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

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD Chairman
KONRAD SCHLATER Vice Chairman
PETER MAY Commissioner (NPS)
MICHAEL G. TURNBULL FAIA, Commissioner (AOC)

OFFICE OF ZONING STAFF PRESENT:

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

    JENNIFER STEINGASSER
    JOEL LAWSON
    TRAVIS PARKER
    ARLOVA JACKSON
    ARTHUR JACKSON
    
D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

    ALAN BERGSTEIN, ESQ.

The transcript constitutes the minutes from the Regular Meeting held on February 7, 2011.
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CHAIRMAN HOOD: This meeting will please come to order.

Good evening, ladies and gentlemen. This is the February 7, 2011, public meeting of the Zoning Commission for the District of Columbia.

My name is Anthony Hood. Joining me are Vice Chairman Schlater, Commissioner May, and Commissioner Turnbull. We are also joined by the Office of Zoning staff, Ms. Sharon Schellin, Ms. Donna Hanousek, and Ms. Esther Bushman. Also, from the Office of Attorney General, Mr. Bergstein. The Office of Planning is represented by Ms. Steingasser, Mr. Lawson, and Mr. Parker, and Ms. Jackson is in the audience.

Copies of today's meeting agenda are available to you and are located in the bin near the door. We do not take any public
testimony at our meetings unless the Commission requests someone to come forward.

Please be advised this proceeding is being recorded by a Court Reporter and is also webcast live. Accordingly, we must ask you to refrain from any disruptive noises or actions in the hearing room. Please turn off all beepers and cell phones.

I'm going to ask at this time, so this will be on the record, I'm going to ask my colleagues to join me in taking a moment of silence for a member of the -- a former employee of the Office of Zoning, Mr. Cecil Tucker, who passed several weeks ago. And I meant to do this at a prior meeting, but it slipped my mind or slipped our minds, and I wanted to make sure we do this. He was a great asset. A lot of things that we see here and do now are because of the works that he has done. So I would ask you to join me in a moment of silence.
(Whereupon, a moment of silence was observed.)

Thank you. Okay. Does the staff have any preliminary matters?

MS. SCHELLIN: No, sir.

CHAIRMAN HOOD: Okay. If not, let us proceed with the agenda.

Okay. Colleagues, under Final Action -- we can actually do these I think together -- Zoning Commission Case Number 08-06, Office of Planning Comprehensive Zoning Regulations Review: Height Text. The second one is Zoning Commission Case Number 08-06, Office of Planning Comprehensive Zoning Regulations Review: Use Text. I think for the sake of the discussion we will start with height, and then, if there's anything else, we will move on to -- we will go to use.

Ms. Schellin?

MS. SCHELLIN: Staff would just advise that we did receive an NCPC report. It is at Exhibit 117. It does cover both height
and use, and staff would just ask the Commission to consider final action on this -- on both of these issues, and staff would also advise that we do have an absentee ballot from Commissioner Selfridge.

CHAIRMAN HOOD: Thank you very much, Ms. Schellin.

Commissioners, I think Exhibit 117 is the NCPC report, and they do raise a few issues. And let me just touch on the one that's the easiest right now. It says for the use -- "The Commission advised the Zoning Commission that the proposal language establishing a set of use categories as described in the rulemaking will not adversely affect any federal interest."

Any comments? I know we discussed a lot of this at the hearing, but let's open it up. Any comments on the use version that is presented to us tonight? Any comments?

(Pause)
Any comments? Do you want to take your time and -- okay.

(No response)

All right. So let's look at height, and I think that the NCPC report really addressed three issues -- well, actually four, but three, if you look on page -- I guess this is page 2 of their report, reflecting "The Height Act does not provide a mechanism for relief to be granted by the Board of Zoning Adjustment from the Height Act provisions for maximum building heights."

And then, they are also asking us to add "public or private street" at the end of the sentence, 402.2, and then they also are talking about adding, "The height of the building shall not be measured from the human constructed elevation, but shall be measured in 402.4."

Also, the Subtitle -- I think it's Subtitle M, they want us to hold out on.
They're asking to see a copy of Subtitle -- I think it's Subtitle -- is it Subtitle M?

MR. BERGSTEIN: Yes, but they're actually asking DCRA. That is a request to DCRA, not to the Commission.

CHAIRMAN HOOD: Right. But they're asking to see -- they're asking us to hold off -- well, not necessarily hold off. Hold on. Let me stop trying to remember off the top of my head and look at what I note that "The recommendations of the Office of Planning set down report dated August 12, 2010, concerning the following street frontage," okay, instead of "They will be considered by the -- therefore, request that DCR provide a draft of Subtitle M" -- you're exactly right, Mr. Bergstein -- "for NCPC's review as soon as it is available." Okay. Subtitle M.

But we also -- I think Vice Chairman Schlater has also -- is that the same
request? You also asked for that? Okay. All right. Now it's all coming together. They asked for it, and I think Vice Chairman Schlater has also asked for it.

So let me open it up, colleagues. Any comments on the NCPC report, or -- I think we hashed a lot of this out, but did anybody want to make any comments? Commissioner Turnbull?

COMMISSIONER TURNBULL: Well, I think there are three points. They have -- sort of conflict with what OP has written so far. I think that the -- if we start at the very end, I mean, the last point is contradictory to one of the four points where you can determine a measuring point.

So I think there is a question about adding that in such a way that later on it refers to another point where it does talk about using a human constructed elevation. So it's one of the options.
So I think we get into a little bit of a conundrum here of putting in language, and then you add another section changing it, where it could be confusing to people.

CHAIRMAN HOOD: Okay. Thank you, Mr. Turnbull. I would agree. We are trying to maybe solve one problem, may be creating another. So I would suggest that we lead it as it is already presented to us, "Shall not be measured from the human constructed elevation."

Okay. Any issues?

(No response)

Okay. Any issues on anything else?

(No response)

Now, let me -- what about the Subtitle M? I know that Commissioner -- Vice Chairman Schlater had mentioned about seeing that, and I don't know if there is a process
or is that still on -- still an issue for you?

VICE CHAIRMAN SCHLATER: I think our proposed action -- and at the hearing I had asked -- I was hopeful that we would have a draft of the Subtitle M regulations before us before we took final action tonight. The reality is is that process is lagging behind, but everybody seems to expect that it will be completed before we take final action on the entirety of the zoning rewrite package.

So if we get a copy of that Subtitle M before then, we can review it and make sure that there aren't conflicts or problems, and so I -- I guess I'm comfortable addressing those conflicts when we take final action on the entire zoning rewrite. I think it would be good to understand how the Zoning Administrator is interpreting the Height Act before we wrap up the whole zoning rewrite process.

CHAIRMAN HOOD: Okay. And I
think, Vice Chairman, your comments are exactly in line with what I read here in the NCPC report, because they are not able to give us any comment, naturally, because they don't have it in front of them either, so -- okay. Any other comments? Commissioner May?

COMMISSIONER MAY: Yes. I just wanted to note on the -- you know, one of the other comments from NCPC was that they are recommending that in paragraph 404 that the -- it should reflect that the Height Act does not provide a mechanism for relief to be granted by the Board of Zoning Adjustment from the Height Act provisions for maximum building heights.

All that may be true, but that's not really relevant. I mean, basically, in the -- in our treatment of height measurement, we are dealing with height solely from the perspective of zoning, so, you know, what is or is not within the Height Act, and what --
how it affects -- I mean, if anything, some of this might show up in the -- in Subtitle M. But it's just not really relevant for the revised zoning regs. So --

CHAIRMAN HOOD: All right. Any other comments?

COMMISSIONER TURNBULL: No. Mr. Chair, the only other comment -- and maybe it's a comment -- it's -- maybe OP should weigh in on this -- and that's their second item where we are adding "public or private street."

MR. PARKER: That's something that we have talked about with OAG. It is not something that is done now. Right now, a public street is used for measuring height. It is a precedent that we aren't sure of the impact, the full impacts of making that change in terms of, you know, subdivisions without -- with private streets or buildings built on private streets.
So in the absence of some analysis of what that change would mean, we weren't comfortable making that change.

COMMISSIONER TURNBULL: How would people in those areas measure the height, then, if there was a proliferation of private streets?

MR. PARKER: To the best of my knowledge, it is the nearest public --

COMMISSIONER TURNBULL: Public street.

MR. PARKER: -- street.

COMMISSIONER TURNBULL: Okay.

MS. STEINGASSER: I would also like to add that one of the issues we have is in the zoning regulations now, in Section 199, a street is defined, and it is defined as a public right of way. So it would require a complete reorientation of the zoning regs if we started distinguishing private from public.

COMMISSIONER MAY: Does the Height
Act make any -- distinguish at all? It just says street.

MR. PARKER: It says curb.

COMMISSIONER MAY: It just says curb.

MR. PARKER: Curb, yes. You measure from the curb, but it doesn't give a distinction.

COMMISSIONER MAY: So, theoretically, that means that even a private street -- they have to comply with the Height Act in terms of being able to measure from that street, right? I mean, a street is a street, is it not, whether it's public or private?

MS. STEINGASSER: No, that's not the case. In our zoning regulations, a street is, by definition, public.

COMMISSIONER MAY: I see.

MR. BERGSTEIN: The Height Act limitation refers to "shall not exceed a
height above the sidewalk the width of the street, avenue, or highway at its front by more than 20 feet." But, again, street -- although not defined in the Height Act, in the street -- an alley opening/closing at -- a street is a street as shown on the surveyor's records as a public street. So --

COMMISSIONER MAY: Well, I'm imagining a circumstance where you might have a sloped site, and the only public way is at the top of the slope. And so you could have private streets with inappropriately tall buildings, because we are only measuring them all from -- you know, from that public way that's up here, even though the buildings are down here. I mean, how do we reconcile that? How do we address that?

MS. STEINGASSER: The only way that could happen would be either through a theoretical lot subdivision, which requires BZA review, or through a planned unit

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development, which requires Zoning Commission review. So there would be some type of oversight to make sure that that height, no matter where it's measured from, would be appropriate.

MR. PARKER: I think you also need to take into account that that situation is much less likely than someone creating a public street or a private street specifically to measure from it in the case where they can create a private street on the higher part of their lot.

COMMISSIONER MAY: Well, that's a good point. Somehow I'm feeling like this whole issue has not been fully figured out as a result of this discussion.

MR. PARKER: It has never been a problem, I mean, before today. This comment from NCPC is sort of the first indication that there were --

COMMISSIONER MAY: I don't know.
I mean, this is enough discussion that it doesn't make me feel totally comfortable at this moment. Do you feel totally comfortable at this moment?

MR. PARKER: I feel comfortable that it has not been a problem in 50 years.

MS. STEINGASSER: We're only carrying forward the practice. We are not changing the practice, we are not introducing new definitions, we are carrying forward everything that has been.

COMMISSIONER MAY: Yes. Okay. I was just saying in a meeting today that I spend a lot of my time worrying about all of the things that could possibly go wrong in a given circumstance. And so that tendency, you know, shows up in circumstances like this. So, anyway, I will try to not be nervous about this.

CHAIRMAN HOOD: Any other comments?
Okay. I don't think we have changed anything or recommended any changes. I think all of the discussion of the -- what was in the NCPC report has been discussed. So what I would like to do is to move approval of Zoning Commission Case Number -- no, wait a minute -- 08-06, Text -- I mean, Height Text, and 08-06, Use Text, and ask for a second.

COMMISSIONER TURNBULL: Second.

CHAIRMAN HOOD: Okay. It has been moved and properly seconded. Any further discussion?

(No response)

Are you ready for the question?

All those in favor?

(Chorus of ayes)

Not hearing any opposition of those present, Ms. Schellin, would you please record the vote?

MS. SCHELLIN: Yes. Staff will
record the vote five to zero to zero to zero to approve final action in Zoning Commission Case Numbers 08-6 for the Height Text and the Use Text. Commissioner Hood moving, Commissioner Turnbull seconding, Commissioners May and Schlater in support, Commissioner Selfridge in support by absentee ballot.

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

Next, Proposed Action, Zoning Commission Case Number 10-19, Office of Planning and ANC-6A, Zoning Consistency Map Amendment at Squares 1050, et al.

Ms. Schellin?

MS. SCHELLIN: Yes, sir. On this case, the Office of Planning provided a supplemental report. You'll have that at Exhibit 21, and staff also has an absentee ballot from Commissioner Selfridge. He read the record, so that he could participate in this case.
CHAIRMAN HOOD: Okay. Let's open it up. First, let me just say that I want to applaud ANC-6A for their work that they put into this, along with Office of Planning. And I remember in the hearing we were trying to narrow the scope, and it seemed like the scope just kept getting larger and larger.

So let's open it up. I think -- well, I don't want to start like I did at the hearing. I was trying to narrow it down, but let me just open it up and see where everybody is.

Vice Chairman Schlater?

VICE CHAIRMAN SCHLATER: Mr. Chairman, I think it might be helpful just to go through each individual area and see if we can come to a consensus on the approach for each of the areas, and then move forward that way.

CHAIRMAN HOOD: Okay. Why don't -- thank you very much, Vice Chairman
Schlater. Let's try that. Let's look at area one. Proposed change -- and I'm taking it right from the Office of Planning's supplemental report. "The proposed change to rezone from C-2-B to R-5-C, as proposed by OP."

The recommendation by the Office of Planning is to -- their recommendation is for approval, and that is Square 4509, a portion of Lot 157. and we also have a diagram, as we had before, in the back of your Office of Planning report, and that shows -- and that's area one.

Are we all on the same page with that?

(No response)

Okay. Good. Thank you. That's a good suggestion, Vice Chairman Schlater.

Okay. Area two, proposed change from C-3-A to HS/ -- no, I'm sorry, -A/C-2-A as proposed by the Office of Planning, or, in
the alternative, HS-A/C-3-A. And the Office of Planning -- they actually have more of a detailed explanation. It ends up, though, however, OP is not opposed to HS-A/C-3-A or to not amend the zoning -- or to not amending the zoning at all and retaining the existing C-3-A zoning. So, and that's option two. I mean, that's area two.

VICE CHAIRMAN SCHLATER: Mr. Chairman?

CHAIRMAN HOOD: Vice Chairman Schlater.

VICE CHAIRMAN SCHLATER: I think in the hearing that we had a pretty compelling case was made as to why you would want to extend the H Street overlay provisions to this area. It seems like in the recent past there have been some retail that has been put in this area, and it hasn't conformed to the H Street overlay provisions. It wasn't required to. But it is detrimental to the area.
And the Maryland Ave stretch there is ripe for redevelopment, and I think when that development goes in it should be friendly to retail uses. So, in general, I am supportive of applying the H Street overlay provisions to the area.

I was not convinced, however, that the area should be rezoned from C-3-A to C-2-A. I personally think that with the street car coming through this area it is not the right time to be downsizing this particular zone. So I would propose that we rezone this area to the H Street overlay C-3-A.

CHAIRMAN HOOD: Okay. Any other -- let me ask, is this the -- we had a property owner come down. Was this the area that they were against us downzoning or -- and I'm trying to look through my notes. This was the area they were against us downzoning. Okay. So that would fall in line with Vice Chairman Schlater's comments.
Any other questions? Let's open it up. Commissioner May?

COMMISSIONER MAY: Yes, I was -- I actually was persuaded that C-2-A was the right zone. So -- and I wasn't -- you know, I guess the overall character of the area to me lends itself to the lower density zone, and, I mean, it is decidedly residential in character.

So going from C-2-A to C-3-A for me, which means buildings up to 70 feet tall and up to four and a half FAR, it's -- that's a lot, and especially if we're -- if we change the overlay we get some protections, but we also get some additional density. So I'm not sure that's the right thing to do. I think I'm in the C-2-A camp.

CHAIRMAN HOOD: And also keeping it in the H Street overlay, right?

COMMISSIONER MAY: Putting it in the H Street overlay.
CHAIRMAN HOOD: Putting it in the H Street overlay.

COMMISSIONER MAY: Yes.

CHAIRMAN HOOD: Okay. So you would go with the Office of Planning's recommendation.

COMMISSIONER MAY: Yes, I would follow that recommendation.

COMMISSIONER TURNBULL: So, Commissioner May, even though it is 3-A now, C-3-A now, you would vote to downzone it?

COMMISSIONER MAY: Yes. I mean, we didn't -- there was some concern about downzoning it, but I didn't see a groundswell of opposition, and I think that the essential character of that area is kind of two- or three-story -- mostly two-story -- residential. So I'm not -- I'm not convinced that it needs to be -- that it needs to get bigger and denser than that.

COMMISSIONER TURNBULL: Well, I
guess, I was just looking at the map, and there's H -- there is C-3-A across the street, and you've got it going up on Florida Avenue. I mean, it's sort of a hodgepodge of -- you've got C-2-C, C-3-A, C-2-A, and this already was C-3-A.

I just -- I've just been -- I guess I'd just like to hear a little bit more from Mr. -- from Commissioner -- from the Vice Chair why the subway going -- I mean, the trolley going up here is going to make a difference.

VICE CHAIRMAN SCHLATER: I think in general we are trying to promote transit-oriented development, and we're trying to leverage major investments in transportation infrastructure that are made.

And as far as -- I think there has been discussion that I have heard about actually increasing density along the H Street line to take advantage of that investment,
because it is going to be -- you know, H Street is growing in popularity. I think it's exactly the wrong move to reduce density, particularly at this end of the -- of H Street.

Diagonally across the street you've got an area that's C-3-A that's going to have a lot of density on it. I know there's a fair amount of density planned for it, residential density, trying to promote more residents in the District, more housing options. It seems to me that --

COMMISSIONER TURNBULL: But I guess -- I mean, I think the ANC is --

VICE CHAIRMAN SCHLATER: Is already C-3-A, so I just don't -- I haven't heard a compelling case as to why the area should be downzoned.

COMMISSIONER TURNBULL: Well, I think we heard testimony from the ANC that they were concerned about excessive
development along their -- that they were worried about it getting to be too big. I mean, am I mistaken, or do I recall that, or --

CHAIRMAN HOOD: I actually think you're exactly correct. I'm just hoping I got the right area, but I think you're exactly correct. That was one of the reasons that -- I think this is one of the areas where both ANC-6A and -- is it 6A? Yes, 6A and the Office of Planning both agreed.

I think this is that area. And I think they were trying to look for some protection or something, so it won't be harmful encroachment upon their -- the residential areas that are somewhere behind. And so I think that's kind of where we were, and I hope I'm just in the right area. I think I am, though.

So, Mr. Turnbull, I think your recollection is exactly correct, I believe.
COMMISSIONER MAY: You know, I think that there's something about Maryland Avenue that's inherently different from H Street. I mean, I know we're in close proximity to H Street, and the streetcar line will run through there. But that doesn't mean that the commercial development and density that is appropriate on H Street is appropriate for every street that intersects with it.

There's a lot of commercial development potential within close proximity, and the -- certainly, going further down Benning Road or further up Bladensburg Road in close proximity, so -- and we're talking about an area that right now is really -- has not seen that much development so far. So there isn't really that booming pressure on it at this moment.

And I just -- I have this -- you know, the essential nature of Maryland Avenue all the way from the Capitol to this point is
two-, three-story residential, and I think that to -- you know, to change it at this point. And even now it -- even at this end it has that character, even though there are a couple of anomalies like the drive-thru restaurant and the -- you know, the potential gas station site.

But, you know, everything else that is alongside there, there are still small lots and small buildings. So I think that's the essential character of it. I'm not inclined to push it into the C-3 or to push the C-3-A plus H Street overlay in that area.

VICE CHAIRMAN SCHLATER: One thing I would say is if you don't want the gas station, or you don't want the drive-thru restaurant, you are much more likely to get rid of it if you promote density in that area as opposed to low density. It just won't create the land value necessary to push those undesirable uses off of it.
COMMISSIONER MAY:  I don't disagree, but that's -- that isn't really the essential objective at this moment, so --

CHAIRMAN HOOD:  Okay.  Mr. Turnbull, I'm going to go back to you.

COMMISSIONER TURNBULL:  Well, I was just going back to looking at our notes here.  There was only one property owner, a Mr. Kelty, who was opposed to the downzoning.  I think he was the only one that we heard from at our hearing, at our last hearing.

CHAIRMAN HOOD:  That was from the Playhouse project.

COMMISSIONER TURNBULL:  Right.  Well, I'm sort of leaning to giving great weight to the ANC's concerns.  I do see the Vice Chair's points, though, but it's a mixed bag I think, changing it.  So I'm willing to hear more arguments pro or con on this.

CHAIRMAN HOOD:  Okay.  I think we probably have heard from our two colleagues.
I think it's time for you and I, so I -- since nobody has heard from me. I think that, while I understand what the ANC is trying to achieve, and I also understand what Vice Chairman Schlater -- he brought up a very good point, an excellent point actually, is the streetcars, and we're looking at TOD areas.

But I don't know if the ANC is going to actually achieve what they are trying to achieve here, keeping the gas stations and trying to control. But I think what they are trying -- what they are getting here is being able to keep the character of the neighborhood from not -- start eventually graduating and going into other areas.

I would be in favor -- even though Mr. Kelty has expressed opposition, I would be in favor of adopting the Office of Planning's recommendation, along with Commissioner May.

COMMISSIONER TURNBULL: Do you mean the alternative?
CHAIRMAN HOOD: The alternative, but also -- hold on. Let me -- let me tell you exactly. It's always not good sometimes to go off the top of your head. Let me see. I would be in favor of the H Street overlay-A/C-2-A. I think that's where my vote is going to go down.

And that's actually in the Office of Planning -- if you look in the Office of Planning report, it's on page -- so I guess, Commissioner May, you and I are saying -- will say the same thing.

And I think there has been a lot of work, Commissioner Turnbull, and I'm looking at the ANC and what people are trying to achieve. While I think Vice Chairman Schlater's comments are very appropriate, and I think that's going to come to pass, but I'm just not sure right here in this area.

COMMISSIONER TURNBULL: I think that's consistent with the ANC.
CHAIRMAN HOOD: That's what --

COMMISSIONER TURNBULL: And I was saying -- I said I'm leaning toward giving great weight to the ANC on this, and I think I would vote the same.

CHAIRMAN HOOD: Okay. Okay. Any more discussion?

(No response)

Okay. So area -- do we need to take a vote on that, or do we just do general consensus? Okay. Just general consensus.

Okay. Do we have a proxy on that area?

MS. SCHELLIN: Yes. For the whole thing.

CHAIRMAN HOOD: Oh, for the whole thing. Okay. Not just area by area. Okay. So we're okay.

Let's move to area -- so that makes it area three. What did I say, area three?
Okay. Area -- yes, okay, area three, proposed change options, rezone from C-2-A to H Street-A/C-2-A, as proposed by ANC-6A. And this is one where I think ANC and the Office of Planning do not agree, and also it's mentioned that this is -- this property falls within the area designated for mixed use moderate -- mixed use moderate density residential.

And I think this is the part where initially Office of Planning did not recommend that we set this down, I believe. Okay. So let me open it up for discussion.

Commissioner May?

COMMISSIONER MAY: Well, the Office of Planning has recommended that we not change the zoning. I've got to make sure I'm looking at the right one. We're looking at area three, right? Yes.

CHAIRMAN HOOD: Area three.

COMMISSIONER MAY: Area three.
five. Okay. So Office of Planning recommendation is that we not change this and subject it to the -- add the H Street overlay to this particular set of three, four -- four properties.

And the report that they provided to us really didn't give me any reason for concern if we were to apply it. I mean, basically, the only thing that I saw that was a potential negative is that there were other design-related requirements specifically targeted to buildings fronting H Street that would require additional text amendment to be applied to these lots.

So I'm a little confused by that, because we were ready to have the H Street overlay wrap around the corner and cover Maryland Avenue, even though that's not on H Street, but now we are concerned that if we go a little bit up 14th Street -- sorry, up 13th Street, that it was going to be a problem.
So I'm just not buying that there's not a good reason to apply the H Street overlay here. It may not give the same advantages, because there are not existing buildings there, but I don't see a harm in it and it adds some protection. So I'm inclined not to go with the Office of Planning on this one.

CHAIRMAN HOOD: Okay. Let's open it up. Any other comments? Vice Chairman Schlater?

VICE CHAIRMAN SCHLATER: I agree with Commissioner May.

COMMISSIONER TURNBULL: I would concur, too. I'm sort of -- I'm going back to another street, Georgia Avenue, where we have concerns where we were worried about properties turning -- that the -- putting in zones onto side streets that would allow bigger development on Georgia Avenue. And we were very concerned about limiting going down
those side streets.

I think here it's a little bit different. I think you've got -- there's a little different feel. The context is different. There is no single-family homes being turned into something else. So I would agree here.

CHAIRMAN HOOD: Okay. And then, when I look in the report, Office of Planning's report, as Commissioner May has already looked at, you know, they were mentioning about the focus being on H Street.

I think we heard that at the hearing, and I think if we are to do this we shift the focus.

But I think you bring up a good point. I am not terribly wedged to the point where I would not be amenable to change that zoning also. Well, not really change the zoning. What are we doing here? For three, we're just adding the H Street overlay. Okay.

All right. So I guess we'll be
fine with area three? We know what we're doing?

(No response)

Okay. Let's go to four. Is it area four? I don't want to bring up the area that is not -- that we got rid of, so -- okay, six is off the table. Let's go to --

COMMISSIONER MAY: Four.

CHAIRMAN HOOD: -- four and seven.

Can we do four and seven together? Because I think this is dealing with the county lots.

COMMISSIONER TURNBULL: Yes.

CHAIRMAN HOOD: And I think Mr. Turnbull had asked for a little more argument or a little more information from the Office of Planning. And the Office of Planning is consistent; they just really got into why they think we should wait until we finish the ZRR process.

COMMISSIONER TURNBULL: Yes. I'm fine with the Office of Planning position. I
wouldn't want to change here.

COMMISSIONER MAY: Yes. You know, I think one could make a slightly stronger argument for area four than area seven, because it doesn't have the existing buildings on it, and it's most likely to be consolidated into a larger development. But there's probably no sense at this moment in, you know, sort of assuming that that's going to happen.

If it's going to happen, and they need to -- there needs to be a further change in the zoning as a result, or it's a PUD or something like that, you know, we can always grapple with it at that point. So for right now I don't think it -- there is any great harm in simply leaving it out of the overlay in four.

Seven has got lots of extenuating circumstances, basically having to do with those existing buildings. And I don't believe that the protections that are imagined would
be bestowed by the H Street overlay are actually going to do very much here. I think it's actually just going to make life very complicated. So I don't think it's really a good idea.

CHAIRMAN HOOD: Okay. I guess I -- I'm trying to figure out how to make the motion here. Which one do we have?

VICE CHAIRMAN SCHLATER: Five.

CHAIRMAN HOOD: Five. Okay. I'm sorry, area five. Okay. Proposed change options, rezone from C-3-A to the H Street-A/C-2-A as proposed by ANC-6A. But this is also not supported by the Office of Planning, and then there is an alternative -- retain the C-3-A, but apply the H Street overlay, resulting in the zoning of the H Street-A/C-3-A. And that's area five.

VICE CHAIRMAN SCHLATER: I'm just going to read the OP recommendation. "OP is opposed to downzoning to HS-A/C-2-A. OP also
does not support a rezoning to HS-A/C-3-A, as this is not consistent with either the intent of the H Street plan or comprehensive plan guidance, but acknowledges that this alternative would have fewer detrimental impacts on these properties.

I think from my point of view I would oppose downzoning the area again from C-3-A to C-2-A. I could be convinced that applying the H Street overlay is a good idea to those properties. Although they are existing properties, it's not as neat as the other circumstance.

COMMISSIONER MAY: Yes, I would agree. There's a case to be made that it makes sense to apply the overlay to these properties, but not downzone it. I don't agree with the downzoning of these in this circumstance, because I do believe that the density is -- a greater density is appropriate at that -- at those properties.
You know, the one complication with applying the overlay is that it does give them potentially another .5 FAR and another five feet if you save the facades of the existing buildings and those sorts of things.

So it's not -- actually adding the overlay might increase the density, potential density on the site. I don't think it's a terrifically -- I don't think it's terrifically likely that we are going to wind up with something that's a lot -- you know, well, let's say too dense for that site. So I don't think it's a huge risk, but there's definitely something to it.

VICE CHAIRMAN SCHLATER: And I think if the area was free developed ultimately, as a larger redevelopment, to preserve the facade where it didn't -- I think you would want to apply the overlay requirements just to make sure it's of a higher quality.
COMMISSIONER MAY: Yes, I would agree.

VICE CHAIRMAN SCHLATER: The idea would be to apply the H Street overlay, but not downzone from C-3-A to C-2-A.

CHAIRMAN HOOD: Okay. I'm going to start with a motion. I'm going to start, and we're going to correct it as we go along. I want to start with a motion. This is like the discussion. And I think Ms. Schellin can help me frame this. Or would somebody else like to make the motion.

Okay. Let me move to approve areas one, two, three, and five, as discussed. 5A? As discussed, and to deny four and seven. Let's start from there.

COMMISSIONER TURNBULL: I think that pretty much is what we agreed to. I think that's the consensus.

CHAIRMAN HOOD: I hope you remember, because I --
COMMISSIONER TURNBULL: No, I think you've got it all.

CHAIRMAN HOOD: Okay. Well, actually, everybody needs some help. Okay. So let's -- let me -- okay, let me mention it again. I move to approve areas one, two, three, and five, and deny four and seven, and 5A.

MS. SCHELLIN: It's five, as discussed. Forget about the "A," you're good.

CHAIRMAN HOOD: I'm thinking about ANC-5A. Okay. 5A, okay. And I'm looking to everyone up here on the dais to see if we captured everything and that motion is in line. I'm even looking at you, Ms. Steingasser. Never say you didn't participate in a vote.

Okay. So do you want to -- okay, fine.

COMMISSIONER MAY: All right. I'm making an attempt to state this very
specifically. Area one, Square 4509, portion of Lot 157, rezone from C-2-B to R-5-C; area two, portions of Squares 1027, 1049, and 1050, rezone from C-3-A to HS-A/C-2-A; area three, Square 1026, lots fronting 13th Street, N.E., rezone from C-2-A to HS-A/C-2-A.

I'm going to skip to area five, and that's Square 1026 at Florida Ave and 14th Street, N.E., rezone from C-3-A to HS-A/C-3-A. And those are all of the rezonings. And then, deny any rezoning of area four and area seven.

CHAIRMAN HOOD: So the only discrepancy is area five, because I don't think -- because I moved to approve area five. The recommendation --

MS. SCHELLIN: You were correct. It was not discussed. It was just in the alternative. It was -- your motion was perfect.

CHAIRMAN HOOD: Okay. All right.
Thank you, Ms. Schellin. Okay. And thank you, Commissioner May.

Did I make the motion, or did --

COMMISSIONER MAY: I believe you made the motion, and I was just --

CHAIRMAN HOOD: Okay. Can I get a second?

COMMISSIONER MAY: Second.

CHAIRMAN HOOD: It has been moved and properly seconded. Any further discussion? No further -- any further discussion?

VICE CHAIRMAN SCHLATER: Mr. Chairman, I just want you to know I am going to oppose this motion, just on the basis of the downzoning of area two from C-3-A to C-2-A, although I do support the other elements of the rezoning.

CHAIRMAN HOOD: And you know what? And I think -- I think for one -- can we single that out and take each one motion by
motion? So that at least what we do -- we'll show that we have either four or five people in support? It won't take but a moment. Let me do it that way, because I would hate to have Vice Chairman Schlater in the -- voting against the whole thing when there are some things that he is agreeable to.

Okay. Now, let me try to do this.

All those in favor of area one? All those in favor?

(Chorus of ayes.)

Any opposed?

(No response)

Ms. Schellin, would you record the vote?

MS. SCHELLIN: Yes. Staff would record the vote five to zero to zero to approve Case Number 10-19 with regard to area one. Commissioner Hood moving, Commissioner May seconding, Commissioners Schlater and Turnbull in support, Commissioner Selfridge in
support by absentee ballot.

CHAIRMAN HOOD: Okay. All those in favor of area two?

(Chorus of ayes)

VICE CHAIRMAN SCHLATER: No.

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

MS. SCHELLIN: Staff would record the vote four to one to zero to approve Zoning Commission Case Number 10-19 with regard to area two. Commissioner Hood moving, Commissioner May seconding, Commissioner Turnbull in support, Commissioner Selfridge in support by absentee ballot, Commissioner Schlater opposed.

CHAIRMAN HOOD: Okay. All those in favor of areas three and five, and to deny areas four and seven. All those in favor?

(Chorus of ayes)

Not hearing any opposition, Ms. Schellin, would you record the vote?
MS. SCHELLIN: Yes. Staff would record the vote five to zero to zero to approve areas three and five, and deny areas four and seven. Commissioner Hood moving, Commissioner May seconding, Commissioners Schlater and Turnbull in support, Commissioner Selfridge in support by absentee ballot.

CHAIRMAN HOOD: Okay. Let's move right on to the next case. I thank everyone for their patience on that one.

Hearing Action, Office of Planning, Zoning Commission Case Number 06-11C

MR. LAWSON: Excuse me, sorry. Chairman Hood, if I may interrupt for a second. I should note that we also recommended a number of text amendments as part of this -- as part of the last proposal.

I think that you would need to take action on those text amendments and possibly give the Office of Planning some
direction for additional text amendments related to the properties that you did place in the H Street overlay that we had not recommended being placed in the overlay.

My apologies. Thanks.

CHAIRMAN HOOD: Mr. Lawson, could you repeat that?

MR. LAWSON: I'd be happy to. I'm sorry. Our proposal included, in addition to the map amendments, we had proposed a number of text amendments, to put those map amendments into effect to say, you know, which of the H Street guidelines would apply in different areas, for example, as well as to change the text of the H Street overlay to include some technical changes, to include the lots and squares.

It is noted in Mr. Jackson's latest report, it is Attachment -- or, sorry, Exhibit 7, is the text and with the dark text, the bolded text, being what OP had proposed.
So that text would require some action.

In addition, the Zoning Commission tonight elected to include some properties in the H Street overlay that the Office of Planning had not originally proposed, and so I believe that additional text amendments would be necessary to enact that.

So we would be looking for some direction from the Zoning Commission to incorporate those additional necessary text amendments to bring that about.

CHAIRMAN HOOD: Okay. Here's what I'm going to do. We're going to hold that in abeyance. We're going to go to the Hearing Action, and then we're going to come back to it. Okay? Unless you all are ready now, because I'm actually not.

MR. BERGSTEIN: Let me help. The hearing notice had text that assumed that you were going to do exactly what OP wanted, and then it had alternative text that would assume
you were going to do exactly what the ANC wanted. And you did something in between, and what we would be asking for is the ability to propose our action with text that would conform to what your decisions are. That's essentially what is being requested of you. If that helps.

VICE CHAIRMAN SCHLATER: Mr. Chairman, I think we should tonight approve the text that OP submitted associated with this map amendment, and ask them to modify it, to conform it to the set of approvals we gave tonight.

CHAIRMAN HOOD: They're asking us for -- are you all asking us for --

MR. LAWSON: That's sufficient direction, actually, yes.

COMMISSIONER MAY: Yes, I was just going to make a motion that -- in support of the previous map amendment that we approve the related text amendments as proposed by the
Office of Planning in support of the actions that we have taken with regard to the map amendment, and would further direct the Office of Planning to develop or to conform the text amendments to the modifications, or, rather, to the zoning changes that we -- the map amendments that we approved tonight that were contrary to their recommendations. Does that make sense?

CHAIRMAN HOOD: Yes.

COMMISSIONER TURNBULL: I would agree with that, too, Mr. Chair. I think that makes the most sense.

COMMISSIONER MAY: All right. That was a motion. Do you want to second it?

COMMISSIONER TURNBULL: Oh, I'll second it.

COMMISSIONER MAY: Okay.

CHAIRMAN HOOD: Okay. Just give me a moment, please.
All right. Thank you. I think I'm on the same page now.

So it has been moved and properly seconded. Any further discussion?

(No response)

All those in favor?

(Chorus of ayes)

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

MS. SCHELLIN: Yes. Staff records the vote five to zero to zero to approve the proposed text amendment -- or the text amendment that supports the map amendments that were approved earlier. Commissioner May moving, Commissioner Turnbull seconding, Commissioners Schlater and Hood in support, Selfridge in support by absentee ballot.

CHAIRMAN HOOD: Okay. Let's move into Hearing Action. Mr. Lawson, is it okay if we go to Hearing Action now? Are we finished with that one?
MR. LAWSON: I guess so. Thank you.

CHAIRMAN HOOD: Hurry up and get away from that one.

Okay. Let's go to Hearing Action, Zoning Commissioner Case Number 06-11C/06-12C, George Washington University, Second Stage PUD at Square 39. Ms. Jackson?

MS. JACKSON: Good evening, Chair, members of the Commission. For the record, my name is Arlova Jackson with the Office of Planning. Just to give a bit of background, the Zoning Commission approved the George Washington University Foggy Bottom Campus Plan in March 2007, which required that all future development projects be reviewed as second stage PUDs.

This is the third such second stage PUD request which addresses development within Square 39. Square 39 is bounded by K Street and the K Street underpass to the
north, Washington Circle to the northeast, New Hampshire Avenue to the east, and 24th Street to the west, and is located within the R-5-E zone.

The square was identified as an academic, administrative, or medical development site, or, alternatively, as a commercial investment development site in the campus plan.

The proposed project would be the only building in the square. Existing improvements include the Warwick Building, a 24-space surface parking lot, and a triangular public park located south of the site at the corner of New Hampshire and 24th Street.

The proposed second stage PUD would allow demolition of the existing structures and construction of a new public health and health sciences building. The building would consolidate seven existing departments currently housed in various
buildings on and off campus into a single facility.

The seven-story structure would have approximately 115 -- 542,000 square feet of academic, office, classroom, and administrative space.

The proposed building would have a maximum height of 90 feet, as well as two below-grade levels containing additional program space.

The existing surface parking lot and New Hampshire Avenue curb cut would be eliminated as anticipated by and improved in the first stage PUD and campus plan. Access to the loading facilities, which would now be internalized within the building, would be accommodated via a wider curb cut along 24th Street. The triangular public park located south of the site would be improved and expanded as part of this project.

The proposed second stage PUD
meets the requirements of the R-5-E zone with
the exception of requested flexibility from
lot occupancy requirements. However, the
project meets the lot occupancy limits
established by the approved campus plan and
first stage PUD.

OP finds that the applicant has
addressed and met the review criteria relevant
to the proposed development of the site,
including review standards for PUDs, further
processing standards for university use as
found in Section 201, and a general special
exception criteria in Section 3104.

The public benefits and amenities
proposed were initially identified and
approved as part of the campus plan and first
stage PUD. These generally include a
commitment to sustainability, efficient site
design, and transportation management efforts.

To this end, the proposed LEED
Silver Building would include a green roof
around the perimeter, a below-grade sand filter to manage stormwater runoff, a rain screen wall system, pervious paving, and full height atriums designed to bring natural light into the building's interior.

The applicant would also provide 54 bicycle spaces onsite.

To conclude, the Office of Planning recommends that the Zoning Commission set down the proposed second stage planned unit development for public hearing, and we will take any questions you have at this time.

CHAIRMAN HOOD: Okay. Thank you, Ms. Jackson.

Commissioners, any questions? I think this is like our third second stage that we have seen recently. Anyway, let me open it up. Any questions?

COMMISSIONER TURNBULL: Yes, thank you, Mr. Chair. Ms. Jackson, do you know what the population of this building is going to
be? Faculty, staff, students, what --

MS. JACKSON: Not off the top of my head I don't.

COMMISSIONER TURNBULL: All right. I would like to know that. I mean, we are getting 54 bikes. Across the street on -- what is it? 18th, 14th, there's City Hall, which is a leased dormitory space. I'm just looking at the overall transportation on students getting around.

I know they oriented this with the main entrance. I think OP had some concerns about where the entrance is on New Hampshire.

MS. JACKSON: I think it's in the right location. We --

COMMISSIONER TURNBULL: Just don't know if there is enough of it, enough entrances.

MS. JACKSON: We're still talking about the design of the ground floor.

COMMISSIONER TURNBULL: Right.
It's got an arcade, which is --

MS. JACKSON: Right.

COMMISSIONER TURNBULL: I'm just curious why they have the arcade there, too, but I'd like to know what the population is. I'd like to know -- to look at the bicycles, because there is a dorm across the street which is rented or leased until 2016 I think.

So there is going to be a lot of students hanging around here now, at least I think. I mean, there is -- what is there now is minimal. You've got a parking lot, and you've got a small building, so now you're going to be putting a lot more students, faculty, in this area. So I'm just looking at how students are getting around and what kind of an impact we are suddenly putting at this end here.

There's no parking. I mean, we're getting rid of the 24 parking, and I know that there was -- I think they have -- by the plan,
they have to allow 2,800 cars. They have more. They have about 3,000-something.

MS. JACKSON: At the end of -- there's three projects going on at different levels.

COMMISSIONER TURNBULL: Right.

MS. JACKSON: I believe at the buildout of all of them they are anticipating to have over 3,300 spaces.

COMMISSIONER TURNBULL: Okay. The delivery -- when they showed the delivery diagrams, they looked complicated. I mean, it's a one-way street. You've got City Hall across the street. There's parking, I'm assuming, on both sides of that one-way street, and they -- although they do have the turning radiuses and they show it, it looks -- and although -- and I know they have said there's no deliveries from 7:00 to 9:00 a.m., or from 5:00 to 7:00 a.m., it looks tight.

I mean, it -- and maybe they could
just go into that a little bit more in depth
when they present to us. I mean, I'm -- they
are only allowing -- I mean, I think we are
only expecting 30-foot trucks to go in there
anyways. But I would just like to have
somebody walk us through that and show us --
and --

MS. JACKSON: How it will work?

COMMISSIONER TURNBULL: Yes. I
would like to know a lot more about this rain
screen terra cotta, the horizontal and
vertical versions of this, and how it actually
fits together and works and what it -- what it
does when the water gets down to the bottom of
the building, what are they looking at.

Let me go back to my notes here. They are using the atrium. I guess I'd like
to know a little bit more about the interior
atrium and how that environmentally is
working. It looks like they're -- I mean,
they're going for LEED Silver, which I
compliment them on. I think that's very commendable. I think we'd really like to see that.

And I guess those are my questions right now.

CHAIRMAN HOOD: Thank you, Mr. Turnbull.

Any other questions? Commissioner May?

COMMISSIONER MAY: Yes. This looks like it's an interesting and kind of unusual building. I think one of the things that just seems a little bit odd is how this building addresses the circle, and I just -- I am not questioning it so much as trying to understand the rationale for sort of doing that kind of gradual -- you know, sort of an -- a concave section and then a convex section to that facade, and then further muddying the waters by putting in these facets of windows. It just seems like it's a very confusing way
of having a building on a circle.

Again, it's not -- I mean, maybe I just need to understand it and see the presentation when the architect explains why this is -- you know, makes sense and how wonderful it is going to be. And maybe it is just because the images that we have don't really capture what it is supposed to be and why it's -- why it should be this way. It just seems rather odd.

The next thing is that the building itself seems to be trying to do too many things in too many directions. I mean, you have -- I don't even know how many facades it has, but they are all different. I mean, it's like one, two, three, four, five. I mean, there are five sections, and they're all just very different from each other, and I'm not sure, you know -- it makes sense.

I often wind up being concerned about buildings being -- trying to be a little
bit too complex in their treatment and too different. And this is just another case I think where -- I mean, the design ideas may be just fine. It just feels like they are trying to do too much with it, too many different treatments on the various facades.

I share some of the concerns that Commissioner Turnbull brought up understanding the arcade and entrance issues, and so forth.

And then, the last thing is just -- it's got really big, big signage all the way around it, and not very attractive signage to begin with. I mean, it -- just the very large letters saying what the school is, I mean, I can see having some large building identification, but it seems like it's -- it just seems like it's a bit too much.

And for what it is, it's not rendered in a very attractive way. It strikes me as a very sort of '70s, you know, dark, dark brown with big white letters, like
something the Park Service might have done back then. I don't know. But it just doesn't look as good as I think it should, because the building otherwise I think has a lot of potential, so -- and I think that's it.

CHAIRMAN HOOD: Okay. Thank you.

Vice Chairman Schlater?

VICE CHAIRMAN SCHLATER: Thank you, Mr. Chairman. I think overall it is clear that the applicant is using very high quality materials here and is trying to pull together a good design. I think it's early in the process. I do have a few comments on the design.

I think the first thing I would focus on is how -- how the back of this building meets the residential -- the more residential character, and there is a couple of things going on there. There is the location of the loading dock, and I'm not saying it's in the wrong place for sure, but
it's right across from the entrance of that residential building. I wonder if it would be better placed where the alley terminates there. I don't know, but I'd just like the applicant to address that in their next submission.

I think that the facade on that side, I like the terra cotta and the materials. The windows themselves look a little prison-like. They are tall and narrow, and I don't know if that's a great look. I understand -- I read the submission, and the applicant said that they are trying to reduce the number of windows on that side to actually improve the experience for the residential units across the street. I just don't know if that's the right solution.

I think another overall comment is how this building meets the street. I have some concerns about the arcade. Also, some of the renderings show the windows along the
street recessed, and the base is a heavy, high quality stone. But I think it comes off feeling kind of brutal and not pedestrian-friendly and open. So I would ask the applicant to take a look at that.

And then, I think -- I share Commissioner Turnbull's concerns about the bicycle parking. I want to make sure there's enough there. There is no facilities inside the building, so there need to be adequate facilities outside of the building.

And I think that covers my comments. Thank you.

CHAIRMAN HOOD: Okay.

Commissioner Turnbull?

COMMISSIONER TURNBULL: Yes. Mr. Chair, I guess I would just like to echo the words of Commissioner May about the signage. And I'm looking on Sheet A20, which is a perspective view looking southwest from Washington Circle. And it -- but it's like
the signage repeats on every facade, and it's big. It's -- it is a little cumbersome-looking. So I would just like to echo his words on that also.

CHAIRMAN HOOD: Okay. I have more of a process question, and I probably should have done this early on when we started doing our first of the 16 additional sites. I am just curious, we are approving -- we approved the first stage. We are doing second stage approvals, and I think this is our third one.

And this is -- the applicant can maybe help me understand it at the hearing, if it's set down. But we are going to have -- it looks to me like we're going to have a lot of PUDs, and I know that Square 54 is an incompletion, or it may be complete, and some other things that we approved in the past.

But I am looking at the amount of PUDs that will be in the pipeline with approval, and I think, what is it, two years
or three years before you file for permit three -- after the second year? And I understand all of that.

I'm just concerned if we are -- I'm sure we're not going to see all 16 like once a month. I mean, we get a different case every month. And I'm just concerned that, I don't know, years from now when the Commission sometime does not look that favorable on continuing PUDs or extending them, and I'm just wondering -- I don't want us to get so many in the pipeline that it's not doable.

So I guess that's one of the questions I want to ask George Washington, is some of this that we're doing -- this is our third one. I'm just -- you know, I don't want to wait until I get -- we get to number 10 and want to know, is this doable, this is going to happen, because I don't know what the makeup of the Commission will be at that time when you start asking for a PUD extension.
So that's just something I wanted
to put out there. I don't know -- it may make
sense, it may not, but I'm going to ask it,
and we can talk about it at the hearing.

So any other questions or
comments?

(No response)

Okay. Commissioners, what's your
pleasure? Vice Chairman Schlater?

VICE CHAIRMAN SCHLATER: Mr.
Chairman, I move that we set down Zoning
Commission Case Number 06-11C/06-12C, George
Washington University, Second Stage PUD at
Square 39.

CHAIRMAN HOOD: Okay. It has been
moved. Can I get a second?

COMMISSIONER MAY: Second.

CHAIRMAN HOOD: It has been moved
and properly seconded. All those in favor?

(Chorus of ayes)

Not hearing an opposition, Ms.
Schellin, would you record the vote and the proxy I think you --

MS. SCHELLIN: Yes. Staff would record the vote five to zero to zero to set down Zoning Commission Case Number 06-11C/06-12C as a contested case. Commissioner Schlater moving, Commissioner May seconding, Commissioners Hood and Turnbull in support, Commissioner Selfridge in support by absentee ballot.

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

Next on the agenda is Correspondence. Zoning Commission Case Number 08-34, and we have a written letter, and I think staff has done an excellent job in working it out.

Do I need to vote on this?

MS. SCHELLIN: Yes, sir.

Initially, we, as you said, had a letter from the ANC asking for a postponement, but today
we received a letter from the applicant asking for a postponement also, which would also change the date for the ANC and the Office of Planning's response, and those dates are spelled out in the applicant's letter that came in today. And we would then move this to our April 11th meeting, and, yes, we would need the Commission to vote on that this evening.

CHAIRMAN HOOD: Okay. Commissioners, we have in front of us a schedule, and I want to thank the staff for really trying to pull all of this together. Any comments? Any discussion?

(No response)

I will move that we adopt the time schedule which is on Exhibit Number 54. Again, this is a Commission -- on behalf of the applicant in the above-referenced case, which is Case Number 08-34. They are asking for an extension, and there is a time
schedule, as so articulated from Ms. Schellin, that they are asking us to follow, and staff has worked this out.

So I would move that we approve the time schedule on Exhibit Number 54 as noted and ask for a second.

COMMISSIONER TURNBULL: Second.

CHAIRMAN HOOD: It has been moved and properly seconded. All those in favor?

(Chorus of ayes)

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

MS. SCHELLIN: Yes. Staff would record the vote five to zero to zero to approve the time extension on the filings in Zoning Commission Case Number 08-34, as requested in the applicant's letter filed today. Commissioner Hood moving, Commissioner Turnbull seconding, Commissioners May and Schlater in support, Commissioner Selfridge in support by absentee ballot.
CHAIRMAN HOOD: Okay. Thank you, Ms. Schellin.

Commissioners, next on our agenda we have Other Business, Election of Officers. What is your pleasure?

COMMISSIONER TURNBULL: Mr. Chair, I would propose that we keep the officers the same.

CHAIRMAN HOOD: Okay.

COMMISSIONER TURNBULL: Or do we have to actually talk to each position?

CHAIRMAN HOOD: I think we could -- I just want to open it up. I think we can do exactly what you mentioned. I wanted to see if everyone is in agreeance with moving in that fashion. Okay? It looks like we are.

Ms. Schellin, do we have an absentee vote?

MS. SCHELLIN: We do.

CHAIRMAN HOOD: So do we need to vote?
MS. SCHELLIN: Yes.

CHAIRMAN HOOD: Okay. Since --

MS. SCHELLIN: And the absentee vote is actually in that same manner actually.

CHAIRMAN HOOD: I think it would be better coming from those who are not participating.

COMMISSIONER TURNBULL: Well, Mr. Chair, I would like to make a motion. I would like to move that we retain Anthony Hood as Chair of the Zoning Commission.

CHAIRMAN HOOD: Okay.

COMMISSIONER TURNBULL: And Mr. Konrad Schlater as Vice Chair of the Zoning Commission.

COMMISSIONER MAY: Second.

CHAIRMAN HOOD: Okay. It has been moved and properly seconded. Any further discussion?

(No response)

All those in favor?
(Chorus of ayes)

Not hearing any opposition, Ms. Schellin, would you please record the vote?

MS. SCHELLIN: Yes. Staff would record the vote five to zero to zero to vote Chairman -- or Commissioner Hood as Chairman and Commissioner Schlater as Vice Chairman. Commissioner Turnbull making the motion, Commissioner May seconding, Commissioners Hood and Schlater in support, Commissioner Selfridge in support by absentee ballot.

CHAIRMAN HOOD: I think on behalf of Commissioner -- Vice Chairman Schlater and myself, we really appreciate your confidence. I mean, we know you had a whole selection, but we appreciate it and are looking forward to continue working together as we move forward.

Anything else, Ms. Schellin, for tonight?

MS. SCHELLIN: No, sir.
CHAIRMAN HOOD: Okay. I want to thank everyone for their participation, and this meeting is adjourned.

(Whereupon, at 8:00 p.m., the proceedings in the foregoing matter were adjourned.)