye.

COMMISSIONER TURNBULL: Aye.

COMMISSIONER MAY: Aye.

CHAIRPERSON HOOD: Any opposition?

So ordered.

Ms. Schellin, would you record the vote with the proxy?

MS. SCHELLIN: Yes, staff records the vote 4-0-1 to approve in block items 1, 2 and 3, option 1, as amended for No. 3.

Commissioner Hood moving; Commissioner Turnbull seconding. Commissioner May in support; Commissioner Jeffries in support by
absentee ballot. Third mayoral appointee seat vacant, not voting.

CHAIRPERSON HOOD: I don't think I'm going to be able to move the second page in block. Let's go with No. 4, quickly.

Location of loading areas. Option 1 is before us, or option 2. I think we all want to see some type of change, but is that the change we would like to see, or at least go in that direction? Because option 2, I think, is out and I'm not sure if anyone's interested in option 2, do not change existing location regulations. I think that is out. So the only other alternative we have is option 1.

Does anyone have any comments or would like to add something, or take away?

COMMISSIONER MAY: No, I mean, I think I'm comfortable proceeding in this general direction, and I think it's going to wind up getting tweaked as we proceed.

CHAIRPERSON HOOD: Okay. I'm going to make one motion on all of it, if we
could. But let's look at loading access.

Option 1 is the Office of Planning's recommendation, adopt OP recommendation regarding the location of loading access from a public Street or alley to parking spaces on a lot. And then option 2, which I'm sure, you know, that's why we're doing this exercise, says do not adopt OP recommendations regarding access, which basically I guess just remains the same.

So any comments on the Office of Planning's recommendation? They cite some circumstances and then it talks about some of the permitted access points. Okay?

COMMISSIONER MAY: It's okay.

CHAIRPERSON HOOD: Now this was one, and I can't remember what we did, this trash enclosures. This was similar to what we did previously and I think we were advised, because this was not in our purview. What did we do though? I think we went on ahead anyway, right?
COMMISSIONER TURNBULL: I think
the Office --

CHAIRPERSON HOOD: All right.
Let's move on with trash enclosures. Again, I'm going to start off with B, because do not regulate trash enclosures; we're trying to improve. Option 1 is the Office of Planning's recommendation as we read it.

Okay. Any comments or problems with that?

Let's look at No. 7, loading standards. Again, option 2 is basically not doing anything. Let's look at option 1.

COMMISSIONER MAY: I don't have any problem with trying option 1. I think by use category it gets -- I think there's a potential for complications, but that will only become apparent as you try to draft the language and deal with the different categories. Because, you know, when you have to think about all the categories of use, you have to think about everything that falls into
that category and then what the unique requirements are for each of those uses within that range in a category. And, you know, there was an issue that we raised with regard to just establishing those categories. I don't know that it plays into loading, but there may other circumstances where we see complications like that. But I say let's go for it for now.

COMMISSIONER TURNBULL: Yes, I guess I'm okay with it. I mean, it gets to be a little -- I mean, if you go back to the option 1 where we are replacing all the loading berths and we're changing that, and now we're going by square footage rather than -- and I guess the square footage, depending upon the category -- well, I don't know if that helps or not. I mean, I guess it does. I'm just --

MR. PARKER: To make it simpler hopefully, all of loading requirements right now are by square footage except for housing
and hotel.

COMMISSIONER TURNBULL: Well,

that's what I thought.

MR. PARKER: And our argument in

our response is that housing and hotel are

more appropriately also regulated by square

footage. So it's not as big a change as it

seems on paper.

COMMISSIONER TURNBULL: Yes, I

mean, I'm looking at this. I'm confused on --

it isn't much of a change really from what

we're doing now.

MR. PARKER: Parking is more often

based on different factors, but loading is

almost entirely now on square footage.

COMMISSIONER TURNBULL: Okay.

CHAIRPERSON HOOD: Okay. With

that, let's move in block 4, 5, 6 and 7,

option 1, Office of Planning's recommendation.

I will move that and ask for a second.

COMMISSIONER MAY: Second.

CHAIRPERSON HOOD: Any further
discussion?

    All those in favor? Aye.

    COMMISSIONER TURNBULL: Aye.

    COMMISSIONER MAY: Aye.

    CHAIRPERSON HOOD: Ms. Schellin,

would you please record the vote?

    MS. SCHELLIN: Yes, staff records

the vote 4-0-1 to approve in block items 4, 5, 6 and 7. Commissioner Hood moving;

Commissioner May seconding. Commissioner Turnbull in support; Commissioner Jeffries in support by absentee ballot. Third mayoral appointee seat vacant, not voting.

    CHAIRPERSON HOOD: Ms. Brown-Roberts, did you want to say something, or you just wanted to say good evening?

    MS. BROWN-ROBERTS: (Off microphone.)

    CHAIRPERSON HOOD: Okay. We will do the Office of Planning status report.

    COMMISSIONER MAY: Mr. Chairman,

I'm sorry, and I apologize for bringing this
back up, but I just want to go back and talk about item No. 1, size of loading berths, again for just a second. Which, you know, when we voted on them I hadn't quite had time to reload all of the thoughts from the last hearing back into my head. And I'm still concerned about the circumstances where we will have regular, almost daily deliveries with tractor-trailer trucks going to places like CVS. I mean, it's essentially the CVS problem. That's the one that I know of.

And, you know, again I don't have a difficulty proceeding in giving this guidance at this point, but I think that there needs to be a more clear resolution of how situations like that are addressed in the regulations. And I'm not sure, you know, how to do that. I would hate to, you know, make every retail use have to have the very large berths when it's only a few retailers that actually regularly use them. So I'd like to understand, you know, is it only CVS? Is it,
you know, CVS and a few others that are like that? How frequently does it happen? How much of a problem is it? And I think that, you know, if we know a little bit more about how big that problem is, I think it would help us, or it certainly would help me when it comes time to voting on actual language.

So I just wanted to sort of register that as an area for some additional study.

CHAIRPERSON HOOD: I think your comment is well taken. Not necessarily CVS, but I will tell you, when I actually watched what happened in this particular establishment and also heard Mr. Parker's comments, I evaluated all of that in this computer up here that's getting older, I evaluated all that as businesses changing their mind-set. I think that's kind of where the Office of Planning went to, you know, in trying to get people to adapt to what's there. And I think that's kind of the lines. But I will tell you, I
know for a living example; I don't want to get
in trouble, but I know of an establishment
that stopped using the big tractor-trailers
and now it comes in on a much smaller truck.
In this case it worked.

Now the CVS example, Commissioner
May, that you bring up, obviously that hasn't
changed and it might not ever change, but I do
know of one circumstance where this changed at
this point. And I think that's kind of where
Office of Planning was going.

Am I correct, Mr. Parker?

MR. PARKER: That's a lot of it.

I mean, the fact is that we don't require uses
that small now to have berths and for the
reasons that Commissioner May gave, we don't
want to because most of those type of uses
don't have that problem. It's just a couple
offenders. So the answer is it's not a
regulatory solution. The answer is it's an
enforcement solution. These businesses are
loading illegally and it's a matter of
enforcement. But we'll do some surveying to see what uses are the problem uses and report that back to you.

CHAIRPERSON HOOD: Does that --

COMMISSIONER MAY: That's fine with me. Thank you.

CHAIRPERSON HOOD: All right. Can we do the Office of Planning status report?

Ms. Steingasser?

MS. STEINGASSER: Yes, sir. The only thing I really want to draw to your attention is OP will be filing a supplemental report on firearm retail sales. We were hoping to get that to you today. We have had extensive coordination with MPD, OAG, City Administrator's Office and the American General himself. So that circulation has taken a little bit longer to get complete, so we'll be filing that for you on Wednesday with a request that you submit it. It's a much clearer text that we'll be bringing back and OAG will probably be weighing in on whether it
will require re-advertisment. But, we'll have that in the record on Wednesday.

CHAIRPERSON HOOD: That was my question, do we have to have another hearing?

MS. STEINGASSER: I believe in conversations with the attorneys, they didn't feel another hearing was necessary, but a re-advertisment of proposed action would probably be beneficial. That's all.

COMMISSIONER MAY: In your various discussions, have you been talking as well to Council Member Mendelson?

MS. STEINGASSER: Yes, we've talked with his office and we met with him just on Friday. He is in agreement with our final recommendation that we'll be bringing back to you.

COMMISSIONER MAY: Very good.

CHAIRPERSON HOOD: Let me just ask this of the Office of Planning, Mr. Parker or Ms. Steingasser. With the zoning rewrite, is there coordination with like Great Streets and
Main Street with other streets? You know, is there any kind of coordination, because I attended a meeting and they were talking about art districts. So I was just wondering, is Office of Planning with coordinating with Great Streets and Main Street, I'm sure some more streets?

MS. STEINGASSER: We are. There's a lot of planning initiatives going on separate from the zoning rewrite itself in the zoning review. We've tried to be very vocal that, you know, we want to incorporate whatever their findings are, especially if what they're looking for is land use changes to these plans, that we'd rather look at those through the zoning rewrite practice than rather coming after the facts. So there is coordination, but it's big government. Sometimes the communication may not be as mature as we would like it, as fleshed out.

But we are definitely synced in with the Deputy Mayor's office. We circulate regularly
with DDoE, DDoT and DPW.

CHAIRPERSON HOOD: Okay. All right. Thank you. I may ask that question again, I go to any more community meetings and hear some other things that come up.

Okay. Ms. Schellin, do we have anything else?

MS. SCHELLIN: No, sir.

CHAIRPERSON HOOD: Again, do you want us all to sing "Happy Birthday" to you?

MS. SCHELLIN: No, I don't.

CHAIRPERSON HOOD: You don't want us to spoil the birthday. That's all right. We won't spoil her birthday.

Okay. I thank everyone for their participation tonight and this meeting is adjourned.

(Whereupon, the meeting was adjourned at 8:15 p.m.)