GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF:            :

Comprehensive Zoning : Case No.
Regulations Review: Chapters : 08-06
B-15, B-16 & B-17 : :

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Monday,
November 15, 2010

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

The Public Hearing of Case No. 08-06 by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Office of Zoning Hearing Room at 441 4th Street, N.W., Washington, D.C., 20001, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson
KONRAD SCHLATER, Vice Chairperson
PETER MAY, Commissioner (NPS)
GREG SELFRIDGE, Commissioner (District

NEAL R. GROSS
COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
(202) 234-4433 WASHINGTON, D.C. 20005-3701 (202) 234-4433
Resident)
ZONING COMMISSION MEMBERS PRESENT (cont'd):
MICHAEL G. TURNBULL, FAIA,
Commissioner (AOC)

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary
ESTHER BUSHMAN, General Counsel

OFFICE OF PLANNING STAFF PRESENT:

DAN EMERINE
TRAVIS PARKER
JENNIFER STEINGASSER

DDOT STAFF PRESENT:

CHRISTOPHER DELFS
KARINA RICKS

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CHAIRMAN HOOD: Good evening, ladies and gentlemen.

This is a public hearing of the Zoning Commission for the District of Columbia for Monday, November 15, 2010. My name is Anthony Hood.

Joining this evening are Vice Chairman Schlater, Commissioner Selfridge, Commissioner May and Commissioner Turnbull.

We're also joined by the Office of Zoning staff, Ms. Sharon Schellin and Ms. Esther Bushman; also, the Office of Planning staff, Ms. Steingasser, Mr. Parker and Mr. Emerine. And I should have know when I used it; but anyway, Mr. Emerine. Thank you.

This proceeding is being recorded by a court reporter, and it is also webcast.
live. Accordingly, we must ask you to refrain from any disruptive noises or actions in the hearing room.

The subject of this evening's hearing is Zoning Commission Case 08-06. This is a request by the Office of Planning for text amendments to the zoning regulations in relations to the regulations governing parking, bike parking and loading.

Notice of today's hearing was published in the D.C. Register on October 1, 2010. And copies of that announcement are available to my left on the wall near the door.

This hearing will be conducted in accordance with the provisions of 11 DCMR 3021 as follows: preliminary matters, presentation by the Office of Planning, reports of other government agencies, a report of ANC -- all of them, organizations and persons in support, organizations and persons in opposition. The
following time constraints will be maintained in this hearing: organizations, five minutes; individuals, three minutes.

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

The decision of the Commission in this case must be based exclusively on the public record. To avoid any appearance to the contrary, the Commission requests that persons present not engage the Members of the Commission in conversation during any recess or at any time. The staff will be available throughout the hearing to discuss procedural questions.

Please turn off all beepers and cell phones at this time so not to disrupt
these proceedings.

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

MS. SCHELLIN: No, sir.

CHAIRMAN HOOD: I have one preliminary matter. I see that we've been joined by a representative of Councilmember Thomas' Office. I'm going to ask if Ms. Chambers will come forward. If we have any other representatives of any other Councilmembers' office, if you can come forward at this time.

Also, as she prepares and gets ready, I want to thank Commissioner May. We have a request -- I'll tell you what. I'll wait and we'll do that. But we do have a request to waive our rules for ten days prior to the Zoning Commission's public hearing. The Office of Planning has respectfully requested the Commission waive this rule and
set this report into the record.

I think we can do that with any objections of general consent.

Any objections?

(No audible response.)

CHAIRMAN HOOD: Not seeing any objections, so ordered.

Okay, Ms. Chambers, you may being.

MS. LEONARD: I'm Victoria Leonard.

And I'm here to read a statement into the record on behalf of Ward 5 Councilmember Harry Thomas, Jr.

Good evening, Members of the Zoning Commission. Thank you for giving me the opportunity to share with you my concerns regarding the proposed revisions to the zoning regulations relating to parking and loading. My concerns focus on the potential for an adverse economic impact to the District if some of these provisions are adopted.

I have recently spoken with
representatives of several retailers who are interested in developing large, multi-tenant shopping centers in the District. Some of these projects have been announced in the press. Others are still in the early stages and have not yet been announced. In addition, the U.S. government is actively searching for large blocks of office space for a number of federal agencies including Homeland Security and the State Department, among others.

The proposed regulations which would place a maximum on the number of parking spaces that could be provided in a new development and a maximum on the number of parking spaces per 1,000 square feet in a development will create a disincentive for these economic development opportunities to locate in the District.

Parking limitations may make sense in a downtown location or close to Metrorail. There are however a number of locations in
Ward 5 and other outlying wards with blocks of large land enough to accommodate these developments but without convenient access to Metrorail. Placing a cap on parking citywide in a one-size-fits-all approach would limit the desirability of these locations and have an adverse economic impact on the District.

In these difficult economic times, all agencies of the District of Columbia government must be mindful of the ways in which the regulations, policies and decisions may have either a positive or negative impact on economic development. All of us must work everyday to maintain the District's rightful share of regional economic development opportunities so that jobs and tax dollars can remain in the District.

I thank you for your careful consideration of these concerns. And I thank you for your service to the District of Columbia.
CHAIRMAN HOOD: Thank you very much, Ms. Chambers.

Commissioners, any questions of Ms. Chambers -- Councilmember Thomas' representative?

Do we have a copy of that?

MS. LEONARD: I have several copies.

CHAIRMAN HOOD: Okay. If you could give those to Ms. Schellin, and we can keep those.

Any questions?

(No audible response.)

CHAIRMAN HOOD: Okay. Thank you very much.

Okay. Let's go right to the Office of Planning, Mr. Parker.

And at some point during this presentation if we could just address for the record the issues that were brought up by the Ward 5 Councilmembers -- my Councilmember.
MR. PARKER: Absolutely.

CHAIRMAN HOOD: Okay. Thank you.

Okay, Mr. Parker.

MR. PARKER: Good evening, Mr. Chairman, Members of the Commission. My name is Travis Parker with the D.C. Office of Planning.

We've got three chapters to present here tonight. We're talking about proposed draft text for parking, loading and bicycle parking. We've got some general introductory comments. And after that, we'll stop probably at the end of each chapter to have question and answer with the Commission.

Just for your memory, on the screen now is our outline of the entire code. If you recall, the first three subtitles deal with general recommendations or general regulations -- excuse me. The chapters that we're going to be talking to tonight are in Subtitle B. They are general regulations that apply
citywide. And we'll talk about later how that interacts with subsequent subtitles. So the parking, loading and bicycle parking chapters will be located along with other general chapters in Subtitle B.

The Land Use Subtitle -- Subtitles D through J -- will each have the specific requirements. So the parking requirements for residential zones will be in the residential.

The parking requirements for industrial zones will be in industrial and so on and so forth.

Bicycle and loading do not vary by zone. Those are general requirements. So those will only be in the general chapter. We'll not have individual components in the later subtitles.

So just as background, this discussion originally started in 2008. This was one of the first working groups that the zoning review process held. We started in the spring of 2008 talking about parking and
loading, had a guidance hearing with you all in July of 2008 and September for loading. And in October and November, we got your guidance on the original set of recommendations that have resulted in the text tonight. Since that point, we've been doing a lot of additional research, done a lot of work with DDOT. And tonight is the culmination of all that work in the form of three new proposed chapters.

So just a little background of parking before we get into the actual text. We have a lot of policy guidance in terms of what we should be doing with parking, both regional guidance, city guidance and even city agencies in the form of DDOT working to reduce vehicle trips, increase the mode share of alternate transportation like bicycles, and just basically increasing the efficiency of D.C.'s transportation system.

And this is responding to basically
the picture of where we are now in D.C. Currently our city is generally rated as one of the second most congested urban area in the nation. Everyone in the city averages 62 hours of lost time per year. And our rush hour in the city has long since become rush hours and extends over significant periods of the day. We also rate consistently at the bottom of any lists of air quality in terms of ground-level ozone and particulate levels. So these are all concerns that this policy guidance is intended to address.

So the overall approach that we've been working on since 2008 in the zoning review process is mainly focused on a few areas. First, we've talked about retaining parking minimums for areas where there remains a concern for spillover. These are areas including larger apartment buildings and nonresidential development away from transit-oriented, away from Metro, away from
streetcar.

But then conversely eliminating parking requirements in the opposite situations, eliminating them in downtown, in industrial zones, in high-density areas and area with good transit service. Also eliminating them for small residential properties, single-family homes and the like in any parts of the city.

Fourthly, we talked a lot and we'll talk more tonight about establishing maximums for parking. And then finally, a lot of the work that's gone into is just basically updating all of the standards -- access in size and location of parking on particular lots. So that's the overall approach.

Why get into parking? Mr. Simpson, a former President of the Institute of Traffic Engineers, basically sums it up by saying off-street parking doesn't assist in solving the on-street traffic problem. It actually
generally has the opposite effect of inducing additional unnecessary vehicle usage.

We've looked at several areas over the past three years. And among these, managing congestion of our network, promoting more sustainable modes such as biking, reducing the environmental harm that comes not just from heavy auto usage but from a lot of pavement and a lot of surface parking, reducing housing costs and development costs that spike with additional and sometimes unnecessary parking, and finally promoting a walkable and urban environment throughout the city.

So with all that in mind as problems we're trying to solve, the problem that off-street parking requirements was originally proposed to solve was maintaining availability of space on the street and preventing what we call spillover of parking onto the street. And right now the city has
multiple -- I've got two slides full of ways that the city is currently addressing spillover and on-street parking availability. I'm not going to go through each one individually. But a lot of it has to do with parking management.

COMMISSIONER MAY: Would you mind going through them individually?

MR. PARKER: Actually, if you --

COMMISSIONER MAY: That's one of the issues that I'd like to know in some detail. I can ask a lot of questions or --

MR. PARKER: Absolutely. At the end of this presentation, we may allow DDOT to go into a little more detail, if that's all right, on what they're doing on-street. But talking about things like on-street parking management, traffic safety, transit surfaces, all intended as ways to control the availability of parking, control the demand for parking on the street and ways that have
actually proven to be more successful and much more successful in doing it than providing extra off-street parking.

So with that sort of background of where we've been and why we're here, I'm going to walk through the proposed parking chapter. For those of you that have the text, it may help you to walk through it. But I'm going to walk really quickly through the different sections and what's in each one.

The first section 1500 is just the introduction. This tells us the intent of regulating parking and provides the general applicability language like you can't get a building permit or SC of O unless you meet your parking requirements, be they minimums or maximums.

1501 explains how this general chapter relates to the Subtitles, relates to the individual zones. And again, as I talked about earlier, the parking requirements
themselves, the number of spaces required for minimums are located in the zones. Everything else is located in this chapter. There are some additional use-related conditions and things that will be in the zones.

When I say in zone chapters, there are three subtitles that will actually contain minimum parking based on our guidance and the draft text in front of you. Subtitle D which is low-density residential, Subtitle E which is higher-density residential but away from transit, and Subtitle G which is mixed-use and away from transit -- all of those zones will retain parking minimums. Subtitles without parking minimums will include all the TOD zones -- apartment TOD, mixed-use TOD, downtown and then all of the PDR or industrial zones will not have minimums.

So that sort of encapsulates where the requirements of Section 1502 are going. Section 1502 lays out how minimums are
required throughout the city and the rules
governing them, where they apply for building
additions, for changes of use, for how they
apply to historic resources, et cetera. All
this is listed in 1502. And yet again, in the
subtitles themselves is listed how many spaces
are required per use.

Section 1503, I think we want to
spend a bit of time focusing on tonight. This
was maximums. And I want to just do a couple
slides again talking about reminding people of
why we've proposed maximums and why we have
this section and why the Zoning Commission
gave us approval to look deeper into this
subject in 2008.

Maximum parking deals with a lot of
the things I talked about a few minutes ago.
We've got potential impacts from unconstrained
parking on our transportation network. DDOT
did an indepth study of NoMa, and we're going
to talk about future work that DDOT in
conjunction with OP will be doing. We've got potential air quality impacts obviously from parking. Surface parking in general certainly contributes as a major contributor to storm water and urban heat island impacts throughout the city. And also we looked a lot and we'll look on the next slide about success that other cities have had in implementing and in dealing with parking maximums, both in this country and in others actually in the slide after this.

But first I wanted to remind you it's in the report, and we talked about it at the setdown. DDOT did do an indepth study of the NoMa area. This is an area with over the next few years it's going to see potentially 20 million square feet of development, already has over 7,000 parking spaces and looking at about 16,000 more projected. This has the potential to have a great impact on this area's transportation system including 12,000
new peak auto trips to NoMa on a daily basis. And what this can do is impact the larger transportation system, slowing down people in NoMa, slowing down people in the areas around NoMa and preventing streets from functioning properly. So while not making this case on a city-wide basis, what this does is this sort of shows the potential impacts that can result from the unfettered provision of large amounts of parking and why we need to examine the possibility to limit parking on a citywide or a more nuance basis.

Naturally other cities have done this both in this country and in other countries. Often parking maximums are centered around downtown areas, around transit areas. But just as often, they are citywide. You can see Milwaukee has a one space per 1,000 per office and two space per thousand for retail throughout the entire city of Milwaukee. So this is a regular practice.
One interesting thing that we found in our work on this subject is D.C. was actually the first major city in the country that we could find to have parking maximums. D.C. adopted parking maximums in 1974. Portland was the next city in 1975. Now D.C. abandoned them in the mid-'80s, and we haven't been able to track down what the thought process was that went into that. But this is something that the city has struggled with before in the past.

So with that, I want to talk actually about what we're recommending with 1503. In your application, you saw that there were two alternatives. OP had originally suggested one blanket citywide alternative. DDOT had proposed a more nuanced TOD and non-TOD alternative.

In our subsequent work since the setdown meeting with DDOT, we've come to the conclusion that we're not yet ready to put the
city's recommendation behind either set of numbers yet. We all generally support a nuanced approach to this where we will have TOD versus non-TOD limits. And I think that gets a little bit to some of the things that Councilmember Thomas was talking about in having higher limits away from TOD than in TOD.

But what we're not ready to do is put our recommendation behind any particular numbers, either the numbers in Alternative 1, Alternative 2 or other numbers. And so actually our proposal tonight is going to be that you adopt just the base text. Say that there will be maximums and that we'll reserve Section 1503 for them, but not adopt actual numbers at this stage. We propose actually having a separate hearing and coming forth with additional analysis next spring to talk about what those numbers would be.

So Section 1503 under tonight's
recommendation would look something like this. We'd have 1503.1 that sets parameters for non-TOD, 1503.2 that sets parameters for TOD including downtown. But as you can see, blue is a poor choice for highlighting, but the areas that are bolded and underlined at this point we'd just say reserved for later numbers. And both DDOT and OP would plan to come back to you next spring with an additional hearing or at the time of a later subtitle to present you our analysis of exactly what the parking numbers should be.

So I'm sure they'll be more discussion on this tonight. But right now this is sort of where we're at. And I want to run through the rest of the parking chapter and what's going on. And then we'll get into questions and discussion.

Section 1504 has to do with car-share parking. This is a new policy of requiring car-share spaces for parking lots
above 50 spaces, an additional space for every additional 100 spaces.

Section 1505, General Rules of Calculation, this is largely a hold-over from the existing code, how you round up and down what standards we'll use for counting and measuring spaces.

Section 1506 deals with location where spaces can be located on a lot. In general, according to the text that we've written, other than in industrial zones, you won't be able to put surface parking between a building and a road. You won't be able to have it in your front yard basically. It will be limited -- surface parking -- to behind or in screened areas of the lot.

Also the final point on here is also an additional new rule for structured parking -- parking garages. On the ground floor, parking won't be able to be within 20 feet of the street. So you'll have to provide
a use other than parking -- retail or some other use on the ground floor. This is a measure to promote active streetscapes and avoid blank walls and blank parking on the ground level of buildings.

   Section 1507 deals with access requirement -- access to parking. Most of this is largely unchanged from the setdown. But the two areas that we have changed in conjunction and discussion with DDOT, the original proposal called for a requirement that parking be accessed from an alley if it was available and a requirement that you access from the lowest classification of street that was available. We have taken those out for the reason that while in most cases this is the preferable alternative, there are a significant minority where the best alternative does not follow these hard and fast rules. And we jointly came to the conclusion with DDOT that this is probably
something that's better determined on a case-by-case basis through DDOT review than as a zoning regulation that would require special exception. So we've proposed taking those two subsections out of Section 1507.

Section 1508 gets into size and layout requirements -- the size and spaces, how they lay out and buffering and protection from pedestrian areas.

1509 deals with maintenance surfacing -- striping and trash receptacles.

Section 1510 has significant new material. This is landscaping for surface parking lots. And we've significantly enhanced the requirements for surface parking lots. Ten percent of the land area of surface parking lots would have to be landscaped and there's significant tree canopy required here.

An additional document that we have available tonight is a proposed list of tree species for that landscaping. We've worked with the Urban
Forester and Casey Trees to present a list of acceptable tree species that's characterized by small, medium and large trees. Basically people could use any of these trees for their surface parking lots as a matter of right or with Urban Forester approval substitute trees that aren't on the list.

1511 deals with rules for drive-throughs. We had a discussion at the setdown about whether drive-throughs should be allowed at all. I think there are significant areas of the city where transit areas for example where drive-throughs won't be allowed. But there are a significant number of other areas of the city that are more auto-oriented and will continue to have and need this type of use. So we're proposing that the section remain in place as ruled for drive-throughs where they do exist, not that they will be allowed everywhere.

Section 1512 deals with exceptions.
And I make the distinction here between special exceptions. These are administrative matter-of-right exceptions. At the current time, there's only one in this section. It comes from our current code. You can waive your size and layout requirements for parking spaces when you have attendant parking. And so that exception remains from the current code and is the only one right now in Section 1512.

Section 1513 then deals with special exceptions. There are six possible special exceptions in the parking chapter as we've written it. The first one you asked us to set down two alternatives. This is the general relief from parking minimums. The original guidance said that relief was available up to 50 percent of the minimum. Some task force members gave us guidance that if an applicant could make the case for a parking waiver above 50 percent, they should
be able to make that case through a special exception. We agreed. Both DDOT and OP talked about and agreed that that made sense.

So we continue to recommend Alternative 1 for this which would allow a special exception up to 100 percent if the applicant made the case that that level of exception was necessary for one of the reasons listed up on the screen.

The second special exception that's available is if curb cut isn't available. Third is if you are dealing with a historic resource you can get a special exception from your parking minimums.

The fourth special exception is from parking maximums. And this is generally available. Again, this will provide a great amount of relief. But regardless of where we set the parking maximums, you would always be able to go higher through this special exception.

Special exception 5 deals with a
waiver of driveway locations, and number 6, a waiver of screening requirements.

So that's the totality of the parking chapter. Since I started, we've been joined by Karina Ricks and Chris Delfs from DDOT. They're here to answer your questions and I'm sure also to talk about on-street parking management.

With that, I think we'll stop and have a discussion of the parking chapter and let DDOT --

CHAIRMAN HOOD: Let's go right to Commissioner May's questions. He wanted to go into some more detail.

COMMISSIONER MAY: Well, the first thing I was hoping for was I was hoping we'd get a more detailed description of the parking management issues and how those are addressed elsewhere within DDOT's enforcement of the regulations.

MS. RICKS: So we have a number of
tools that already exist in place for both residential districts as well as commercial districts to manage curb-side parking.

The residential parking program -- the RPP program -- exists in a number of neighborhoods. It is an opt-in program, so the District doesn't implement or impose that from on high. It's something that the neighborhoods register for with a 51 percent submission of support. What that allows then is for the vehicles owned by residents within the RPP to register and get their placard and they'll able to then use the parking.

We have two flavors right now of RPP. Our typical RPP allows for two-hour parking of any vehicle in an RPP zone. And then anything beyond two hours would need to be an RPP -- a vehicle displaying a valid RPP sticker on the car. What that allows is when you have the handyman or someone coming to your home during the hours of enforcement of
the RPP that those visitors are allowed to be
allowed for a reasonable amount of time and
then move on so that the parking is available
for the residents.

We also have implemented in both
the Convention Center area as well as Columbia
Heights and the ballpark district down in
Capitol Hill what we called enhanced RPP.
This has one side of the street as zone
holders only. There is no exception for the
occasional visitor. And then the other side
retains the two-hour grace period for holders
of the vehicle.

And then we augment that with a
visitor parking program which to date has been
through an individual placard that each of the
residences -- the valid RPP holders of those
districts are sent a single visitor parking
pass that they can then put in their window.
And the residents have found this to be really
a great benefit when they have for instance
nannies or home health care -- someone who's there much longer than two hours -- that they can be on the street in what is usually a lower demand part of the day.

We find that the residential areas have a lot of parking ironically during the period that we have the RPP enforcement going which is from 7:00 a.m. to 6:30 p.m. usually. But that's available for them and then they can stay in the District without getting tickets.

We now also have unveiled the online visitor parking program so you as a resident of an RPP district can go and get multiple visitor passes for a shorter finite period of time -- one or two. What we've heard from the residents where we have the enhanced RPP is that they like it because there's lot of parking for the residents. But they don't like it because when they have visitors coming for a book club or a dinner
party or something like that where they're going to have more than one guest vehicle coming, they have no means of accommodating them because we've done such a good job of stopping the spillover parking in those areas.

So the online system allows then for the occasional event for you to print off however many visitors that you need for that event. It also allows us to track abuses. If Peter May is printing five passes everyday, 365 days a year, we're going to shut him off, and he's not going to be able to do that.

So it's also a common practice as you know, Commissioners, that when there are large apartment buildings coming in as a new use in an area and where they're asking for parking reductions, we'll often get the community asking that they be excluded from the RPP database. And have done that on multiple occasions so that a new high parking generator would not be -- the residents of
that building would not be allowed to register for RPP permits, and in that way protect the neighborhood from additional parking pressures coming from those large uses that are asking for reduced parking provision.

I think it is worthwhile saying though that an RPP permit is really not much more than a license to fish anyway. We do not have as some other cities do a finite cap on the number of RPP permits that we issue in any one zone. So although the majority of households in the District of Columbia have two and fewer vehicles in their ownership, there are households that have multiple vehicles in their ownership. If they are RPP eligible, there is no limit on the number of vehicles that can be given an RPP sticker. And so there are in any given zone more -- especially in our densest neighborhoods -- more RPP stickers than there's actual curb-side space available to accommodate all of
those. So we do have that as an existing condition regardless of spillover impacts.

In the commercial areas, we have implemented in some areas the very beginnings of what one could loosely call performance-based parking. Due to technology constraints, we haven't made it as sort of dynamics as we would ultimately like to that real-time information from the parking meters will allow us. But we're now going forward with technologies that metered parking spots will be able to tell us in real time how many parking spaces are open in any block and we can price the parking accordingly so that we can achieve a good amount of turnover so that there's sufficient on-street parking spaces available at an appropriate price point so that the curb-side space is available for commercial uses that might need it.

And then we do also in those places where we have the residential zones sort of
mixing in with or abutting the commercial zones, we have in a few places, primarily just in Columbia Heights, implemented metered parking where the RPP permit holders are exempt. So RPP permit holders may park at those meters without needing to actually pay for the meters and then that way extend the available of parking for the residential permit holders.

I think that's the majority of them. And then yes, and then tickets are a good deterrent.

CHAIRMAN HOOD: Okay. Commissioner May, was that in line with that slide that we had? I forgot which one it was now.

COMMISSIONER MAY: Yes. I mean, is that everything that was on your slide? Okay.

MS. RICKS: Yes, I have it.

COMMISSIONER MAY: Can I follow up with a couple of questions on that?

CHAIRMAN HOOD: Sure. Go ahead.
COMMISSIONER MAY: Okay. When an area of the city or a block or whatever decides to opt in, is it everybody on a given block? Or is it block-by-block? Or is it in larger groups? Because there are some blocks without any residences on them that have RPP.

MS. RICKS: Yes. I mean, there's also some historical sort of unusual blips in the system too that might account for those.

We do -- and we're constantly looking again at sort of our policies of governing curb-side space. So for instance, one policy that we have in place that maybe is due for re-visiting is that we do not put RPP around institutions or parks or recreation centers, although they're generally in residential areas -- your local elementary school or your local park. But on the block faces surrounding that resource, we may put meters, but we often will not put RPP.

The logic behind that of course is
that this is a community resource that's for all residents of the District and not just the residents of that particular Ward. And so we want to make it accessible to anyone from the city. But it does create those oddities where they become sort of the secret parking places that those without the RPP gravitate toward and find. But generally, I'm sorry in answer to your question is that the residents -- it goes by block generally rather than district. But there have been occasions when large districts may enter into because a major new development is coming in that really changes the character of that area.

COMMISSIONER MAY: So if there's a concern about parking in a particular area, you may zone some other streets even though there are no residences there simply to deal with the demand from the residences? Okay.

When you do the exclusions for a large apartment building from RPP, how is that
decided?

MS. RICKS: So, DDOT maintains and the DMV utilizes a shared database that tells you every block and every address that is eligible in the RPP database. So DDOT updates that. And then the DMV draws down from it and utilizes it.

So to date, we've only done that in cases where it's been an agreement between the developer and the community as one of the concessions given in a case of a PUD or a zoning process.

COMMISSIONER MAY: So it really only happens with PUDs?

MS. RICKS: Yes.

COMMISSIONER MAY: Have you given any consideration to setting some sort of policy in that area, or a process for -- I don't know -- for neighbors that address it?

MS. RICKS: We have thought about it. I think there's a lot of equity issues
that need to be considered in that regard also.

For instance, many of the single family homes that presently exist in the District have accommodations for parking in the rear, though my own home -- I won't tell you where I live -- is full of junk. And so I park on the street although there is parking accommodations in my garage.

And so it's sort of one of those questions of although existing residents who are fortunate enough to be in this database may or may not utilize the off-street spaces available to them, new developments we're going to automatically preclude from using that common resource. And we've thought about it. But I think there's a lot of sort of nuances to it that we need to go through before we set a policy saying new large developments is from the beginning excluded from taking advantage of this common resource.
we have.

COMMISSIONER MAY: Okay. I don't have any particular opinion one way or the other. I was just curious. But I have the sense that it's something that will have to be addressed before too long.

With regard to the -- I mean, you said as long as a resident qualifies for RPP, they can get as many as they want. I remember a scheme that was discussed years ago that involved graduated pricing for that. I mean, these are very inexpensive permits. But the second one or the third one or the fourth one or the fifth one might be a lot more expensive under that scheme that was previously discussed. And I'm wondering if that's still under consideration.

MS. RICKS: Yes. We do consider it and are still trying to figure out a way to do that. I think Councilmember Graham brought forward a -- I apologize if I'm attributing it
to the wrong Councilmember -- but I think he brought forward some legislation in the past year asking us to do just this. The problem that we encounter is that for instance homes that have garden apartments or some other kind of rental unit have a single address that's attributed to that. And so it's very difficult to know if your tenant has appropriately reassigned their vehicle. If they move away, have they re-registered the vehicle with the new address even if they're in the same zone? There was just a lot of sort of bookkeeping problems associated with that escalating rate.

And likewise, we've talked about varying the price of the RPP based on vehicle size. So a Smartcar maybe could have a lower rate than a Hummer. Although thankfully I'm not seeing many of those anymore. But we've looked at it. And we're still trying to figure out how to make those kinds of things
work.

I agree that all of these -- this is the era that we're in that they all need to be looked at and considered.

COMMISSIONER MAY: Okay. Thanks.

That was it for my questions for DDOT. Should I continue with the Office of Planning, or do you want to give someone else a chance?

CHAIRMAN HOOD: If you want all the questions up to whatever's presented -- DDOT, Office of Planning, up to this point -- on parking.

COMMISSIONER MAY: Okay.

CHAIRMAN HOOD: Okay. So you have some for the Office of Planning?

COMMISSIONER MAY: Yes. I'll try to be fast.

CHAIRMAN HOOD: Okay.

COMMISSIONER MAY: First of all, I just want to make the observation that in the beginning when you talked about the issues
with congestion and so on, you made some very
broad statements that were I think applied to
the region but don't necessarily apply to the
city itself. And maybe it's a bit of a pet
peeve, but the broader issue of congestion is
something that affects the entire region and
probably more so than it would in the city.

Did I catch this correctly that
there's only one avenue for getting an
exception -- a special exception to the
parking maximums and that would be if there
was TDM for the project?

MR. PARKER: Well, that's actually
the only requirement that anyone could apply
for a special exception, and to apply you need
to submit a TDM plan -- a plan saying how
you're managing your parking demand for that
project.

COMMISSIONER MAY: So I guess what
I'm getting at is the concerns that were
raised by Councilmember Thomas and just for
example in a large federal office building or something like that, it might be possible to have higher parking even with that citywide limit provided there were a TDM?

MR. PARKER: Absolutely.

COMMISSIONER MAY: Right.

MR. PARKER: Absolutely.

COMMISSIONER MAY: Okay. So I just wanted to make sure that was addressed.

I'm a little uncertain about what the implications are of removing the placement of driveways and access to parking and just eliminating that in a blanket fashion. And I'm concerned about the implications of that for the PUD process.

And one of the things that we find in PUDs is very often things that involve interaction with DDOT are not very well resolved at the time of hearings. And I don't mean this as a criticism. It's just a statement that that's been what's happened of
late. And I'm a little concerned that more things up in the air might make it more difficult to decide PUDs. And I'm wondering if there is some way to provide some kind of guidance that we can act on in those circumstances that still leave the ultimate decision making up to DDOT for permitting or whatever.

It's just a thought, and it was a concern that I had when I saw that that was removed. I may have more thoughts on that before we get to the point of decision making.

Can you bring up the slide that mentions the special exception process and the four criteria? There we go.

So within one quarter mile of transit, that's easy to understand. Demonstration of reduced demand, I guess that's something that could be argued that a particular use doesn't generate demand.

Implementation of TDM, it's getting
a little bit softer because you never know that what's been implemented when a project is built is going to stay in use forever. So I'm a little bit concerned about that.

And then the physical difficulty thing, I mean, that's the loophole that everybody's going to hang their hat on. And I'm not sure that we can go that loose and whether there needs to be a greater measure or a more specific way of measuring what that difficulty is. I mean, even though we theoretically have very firm standards of practical difficulty and so on and in BZA cases, it's not always that easy to figure out. And again, go back to the implementation of TDM, I'm going to have to think about that one a little bit more too because I'm not sure that that's going to be strong enough.

And waiver number 5, there was another -- if we continue on these -- yes, 5. Okay. So that one is no longer needed if you
wind up axing the driveway location things.

MR. EMERINE: Commissioner, there are a couple of driveway location requirements that could still be gotten waivers from --

COMMISSIONER MAY: Okay.

MR. EMERINE: -- that haven't been deleted.

COMMISSIONER MAY: All right.

That's fine.

This is not specifically in your presentation. But it was a lingering question I had which was -- and it was answered in your report which had to do with historic resources and how those are defined. And that's defined within the zoning regulations though. Historic resources? Or it is?

MR. PARKER: Not now, but it would be.

COMMISSIONER MAY: It would be.

MR. PARKER: Oh, it is.

COMMISSIONER MAY: Oh, it is now.
That chapter's currently in there. Okay.

I guess my question is whether we want to consider that the definition of historic resource might include something that is eligible for listing on the D.C. Register and not just something that is. I don't know if that's a good thing or a bad thing. But if you want to try to promote preservation of historic buildings, that might be helpful.

I'm sorry. I'm just trying to get through all the things in my report. That may be it.

I don't know what to make yet of the changes that are suggested for the tree planting in parking lots. It seems like we're getting very, very complicated with tree stuff in the zoning regulations. And I just don't know if we really want to get that complicated. I'm not saying that we don't want to require those things. I think generally speaking what you're trying to
require makes sense. It's just a question of execution and how difficult we make it.

Okay. That's it for this chapter for me. Thank you.

CHAIRMAN HOOD: Okay. Any other questions, Commissioners?

VICE CHAIRMAN SCHLATER: Good evening. A couple of questions on I guess Section 1507, driveway requirements. Just so I'm clear on this, the proposal is to eliminate 15.07.5 and 15.07.6 which talks about where you should put your driveway on a square basically.

My question is on 15.07.7 through 15, there's also a large number of additional requirements on location of driveways. Just refresh my memory. In the current regs, how do we address driveway location requirements?

MR. EMERINE: At present, the zoning regulations cover pretty much the same content that you see in 1507.9, although
really at present we're only dealing with the
distance from an intersection. We've added
the distance from another driveway opening and
from an alley opening based on discussions
with DDOT about this.

1507.10 basically deals with the -
- and 1507.11 -- deal with width requirements.
Those are in the current requirements. We've
made some tweaks to the numbers there.
1507.12, that's taken pretty much verbatim
from the existing zoning regulations. 1507.13
-- let's see -- that one, there is currently a
standard for rowhouses that encourages shared
driveways. Well, except for the width
restriction, this is actually more of a
permission than a restriction. It's extending
that permission to use shared driveways to all
lots rather than just rowhouse lots when it's
a more efficient way to access property.

      And we've recommended deleting
1507.14 based on the practical almost
impossibility of meeting that requirement. And 1507.15 is just about grading and surfacing. That's in the current regulations.

So the only thing that's really new I guess I would say are the distances from other driveway openings and alley openings and the limits in 1507.7 and .8 about the limit on the total number of driveway openings.

VICE CHAIRMAN SCHLATER: If you're a property owner and you have a narrow lot, you don't have control over where your neighbor has placed their driveway. Is that in large part going to drive where you need to locate your driveway where you neighbor chose to if they pushed it to the edge of their lot towards you?

MR. EMERINE: If you have a narrow lot, then yes, it might.

VICE CHAIRMAN SCHLATER: And you think that's a fair situation? I mean, it would severely constrain your ability to plan
your own site.

MR. EMERINE: Well, that may be the case. There would be constraints. But the direction that we're going is on a lot that's narrow enough that it would have an impact, generally we're trying to push that parking access to the back anyway if it has an alley. Now we've removed that requirement that it has to be on the alley. But that's where we would be giving the people the incentive to put that access.

VICE CHAIRMAN SCHLATER: And in your working groups, there haven't been concerns raised about this? I'm just curious.

MR. EMERINE: I don't think we've had any concerns raised about that.

VICE CHAIRMAN SCHLATER: Okay.

In the OP report, there was an exhibit that showed the identification of potential TOD areas. And this comes into play on parking maximum discussion and the parking
minimum discussion. I couldn't quite read it on my report because it was in black and white and not color. Do we have a picture of it to look at?

MR. PARKER: Yes, I can pull up a picture.

VICE CHAIRMAN SCHLATER: Okay. First question on that map -- it's very helpful, thank you -- is when are we going to be determining -- during the course of this re-write, when are we going to be determining which areas are defined as TOD areas?

MR. PARKER: Well, we've already set the general parameters in our recommendations. It's areas within a half mile of Metro, within a quarter mile of a streetcar or high-density bus corridor. But that excludes areas that are low- or moderate-density residential or industrial. So what's left is the pink. These are mixed-use and high-density residential areas near transit.
What remains to be done is defining the exact boundaries -- where that half mile or quarter mile splits a lot or splits a group of lots that are clearly one strip. Where do we draw that line? Do we put it in or out? So we've got a lot of work to do around the edges. But the basic parameters we have from our previous guidance hearing.

VICE CHAIRMAN SCHLATER: Is there a lot of large format retail located outside of TOD areas? It wouldn't seem likely that that would be the case since they would want to be on a --

MR. PARKER: I don't think that's a question I'm prepared to answer.

VICE CHAIRMAN SCHLATER: I think it's an important question.

MR. PARKER: Yes.

VICE CHAIRMAN SCHLATER: Particularly in regards to concerns I'm sure we're going to hear about tonight and raised
by Councilmember Thomas.

My hunch is that you're going to find that a lot of retailers want to be located in TOD areas because they're going to be high volume areas. And so it's just something to consider.

I mean, I personally think parking maximums are a good approach. But we have to be sensitive and acknowledge the fact that we will be impacting a lot of the areas where the retailers are most likely to be located.

So can I get a color copy of that map at some point?

MR. PARKER: We'll provide the -- yes. Yes.

VICE CHAIRMAN SCHLATER: Thank you.

There's a requirement to provide car-sharing spaces if you're over a certain size building or make them available to basically -- they count towards your parking requirement, correct -- the car-sharing
MR. PARKER: Correct.

VICE CHAIRMAN SCHLATER: And when you make car-sharing spaces available to the car-sharing company, do they need to be open to the public meaning your garage now is required to be open to people from the surrounding neighborhood to be able to access it?

MR. PARKER: They have to be accessible to members of that car-share organization. So I think the way that's it happened in the past is if Zipcar has a space in a secure garage, members are given a pass code or a key card or access to that facility.

VICE CHAIRMAN SCHLATER: I think particularly being in a federal government workplace area, there are a lot of buildings that the federal government leases from private landowners that require secure access to the garage. And they may not let people

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access those garages from the public or even from the car-sharing organization. It might be something worth looking into.

I would also add just in regards to the testimony by Councilmember Thomas' staffer, Ms. Chambers, that I believe U.S. government office buildings are fairly progressive in terms of what their requirements are for parking. They actually want less parking more often than not, not more parking. So I doubt that the institution of parking maximums would discourage the location of U.S. government offices in the District.

MR. PARKER: Yes, the effective limit that they work under is about one per 1,000 square feet.

VICE CHAIRMAN SCHLATER: Okay. I think I'm a little uneasy -- well, let's see. What's the section that deals with drive-through lanes?
MR. PARKER: 1511.

VICE CHAIRMAN SCHLATER: Maybe it's just the pictures. But it looks complicated. I don't know.

Is this something we do now I guess in the regs or is this new?

MR. PARKER: No, this is almost completely verbatim from our existing regs.

VICE CHAIRMAN SCHLATER: It is?

Okay. We just have pictures to go along with it.

MR. PARKER: The pictures are new.

VICE CHAIRMAN SCHLATER: Okay. And then the last thing I wanted to address was the flexibility on the reduction from parking requirements. I'll listen to all the testimony tonight. But I'm inclined to give BZA maximum flexibility on that topic.

CHAIRMAN HOOD: Any other questions?

Commissioner Turnbull?
COMMISSIONER TURNBULL: Thank you, Mr. Chair.

I just wanted to qualify, Mr. Parker, in the beginning you were talking about 1503, you're going to be coming back to us on 1503 -- your Alternatives 1 and 2?

MR. PARKER: Subject to your approval.

I mean, basically in the report and at the setdown, you set down two alternatives. OP had done some analysis and come up with a proposed alternative. DDOT analyzed some different things and came up with different alternatives.

Basically we've worked with DDOT. We think there's some more work to be done to combine our two sets of analysis and to come to you with a unified recommendation. So that's where we're at right now is that we think that the case has been made that there should be maximums in general, but we're not
yet ready to put our name behind a particular number.

COMMISSIONER TURNBULL: Okay. I was just curious. I was going through some of the correspondence we got from different groups, and I was looking at -- and she's not here tonight -- Alma Gates from the Committee of 100. But she actually brought up an interesting point about Sibley Hospital which we did a couple of years ago. And it was the Sibley Medical Office Building. And she just makes a point that when we approved it and "since that approval, Sibley has submitted an application for a new hospital partnered with Johns Hopkins and anticipates a substantial increase in on-site activity. The Zoning Commission had the foresight" -- thank you, Ms. Gates -- to require more parking than zoning required to prevent the overflow parking on surrounding neighborhood streets. If the application for the MOB had been
approved using Alternative 2, the neighborhood would be the recipient of considerable overflow parking."

Now, we're talking about areas not in the downtown. We're talking about areas -- hospitals, schools. And in this case, the hospitals are always kind of troubling. I know we had several nights of hearing on the Sibley Hospital and very concerned about parking in the neighborhoods. And I think we talked permits and trying to control that. So I guess that's just one thing to add to when you're looking at this at a situation similar to Sibley where you've got a very residential neighborhood around there. But --

MR. PARKER: I can address that now if you'd like.

COMMISSIONER TURNBULL: Okay.

MR. PARKER: Basically, I don't know if you recall, but we have another set of recommendations on institutional uses in
general -- universities, hospitals, large church campuses -- that sort of thing. The recommendation there was institutions above a certain size will have to go through special exception, and institutions above 300,000 square feet of total gross area will have go through a campus plan process.

The Zoning Commission in reviewing either of those will set parking minimum or maximum as appropriate for that facility. So the parking maximums in here at that point would probably be --

COMMISSIONER TURNBULL: --

MR. PARKER: Well, there would just be guidelines, the same with minimum.

So a special exception can be assumed for parking in anything that the Zoning Commission is reviewing. So Sibley would come through as a campus plan. The Zoning Commission could say you must provide this much parking.
COMMISSIONER TURNBULL: Okay.

Thank you.

CHAIRMAN HOOD: Any other questions?

(No audible response.)

CHAIRMAN HOOD: Okay.

I think everybody's pretty much taken up the challenge that the Ward 5 Councilmember has mentioned. But I like to look at real live examples, Mr. Parker. And I appreciate the fact that on page 7 and 8 you actually did an analysis on the Rhode Island Brentwood Shopping Center.

Let me just ask. In that analysis because in the beginning there was supposed to be a K-Mart department store. You had Home Depot, K-Mart and Giant. So does that analysis detail what's there now, or is that including what was proposed there when it was approved by the Commission.

MR. PARKER: Well, we looked at
CHAIRMAN HOOD: What's there now.

Okay. And also what's being built there now is a bank I believe coming on line in the parking lot.

MR. PARKER: I think we only looked at what's on the ground.

CHAIRMAN HOOD: It's actually on the ground. It's the footprint already. And it takes away some of the parking spaces.

My rationale is because as the Ward 5 Councilmember's already mentioned, I know then I too had a concern and I believe in TOD. And one thing about this re-writing -- I think this has already been brought out but I want to make sure; I know it's been brought out previously -- is that we make sure that it's conducive for the area because particularly I don't see a whole of people carrying plywood on the Metro from Home Depot. So I just think -- and here's another thing.
We don't want our last people who are trying to get in there to get the plywood. Now Mr. May may do it over where he is and plywood on the Metro --

COMMISSIONER MAY: No. But copper pipe on a bicycle.

(LAUGHTER.)

CHAIRMAN HOOD: Okay. Do you have a flag at the end?

COMMISSIONER MAY: Yes.

CHAIRMAN HOOD: Oh, okay. That was a good answer.

But I think this goes back to something you said, Mr. Parker, when we looked at this whole re-write that we need to tailor it to certain neighborhoods. And I would hope that that would also be in line with what the Ward 5 Councilmember mentioned.

Also, I want to talk about color copies. I'm glad to find out I am not the only one up here without a color copy because
I think the map looking at it in black and white -- and I know we're saving money; we're going through a deficit and we need to save the money -- but I think one copy -- even if that could be emailed to us. Because when I look at this, I cannot see the boundaries of anything. It's just like a blur.

Oh, Mr. May. I knew somebody up here had a copy -- I never get a color copy.

(LAUGHTER.)

CHAIRMAN HOOD: So I think that would be very helpful for me.

And Ms. Ricks, let me just ask. How does the one side of the aggressive RPP, how does that work where you can parking on one side of the street? I've never heard of that. And actually, does that exist?

MS. RICKS: It does. We call it enhanced as opposed to aggressive RPP.

CHAIRMAN HOOD: Okay. Enhanced.

MS. RICKS: It does exist. It
exists primarily in the residential neighborhoods that are high trip-generating destinations. So the ballpark and DC USA and the Convention Center are the three areas where we -- it exists in some other places -- but those three areas are predominantly where we've implemented it.

And so the way that it works that for instance the west and the north sides of the streets will be the zone permit holders only while the south and the east sides of the streets in the area will be the grace period regular RPP so that there is some daytime parking available for visitors that are coming to the properties.

CHAIRMAN HOOD: Okay. That's all the questions that I have.

Also, I just want to note if anyone's here from ANC6D and 6C, if you don't have your testimony tonight, we're going to leave the record open and we'll decide at
the end of the hearing how long we'll leave
the record open.

Any other questions, Commissioners?

Vice Chairman Schlater?

VICE CHAIRMAN SCHLATER: I just
want to piggyback on a few of the questions.
I'm sure there's going to be significant
testimony on the parking maximums this
evening. It's generated a lot of interest and
discussion.

The proposal that's on the table
now, is it going to make a distinction between
retail uses and other uses?

MR. PARKER: That's one of the
things we've been looking at. As you saw if
you read the report, one of the concerns that
we had with Alternative 2 was -- and quite
frankly Alternative 1 -- was that it didn't
distinguish and that retail -- we've heard the
concerns -- generally parks at a higher rate
than other uses. So where we had gone on our
report with Alternative 1 was to distinguish retail and have a higher rate for retail.

With our new proposal that we come back with DDOT, I think that will be one of the heavy considerations that we're going to have. And I think it's quite likely that we will have a higher number for retail than for nonretail.

VICE CHAIRMAN SCHLATER: Just theoretically speaking, for a parking maximum to have any impact, it's going to be lower than what retailers are going to demand, right? I mean, I think we've had a number of cases where we've had a huge number of parking spaces proposed on a retail project. DDOT will submit a report saying it's too many spaces, and then the developer and retailer have come back and say that's the number of parking spots we need to make this location viable. And I guess the concern is that retailers are just not going to locate on
these sites if they don't get the parking they desire.

What's been the experience in other jurisdictions where parking maximums have been put in place? Does it hurt the business climate?

MS. RICKS: Well, I think there are two reasons why you would want to entertain parking maximums. I would suggest that the most critical reason why we would want to talk about maximums is because we're talking about matter-of-right development here. So this is laying the groundwork for matter-of-right which pre-supposes that the area in which these developments are going into has the capacity to absorb whatever that land use is on its infrastructure system, on its land uses, on its natural systems.

And I think that it's fair to say that we can look around the city and see some places where the transportation infrastructure
is -- it's getting full. And so we can't necessarily say that an unlimited number of additional trips particularly in the peak hour are there.

Now retail doesn't typically affect the morning peak-hour period. But it does come into conflict with the evening peak-hour periods. So I think that's one thing that we have to keep in mind is that we're talking about matter-of-right developments. And so for projects to go forward as a matter-of-right, I think we need to be certain that the city can absorb that.

The other reason of course why if there is abundant capacity on the roadway to observe any of the land uses that are proposed here why you might consider maximums is to assist in the mode shift so to incite people to -- particularly developers -- to provide that transportation demand management system to encourage alternative trips. So that's why
the parking maximums.

How has it affected other cities? I think it really depends on what their retail environment is and sort of what the market looks like in those areas. Certainly San Francisco has had maximums in place for three years I think now. A lot longer than that. Sorry, I'm wrong. But they have still seen major retail come in place even in the TOD areas. So I think it really depends on the market and what the District's market has not seen parking maximums. I don't think many of our adjacent jurisdictions have them in place. So it'd be something we'd have to look at of how retail would react here.

I think the zoning also as proposed allows and encourages the sharing of parking resources which I think is something that can help offset the way that these maximums are established because you may have a certain maximum for retail on top of a certain maximum
for whatever other uses might be in that mixed-use building. If it's office, that office parking will be available for the retail when the retail is seeing that the higher demand for those trips.

So I don't think it has to really be a disincentive for retail. But it is something as Travis has said that we need to look at much more carefully and diligently before we set on a number.

VICE CHAIRMAN SCHLATER: I think there's an additional distinction that needs to be made between downtown and TOD areas. I think the market is different downtown. I think retailers are clearly paying a huge premium to locate downtown and may be willing to compromise in order to locate downtown because that's where the customer base is and that's where the purchasing power is.

But I'm a little concerned that instituting a parking maximum on the outer
reaches of Wards 5, 7 and 8 may in fact create a disincentive to locate there. They may must go to neighboring jurisdictions where it's easier to build.

So I don't know if the current construct of TOD versus non-TOD is the right way to look at it. I think there's strong market and weak market. We've been working in the District now for 15 years to try to attract retailers into D.C. We're under-retailed as a city. We lose a lot of sales taxes as a result of it. And we don't want to do anything that's going to hurt that.

But on the other hand, I'm in favor of instituting parking maximums. So we need to be able to find the right balance there.

MS. RICKS: Right. I think that's where it gets -- if we're able to get some better research to understand what the sort of levels of capacity on these roadways are.

Certainly the 1300 block of Rhode Island
Avenue, N.E. has significantly lower congestion than the 1300 block N.W. of Rhode Island Avenue. I think that's appropriate that we maybe look at these regulations and fine tune it even more as you're recommending.

CHAIRMAN HOOD: And that might depend on the time of day.

Let me ask this too. Mr. Parker, I noticed that you gave me the Brentwood model, and I appreciate it. And we're talking about governments, and this Commission voted on the Department of Transportation's new headquarters. I'm not sure how much parking we did. I know it's right near the Green Line. It's right near the Green Line. How did that work? I mean, let's look at some live examples. We have a track record. Hopefully it's a good one. But just like we took the Brentwood model, let's look at that model over there when we talk about the federal government whether they push maximums.
I'm not sure exactly what we did over there. I don't remember how much parking we allowed in that building. And I know it's right near the Green Line. I just don't remember. But that's a real live situation that was done. We don't have to do any hypothesis with that. Let's just see how that worked out. Okay?

MR. PARKER: We can do that.

CHAIRMAN HOOD: Any other questions, comments?

(No audible response.)

CHAIRMAN HOOD: All right. Let's continue, Mr. Parker. Thank you.

MR. PARKER: All right. Going on to the bicycle parking chapter then.

Many of the same sections you'll see here, we start again with introduction of the bicycle parking chapter. It has the intent of the regulations and the requirement you have to comply before you get a building permit.
1601, again, the relationship of the land use subtitle, there's actually less relationship here. The stuff in this chapter applies citywide. And the ratios are all citywide. So there aren't additional requirements or aren't expected to be additional requirements in the individual subtitles.

1602 has the general requirements for bicycle parking. This has the standards that apply to all bike parking. -- so signage, you should always be able to lock it with a certain type of lock, minimum clearance, securely anchored to the ground or the wall. And we're going to try and have the code be more graphics heavy as you've seen. So graphic examples of what's being required.

1603 then has the requirements for parking spaces. Right now the code has very minimal requirements. Certain zones require bike parking for retail office and service.
And the requirement is only five percent of
the automobile requirement which in often case
is low and clearly in the new code will often
be nonexistent.

So the new code is proposing that
each use have two requirements -- one
requirement for long-term and one requirement
for short-term spaces. And I'll get more into
what those are in a second. And standards
have been based on a lot of interaction with
DDOT, with our parking consultants, Nelson
Nygaard, and with other codes from around the
country, and actual usage rate of parking and
proposed mode split.

So the major changes that we've
made since you set this down, you gave us some
suggestions and we did a little more research.
The office parking requirement in this
version has doubled to one space per 2500
square feet. It was originally set at a goal
of five percent commuting by bike. The new
goal is a ten percent commute. So it's been raised to a ratio of about one space per ten employees.

For residential, this has been raised from one space per three units to three spaces per four units. This is based on the logic that while not every unit will have bicycles, when units do have bicycles it's often more than one. Usually when one person in a residential unit owns a bike, everyone in that residential unit owns a bike. So one per three units doesn't actually provide us enough space for one out of every three units.

We also made some tweaks to education and institutional and to retail service and some other uses. We slightly lowered the short-term requirement.

So we've highlighted here on the chart which ones have changed. Again education, some of the short-term ones, institutional, local government, office and
residential for long term, we've made some changes.

1604 just like parking, the standard rules of calculation -- how you calculate GFA, how you round when you get a fraction. And those rules are the same as for auto parking.

1605 has the rules for short-term parking. And short-term parking is parking generally outdoors. It's parking near your front entrance. It's parking intended for short-term use for visitors, for customers, for people that are just stopping by. Requirements for how you locate that, how you provide signage to it and some flexibility for whether that space could be located on or off your site. And generally with DDOT public space approval you'd be able to locate these spaces in the public space.

Section 1606 then deals with long-term parking. This is parking for residents
of the building, for tenants, for office workers. This is typically indoors. It's going to be in the garage or on the main floor or the first underground floor. It has to be secured, has to be separated from automobile parking, has to be lighted, et cetera.

Section 1607 is new from existing code. This is requirements for showers and changing facilities. Where you have a requirement for long-term spaces and you have a nonresidential use with over 2500 square feet -- or excuse me -- 25,000 square feet, you'd be required to have two showers, and your shower equipment requirement can raise as the building gets larger. You also have to have lockers for people to store and/or keep their clothing and bicycle helmets, et cetera.

And you have to have six tenths of a locker for every space. Or six lockers for every ten spaces.

1608 then is the special exception.
Since a lot of these are new requirements, we have allowed for a lot of degree of flexibility. Through special exception, you can request relief from the entire requirement, you can request it when you can show that there's less demand, when you've got a TDM plan in place or subject to Mr. May's concerns if you're physically unable to provide the spaces in the building. And special exception is also available from the showers and changing facilities.

So a shorter chapter similar to motor vehicle parking. And I can stop here for questions, or we can go through loading and do them all at once at the Commission's pleasure.

CHAIRMAN HOOD: Let's continue to do loading, and we'll come back and comment on both of them.

MR. PARKER: All right.

Loading chapter, again many of the
same sections. We've got the intro sections same as parking and bike parking. Section 1701, the same as those two. The relationship between the land use subtitles and this general. Like bike parking and unlike auto parking, loading requirements are citywide. They don't vary by zone. So all of the requirements will be in this chapter.

Section 1702 then has the table of loading requirements and minimum loading requirements and when and where they are required.

Section 1703, exactly the same as bike parking and auto parking as the rules includes the rules of measurements.

1704 has location of loading, where it can be located within the building or on the lot.

1705 has access requirements the exact same as parking. Just like parking, we removed the requirement that it be accessed
from an alley or from a lower street in favor of a contextual review of those things.

1706 has size and layout requirements.

1707, maintenance requirements, servicing, lighting, et cetera.

1708, trash receptacles. This requires you to show a trash room for buildings above a certain size.

1709 has to do with screening and lighting requirements for loading.

And 1710 deals with special exceptions for loading. Basically you can request it where you have a historic resource, where you cannot get a curb cut or where you have unusual conditions about your lot. You can also, just like parking, request special exception from access requirements or from screening requirements.

And with that, I'll turn it back over to the Commission for questions on these
two chapters.

CHAIRMAN HOOD: Okay. Colleagues, we're going to ask our questions on bicycles and loading. I'll start with Commissioner May.

COMMISSIONER MAY: Thank you. I don't have a lot of questions. Thank you very much for a couple of the specific responses that you had in your report -- the comparison of the current regulations to some of those existing projects in terms of what would the long-term and short-term parking space requirements would be.

It's a pretty good demonstration that there's going to be significantly larger requirements for bicycles which I think are going to be increasingly necessary. It might be interesting to think when are we going to have to revisit these because we're not requiring enough parking because I've just seen a lot more bicycles around.
The other one was there was some tweaking of the language on requirements when for an expansion of an historic resource. I had raised that question at setdown how flexible we needed to be in the case of an historic resource, and an expansion of an historic resource and whether in fact we could not go ahead and enforce bicycle requirements at that point. And you changed the language and I'm not sure I understand exactly what your intention was at that point.

MR. EMERINE: We actually didn't change the language that relates to historic resources. But all other buildings, it was pointed out that 1603.5 didn't clarify for a nonhistoric building an addition to the building triggers a requirement. So we simply added that in to clarify that.

COMMISSIONER MAY: All right. Now I'm really confused.

So what paragraph is this now? Is
it 1603.3?

MR. EMERINE: If you're looking at
the version that we included in the public
hearing report, I believe 1603.5 should begin
"An addition to an existing building or the
expansion."

COMMISSIONER MAY: I'm sorry. What
paragraph number? 1603 --

MR. EMERINE: 1603.5.

COMMISSIONER MAY: In the
advertised version? Because all I've got is
it starts with "The expansion of a use."

MR. EMERINE: Okay. Right. No,
I'm talking about the amended version that we
enclosed along with our --

COMMISSIONER MAY: Oh, I'm sorry.

MR. EMERINE: -- hearing report
that was submitted last week.

COMMISSIONER MAY: I have too many
versions. Oh, I got it there. "In addition
to." Okay.
Okay. But then it says, "A different rule applies to historic resources and is stated in 1603.5." I guess that's a mistake.

MR. EMERINE: That's a typo. It should say .6.

COMMISSIONER MAY: Right. Okay.

And now 1603.6 is different from 1603.3A which is what we considered at setdown. That's the difference that I was picking up on. It's only when the addition results in at least a 50 percent increase in gross floor area. So it just raises the bar. If there's an addition of 25 percent to an historic resource, it doesn't trigger the requirement. When it goes up to 50, it triggers it.

MR. EMERINE: That's correct.

COMMISSIONER MAY: Okay. I'm not sure if that's hitting the mark either. And I think in many circumstances -- and it's all
going to be individual -- even with an historic building, the ability to provide parking even though all you're doing is renovating the building, if you have the opportunity to provide it, it may be sensible to require it. And I guess that was the point I was trying to make when we discussed it at setdown. So I haven't come to a conclusion on this. I'm just raising the question. So I was trying to understand what you had written.

Okay. And I don't think I have any other questions on bicycle parking or on loading as a matter of fact. So that's it for me. Thank you.

CHAIRMAN HOOD: Okay. Any other questions on bicycles or loading?

Vice Chairman Schlater?

VICE CHAIRMAN SCHLATER: I don't think I have any questions on bicycle and loading. I like the direction it's going in.

Supportive.
I'd like to get a copy of the PowerPoint presentation. And if possible, could you bring it the night of the hearing next time so we can just sort of follow along and write down questions as it raised because we do get some new information from those presentations. So I'd like a copy of tonight's. And then in the future, bring the presentation with you.

The other thing is we've got a number of different versions of the text given to us over the last couple days. And it's fine. You're making changes as we go along. It's hard for us to track what's changing and what's not changing. And it's also hard for us to re-read 50 pages of text every time we get a new version. So if you whenever you're giving us a new version, can you give us like a blackline mark-up compared to the setdown version or the previous one that we saw just so we understand and we can just flip through
and understand what changes have been made?

    I think that's it. Thank you.

Those are just process.

    COMMISSIONER MAY: I wholeheartedly agree with that. I mean, not having the PowerPoint really sort of slows down the thinking. So thanks.

    CHAIRMAN HOOD: Those were the comments.

Commissioner Turnbull?

    COMMISSIONER TURNBULL: Thank you, Mr. Chair.

    I just had one question on the loading berths. In 1709.2, "When loading berths or service delivery spaces are not enclosed within a building, the loading area shall have screening around its entire perimeter."

    I'm just trying to recall a project that we just approved where we were trying to protect a rowhouse by an alley. I don't want
to go into the name. But wasn't there a
loading dock that was like tucked -- it's in
the middle in the building. There was one
loading berth. But I don't think it was
enclosed. It was either underneath, but it
was wide open.

    I'm just curious. How are we doing
it? I mean, where you've got it open to an
alley and the truck's got to pull down and
then kind of veer over. So I think it might
have been underneath the building. I don't
know if we screened the alley side.

    I'm not sure if that's totally easy
to do at all times. I mean, it depends upon
the location and how a truck is trying to pull
in and how it can see. So some of that might
be dependent upon the actual location of how
you're -- I mean, I like the idea of the
screening it. I think we like to screen a lot
of those facilities as much as we can. But I
think in some of the areas -- I can't remember
the plan exactly or the site plan, how that
worked in. But it seemed to me we had a
little bit of a -- there was one loading dock
that's totally inside and I think we had one
down further that kind of tucked in
underneath. But I don't think it was totally
screened.

It's just something to think about.

I mean, I like the intent. But I think there
could be situations where it might be awkward
from the standpoint of the size of the alley.

We do have some very tight alleys. So it's
something to consider about how practical it
is on a development.

MR. PARKER: I'll look into that.

CHAIRMAN HOOD: Okay. Any other
questions or comments?

(No audible response.)

CHAIRMAN HOOD: Mr. Parker, can you
just tell me on the loading -- 1704.3 -- why
is that there?
MR. PARKER: All right. Well, 1704.2 has the requirements for where the loading berth can be located on a lot. So it has to be behind a building or if it's on the side of a building, it has to be well screened.

1704.3 basically says in PDR zones, you don't have that same limitation.

CHAIRMAN HOOD: I thought I was watching the Giants' game. The lights went out. Okay. Go ahead.

MR. PARKER: Basically 1704.3 is just saying in industrial zones you can load wherever you want.

CHAIRMAN HOOD: And have we taken into consideration the industrial zones which are right next to residential zones?

MR. PARKER: Definitely. This screening section definitely -- in fact, the one that Mr. Turnbull was just talking about has requirements for screening in all zones
including screening residential from industrial.

CHAIRMAN HOOD: So that doesn't eliminate that from this -- from loading --

MR. PARKER: So in other words, in an industrial zone, you can load in the side yard or the front yard of a building, for example, a warehouse. But if you have a residential across the street, you'd have to have screening.

CHAIRMAN HOOD: Okay. So --

MR. PARKER: You'd have to be screened.

CHAIRMAN HOOD: Okay. All right. I think I understand. I might come back to that.

COMMISSIONER MAY: Mr. Chairman, I'm confused by that too. I mean, you just sort of raised it and I'm reading it. And 1704.2.C2) is the -- or sorry, C1) -- is the one that says that it shall be screened. And
1704.3 is what exempts PDR properties. Is there another section?

MR. PARKER: 1709 has to do with - and there may be a conflict between 9 and C and 4.2C1). But 9 has general screening rules. Where you have outdoor loading berths, you have to screen them. And actually, 1709 may remove the need for C1) and 2) or C1).

CHAIRMAN HOOD: Let's look at that, Mr. Parker.

MR. PARKER: All right. We certainly will.

CHAIRMAN HOOD: Okay. Any other questions or comments?

(No audible response.)

CHAIRMAN HOOD: Okay. Let's go to the audience. Do we have a sign-in sheet?

How many people would like to testify tonight? Raise your hand. Okay. It's not that many. We're going to bring eight up at a time actually.
Do we have any ANC Commissioners?

We can have all the ANC Commissioners come forward now at this time. We're going to do all the ANC Commissioners first. So if you all can come up, we can get started.

And then we'll go by the lists.

And what I plan on doing is bringing up eight at a time.

Any other ANC Commissioners?

Okay. You two are here. And we will begin. Make sure the court reporter gets your cards. I guess Mr. Turnbull gets your submission.

Okay, Commissioner, whenever you're ready, you may begin.

MS. BLACK: Thank you for the opportunity to testify.

My name is Gale Garron Black, and I'm the Advisory Neighborhood Commissioner for ANC 4A-08. And I'm here today in my individual capacity as well as ANC
Commissioner for 4A.

This matter was raised at the ANC 4A November meeting, but we did not have the time to really review it in total. We authorized participation, but I want to be clear that I'm here tonight representing my single-member district. I also was urged by the Chairman of our ANC, Stephen Whatley, to associate his name with this testimony that I'm about to give you.

Let me also begin by telling you that ANC 4A did not receive a full copy of the packet. We received every other page -- only the odd numbered pages. We were able to get the copy, but it raises a question of fair notice to the ANCs.

And I'm here to share my concerns and questions regarding the creation of the rules, especially as they pertain to the public parking maximums and imposing requirements for car-sharing and bicycle
I don't think any need has been shown to really justify the imposition of the public parking maximums. And where 4A is located is in Ward 4. We have seniors, individuals with disabilities. We have families and we have many who drive. We rely on cars, and often the public transportation options are not feasible for us.

I have provided testimony. I don't know if you all were given the copies. But it is there. And if you'd like, I can go to the table and pull it over.

CHAIRMAN HOOD: If you can hand us your testimony -- oh, you took it over there?

MS. BLACK: Yes.

CHAIRMAN HOOD: Okay. We'll take a moment if you can just pass it to Ms. Schellin. You can pass it to Ms. Schellin down on my left.

MS. BLACK: It's a four-page
statement.

And D.C.'s transportation network as we already know suffers from congestion. And it's not because the city has added more lanes or more parking. Our situation is basically very close to what was in place since the inception of the L'Enfant Plan. But D.C. has been losing its vehicular lanes and parking, and lately has started to deviate from the comprehensive transportation plans.

Now we know we have grown to be one of the most densely populated cities in the nation with more than a half a million residents and three quarters of a million jobs. Parking is a huge issue. And I think this is a short-sighted proposal that could make it a lot worse.

In 2000, there were 248,000 approximately households in the District. Looking at the additional off-street parking, there's a combined total of only 400,000
spaces in the District.

We already have Metrobus which is pretty good. It's the fifth largest bus network in the country.

And today, more than 13 percent of District residents already are bicycling to work, walking to work, and more than 43 percent use carpools. More than 71 percent though of those who come into the city come in from the suburbs. And I'm not sure if this proposal really addresses that.

I'm concerned that this proposal is inconsistent with the transportation mission to actually move people and goods. And I'm underscoring efficiently there.

The District also operates 15,000 parking meters. And that brings in revenue for the city. The low estimate was $11 million per year. The high estimate that I've seen is $18 million. This could be taking away that revenue.
I'm going to jump the specifics and concerns.

In 1502.2, "The expansion of a use within a building triggers additional parking requirements only when the gross floor area" -- and this is on page 3 of my testimony -- "is expanded or enlarged by 25 percent."

Wouldn't it make more sense to look at whether or not there's an increased usage coming in, not just whether or not more -- it's been built out. It's exactly how many people are using the space, how many parking spaces are actually required.

1502.6 says that we should "when the property changes or adds a new use category, we should assume that the previous use has already provided the appropriate number of spaces." The question is why. Why should we make that assumption?

"Car-share parking spaces may be counted toward the fulfillment of minimum
public requirements." It seems to me now we're going to be paying for what we used to be able to do for free. In my residential area, we are not in the zoned --

CHAIRMAN HOOD: Commissioner, can you give us your closing thought? And we have your submissions, your concerns and your questions. Can you give us your closing thought?

MS. BLACK: Well, I guess jumping to the end that there's no mention in here about seniors, individuals with disabilities, wheelchairs, battery-operated, electric cars -- the needs that we might really have. And instead, we might be forcing people out of the city rather than encouraging them to be here. Empty nesters who return need to know there's a parking space basically. And we need to be able as D.C. to net the tax benefits for our public space and not give our public space away to a commercial vendor.
I thank you for listening, and ask that this be made a part of the record.

CHAIRMEN HOOD: Thank you very much, Commissioner. If you can hold your seat, we may have some questions and some good points at the end.

Commissioner, you may begin. Mr. Ronneberg?

MR. RONNEBERG: I have a presentation.

First of all, I'd like to say that ANC 6A supports these regulations. And most of our comments in the letter are for tweaks. We support the parking maximums. We support the TOD waivers for parking minimums.

There's actually a couple things I'd like to highlight in my testimony. One is the need for one of these tweaks. And the other is the reason why I think it's a good thing to codify parts of DDOT's design and engineering manuals. And I'll give you a case
study of what we dealt with in my SMD in our ANC.

Next one, please. This is the curious case of the curb cut at 701 10th Street. And I think it illustrates both these points of what I want to highlight -- why we need to have the Zoning Administrator require all public space permits be presented to him before relevant building permits are issued and to codify the elements of the design and engineering manual.

Next slide, please. So this is a story of falling between the cracks of different agencies. So you have an owner who wanted to build a flat which requires a parking space. It's a corner access -- corner lot lacks alley access. And when construction was started, there was no curb cut.

Next slide, please. So what you'd normally take one or two paths -- apply for a zoning variance to permit a flat without a
parking spot or obtain a public space permit for a curb cut before applying for your building permits. But in D.C. there's a third way. It's exploiting agency stovepiping. So what the developer did here is actually showing a plat -- a curb cut that wasn't permitted.

Step two is to obtain the building permits from DCRA, build your flat.

Step three is to apply for a public space permit for a curb cut based on the fact that you're not going to get a C of O without an offsite parking space and you have a hardship.

Step four is to receive a public space permit from DDOT.

And five is to build your driveway before applying for your C of O.

So this is one of the tweaks and -- next page -- we're asking for is to require changes to 1500.3 where the applicant must
demonstrate to the Zoning Administrator that all necessary public space permits including curb cuts and driveways have been obtained before building permits are granted.

And the other issue I want to address in my testimony is the need to codify DDOT's design guidelines -- or excuse me -- design and engineering manual in the zoning regulations. And this is really for the following points because DDOT in this case didn't follow its standards. And there's no viable means to appeal these decisions within DDOT. That's because appeals go through the chain of command, and if you're ignored you don't know what to do with your appeal. It's not like the BZA where you have a well defined process. And our appeals have been ignored even though its city agencies are required to respond to the ANC.

So it's a bit of a comedy of errors. The 701 10th Street applied for a 12-
foot curb cut. The standard said that it should be no more than ten feet wide. But Mr. Dickerson within DDOT TSA said well, cars can't get past each other unless it's 25 feet wide. So -- next page, please -- so what we ended up getting is a 24-foot curb cut which is the largest one in Capitol Hill for a flat. It's within the 60 foot of the intersection, eliminated more parking spots than it created, it's close to a recreation center, and it was permitted over the unanimous objection of ANC 6A.

So the next page kind of highlights everything we did to appeal this decision. First appeal it to the Public Space Manager. It was denied. It was denied at the second-level appeal. No response from the acting Director Ms. -- I can't pronounce her last name. I apologize. Director Moneme promised us that it'd be referred to the Public Space Committee, but it never was. And with
Director Klein, we've asked twice and received no response.

So codifying these standards in Title 11 provides us with a well-defined appeal process through the Board of Zoning Adjustments, promotes transparency and accountability within DDOT and DCRA. And hopefully it will prevent future curb cuts like 701 10th Street from being constructed in the future.

And I hope you've received the rest of our tweaks.

CHAIRMAN HOOD: Okay. Great, great.

Okay, Commissioners. Thank you very much.

Let me see if there are any questions for either one of you.

Any questions?

(No audible response.)

CHAIRMAN HOOD: Okay. And I think
Commissioner Black, you were in opposition somewhat, and especially the concerns of the seniors and the wheelchairs and those who need accommodations or whatever to get to where they need to go to and parking convenience for them. Did I capture that right? I have it here in front of me. But I just want to make sure I captured it.

MS. BLACK: That's a good part of it. The other part is that we are taking available spaces and converting them to car-share arrangements and taking them out of use.

CHAIRMAN HOOD: Any other questions? Commissioner Selfridge?

COMMISSIONER SELFRIDGE: I just had a question.

Don't you think the car-sharing would actually alleviate some of those parking pressures? Are you against the car-sharing requirement altogether?

MS. BLACK: I don't think the need
has been shown to justify taking what was already available -- parking spaces that had been in use -- and turning them from our public coffers into a commercial venture.

And as the example of my colleague just showed, sometimes you can take a 24-foot curb cut and you end up losing what you had before. And again, looking through this, it raises more concerns than assures me that we're heading in the right direction. And I ask you to look at a better balance for this. The car-sharing is a big part of it. But the need for maximums and where they are located, especially in residential neighborhoods is important. It's not set forth in this.

Thank you.

CHAIRMAN HOOD: Any other questions?

(No audible response.)

CHAIRMAN HOOD: Okay. I'm going to thank both of you, Commissioners. We
appreciate your testimony.

Now what we're going to do is we're going to call all the proponents that I have listed: Shane Farthing -- and if I mispronounce it, forgive me -- Ken Archer, Cheryl Cort, David Alpert, Christopher Zieman, Mike Donnelly, Geoffrey Hatchard. And I think that's it. I think that's seven. I think I can get one more. Let me see. I have to look here. And David Garber.

Wait a minute. David Garber is an ANC Commissioner. Oh, you haven't been sworn in yet. So you won. Congratulations. Come on forward.

He hasn't been sworn in yet. He'll be the SMD. But we'll wait and let him get sworn in first.

Okay. Well, I think what I'm going to do is start to my right. And if you all don't mind even though I know how I called it, we're going to go down. Start to my right and
MR. FARTHING: Thank you. My name is Shane Farthing. I'm the Executive Director of the Washington Area Bicyclist Association.

I'd like to thank the Commission for the opportunity to speak today. And to be clear, I'd like to begin by saying that we support the proposed parking changes. As advocates of a livable, bicyclable District of Columbia, we support the imposition of vehicular parking maximums in the zoning code.

We support mandatory car-sharing. And we strongly support the increased bicycle parking and the imposition of requirements for showers and changing areas in buildings.

The focus of my testimony will be on this final part and Chapter 16 of the bicycle parking as that is where a lot of the specific expertise relates.

The Washington Area Bicyclist Association appreciates the efforts of the
Office of Planning and the Commission to research and develop these proposed improvements to the District's bicycle parking zoning regulations. As the region's largest bicyclist membership association and advocacy organization, we're pleased to state publicly our support for the direction of these proposed regulations and offer a few comments and critiques that we hope will improve both the regulations and the delivery of their stated goal which is to ensure an adequate supply of safe and accessible bicycle parking with minimal negative impacts on the community or residents.

In our role as advocates, we work to remove barriers to cycling. And here the Zoning Commission has the opportunity to remove a fundamental barrier to cycling in the District by adopting zoning rules that recognize the bicycle as a legitimate, important part of the District's
transportation infrastructure and ensure that as land use patterns change, cycling is considered and integrated into our neighborhoods as a viable transportation option.

So overall to be clear, while it supports the proposed bike parking regulations and look forward to their speeding adoption and implementation. There are, however, three main points in which we'd like to see improvements or clarifications in order to better meet the goals of these regulations.

First, the number of long-term spaces in the residential use category should be increased. WABA believes that the proposed three spaces for each four dwelling units or .075 long-term spaces per residential unit should be increased. According to the 2001 National Household Travel Survey conducted by the U.S. DOT, the average number of full-size bicycles per household is already 0.86. Even
without adjusting for the age of the survey, the growth of cycling as transportation during the interim period or the increased density in multi-modal focus in the District and the region, the proposed .75 spaces per residential unit is already shown to be deficient.

Based on existing residential and bicycle ownership data, we believe that the mandatory ratio should be increased to two spaces per residential unit, and in no case it should fall below the one-to-one ratio based on the results of that 2001 U.S. DOT national survey.

The second point we'd like to focus on the exemption or special exception rationale. And we hope the Commission will make clear that the exemption process is limited in scope and design to meet the District's overall needs.

If ensuring adequate bike parking
District-wide is the broader goal and purpose of these regulations, then whether an individual use or structure will generate a requisite amount of demand for short-term bike parking is an inappropriate basis for determining exemption. The question that should be asked is not whether this particular use or structure will generate demand for less bicycle parking than the standards require as the proposal is currently drafted, but rather whether the neighborhood as a whole appropriately defined contains sufficient bicycle parking.

Where a neighborhood is underserved in bike parking, no exemption from the generally applicable requirements to provide minimum short-term parking should be granted.

So in short, the regulations should be changed to clarify that the overall sufficiency of bike parking in the community will be taken into account and that demand of
the particular use or structure is not necessarily controlling.

And finally, we'd like to highlight the importance of the provision of showers and changing facilities in encouraging the use of bicycle as transportation. While perhaps overshadowed by the discussion of bike parking and of parking generally, the issue of changing facilities and showers is also of fundamental importance to enabling bicycling to serve as a primary transportation option for much of the District's workforce. Given the professional nature of many jobs in the District, business attire is demanded and professional appearance is valued. Meanwhile, the regional draw of our economy contributes to some lengthy commutes and the District's varied climate makes professional dress for bicycle commuters difficult much of the year.

In a 2009 member survey, WABA asked how influential if at all would access to a
shower or changing area be in encouraging you to commute by bicycle. Seventy-eight percent of respondents indicated that access to a shower or changing area would be influential in encouraging them to commute by bike. This demonstrates the overwhelming importance of this facility change to encourage cycling.

And here it's important to recall the concept of induced demand. And while in some cases tenant demand has been sufficient to encourage the provision of showers without additional regulation, this is the exception rather than the rule. The fact that so many respondents indicated that their behavior could be influenced by this facility change implies that the facility change must proceed the demand. And this precise sort of regulation is the vehicle to promote that facility change and enable those potential bicycle commuters.

Again, I'd like to thank you for
the opportunity to state our support for these regulations. The provision of safe, convenient bicycle parking is vital to enabling more of our community members to forego the motor vehicle in favor of the bicycle, and we look forward to seeing those regulations implemented.

    Thank you.

CHAIRMAN HOOD: Okay. Great.

Great timing.

Okay, next?

MR. ZIEMAN: Hi. Thank you for the opportunity to speak. My name is Christopher Zieman. I live in Petworth, and I work around Dupont Circle.

I want to talk a little bit about why we live in D.C. We like to walk down the street. We like to talk to neighbors. We like to listen to the crazy lady on the corner who's throwing flowers into an umbrella. We like to stop in and get a beer on the way home
or walk to the street and get a pack of Ho-Hos or something. But most of all we like to be around people. And basically where you have a lot of parking, you don't have a lot of people. Even in TOD districts -- and I like to bring Arlington up as an example -- you really don't have a lot of people walking around in the street.

Now when we talk about minimums, honestly we should get rid of all the minimums in the city. The only reason you keep them is if you think that a church in Forest Hills is going to open up and not build any parking or a WalMart in Congress Heights isn't going to build any parking. That's pretty ludicrous. They know who's going to come to them and the developers know that they need parking if they do.

Forcing them to build parking, it just makes it a lot more expensive to build in the District. And honestly it's like saying
every restaurant to serve a dessert with their salad. Now that's just kind of dumb and obviously Americans are fat enough.

Now when people say we don't need minimums, people kind of counter that and say well, where are people going to put their cars. That's also kind of a ludicrous answer because it's like saying well, is that really the government's job to figure out where people are going to put their cars? I mean, we could also put in the zoning regulations that every unit is required to have a refrigerator so people have a place to put their eggs or a closet for people to put their shirts. So we really need to think about the government's role in that.

But do we really -- when we think about minimums, do we really need -- want to make people spent all this money just to build more parking than they need? Because we all know what happens. You know -- Alex Jones for
-- in Columbia Heights who's down here for his internship is going to say well -- you know -- I have -- I have a spot. I might as well take Dad's old car -- you know. Or -- you know -- Dane the accountant who lives in Suitland's going to say well -- you know -- I might as well, might as well save ten minutes and drive to work just because I have a parking spot.

So if you're looking for successful examples of places without parking in the District -- you know -- Adams Morgan, U Street, and then pretty much every city in Europe.

Now maximums? Like I said, I work in Dupont Circle. I bike there. So I don't really need to worry about parking. But I always laugh every time I look at the circus of traffic jams down there. I feel sorry for the UPS and the FedEx folks. And I just think -- you know -- developers, they still want to build more parking.
It's a mathematical impossibility that we have enough road space to handle all the growth that we're going to see. We can't trust the developers because they just want to build enough parking to make their offices class A. And then they complain to DDOT about traffic. I used to work at DDOT. I know. Yes.

So let's think about what kind of city we want to build.

CHAIRMAN HOOD: Okay. Thank you very much.

Next.

MR. ARCHER: Good evening. My name is Ken Archer. I live in Georgetown. I'm here to express my strong support for the proposals to largely remove parking minimums and institute meaningful maximums such as the one-per-1,000 square feet maximum in transit areas initially proposed by DDOT and to enable shared parking and require car-sharing spaces.
My wife and I have chosen to live in Georgetown because it is a livable, walkable community, and it's possible to make nearly all of our trips without driving. I take the Circulator and the 15K to my job in Tyson's Corner where I own a software company. And my wife and two-year-old take the D6 to my son's play group in the Palisades Rec Center and to my wife's work at Sibley Hospital. Like one in five Georgetowners, we own no car and rely on Zipcar for the few times that we need to drive.

While Georgetown is increasingly made up of residents seeking a livable, walkable neighborhood, some of my neighbors continue to express a wind chill perspective of our neighborhood that's neither historic nor sustainable. In a letter to this Zoning Commission in 2008 opposing the zoning changes, my friends at the Citizens' Association of Georgetown had this to say:
"Parking is a problem we must frequently address because of the scarcity of curbside or even paid parking. We have supported and will continue to support expansions of public transportation that will enable residents of and visitors to Georgetown to travel by efficient, reliable transit, but we are unable to avoid the conclusion that such a system does not yet exist to serve our community."

The truth however is that 20 percent of Georgetown households own no car, and 57 percent of Georgetown households only have one car. And this 77 percent of Georgetown households would disagree with this assessment of our transit options.

Furthermore, this argument confuses zoning with on-street parking management. Since this 2008 letter, DDOT has taken great steps towards better managing on-street parking. This includes a Georgetown pilot of a performance-pricing meter system that
extends into the neighborhood that DDOT is planning and CAG has said that it supports.

CAG went on to object in it's 2008 letter, "Several large, new residential complexes have been built in the last few decades, and each provided substantial parking for the new residents. The thought that such projects in the future might not be required to provide parking at all or might be prohibited from providing what the developer believes to be an adequate amount of parking is deeply troubling."

The truth however is that developers only build two parking spaces per residential unit in Georgetown because the Citizens' Association of Georgetown exerts great pressure on them to do so. Developers are well aware that only 23 percent of Georgetown households still own two or more cars. So of course developers have to be pushed and cajoled to build multiple spaces
per residential unit.

CAG pushes developers to overbuild parking due to fears that owners of new condos will take up on-street parking. But again, to the extent that this is even a problem, it should be solved through better on-street parking management which is happening, not through zoning.

Thank you for your consideration.

CHAIRMAN HOOD: Thank you. Next.

MR. ALPERT: Thank you very much, Mr. Chairman and Members of the Commission.

My name is David Alpert. I run the website Greater Greater Washington which is a blog about urban planning and transportation issues in the greater Washington area. And I own a historic rowhouse in Dupont Circle neighborhood with my wife.

We support the parking minimums as proposed though I would agree with some of the previous people that it would be preferable if
we did not have the minimums at all on any
development. And we also support the
maximums, particularly the option 2 modified
that was proposed in the public hearing. I
would encourage this Commission to move
forward with those numbers as suggested
because I think that they represent a good
level of parking maximums and do not think
that we need to continue to delay a decision
in order to do more research.

The fact is that as Ms. Ricks said
earlier, there's a limited amount of street
space in the District of Columbia, and we also
have a limited amount of land. And for our
city's fiscal health, we need to maximize the
usage of the land especially around the Metro
stations that are so scarce and not to build
projects that generate excessive car trips and
do not take advantage of the transit.

As a developer friend pointed out
to me, there's a bell curve in terms of
different projects and how much parking they expect, whether it's office or retail and things like that. For an office building, some office tenants and some developers will feel that there needs to be a very large amount of parking. Others will feel that there needs to be a smaller amount. If we set any maximum, some number of people will yell and scream and say this is not enough parking for our particular use. But we don't need to accommodate every one of their demands. We simply need to accommodate enough so that we can get the desired level of development that we want. We can say that there are certain types of things that are going to generate too many car trips and we should not be accommodating those.

With respect to, for example -- I didn't see Councilmember Thomas' letter -- but from what I heard of your comments, it sounded as though he was concerned about some very
large retailers being able to locate in certain parts of D.C. I think some of those like the Home Depot right next to the Rhode Island Avenue Metro are an example of the outlier, the sort of development that we don't want to encourage right next to a Metro station which is a limited amount of resource of space where we could have more transit-centric uses, and that we should not be accommodating the most car-intensive, the most excessive amount of parking use of all, not to mention that that parking lot is never full. It is too large even for the use that it has today.

Quickly, let's see I have comments.

But oh, as far as the setting the maximums as well, I would also remind you as you know that it's still possible to get special exceptions to go beyond the maximums. And large projects in my experience having paid attention to a lot of projects tend to have some number of
special exceptions or variances anyway. So for many very large projects, if there really is an issue with the lower maximums, they will be able to make that case at the BZA. It's not that they won't build the project because of the time to go to the BZA because for a project of that size, they're going to go to the BZA, they're going to be taking the time. There might be historic review as well. There's a lot of steps for a very large project as it is.

I also recommend that you re-institute the sections about the curb cut location that the Office of Planning proposed to remove. I was going to make the case for that, but I think the Commissioner earlier made that case even more eloquently than I could.

The fact is that DDOT has said that there's a curb cut policy and that they will follow that. I haven't really seen this curb
cut policy. It hasn't gone through a great
deal of public scrutiny and public input.

Your group has a very thorough
public process for making these decisions.
The Public Space Committee by contrast is one
of the least accessible committees because it
doesn't even publish online its agendas or any
particular details of the items that come
before it.

So I don't think that you should
give that decision on such an important issue
which will -- when a curb cut goes in, that
could be there for 50 years, for 100 years.
So to not give that decision to another
process that might be much more susceptible to
the vagaries of politics.

Finally, I would actually suggest
that you ask the Office of Planning to speed
up the implementation of Section 1506 in
particular, the location of parking spaces,
and certainly to adopt that section because
the location of parking spaces behind buildings as opposed to in front is one of the most important elements of making a walkable development. And in the time that it's going to take to finish this process, there are going to be a great many projects approved that are going to have parking spaces located in ways that mean that that block could be unwalkable for 50 or 100 years. And I see no particular reason why that element could not go into effect immediately.

Thank you very much.

CHAIRMAN HOOD: Thank you, Ms. Cort?

MS. CORT: Good evening, Commissioners. I'm Cheryl Cort. I'm the Policy Director for the Coalition for Smarter Group. We're a regional organization based in the District of Columbia ensuring that transportation and development decisions accommodate growth while revitalizing
communities providing more housing and travel choices and conserving our natural and historic resources.

Overall I wanted to state that we strongly support the proposed regulations that the Office of Planning and DDOT have set forth with your consultation largely to eliminate minimum vehicle parking requirements and establish maximums. We support enabling shared parking to fulfill minimums and car-sharing requirements and bicycle parking-related facilities.

Secondly I wanted to say that I've been extensively involved in this process. From the beginning actually I was on the Comprehensive Plan Task Force of 2006 and participated in the work groups for the parking work group for the zoning review. And I'm really happy with how things have shaped up. I have submitted extensive comments previously and I actually hope that you'll be
able to look at the full amount of contributions that we've been able to make to this process largely focused on the importance of eliminating parking minimums.

Given that, I actually wanted to address parking maximums which was not really addressed previously when we had all these discussions a year or so ago. At this point I would say I'm disappointed to see this sort of backing off from the parking maximums. They'd been tinkered with from the time of the notice to a new report by Office of Planning. And we're prepared to accept the modified alternative which for TOD areas would actually bump up a single facility from 250 spaces to 500, that over 500 would there be a maximum limit, and for retail spaces bump up the parking ratio from one to 1,000 to 2.5 spaces to 1,000 gross floor area.

There's a great example near me of the DC USA. The city is bleeding millions of
dollars a year to pay for unused parking in probably the most walkable, bicycle-accessible, transit-accessible neighborhood in this city and maybe in many cities. It's 1,000 spaces that would have been subject to the maximum. It would have saved the city a lot of money if they had more carefully considered what is the right amount of parking to put into this 500,000 square foot retail space in the middle of a place where 80 percent of the households do not own a car.

And frankly, I was just there this weekend, and the bicycle parking is actually completely inadequate in front of DC USA. I was going to Target and there were bikes tied to every tree. And I complain to DDOT all the time that we need more bicycle parking in front of DC USA.

I want to address this question of chasing away retailers. The proposal to go to a special exception I think is a very
reasonable one. DC USA got a variance to reduce its parking ratio. So it went through a variance process. We're talking about a special exception process. It's an easier process. If we had built 500 spaces with a TDM plan, everybody would be better off at DC USA. But we didn't have the wisdom to do that. And I think we need to change that.

Office of Planning also asked for an urban format store for the Home Depot at the Rhode Island Metro Station. We got just a completely suburban format store. I go to the hardware store a lot. I have an old rowhouse I fix up. I don't own a car. I have occasionally gotten a Zipcar to take home a two-by-four. But I actually get lumber all the time at the 17th Street hardware store. I think it has two or three parking spaces. I don't have a car. I take it on my bike.

Most of the time when you go to the hardware store, you don't haul home lumber.
Actually you've got maybe a new drill. It doesn't require a car to carry a drill or some lightbulbs. And Logan Hardware has been incredibly successful with the zero parking.

So I think there's a lot of opportunities to make sure that we're not overparking our great walkable and increasingly accessible city with better transit. People are bicycling more.

We need to build on the strengths of this city. And overparking is a real threat to the strengths of our city. We need to more efficiently use existing roadway space to improve bus service. Buses get stuck in traffic all the time. We need dedicated bus lanes. There's a lot we need to do.

We have such good bones in this city, such a great street network that we can enhance rather than degrade through very suburban notions of what makes a successful community.
Thank you.

CHAIRMAN HOOD: Thank you. Next.

MR. HATCHARD: Good evening. My name is Geoffrey Hatchard. And I'm a homeowner in Trinidad neighborhood at 1218 Oates Street, N.E. And I come before you tonight to state my strong support for changes to the D.C. zoning code regarding vehicle and bicycle parking as well as loading requirements.

I support the regulations proposed by the Office of Planning that would largely remove minimum parking requirements and would institute maximum limits in their place. I also support establishing provisions for shared parking and requirements for car-sharing spaces.

The District has limited space and dedicating more of it to the warehousing of automobiles that sit idle most of the time is neither an efficient use of space,
environmentally friendly, economical in the long run for a dense city or using our built-in advantages as a walkable, bikable, transit-oriented city especially with respect to the surrounding jurisdictions in Maryland and Virginia.

Regarding bicycle parking regulations, I strongly support what is being proposed. It is of utmost importance to me as a cyclist. Just as automotive parking spaces encourage the use of automobiles, convenient, secure bicycle parking encourages the use of bicycles. Residents of the city both young and old will benefit from the knowledge that we will have more safe places to keep our bikes while running errands, attending a play, going to dinner or spending the day in the office or in the classroom.

I was attracted to live in D.C. for more reasons with one of the biggest being that I knew I'd be able to live without a car.
I grew up in Michigan where the thought of an existence without a car is entirely foreign. But once I saw the way that I could save money and live a healthier lifestyle by using transit, a bicycle and walking, I knew I wanted the opportunity to try that. No place looked more likely to give me that chance in this area than D.C.

I could have found cheaper housing in the suburbs but I found my home in Trinidad which is an amazing, friendly, welcoming community. We are on the edge of the L'Enfant City, close to so many of the benefits I spoke of earlier. And we have new developments springing up all around us. Some of it is already being built in the suburban style -- large parking lots, automobile-oriented, inner city sprawl. Please don't let us lose what should be a built-in advantage -- a neighborhood where everyone has easy access to all the necessities of life and a strong
community without the extra burden of automobile ownership.

I encourage adoption of these changes as a minimum. And if you see fit, please look into strengthening the proposals from the Office of Planning and DDOT to make the parking maximum requirements more stringent.

Thank you for the opportunity to testify this evening.

CHAIRMAN HOOD: Okay. Thank you.

Next.

MR. DONNELLY: Thank you. My name is Mike Donnelly. I'm here to show my support for Case 08-06.

I've been working by Union Station for the past six months. I leave my car in Delaware every Monday morning. I live part time during the week care-free down here in the D.C. area. I am here to express my support for the proposed changes for the D.C.
zoning code.

I support the proposed parking regulations to largely remove parking minimum requirements and institute the maximum limits. As an economist, I believe the supply equals demands. If you artificially increase the supply of parking, you guarantee more traffic on your already congested roads.

But both sides of this outcome negatively impact me. We all pay for the increase in the supply of parking. More land wasted as a parking spot means the remaining land prices escalate resulting in higher home prices.

As a pedestrian crossing your streets, more traffic makes me less safe and as a father considering moving to D.C., I worry for my children, that is assuming I can afford your high home prices. We're still looking.

Thank you for all staying late
tonight and missing a Redskins' game. I appreciate you taking your time to hear all of us listen and testify.

CHAIRMAN HOOD: Okay. Next.

MR. GARBER: I'm going to keep this pretty short and sweet.

My name's David Garber. I am a homeowner in the historic Anacostia neighborhood. I'm a renter in the Near Southeast neighborhood. And I am the Commissioner-elect for 6D-07.

I'm here to voice my support for these new regulations. I moved to D.C. based on its increasing support for bicycle infrastructure and its walkability and its density. There are many places in the region the people can choose to live, and I don't think we should be customizing our city towards the car already more than it is.

Speaking from the historic Anacostia perspective, east of the river there
is a greater support for having just more and more parking and there are less people tending to bike and walk around over there. But there's also a ton of developable land and a lot of opportunity happening right now and projects that are going to be happening in the future. And I fear that in historic neighborhoods that are undeveloped right now that as they get developed, if we don't have regulations like this in place then they will be developed with more drive-throughs and more parking in front and kind of develop as less special places than they have the opportunity to become.

I also just wanted to note the general sense of concern in the Near Southeast neighborhood around the ballpark where residents of the high-rise buildings there feel left out of the residential parking program and feel as a result kind of second-class citizens when they're right next door to
brand new townhouses with garage parking yet they are getting their residential parking permits.

So thank you so much.

CHAIRMAN HOOD: Thank you.

Colleagues, any questions of this panel? Mr. May?

COMMISSIONER MAY: Yes. Mr. Zieman, I'm a little bit confused because on one hand you were saying that you'd like to see no minimums whatsoever essentially leaving the issue of how much is provided to the decision of the developer, and then at the end of your statement you said that you basically can't trust developers. So where exactly are you? I mean, should it be left to the market? Is that what you're advocating? And can we trust developers to decide how much parking is appropriate?

MR. ZIEMAN: That's a good question. And I understand your confusion.
No, what I meant to say is that where we have minimums and minimums are enforced, you're basically artificially raising the amount of parking based on certain notions whereas if a developer wanted to build less, they want to for a reason.

However, where there's excessive parking being built, and my point was mostly kind of in the downtown area where we're talking about maximums the most where there's the worst traffic congestion. And I'd like to take as an example the new development that's going right on Connecticut and K, one of the busiest and highest valued corners in the District. But they are building somewhere over 1,000 parking spaces I think right across the street from the Metro.

So that was in that vein. A lot of times when there's this competition to build class A parking, when there's a competition to have high-priced office buildings and
everything, the developers aren't concerned with what's around the city. They're not seeing themselves as a cause of the traffic problem.

And when you have a lot of this traffic -- especially downtown -- then that makes it especially harder politically to widen sidewalks or to provide bicycle access because you have so many people complaining about how bad traffic is and how can you take a lane away if traffic's so bad anyway. And it really doesn't get us to our goals of where we want to be as a sustainable city.

COMMISSIONER MAY: Okay. Thanks.

Ms. Cort, I had a question for you. Maybe I just sort of missed it in your testimony. But where exactly are you in terms of the numbers for maximums?

MS. CORT: We support the modified alternative that was provided in the November 5th Office of Planning report which bumped up
the TOD numbers in terms of the parking ratio
to 2.5 for retail and maintaining all other
uses at the one space per 1,000 square feet.
We're willing to accept that bump up in terms
of the retail parking which is actually higher
than the ratio of DC USA. But DC USA is such
a huge development that it built 1,000 spaces
with a variance.

COMMISSIONER MAY: Okay. All
right.

And Mr. Alpert, I have a couple of
questions for you. By the way, it's nice to
see you here. I know you've written about
zoning occasionally. So it's nice to have you
actually in the chamber or in the hearing room
here.

MR. ALPERT: Thank you.

COMMISSIONER MAY: I guess my first
question is that you were asking that we go
ahead and set maximums right now and not go
ahead and have another hearing. And then
later in your testimony you acknowledged the fact that this is going to be a slow process of adopting the full zoning regulations. So I'm wondering what the advantage is to trying to adopt that now when in fact the code itself won't go into effect for many, many, many months. So what's the advantage of moving ahead now? Is it just momentum?

MR. ALPERT: I didn't actually mean to state that you move ahead now with the maximums. I meant to say that --

COMMISSIONER MAY: But we're at a hearing though. You were arguing for it without a hearing.

MR. ALPERT: Well, I guess what I was suggesting is that you move ahead as if the Office of Planning and DDOT had continued to suggest the modified Alternative 2 that they had suggested in the public hearing notice I believe when I think as Cheryl Cort was saying that we should go ahead with that.
So you should follow whatever process you were going to follow if they hadn't said that they wanted to pull those back and do some more analysis. But you should still package that will all of the other things that are going into this.

The part that I would suggest you move ahead with more quickly was the location of parking spaces section which is more independent of anything else. It doesn't involve the changes in use categories and that sort of thing.

COMMISSIONER MAY: Okay. I knew you were arguing for two different things between those sections.

And that was my next question which was actually to get some sort of a reaction from the Office of Planning about the suggestion that 1506 be implemented more quickly. And is there some urgency to that aspect of the regulations that we need to take
that on more quickly? Because I mean maybe
there are issues that are out there that it
would make sense to address more quickly. I
just don't have any sense of that.

MR. PARKER: It's certainly a
possibility that we could move forward.

I think I agree with Mr. Alpert's
reasonings for it. There are a lot of
developments that are going to happen between
now and two years from now when this all gets
put in place.

The one reservation that I have is
just the form in which it takes. A lot of the
terminology is changing. In the code, we're
going to have new terms like front-street
line.

I think I guess the point is it can
be put in the existing code. I think we'll
need to write it two different ways -- one for
the existing code and one for the future code.

And it's just a matter of timing. But based
on your guidance, we certainly could do that.

COMMISSIONER MAY: Well, I don't know that we necessarily want to start plucking out pieces of the code that we're right now drafting and say this is so important that it needs to be enacted immediately. But I mean I know that the Office of Planning is still modifying or still making suggestions to modify the current code.

So if there are issues that come up in the process of the re-write that need to be brought ahead more quickly, hopefully that'll be the case.

And I assume that if anybody in the audience is really interested in pushing one of those, you might talk directly to the Office of Planning about doing that because we're still writing the current code or re-writing it.

That's it for me. Thanks.

CHAIRMAN HOOD: Okay. Any other
questions. Vice Chairman Schlater?

VICE CHAIRMAN SCHLATER: Sure.

Quick questions.

Mr. Garber, thanks for coming down tonight. I'm a fan of your blog as well. I like reading about what's going in Anacostia and it's a great site.

I have a question about Near Southeast. I think we've been talking about parking maximums. Near Southeast, very transit-accessible, meant for a compact, high-density development. But I think a lot of people would say that there's not a lot of retail down there. People have been begging for restaurants, grocery stores, other forms of retail. Are you wondered that by instituting parking maximums in Near Southeast that could somehow negatively impact attracting retail to that area?

MR. GARBER: I don't think so mainly because most of the development -- most
if not all of the development coming to Near Southeast at this point is high-density development with sidewalk-level retail, most of which is accessed by walking or biking or metroing. Or if you're parking, you're not expecting to be able to park right in front of the retail location. I mean, typically that's an understood thing if you're in a high-density area.

And I wouldn't want to set a precedent in the neighborhood for expecting to be able to park right in front of wherever you're going or directly underneath wherever you're going.

CHAIRMAN HOOD: Any other questions?

(No audible response.)

CHAIRMAN HOOD: Okay. I want to thank this panel. We appreciate all your testimony and insight.

Okay. Let's continue on with who I
have down for proponents: Eric Fidler, John Wheeler, Ellice Perez and Allen Greenberg.

Is there anyone else who'd like to testify in support -- in support? I haven't got to opposition yet.

(No audible response.)

CHAIRMAN HOOD: Anyone else who'd like to testify in support?

(No audible response.)

CHAIRMAN HOOD: Okay. With that, this is our last panel for support. And we're going to start with Mr. Fidler who I believe is from Greater Greater Washington also. So you have three minutes.

If the person next to you can turn their microphone off actually. There we go.

MR. FIDLER: Commissioners, thank you for seeking public input on the zoning changes regarding parking requirements. My name is Eric Fidler and I live in the LeDroit Park neighborhood. I've come here this
evening to urge you to support the proposed changes.

For too long our city has governed itself under the philosophy that the needs of the private automobile trump other quality of life issues in Washington. As our city's population began to grow several years ago, the Washington Post noticed this curious case of car registrations actually falling in the city. And I suspect that that is no doubt to our city's walkability, ubiquitous public transit and the availability of car-sharing.

Even despite the surprising shift away from car ownership, however slight, the city's zoning laws are still stuck in the past mandating minimums for on-site parking for development projects. It does not matter if the project is located directly atop a Metro station or if the site is too small to accommodate parking. Zoning code wrongly mandates parking regardless of cost or
necessity.

The assumption that car ownership is a necessity of life is not only wrong, but also insidiously reduces residents' quality of life. The biggest problem with minimum parking requirements is that they needlessly increase the cost of housing construction and thus the cost of living. Washington is one of America's most expensive cities. And parking minimums partly contribute to this. When a project requires numerous levels of deep excavation to house cars, the project's eventual tenants will have to pay for higher rents to cover the costs -- lessening affordable housing for people for cars.

Certainly most large residential projects will include some parking even though the minimums will be taken away. But the amount of parking that tenants will demand decreases with proximity to transit. Eliminating minimums will permit builders to
gauge the market to determine the proper amounts of on-site parking. In areas for which this proposal seeks to eliminate minimums, I suspect the appropriate amount of on-site parking will fall short of the current minimums by far.

Car ownership produces numerous undesirable consequences such as pollution, traffic congestion that by necessity reduce the quality of life in the city. By eliminating parking minimums in transit-accessible portions of the city and by requiring car-sharing and bike accommodations, we can help reduce housing costs, help reduce the pressure on the existing road networks, reduce pollution and enhance the city's livability.

Thank you for giving us the opportunity to testify in support of the proposed changes.

CHAIRMAN HOOD: Okay. Thank you.
Next.

MR. WHEELER: Good evening. My name is John Wheeler. I live in Tenleytown. And I'm here tonight representing Ward 3 Vision which is a grassroots campaign promoting smart growth in Ward 3.

We strongly support the changes proposed to the D.C. zoning code. We support largely removing minimum parking requirements and imposing maximum requirements. We support car-sharing. That has been shown to be an excellent solution to limited parking. We support requiring bicycling parking facilities at commercial and the larger residential buildings. That also has been shown to be an excellent solution to our traffic congestion problems and it results in the need for less parking.

Ward 3 Vision supports -- as a group, we support having higher-density residential development in Ward 3 with
neighborhoods serving retail along transit corridors. And for us, that's Wisconsin Avenue and Connecticut Avenue primarily. And to promote that, we support the concept of eliminating the minimum parking requirements and imposing the maximum ones, car-sharing and the increased bicycle use.

We think that DDOT's recommendation based on transit zones is a reasonable way to go. With respect to curb cuts and drive-throughs, if the Zoning Commission isn't willing to go so far as to impose that for all of D.C., we would welcome making a pilot project banning all curb cuts and drive-throughs in Ward 3.

CHAIRMAN HOOD: Okay. Thank you. Next. You're next. Yes, we're going from right to my left.

MR. GREENBERG: Okay. I'm sorry.

Good evening. My name is Allen Greenberg. I'm here representing
Metroriders.org. And tonight I'm testifying on behalf of our 1500 rider activists about the proposed changes before us.

The changes contemplated would have major implications for transit readership in the region and particularly in the city. And for that reason, I'm testifying before you this evening.

Metroriders.org seeks to bring balance to the transportation system in this region through policies of prioritized transit over SOV travel. And projected development in this region especially in the urban core requires that SOV travel be suppressed and transit services be bolstered for gridlock to be averted.

It requires three steps essentially. First is to follow the pearl of wisdom that if you find yourself in a hole, stop digging, and recognizing that minimum parking requirements by forcing subsidies for
car ownership and use by making housing and retail more expensive exacerbates gridlock, auto emissions and vehicle/pedestrian conflict.

The second step is to curtail use by limiting parking. DDOT's testimony before you all on September 16th provided this Commission really with the logic that's most important, and that is to decide how much parking is appropriate given the carrying capacity of our streets. Bus transit in particular suffers and the riders of course too when parking supplies and car use are allowed to continue to grow especially near hyper-congested intersections. For this reason, Metroriders.org supports DDOT's September 16th proposal for parking maximums, not the revised proposals that was presented by OP.

Third is to require that parking accommodations when we do make them minimize
to the extent feasible conflicts with pedestrians and negative impacts on urban design. I think especially for instance of surface parking facilities that are allowed to front a street. And second to require accommodations for bicycling which really complements transit use. Metroriders.org supports the Office of Planning proposal in all these areas.

And I have a few specific additional observations about parking minimums and parking maximums.

First with parking minimums, as I mentioned before it really hurts bus riders by encouraging car ownership and use, and essentially the developers are forced to subsidize cars at the expense of transit riders and harm those seeking more affordable housing who are willing to live car-free, relying on Zipcar and taxis for their occasional needs, but instead requiring them
to pay more for housing to subsidize car owners.

Today the Zoning Commission has a rare opportunity to revise the zoning regulations in a way that would substantially improve the housing affordability and in providing environmental benefits to the District and would allow the construction of new developments that are as transit-accessible, walkable and charming as many of the District's historical developments that were built before today's off-street parking requirements made their construction illegal.

Off-street requirements, parking requirements interfere with adaptive use of all the buildings, require parking construction in excess of demand, and have been shown to add between $52,000 and $117,000 to the price of each housing unit. And there's research to support that. And it essentially guarantees more car ownership
driving, traffic and air pollution than if you didn't have such requirements. And so a reason for any of these requirements is to reduce the likelihood of spillover.

Now off-street parking requirements are completely unnecessary if we deal with that in another way through on-street parking management. And DDOT has recently shown itself capable of managing on-street parking so it does not get overwhelmed as a result of spillover.

And I point specifically to the baseball stadium where we put in a 41,000-seat new stadium with very few off-street parking spaces. And stadium neighbors have had nothing but praiseworthy comments of DDOT's effort to regulate on-street parking through pricing. It costs roughly $20 to park on the street per game, and it works.

Now managing on-street parking to deal with the influx of demand for new
residences is different than managing it for a stadium. But the same basic challenges apply. And more importantly, I think that the challenges of the stadium were much greater than those that would result from the kind of development that would be allowed by the changes in the zoning regulations.

So parking maximums, very important again to go back to the carrying capacity of the system. If you look at other cities that don't have as good transit as we have like Seattle, they have a one-space-per 1,000 square feet throughout the city. You look at San Francisco -- .233 spaces-per 1,000 square feet downtown. And I just don't believe that with our system and our density and the cost of housing and retail here that we can't match that. I think DDOT's original proposal was extremely conservative, and more importantly is tied to the capacity of our streets.

So I appreciate the opportunity
presented to me here. Look forward any
questions you might have. And we do hope you
take the bold steps needed to make these
changes happen.

Thank you.

CHAIRMAN HOOD: Okay. Thank you.

Next.

MS. PEREZ: Good evening. My name
is Ellice Perez. I'm the General Manager for
Zipcar in the D.C. metro area. As you might
know, Zipcar is the world's largest car-
sharing organization. We have over 500,000
members and about 7,000 Zipcars. And this is
in 14 major metropolitan markets, obviously
including D.C., Virginia and Maryland and now
Baltimore.

So with this, this obviously gives
us some great exposure with our footprint. It
gives us some good exposure to the policy that
is in place in many different jurisdictions
around the U.S., Canada and the UK. And
actually, D.C. is very forward-thinking, so we're excited to see and very supportive of the policies and zoning changes that are suggested here this evening.

The zoning code that's suggested is very much in line with the mission that Zipcar has which is reducing car ownership and enabling simple and responsible living. And you might be familiar with our results -- our demonstrated results time and time again per every one Zipcar we put on the road, we take 15 to 20 personally-owned vehicles off the road. For every Zipcar member that joins, the average member drives 2500 less miles per year because we have such great public transportation in all of the cities that the Zipcar is in. The average Zipcar member consumes 219 less gallons of gas per year as well, and all of this obviously results in much less CO₂ emissions in our cities.

So we're very supportive of the
zoning code that is suggested here. We just suggest additional detail in some of the areas to ensure that the desired result of reducing car ownership and furthering public good is achieved.

So in Section 1504.3, we suggest additional qualifications for the car-sharing organizations -- things that are stated in DDOT memorandums as well. So that would include financial eligibility, evidence of insurability, technical capability and then a minimum membership base as well.

We also suggest a process that might foster placement of car-sharing vehicles that are in less desirable areas. So this is something obviously for the Zoning Commission to consider. There certainly will be places where new developments arise where a parking space is offered -- and we have experience of this -- and the space is declined because there is not demand in that area. And those
in the District certainly understand and appreciate there's a cost with placing that car in all areas. And so we suggest perhaps a mechanism to be offered for the car-sharing -- the qualified car-sharing firm to be further engaged in placing a car in that less desirable area.

We also suggest a process for when declining spaces. And so again we have experience in this when a car-sharing space is offered and the development and we decline. Then we would want to of course support in writing so that the developer has everything documented so that it's very clear from a process standpoint.

And then finally just to again a further point of clarification, in Section 1504.5 -- and this was a question that was raised earlier -- we suggest that it be clarified that car-sharing spaces should be accessible 24/7 so that all members can use
their cars at any hours of the day or night.

Thank you very much.

CHAIRMAN HOOD: Okay. Thank you very much.

Any questions for this panel? Any questions or comments for this panel?

(No audible response.)

CHAIRMAN HOOD: Okay. We want to thank you all. We appreciate your testimony.

Let's go to opponents: Ms. Marilyn Simon, Paul Tummonds, Christopher Collins.

Do we have anyone else who would like to testify in opposition?

(No audible response.)

CHAIRMAN HOOD: Okay. This is our last panel.

We'll let Ms. Simon go first. Then we'll go with Mr. Tummonds and then Mr. Collins.

MS. SIMON: My name is Marilyn Simon, and I'm speaking on behalf of
Friendship Neighborhood Association.

In October 2008, the Commission provided the Office of Planning with guidance on its proposed changes in the parking regulations. At that meeting, Chairman Hood stated that there would be another bite at the apple. And so tonight is the public's opportunity to ask the Commission to reconsider some of the more sweeping and untested changes in this proposal.

I want to thank the Commission for this opportunity. This is an important effort by the District that if done correctly will enhance our cityscape, while if done poorly will threaten the quality of life and our environment for decades to come.

Earlier several Commissioners expressed concern about spillover effect with OP's recommendation to eliminate parking minimums in certain districts. In response, OP assured the Commission that they would be
maintaining minimums where there was a potential for spillover effect. However we are now presented with regulations that provide no such protection for our low- and moderate-density neighborhoods. OP is recommending that there would be no minimum parking requirements in several as yet unmapped areas including transit zones.

    DDOT has listed several tools for mitigating spillover. And it is clear from that list that for many of the District's neighborhoods and for the type of spillover effect that will result from these recommendations, DDOT's tools will be totally ineffective.

    For example, nearly all the mitigation tools relate to limitations on the use of on-street parking by nonresidents. Yet with these changes, we will see new housing units with residents in new buildings with inadequate parking.
In essence, it demonstrates that neither OP nor DDOT has seriously considered the impact of eliminating minimum parking requirements for medium- and high-density residential development near low-density residential neighborhoods. None of the recommended tools for mitigating spillover addresses these problems when new apartment buildings with inadequate parking are built near low-density neighborhoods.

Many of the new residents will own private vehicles even if they take transit to work and drive infrequently. They will park their vehicles in the lower-density neighborhood. In fact, some of the proposed tools for mitigation actually exacerbate the spillover problems.

At the earlier hearing, I submitted a map showing the lower-density neighborhoods that would likely be affected by the recommendation to eliminate minimum parking
requirements. This map provides a reasonable depiction of the area's subject to spillover. We mapped the areas within 800 feet of potential non-minimum parking requirement, high-density development. Since OP frequently uses a quarter mile to define TOD areas, it might actually be reasonable to enlarge that pink area since many residents would be willing to walk 1300 feet to the lower-density neighborhoods to park their cars.

The problem of spillover parking when high-density residential development is near low-density residential neighborhoods was understood and addressed in our current parking regulations. The reduction in the parking requirement for development near Metrorail stations is limited to 25 percent, recognizing that it is unreasonable to assume that Metro is a viable option for many of the employees and visitors.

The reduction does not apply to
residential buildings, recognize that we now already have low minimum parking requirements and that is unrealistic to assume that vehicle ownership will be less than one vehicle for every four housing units in a high-density residential development even if many of the residents use the Metro to commute to work. Further, the reduction in the parking requirement did not apply if the building was within 800 feet of a low-density residential neighborhood.

The commercial area in Friendship Heights was mapped in OP's chart. The surrounding low-density neighborhoods consist if detached and semi-detached and rowhouses on relative small lots, many of the older houses lacking off-street parking and some lacking the ability to add off-street parking. These neighborhoods already have a severe spillover problem, and there is significant potential for new development in the area.
With no zoning changes, we can see an addition of more than 1200 housing units in the immediate area. Without minimum parking requirements, one would expect to see the spillover parking problems in this neighborhood aggravated.

We cannot change our zoning regulations based on unrealistic expectations about whether future residents will own vehicles. Our system is not the robust system that is being assumed --

CHAIRMAN HOOD: Ms. Simon, can you give us your closing?

MS. SIMON: Yes. And we ask that the Zoning Commission be cautious in approving text that eliminates minimum parking requirements in an unspecified geographic area especially since limiting -- this isn't the area where there will be a risk of parking spillover to low-density neighborhoods.

Other concerns are written in the
written comments. Thank you.

CHAIRMAN HOOD: Okay. Thank you.

Mr. Tummonds?

MR. TUMMONDS: Sure. Good evening, Chairman Hood, Members of the Commission. I am here on behalf of the District of Columbia Building Industry Organization this evening. And I am going to present our organization's views on the proposed text relating to motor vehicle parking, bicycle parking and loading.

As an organization, we are very concerned about the potential impact of the proposed parking maximums on the economic development in the District generally, and specifically on the District of Columbia real estate industry and its ability to remain a leader in a very competitive real estate market.

We believe that a system of parking maximums is both unnecessary and potentially harmful to economic development in the
District. The competitive success of the District's office and retail market depends on the availability of a reasonable amount of parking. We believe that there needs to be an appropriate balancing of this availability of on-site parking for a project with other factors such as proximity to Metro stations or corridors that have extensive Metro bus activity or other forms of high-density transit.

We believe that such a balancing does not occur with the proposed city-wide blanket maximums. We believe that the marketplace, as Commissioner May asked a previous person providing testimony, provides the most appropriate manner in which to find that proper balance.

Construction of below-grade parking spaces is very expensive in the District. General estimates range from $30,000 to $50,000 per each parking space. Given this
significant cost, it is not an interest of a developer to construct parking spaces that will not be used. However, a project that is deemed to have an inadequate amount of parking will ultimately be less desirable to potential residents, tenants or shoppers.

As an industry we are supportive of efforts to create truly sustainable projects that utilize the wonderful public transportation infrastructure that exists in the District of Columbia. For many of our members, creating commercial office buildings or mixed-use buildings that achieve LEED Silver, Gold or even Platinum certification is a must. In those instances, a project is likely to have a number of parking spaces that are significantly lower than the maximum ratios and maximum total number of parking spaces that are proposed in these regulations.

However, there needs to be an opportunity for other types of projects to
provide a number of parking spaces that is
dictated by the anticipated demand or some
other metric such as parking space
requirements that may be created by federal
agencies seeking new office space or national
retailers who demand a certain level of
parking to accommodate their stores.

If the Zoning Commission does
determine that parking maximums are necessary,
we strongly encourage the Zoning Commission to
calculate those maximums solely on a ratio of
parking spaces to a specific amount of gross
floor area. The parking maximums based on a
specific maximum number of spaces, such as the
250, 500, even 1,000 parking space maximums
proposed in Section 1503 do not account
necessarily for large federal office building
developments or institutional uses where a
single parking facility may be preferred over
numerous parking garages.

I did have a point with regards to
institutional uses. I believe Mr. Parker addressed that earlier that it is through the campus planning process we believe is the most appropriate means for the Zoning Commission to determine what is the appropriate amount of spaces for an institutional use. And we encourage that the parking maximums be used as guidelines as Mr. Parker had mentioned and not as maximum.

Despite our concerns with the proposed parking maximums, we are supportive of elements of the proposed regulations including the removal of parking minimums in the transit-oriented zones and the ability to use the special exception standards for relief from the maximum or minimum parking requirements.

That concludes my testimony this evening. I'm available to answer any questions that you may have.

CHAIRMAN HOOD: Okay. Thank you
very much.

Mr. Collins?

MR. COLLINS: Thank you, Mr. Chair.

Christopher Collins with Holland and Knight. I'd like to just focus my discussion tonight on the impact of this proposal on large retail shopping facilities in the city. I've handed in my testimony. I would just like to summarize that.

We have concerns based in two areas. Number one is the maximum parking requirements. I'll go through that in a second.

The amount of parking required by a large retailer typically depends upon the type of goods sold and the retailer themselves. But typically, it's about 4.5 to 5.0 spaces per 1,000 square feet.

You mentioned, Mr. Chair, Rhode Island Place earlier. And that's a good example -- good real live example to take a
look at. That project was finished about five years ago. Actually, it's still the final piece -- the TD Bank -- that's undergoing construction right now.

That project has 4.7 spaces per 1,000. And yet the parking lot is filled to capacity on weekends even though it's right next to a Metrorail station. That project contains about 21.75 acres of land area, just under one million square feet of land, and about 25 percent of that is buildings. The remainder of the area is devoted to parking and loading circulation, landscaping.

The site contains in excess of 1,050 parking spaces. It has access from Brentwood Road on the east and Washington Place which is what the former Metro driveway is now called. It's a public road.

Using a standard factor of 350 square feet per parking space, there would need to be four levels of structured parking...
in order to keep the parking area for Rhode Island Place within the 100,000 square foot land area limitation utilizing the amount of parking spaces on that site. The limitation proposed by DDOT, which is either 500 spaces or 250 parking spaces maximum, neither one or three spaces per 1,000 square feet would be well short of what is needed for a facility of that size.

There's been some discussion about DC USA and how that's a very successful project with parking garages not used very much. Location is so important in this consideration. And as Mr. I think Schlater mentioned before about opportunities for large retail facilities in Wards 5, 7 and 8, they do not have the type of -- other than Rhode Island Place -- don't have that same type of Metrorail access.

And the demographic is different.

The commuting patterns of living -- the
density is different in that area of the city than it is in Columbia Heights. So it's important to when you look at this proposal in terms of maximums and when consider large retail projects that you take that into consideration given the specific location of the use.

Secondly, access requirements -- Section 1507 provides a hierarchy for where access should be. First is alleys. Second is minor streets, and third is major streets. 1507.6 requires that when a project fronts on two or more streets, you're supposed to have all your access from the minor street or the street with lesser traffic. And then 1507.7 limits the number of driveways for parking access to three when the lot fronts on two or more streets. Same is true for loading access.

Again, looking at the Rhode Island Place situation, if all the parking was
required to be funneled to the lesser of the
two street frontages for traffic volume, that
would mean that all the traffic for that
facility would funnel through that two-lane
driveway out onto Washington Place which would
just not work from a practicality standpoint.
A typical large retail shopping center
includes a number of vehicle entrance points
spread around the site at dispersed locations
so that the flow of traffic and the pattern of
parking is distributed within the site as
efficiently as possible. The draft
regulations will not allow that to occur. So
for these and other reasons, we would oppose
those provisions as they relate to large
retail shopping centers.

I did have an opportunity to speak
to Mr. Parker this morning, and he did mention
to me that these two provisions I just talked
about are being pulled back from tonight's
discussion and will be subject to further
discussion. And we'd be happy to work further with Mr. Parker on these issues.

CHAIRMAN HOOD: Okay. Thank you very much.

Commissioners, do you have any questions? Any questions? Commissioner Selfridge?

COMMISSIONER SELFRIDGE: Thank you, Mr. Chairman.

Mr. Tummonds, certainly there's examples -- I happen to think Rhode Island Place is one of them where the market didn't do a good job dictating the number of parking spaces. I've been up there far too much, and I'll admit I actually drive up there which I know is maybe a sin tonight. But I do drive up there, and I can always find a parking space. So I would wonder why a maximum -- a parking maximum with a special exception option would not be appropriate in most cases?

MR. TUMMONDS: Well, I think we do
have the balance and we've had a number of cases recently where we've talked about attracting a big, large format retail store. And they said unfortunately they're not the leaders in looking to come and make that decision to say we will go at a lower rate. So I think that when we talked about that for the Skyland case, the Skyland case was a site that while it would probably show up as a TOD site here, it's a much different site than the USA with Metro, Alabama and Good Hope Roads are just different.

We think that it's appropriate to have a larger number of parking spaces for that site. We would hope that we wouldn't make the mistakes like people made at the Target USA. No one wants to have that drain of dollars happen again, and probably similarly for Rhode Island Place. But Mr. Collins had some information that was
different than maybe some of your personal experiences.

But I think in general terms it would be better to have the market dictate. But that being said, if parking maximums would be appropriate, I think it should be based on a ratio and not the ratio-plus -- pegging a maximum number because I think we have also seen cases where it's important to have maybe one single parking garage so that people aren't driving around looking for spots in multiple spaces.

I think of the Catholic University South campus project where we put all of the retail parking in one of the blocks with the idea that so people would know that that's where I'm going for my retail parking. And then maybe if I'm going to the Arts Walk down the street, I'm going to walk by those other retail stores. So maybe that was an instance where having just the ratio works and not
having the maximum number.

CHAIRMAN HOOD: Any other questions?

Commissioner May?

COMMISSIONER MAY: So what you're telling is based on your testimony, I guess you would say that you would trust the developers to set the right number?

MR. TUMMONDS: I think the D.C. Building Industry Association would say that we would trust developers very much.

COMMISSIONER MAY: Okay. Thank you. I just wanted to be clear.

I guess the question I have is when we're talking about maximums, we're talking about a lot of cars. We're talking about very, very large numbers, very large square footages devoted to parking in some cases in structures so it's also a very costly endeavor. So it seems that if there is a maximum and if there is a process for having
that maximum waived, it's not going to become
an onerous burden if you essentially have to
prove the case to have those larger parking
structures.

I mean, are we really talking about
a lot of projects that are going to be
affected by this and it's going to become an
onerous burden? We're talking about acres and
acres of parking in structures at phenomenal
cost. A little bit of work at BZA seems
likely for projects like that. What's the big
burden?

MR. TUMMONDS: Again, I think the
DCBA would say that it's people were looking
at -- they don't want to look at a BZA
project. They want to have the ability to say
that this is a matter-of-right project.
They'll move through the process to get this
done as quickly as possible.

And I think that the proposal put
forward tonight by OP to take a look at
providing some more information as to what those ratios should be, I think that makes sense. Then we can hopefully come back with additional that information and some of my colleagues on DCBA can take a look at that and we can have additional testimony then. I'll just leave it at that.

COMMISSIONER MAY: All right. I do look forward to another hearing on this topic.

Mr. Collins, I have to agree with Commissioner Selfridge that I have been to the Home Depot parking lot on many, many weekends, and not once have I had any difficulty finding a parking space. And not only not difficult finding a parking space, finding one close. It seems to me that there's ample.

So I'm wondering where you got the information that it's full on weekends because my personal experience doesn't support that.

MR. COLLINS: I got the information from -- it's not my personal experience.
COMMISSIONER MAY: Right.

MR. COLLINS: It's information I got from others.

COMMISSIONER MAY: Well, if there's something that supports that -- if you can submit something that demonstrates that case, I think that would be helpful. But like I said, it's not been my personal experience.

MR. COLLINS: I will check into that.

COMMISSIONER MAY: Okay.

CHAIRMAN HOOD: Well, I guess -- okay. I'm sorry.

VICE CHAIRMAN SCHLATER: No, you can go ahead.

CHAIRMAN HOOD: I was just going to say we have to put apples with apples. When we approved that project on Brentwood Road, there was a K-Mart which is another factor that's not in the equation.

So I really think when we talk
about how convenient it is for Mr. May to get up close and myself, I see it totally different. It depends on the eyes of the person who looks at it. When I go there, it looks like it's crowded. There are some open spaces. I'm not going to say they're not. But again, what are we missing? We're missing the K-Mart. The K-Mart is no longer there. It's not even in the equation.

But anyway, I can go on a soapbox with that.

And Mr. Tummonds, you mentioned he ABDO case. To let you know, the Zoning Commission was renamed after that case. We have new names -- all five of us. And I'll just leave it at that.

(LAUGHTER.)

CHAIRMAN HOOD: Okay. Vice Chairman?

VICE CHAIRMAN SCHLATER: I guess I'd make a couple points related to
overparking.

I think a lot of the instances where you see overparking are actually cases where the market hasn't spoken and oftentimes District government is involved. So I think Target, DC USA is an example where you can't really blame the developers for the amount of parking that was provided there. That was a city decision to invest a significant amount of money to attract retail to a neighborhood. And so, people were making an active decision that yes, we want a Target in Columbia Heights. And in order to get Target there, they demanded a certain amount of parking and so did the other retailers.

So I don't know that we can always leave this up to what the market demands because that's not always what decides how much parking gets put in a project. But it also raises the other issue of if you want to attract national retailers -- and maybe some
people don't want to attract national retailers -- but if you do, some of them probably are going to be demanding parking ratios 4.0, 5.0. And so we have to be cognizant of that. We can't ignore the fact that if you want to bring national retail to the city, which is a priority, they are going to be asking for a certain amount of parking in their project.

But I would ask Mr. Tummonds a question. This was raised earlier.

Federal agencies seeking new office space, do they have requirements for over one per 1,000 parking?

MR. TUMMONDS: And that would be the case of I think the importance of the ratio and not the total maximum number. So I think if the ratio is a million square foot building at one, we're still getting into that --

VICE CHAIRMAN SCHLATER: So like
the DOT headquarters?

MR. TUMMONDS: Exactly. That's going to be a lot bigger than 250 parking spaces. That's going to be a lot bigger than 500 parking spaces. So I think that would be an instance of if we do have the parking maximums issue, we do it in a ratio, not a ratio-plus a maximum total number.

VICE CHAIRMAN SCHLATER: Okay. I think I understand your point there.

There are other cities that have parking maximums and seem to do it successfully. We've listed four or five others. They attract retail, and they're model cities in terms of livability and walkability. Has the DCBA contacted its sister organizations in these other cities to see how they survived?

MR. TUMMONDS: I don't think we have. But we can do that in the upcoming year.
VICE CHAIRMAN SCHLATER: I think we're going to need information on how these maximums work in the other cities. I guess that's my only point. Because they do seem to work.

And Mr. Collins, thank you for coming out.

I think your point on the arcane matters of access requirements are important. I think we're setting a lot of standards that are good and laudable but may not work 100 percent of the time. So we have to understand what the impact of that is. I mean, are we going to have to put somebody through a BZA process every time it comes out with any logical result which could cause significant delay to a project?

We're going to have to take a further look at that.

MR. COLLINS: If I just may follow up on that comment.
That relates back to the issue of looking at other cities and what other cities have done. We've heard a lot about Portland and places on the West Coast.

We also heard tonight from Ms. Ricks that our surrounding neighbors' jurisdictions don't have parking maximums. So when a national retailer is trying to make a decision and it's can I build here or do I have to kind of build in the District if I have to wait for a six-month BZA process. When they want to invest their dollars and move onto the next project, they often go for the path of least resistance. And these projects --

VICE CHAIRMAN SCHLATER: But you can make the opposite argument that eventually retailers are going to want to be in the District to take advantage of this market. And they'll abide by the requirements at some point.
MR. COLLINS: That may be true. But driving to Prince Georges County or Alexandria is not that far away. And tax dollars and jobs are important in the District.

CHAIRMAN HOOD: This is going to make for some very interesting discussions and deliberations.

Oh, I'm sorry. Mr. Turnbull?

COMMISSIONER TURNBULL: Well, do we want to carry on with the discussion when we talked about access? And you're looking at the hierarchy of streets from a principal arterial to a minor arterial, collector into a local. And I think if we're trying to focus everything into a local street at the lower end, depending on the project -- where it is -- you could be creating more problems for the whole area. So I think that's got to be given some consideration too that I think there has to be an out or an exception to the hierarchy
giving the location.

I think you have to look at the traffic management, the demand management of the intersections and what's going on so that's although it may seem the proper way to take it to a local street, you may find that you have to go up one to really direct it around in the neighborhood.

And I think Mr. Collins' example shows that certain times it just makes sense. There is just the common sense of how things are really going to work.

So I don't know how we balance that. But I think it's something we've got to look at when we look at that.

CHAIRMAN HOOD: I'm actually glad that this example is coming up. I don't know how far along we're going to be once the development at Rhode Island Avenue is completed, but along with the Home Depot and the bank and all that going to together,
because to me that just makes up the best scenario as far as I'm concerned to look at.

Mr. Collins, let me just ask you. You mentioned a street in that area that I'm not familiar with. You have Brentwood Road -- I'm looking at your testimony. I heard you mention it but I don't see it in your testimony.

MR. COLLINS: Washington Place?

CHAIRMAN HOOD: Yes. Where is Washington Place?

MR. COLLINS: Washington Place is -- well, let me just back up -- just a little background. I did the work for the development at that site. It was only before the Zoning Commission as a map amendment, not a PUD.

CHAIRMAN HOOD: Thank you for saying that because we did not do the design. Thank you.

(LAUGHTER.)
MR. COLLINS:  It was a large tract review and so other people had some input in that.

CHAIRMAN HOOD:  Because it's got a lot of complaints since then. I can tell you that.

MR. COLLINS:  Not your regime. It was a previous regime.

But when that site was done, the road -- that crescent-shaped road which was owned by Metro was the driveway into the Metro parking lot and the Metro facility -- the Kiss & Ride and the bus depot. And then that was sold as part of that development to the developers. First it was improved and then sold to the developer -- I'm sorry. It was given to the city as a street opening.

CHAIRMAN HOOD:  Okay.

MR. COLLINS:  It was a three-way deal. It became a street opening and became known -- we had to pick a name. And they
picked Washington Place.

CHAIRMAN HOOD: Okay. Okay. Well, as far as I'm concerned, the jury's still out on that. I'm not sure how far along we're going to be in the process when I look at how that whole area is going to evolve. So we'll see.

Any other questions, comments?

(No audible response.)

CHAIRMAN HOOD: Okay. Ms. Schellin, looking at this and I think the way I perceive us deliberating, I perceive us taking a little while. And hopefully we don't put it with a --

MS. SCHELLIN: We do have a request for the record to remain open.

CHAIRMAN HOOD: Okay. Well, even then when we get ready to deliberate, let's look at the schedule and I'll leave it to your discretion of where we place it even if we have to do a special public meeting. Because
I think it's going to take some time. I don't know. I really think it's going to take some time.

MS. SCHELLIN: I think it'll be in January at a minimum.

CHAIRMAN HOOD: January?

VICE CHAIRMAN SCHLATER: Are we going to do another hearing on parking maximums before we address all the other text?

Is that the --

MR. PARKER: Well, no. I think our preference would be for you to address all the other texts and to get preliminary if not final approval of the text chapter. And we would just deliberate parking maximums at a later hearing and what those numbers are.

CHAIRMAN HOOD: Okay.

MS. SCHELLIN: So the next step is the guidance -- or this is actually text. I take that back.

MR. PARKER: Preliminary approval.

MR. PARKER: Proposed action.

CHAIRMAN HOOD: We have two requests -- one to keep it open for 30 days and one to keep it open until December 20th. I guess that's all about 30 days.

MS. SCHELLIN: Yes. Which would still put us into January.

CHAIRMAN HOOD: Okay.

MS. SCHELLIN: Is that good for OP -- the January meeting?

MR. PARKER: That's fine. We support leaving the record open.

MS. SCHELLIN: Okay. So we'll leave the record open until -- let's pick a date so that -- the latter date was December 20th?

CHAIRMAN HOOD: Yes.

MS. SCHELLIN: And is that only for the request of parties, or are you leaving it
open for anyone and everyone?

CHAIRMAN HOOD: I think at this point, unless one of my colleagues -- I think for the two people that asked because I think we have sufficient information from everyone who testified tonight.

Commissioner Black, do you want to add something? Did you want to add something? Because I know your testimony you had the list of concerns and I've actually marked it.

MS. BLACK: I would just ask if it's open that it not just be because of two other parties. ANC 4A may want to come in ratifying the testimony that I offered you as the ANC.

CHAIRMAN HOOD: Okay. I think we can do that since you've already provided it. If your full ANC wants to back up what you said, that'll be fine.

MS. BLACK: Okay. Thank you.

CHAIRMAN HOOD: We'll leave it open
for those three ANCs.

PARTICIPANT: --

MS. SCHELLIN: We're going to have to leave it open for everybody at this point.

CHAIRMAN HOOD: Leave it open.

Leave it open. Okay. We're going to just leave it open. Just leave it open.

MS. SCHELLIN: Okay. Until 3:00 o'clock p.m. on December 20th.

CHAIRMAN HOOD: If we're going to leave it open, it would be good if you could hit the high points because my colleagues and I have a lot to read. And if you specify what the issues are, we can go right to it as we deliberate. It makes it a little easier for us since we're going to leave it open.

MS. SCHELLIN: Mr. Parker has something to add.

MR. PARKER: I just wondered what the date of the meeting was in January.

MS. SCHELLIN: It will be -- I
believe it's the 10th. Yes. January 10th.

CHAIRMAN HOOD: I guess we don't
know what the schedule looks like. We don't
have a ZRR for that day, do we?

MS. SCHELLIN: Ask Mr. Parker.

CHAIRMAN HOOD: Mr. Parker, do we
have a ZRR for the 20th?

MR. PARKER: I don't have my three-

CHAIRMAN HOOD: Well, I'll leave it
up to staff. Let's work that out so we won't
have both of those together.

MR. PARKER: All right.

CHAIRMAN HOOD: Okay. Okay. Ms.
Schellin, do we have anything else?

MS. SCHELLIN: That's it.

CHAIRMAN HOOD: Okay. I want to
thank everyone for their participation --

VICE CHAIRMAN SCHLATER: Mr.
Chairman? Sorry.

CHAIRMAN HOOD: Vice Chairman?
VICE CHAIRMAN SCHLATER: I know we all want to get out of here quickly.

CHAIRMAN HOOD: No rush. There's no rush.

VICE CHAIRMAN SCHLATER: I just want to make sure when we get to the point where we're voting on the text that it's as productive as possible. And maybe I look to Office of Zoning staff and OP staff to figure out -- I want to make sure that the questions raised at the hearings and the comments raised at the hearing tonight -- and there were a lot of them -- are addressed directly and not a lot of time passes.

But I just want to make sure all the issues are out on the table so that when we look at the text for the vote, we can talk intelligently about the issues that were raised at the hearing tonight and hear OP's response because we didn't really get an opportunity for OP to respond to each of those
items that were raised.

So I don't know exactly what format that would take. But it would be good to have it.

MS. SCHELLIN: The transcript will be ready -- a hard copy is usually available in ten business days. So OP could get a copy of the transcript and --

MR. PARKER: And we'll try to make a proposal for an organization of that discussion for how to walk through the text.

CHAIRMAN HOOD: I think that would include comments -- in the past, I know we've done a spreadsheet somewhat. I'm not asking all of it to be encompassing that. But hit some of the high points and some of the points. And some of it actually is going to be incumbent upon us. So as he says -- the Vice Chairman said, we can't remember everything. But we try to come up and we try to look at what citizens give us compared to
what you all give us, and then we try to come
up with a decision with how we're going to
move forward.

So as much as you can condense
that, that would be helpful, if that's what
you're kind of asking for.

VICE CHAIRMAN SCHLATER: I'm just
trying to make it productive so that we're not
trying to draft on the dais or we have a whole
new host of issues. I think the more we get
up front --

MR. PARKER: Understood.

VICE CHAIRMAN SCHLATER: -- the
better likelihood of it getting voted on and
approved and moved.

CHAIRMAN HOOD: And that's
encompassing what the citizens have given us
also, correct?

VICE CHAIRMAN SCHLATER: Exactly.

CHAIRMAN HOOD: Okay. That's good.

COMMISSIONER TURNBULL: Mr. Chair,
I would agree 100 percent with the Vice Chair's option. And I think we need to present this as a very visible process. So vetting some of the ideas that came out either written or oral I think would be a good complement to what the Office of Planning has and how we compare or go back and forth.

I don't want to make it overly burdensome, but I think we need to as I said vet some of those comments. And what gets checked, what gets an X when, what makes sense and just have a good discussion about it.

CHAIRMAN HOOD: I agree. And I think we've actually done that in the past already. And I keep going back to that spreadsheet. And I'm not sure who prepared it. But that actually really helped tailor our discussions.

So it's nothing new under the sun. We've already been there. We've done it. But we just need to do it again.
Again, I think is our second time versus our first time of doing text. So we're moving forward and we'll make changes as necessary.

Anything else? Mr. Selfridge?

COMMISSIONER SELFRIDGE: Thank you, Mr. Chairman. I'd just like to reiterate that as well, not that it's necessary, but I thought tonight's hearing was very encouraging the number of people that did come out and testify. It's 10:00 o'clock at night. And like you, I like to hear examples of how it impacts people. So I found that very helpful and I know that some of these hearings haven't been as well attended. I think probably the subject matter had something to do with it as well.

But I certainly want to take all the actions we can and encourage people to come back and weigh in because I think I find that very helpful.
CHAIRMAN HOOD: Okay. Vice Chairman?

VICE CHAIRMAN SCHLATER: I think we should probably thank Mr. Alpert for that as well. I think he put out a public call to have people turn out. And it speaks to how influential he is in the community. So thank you.

CHAIRMAN HOOD: Okay. That's good. And with that, I think we're going to end on that note.

I want to thank everyone for their participation tonight. We appreciate all your comments. And if you need any information further, you can check with staff.

And with that, this hearing is adjourned.

(Whereupon, at 9:55 p.m., the hearing was adjourned.)