

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

+ + + + +

ZONING COMMISSION

+ + + + +

REGULAR PUBLIC MEETING

+ + + + +

MONDAY,  
FEBRUARY 28, 2011

+ + + + +

The Regular Public Meeting of the District of Columbia Zoning Commission convened in Room 220 South, 441 4<sup>th</sup> 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 W. SCHLATER Vice Chairman  
GREG SELFRIDGE Commissioner  
PETER G. MAY Commissioner (NPS)  
MICHAEL G. TURNBULL Commissioner FAIA,  
(AOC)

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN Secretary  
DONNA HANOUSEK, Zoning Specialist  
ESTHER BUSHMAN, General Counsel

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OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER  
TRAVIS PARKER

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

ALAN BERGSTEIN, ESQ.

This transcript constitutes the minutes from the Regular Public Meeting held on February 28, 2011.

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T-A-B-L-E O-F C-O-N-T-E-N-T-S

WELCOME:

Anthony Hood ..... 4

CONSENT CALENDAR:

ZC CASE NO. 08-30A - WEST HALF 1, LLC, -  
Minor Modification of CG Overlay Review: ... 5

Motion to Approve ..... 7

**Vote:** 5-0-0 to Approve ..... 8

ZC CASE NO. 08-08A - 3910 GEORGIA AVENUE  
ASSOCIATES LPS, I-A & II - Minor Mod. to  
PUD at Square 2906: ..... 8

Motion to Approve ..... 9

**Vote:** 5-0-0 to Approve ..... 10

FINAL ACTION:

ZC CASE NO. 10-22 - OP - Map Amendment &  
Related Text Amendment: ..... 10

Motion to Approve ..... 11

**Vote:** 5-0-0 to Approve ..... 11

ZC CASE NO. 10-25 - URBAN INVESTMENT  
PARTNERS - Map Amendment & Text  
Amendment: ..... 12

Motion to Approve ..... 13

**Vote:** 3-0-2 to Approve ..... 13

PROPOSED ACTION:

ZC CASE NO. 08-06 - OP Comprehensive Zoning  
Regulations Review: Green Area Review: .... 15

Travis Parker, OP ..... 20

Motion to Approve ..... 22

**Vote:** 5-0-0 to Approve ..... 23

ZC CASE NO. 09-21 - OFFICE OF PLANNING  
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1 P-R-O-C-E-E-D-I-N-G-S

2 6:35 p.m.

3 CHAIRMAN HOOD: This meeting will,  
4 please, come to order. Good evening, ladies  
5 and gentlemen. This is the February 28, 2011  
6 Public Meeting of the Zoning Commission of the  
7 District of Columbia.

8 My name is Anthony Hood. Joining  
9 me are Vice Chairman Schlater, Commissioner  
10 Turnbull, Commissioner Selfridge and  
11 Commissioner May.

12 We are also joined by the Office  
13 of Zoning staff, Ms. Schellin, Ms. Hanousek  
14 and Ms. Bushman.

15 Office of Attorney General, Mr.  
16 Bergstein. Office of Planning staff, under  
17 the leadership of Ms. Steingasser.

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

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1 Be mindful that this is being  
2 webcast live. Please, turn off all beepers  
3 and cell phones.

4 Does the staff have any  
5 preliminary matters?

6 MS. SCHELLIN: No, sir.

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

9 Okay. Consent Calendar item  
10 Zoning Commission Case No. 08-30A, West Half  
11 1, LLC, et al, Minor Modification of Capitol  
12 Gateway Overlay Review in Square 700. Ms.  
13 Schellin?

14 MS. SCHELLIN: Yes, sir. The  
15 applicant is asking to refine some exterior  
16 architecture elements, to reduce the retail  
17 space from 69 percent to 68 percent, to  
18 address the outdoor amenity space and to  
19 replace some of the green roof with white  
20 roofs.

21 So Commissioner Hood asked the --  
22 or staff would ask the Commission to consider

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1 this case for action.

2 CHAIRMAN HOOD: Okay.

3 Commissioners, if you look at the submissions,  
4 particularly Exhibit No. 1, Consent Calendar  
5 items, they basically talk about primary  
6 modifications as Mrs. Schellin has already  
7 articulated, minor adjustments to the building  
8 of elevations, minor modifications on amount  
9 of ground floor area dedicated to retail use  
10 and a modest adjustment to the roof plan. And  
11 that can be found on page 2 and 3.

12 I'm sure we have already reviewed  
13 it. Any questions or comments? Also, if you  
14 look behind Tab B, it shows what was approved  
15 and what they revised it to and I thought that  
16 was very well, at least, laid out for us, very  
17 well done.

18 Okay. Do I hear any comments or  
19 questions? Not hearing, I would approve the  
20 modification, minor modification and I  
21 consider this actually minor, a minor  
22 modification.

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1           It also mentions in the Office of  
2 Planning report it says it finds that the  
3 application consists of minor changes to the  
4 original design consistent with 30/30 as being  
5 of little or no importance or consequence and  
6 would be consistent with the original  
7 approval. And I would agree with that  
8 analysis.

9           The Office of Planning has  
10 encouraged the applicant to seek community  
11 input about the proposed changes. As of this  
12 writing, OP had received no phone calls, but  
13 as of today, we did receive, we can't give it  
14 great weight, but we did receive, a letter  
15 from the Single Member District Commissioner  
16 wholeheartedly endorsing these minor  
17 modifications.

18           So with that, I would move  
19 approval of the minor modifications as  
20 requested in Exhibit 1 of Case No. 08-30A and  
21 ask for a second.

22                           COMMISSIONER TURNBULL: Second.

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1 CHAIRMAN HOOD: It has been moved  
2 and properly seconded. Any further  
3 discussion? Are you ready for the question?

4 All those in favor?

5 ALL: Aye.

6 CHAIRMAN HOOD: Not hearing any  
7 opposition, Ms. Schellin, would you, please,  
8 record the vote?

9 MS. SCHELLIN: Yes. Staff would  
10 record the vote 5-0-0 to approve the final  
11 action in Zoning Commission Case No. 08-30A.  
12 Commissioner Hood moving, Commissioner  
13 Turnbull seconding, Commissioners Schlater,  
14 Selfridge and May in support.

15 CHAIRMAN HOOD: Okay. Thank you.  
16 Next on the agenda is Zoning Commission Case  
17 No. 08-08A. This is the Georgia Avenue  
18 Associates LPs, I-A & II, Minor Modification  
19 to a PUD at Square 2906. Ms. Schellin?

20 MS. SCHELLIN: Yes, sir. The  
21 applicant has requested to revise Condition  
22 No. 2 of the order which would allow them or

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1 allow for the installation of a mural on the  
2 south elevation of the proposed building.  
3 Staff would ask the Commission to consider  
4 this for action.

5 CHAIRMAN HOOD: Okay.

6 Commissioners, we have the request in front of  
7 us. Let me open it up for any questions or  
8 any comments. And this was a piece, I think,  
9 that we left out previously from a previously  
10 approved PUD and we actually asked them to  
11 come back and they are back.

12 So I'll open it up for any  
13 comments then. Okay. Not hearing any, I  
14 would go ahead and move approval of Zoning  
15 Commission Case No. 08-08A as stated in the  
16 request for the mural as a minor modification  
17 to PUD at Square 2906 and ask for a second.

18 COMMISSIONER SELFRIDGE: Second.

19 CHAIRMAN HOOD: Moved and  
20 seconded. Any further discussion? Are you  
21 ready for the question?

22 All those in favor?

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1 ALL: Aye.

2 CHAIRMAN HOOD: Not hearing any  
3 opposition, so ordered. Staff would you  
4 record the vote?

5 MS. SCHELLIN: Staff records the  
6 vote 5-0-0 to approve final action in Zoning  
7 Commission Case No. 08-08A. Commissioner Hood  
8 moving, Commissioner Selfridge seconding,  
9 Commissioners Schlater, Turnbull and May in  
10 support.

11 CHAIRMAN HOOD: Okay. Under Final  
12 Action Zoning Commission Case. No. 10-22,  
13 Office of Planning - Map Amendment & Related  
14 Text Amendment to allow expansion of an ice  
15 rink and construction of a youth baseball  
16 academy at Fort Dupont Park. Ms. Schellin?

17 MS. SCHELLIN: Staff would just  
18 add that at Exhibit 13 we have an NCPC report  
19 that states that there are no impacts to  
20 federal interests.

21 CHAIRMAN HOOD: Okay. Thank you,  
22 Ms. Schellin. We have the final order in

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1 front of us. We have discussed a lot of this,  
2 but let me open it up, are there any  
3 questions? Any comments?

4 Not seeing any, would somebody  
5 like to make a motion?

6 COMMISSIONER MAY: I would like to  
7 move approval of Zoning Case No. 10-22, Map  
8 Amendment & Related Text Amendment to allow  
9 expansion of an ice rink and construction of a  
10 youth baseball academy at Fort Dupont Park.

11 CHAIRMAN HOOD: Thank you. Can I  
12 get a second?

13 COMMISSIONER TURNBULL: Second.

14 CHAIRMAN HOOD: It has been moved  
15 and properly seconded, any further discussion?

16 All those in favor?

17 ALL: Aye.

18 CHAIRMAN HOOD: Not hearing any  
19 opposition, Ms. Schellin, would you, please,  
20 record the vote?

21 MS. SCHELLIN: Yes, staff records  
22 the vote as 5-0-0 to approve Final Action in

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1 Zoning Commission Case No. 10-22.  
2 Commissioner May moving, Commissioner Turnbull  
3 seconding, Commissioners Hood, Schlater and  
4 Selfridge in support.

5 CHAIRMAN HOOD: Okay. The next  
6 case I'm going to ask Vice Chairman Schlater  
7 to proceed. Commissioner Selfridge and myself  
8 did not participate. Vice Chairman?

9 VICE CHAIRMAN SCHLATER: We're  
10 considering Final Action on Zoning Case No.  
11 10-25, Urban Investment Partners - Map  
12 Amendment at Square 2843. This is a Map  
13 Amendment from the R-4 Zone District to the R-  
14 5-B Zone District. I don't think we had any  
15 outstanding issues from Proposed Action. Any  
16 comments? Anything, Ms. Schellin?

17 MS. SCHELLIN: I was just going to  
18 add that we do have an Exhibit 26, a letter  
19 from NCPC advising that they were unable to  
20 take a formal action on this proposal.  
21 However, their staff did review the action and  
22 didn't see any impacts on federal interest,

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1 but they were not able to take any formal  
2 action.

3 VICE CHAIRMAN SCHLATER: Great.  
4 Thank you. Not hearing any comments, I would  
5 like to move for final approval of the Map  
6 Amendment at Square 2843, Lots 8, 10 and 808,  
7 Application of Urban Investment Partners.

8 COMMISSIONER TURNBULL: Second.

9 VICE CHAIRMAN SCHLATER: Motion  
10 being seconded. I guess we will call the  
11 vote.

12 All in favor?

13 ALL: Aye.

14 VICE CHAIRMAN SCHLATER: All  
15 against?

16 MS. SCHELLIN: Yes, staff would  
17 record the vote 3-0-2 to approve Final Action  
18 in Zoning Commission Case 10-25. Commissioner  
19 Schlater moving, Commissioner Turnbull  
20 seconding, Commissioner May in support.  
21 Commissioners Hood and Selfridge not voting,  
22 having not participated.

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1 CHAIRMAN HOOD: Ms. Schellin, I  
2 need to back up to Zoning Commission Case No.  
3 10-22 and I usually acknowledge the letters  
4 and I don't know how I left this one out.

5 I usually acknowledge the letters.

6 I think I did this during the hearing, but I  
7 might not have and I'm going to do it now.

8 Any time the Mayor takes time to  
9 write a letter of support for something, I  
10 think it needs to be acknowledged.

11 So I don't want to -- we do that  
12 for everybody else and I definitely don't want  
13 to leave the Mayor out, but he wrote a letter  
14 to convey his strong support and he encourages  
15 the Commission to keep up the good -- urged  
16 your approval in the zoning case, so that the  
17 development of the youth baseball academy can  
18 be -- proceed forward.

19 So I did not want to not mention  
20 that as Exhibit 8. Okay. Thank you.

21 Okay. Next, where are we?  
22 Proposed Action. Zoning Commission Case No.

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1 08-06, Office of Planning - Comprehensive  
2 Zoning Regulations Review - Green Area Ratio.

3 Ms. Schellin?

4 MS. SCHELLIN: For this case, we  
5 have a supplemental report from the Office of  
6 Planning at Exhibit 123.

7 COMMISSIONER MAY: Mr. Chairman?

8 CHAIRMAN HOOD: Commissioner May?

9 COMMISSIONER MAY: Yes, I just  
10 want to note for the record that I have  
11 reviewed the record from the hearing, because  
12 I was not able to participate.

13 CHAIRMAN HOOD: Okay. Thank you.  
14 Anyone else? Commissioner Schlater? I mean,  
15 Selfridge, I'm sorry.

16 COMMISSIONER SELFRIDGE: Mr.  
17 Chairman, I, too, reviewed the record as I did  
18 not attend the hearing in this case.

19 CHAIRMAN HOOD: Okay. So are we  
20 all participating? Ms. Schellin, what exhibit  
21 was that?

22 MS. SCHELLIN: Exhibit 123.

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1 CHAIRMAN HOOD: Okay. I actually  
2 have it here somewhere, I just have to find  
3 it. Anyway, let's open it up for discussion.

4 Okay. Thank you. I thought I had left it  
5 somewhere else. Okay. Let's open it up for  
6 discussion.

7 VICE CHAIRMAN SCHLATER: Mr.  
8 Chairman, I just want to make note, I raised a  
9 few questions in the hearing on the GAR.

10 The first question I raised was  
11 whether or not this GAR calculation should  
12 apply to R-1 through R-4 Districts. I think  
13 it was stated in the hearing that 80 percent  
14 of the District's, you know, zoned land area  
15 was occupied by R-1 through R-4.

16 Office of Planning has helpfully  
17 provided us a supplemental hearing report  
18 saying that, approximately, 58.5 percent of  
19 zoned land is Zoned R-1 through R-4. I think  
20 it is -- that's still a very large chunk of  
21 the land in the District, but it's not the  
22 same as 80 percent.

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1           So I think that issue still needs  
2 to be examined somewhat. It feels like we are  
3 going through a lot of effort to create the  
4 standard. And when people are building new  
5 homes in the R-1 through R-4 District, they  
6 should be held to some standard.

7           I'm not sure if it should be the  
8 GAR standard or as proposed by OP to create  
9 some sort of pervious surface requirement.  
10 I'm open to that. I think maybe it's  
11 something that just needs to be more fully  
12 vetted when we get into the chapter that deals  
13 with R-1 through R-4.

14           And we may want to come back to  
15 this GAR Chapter and revise it if we decide  
16 that a pervious requirement isn't sufficient.

17           But I'm satisfied for tonight's purposes that  
18 we have got the analysis we need to vote on  
19 this.

20           CHAIRMAN HOOD: Okay. Thank you,  
21 Vice Chairman. Any other comments?  
22 Commissioner May?

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1                   COMMISSIONER MAY:     I would just  
2 echo Vice Chairman Schlater's comments.     I  
3 think it is something that we probably want to  
4 talk a little bit -- talk about a little bit  
5 further when it comes time to deal with the  
6 residential subtitle or whatever other format  
7 we have.

8                   It is -- you know, there are  
9 certainly cases of projects that we have seen  
10 built in the R-1 through R-4 Zones where it  
11 seems like a GAR requirement might be  
12 appropriate, but it is certainly very easy to  
13 imagine where it would be problematic and we  
14 would wind up having to grant a lot of special  
15 exceptions, you know, for individual house  
16 renovations, for example, in an R-4 Zone.

17                   So it is worth talking about more,  
18 because the objective is certainly worthwhile.

19                   And I'm not sure how best to achieve it. So  
20 anyway, that's what I had to say.

21                   CHAIRMAN HOOD:     Okay.     Anybody  
22 else?     Okay.     I would just weigh in.     And I

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1 kind of agree, but I will take the  
2 recommendation of the Office of Planning.

3 Specifically when I look at what  
4 they mention in their report, the  
5 recommendation is based on the following  
6 factors: Administrative mechanisms for  
7 requirement cost and burden on the Government  
8 to review all applications.

9 As both of my colleagues have  
10 already mentioned, I think we have some more  
11 thought and some more research and analysis  
12 and kind of figure out exactly to what  
13 magnitude. I'm not sure if we are all the way  
14 there with the GAR, but at some degree,  
15 especially when you -- in this city when some  
16 people looked at whether or not they wanted  
17 their properties to be in the Historic  
18 District, this kind of reminds me of that.

19 Some of those sayings, but anyway,  
20 I think I would accept the Office of  
21 Planning's review, as my other colleagues  
22 have, and at a later time we will probably

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1 revisit it. I'm not sure if I'm all the way  
2 there applying to some single-family homes and  
3 whatnot, but we'll have that discuss for a  
4 later date.

5 Okay. Any other comments?

6 COMMISSIONER TURNBULL: Yes. Mr.  
7 Chair, I just wanted to add is it possible  
8 that lot size could come into play on this? I  
9 mean, with a lot of existing townhouses, row  
10 houses and that's going to be very difficult.

11 I think you can, but I mean, I'm just  
12 wondering if in new developments or if we have  
13 lot size has any impact on GAR as far as  
14 residential.

15 MR. PARKER: Well, yes and no. I  
16 mean, the thing about GAR is it is set to be  
17 based on lot size, so your requirement is a  
18 function of your lot size. And so I would  
19 actually probably recommend against, you know,  
20 saying lots above or below a certain size have  
21 a GAR and those others don't, because the  
22 number itself is designed to take lot size

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1 into account.

2 But, you know, that's certainly  
3 something that we thought about.

4 COMMISSIONER TURNBULL: Okay.

5 CHAIRMAN HOOD: And even going  
6 back and looking at it, I'm pretty sure we may  
7 come back with the same clause that you have  
8 in your report about the administrative  
9 burden. I just don't see that going away. I  
10 mean, it's going to really take a lot of  
11 thinking and a lot of trying to figure a path  
12 out to make that go away.

13 But anyway, any other questions or  
14 comments?

15 COMMISSIONER SELFRIDGE: Mr.  
16 Chairman?

17 CHAIRMAN HOOD: Vice Chairman? I  
18 mean, I'm sorry, Commissioner Selfridge?

19 COMMISSIONER SELFRIDGE: Just to  
20 weigh in as well, I tend to agree with the  
21 Office of Planning on this one. I would just  
22 be concerned about the burden on homeowners.

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1 I think that GAR, some components of it are  
2 complex. I'm glad that we are going to have  
3 an opportunity to revisit it and that Land Use  
4 Subtitle, but I think I would rather -- I'm  
5 pretty comfortable with where we are right  
6 now.

7 But, you know, I do look forward  
8 to that discussion when it occurs down the  
9 road. And if there is any alternative, as the  
10 Vice Chairman mentioned, to maybe meet some of  
11 those same goals without applying GAR, I think  
12 that would be certainly something we would  
13 like to look at and consider.

14 CHAIRMAN HOOD: Okay. Anyone  
15 else? Okay. Would somebody like to make a  
16 motion? Who is the GAR specialist up here?

17 VICE CHAIRMAN SCHLATER: Travis.

18 CHAIRMAN HOOD: Oh. Well --

19 COMMISSIONER SELFRIDGE: Mr.  
20 Chairman, I'll step in for Mr. Parker and make  
21 a motion then that we take Proposed Action to  
22 approve Zoning Commission Case No. 08-06, the

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1 Green Area Ratio Chapter.

2 CHAIRMAN HOOD: Okay. I will  
3 second that. It has been moved and properly  
4 seconded. Any further discussion?

5 All those in favor?

6 ALL: Aye.

7 CHAIRMAN HOOD: Not hearing any  
8 opposition, Ms. Schellin, would you, please,  
9 record the vote?

10 MS. SCHELLIN: Yes. Staff records  
11 the vote 5-0-0 to approve Proposed Action in  
12 Zoning Commission Case No. 08-06 with regard  
13 to Green Area Ratio. Commissioner Selfridge  
14 moving, Commissioner Hood seconding,  
15 Commissioners Schlater, Turnbull and May in  
16 support.

17 CHAIRMAN HOOD: Okay. Next is  
18 Zoning Commission Case No. 09-21, Office of  
19 Planning Text and Map Amendments to establish  
20 the Union Station North District. Ms.  
21 Schellin?

22 MS. SCHELLIN: Yes, sir. Like the

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1 last case, we have a supplemental OP report  
2 that is at Exhibit 39.

3 CHAIRMAN HOOD: Okay. Let's open  
4 it up for discussion. Any discussion? Who  
5 would like to start us off? Commissioner May?

6 COMMISSIONER MAY: Yes. First of  
7 all, I appreciate the Office of Planning in  
8 their supplemental report addressing many of  
9 the questions that we raised. I will say  
10 though that I am not totally convinced yet  
11 that trying to measure from the full height of  
12 the viaduct is the right solution in this  
13 circumstance.

14 I mean, I can see because of the  
15 obstacles that the railroad tracks present a  
16 rationale for doing something unusual here or  
17 doing something different and I can see  
18 because of the context of the relatively tall  
19 buildings around it that it can be done with--  
20 there is room for some flexibility.

21 I'm just not convinced that we  
22 have the right thing yet. And, I mean, when I

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1 look at things like the massing studies that  
2 they very helpfully provided, it's pretty  
3 clear that 130 feet measured from elevation  
4 31.25 feet does not make sense.

5 But the 130 feet measured from  
6 elevation 55 is not that far removed from the  
7 kind of massing that we see in the city right  
8 now.

9 And again, while it is -- you  
10 know, having a little more flexibility, you  
11 know, when you measure from the full height of  
12 the viaduct, I understand where that gets you  
13 more flexibility on where you put the FAR.  
14 But I'm not -- I don't see that there is  
15 anything really magic about having -- about  
16 that particular massing.

17 I think that, if anything, there  
18 needs to be, I don't know, some greater  
19 attempt or some greater control over how the  
20 massing gets laid out. You know, the sample  
21 massing that was provided creates some lower  
22 elevation spaces in ways that don't really, I

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1 think in my view, add value, at this point.

2 I think it is -- I mean, I  
3 appreciate the fact that it is all just a  
4 theoretical and it was done as an exercise to  
5 try to demonstrate how you would get some  
6 greater flexibility, but I don't think that  
7 that -- that this particular diagram makes  
8 that case.

9 I think, frankly, I find the  
10 second diagram measuring from 55 feet to be  
11 more persuasive. That having been said, I'm  
12 also, frankly, troubled by the idea of  
13 measuring off of the viaduct in the first  
14 place just as a matter of principle.

15 I understand why this is a very  
16 unusual circumstance and it makes sense to do  
17 something different here, but I just don't  
18 like this as a precedent. You know, we  
19 wrestled this down once before and I just  
20 don't like -- I'm not comfortable venturing  
21 into this territory, at this moment, based on  
22 the information I have here.

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1           So I mean, those are my initial  
2 thoughts, but I'm interested in hearing what  
3 the rest of the Commission has to say.

4           CHAIRMAN       HOOD:           Okay.  
5 Commissioner May, let me just make sure. You  
6 are looking at, I guess this is, Rendering 4,  
7 page 4.     55, you are more inclined to  
8 something specific. You are more inclined to  
9 look at this elevation?

10           COMMISSIONER MAY:   You know, not  
11 specifically that. I'm just -- all I'm saying  
12 is that the massing that was proposed here for  
13 55 feet isn't that far removed from the  
14 massing that we see in the surrounding area.

15           And it is less imposing than what  
16 could happen on page 5.

17           CHAIRMAN HOOD:   Right.   And that  
18 was my next question.

19           COMMISSIONER MAY:   Yes.

20           CHAIRMAN HOOD:   As opposed to page  
21 5?

22           COMMISSIONER MAY:   Yes.

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1 CHAIRMAN HOOD: Okay. I  
2 understand where you are going. Believe it or  
3 not, I agree with you.

4 COMMISSIONER MAY: Yes.

5 CHAIRMAN HOOD: Okay. Any other  
6 comments, Commissioners? Mr. Turnbull?

7 COMMISSIONER TURNBULL: Thank you,  
8 Mr. Chair. I would just echo Commissioner  
9 May's concern. I think one of the earlier  
10 elevations or the perspectives that we showed  
11 looking at Union Station from the south, you  
12 have a massing in an urban setting there which  
13 includes the Thurgood Marshall Building,  
14 Station Place tucked behind it. You have  
15 Union Station. You've got Postal Square at  
16 the nice even skyline.

17 And I think where a lot of people  
18 were concerned when Station Place was done was  
19 that it was going to take away a lot from  
20 those buildings. But I think that the Roche  
21 Dinkeloo Building with the glass sort of just  
22 steps back in and it sort of mirrors a lot of

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1 the arches and everything.

2           So I think it really works. And  
3 the height works also. I am concerned about a  
4 130 foot structure behind Union Station adding  
5 to that massing of buildings.

6           My gut feeling is that a lot of  
7 the buildings in that area ought to be a lot  
8 less and blend in better, even at 110 feet if  
9 you are measuring from the top of H Street.

10           But I think there is a certain  
11 urban character as you look at the massing of  
12 those buildings. It's a very historic looking  
13 site. I mean, it's a very unique site. And I  
14 think there is historic quality to it that I  
15 had -- I just don't want to see the type of a  
16 building or penthouses looming above Union  
17 Station as I look.

18           I think there is a vista, there is  
19 a sense of city as you start going towards  
20 Union Station that needs to be respected. And  
21 I think the buildings in that first block  
22 ought to be a lot less and not take away from

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1 that view of the city an not have something  
2 just sticking out or whatever.

3 And I think there is a sensitivity  
4 that has to be done as you look at that area  
5 and the urban fabric and the character of that  
6 space, I think, has to be something special.  
7 And I think the buildings ought to respect  
8 that integrity that is there and work with it  
9 and not stand up above it.

10 CHAIRMAN HOOD: Okay. Let me ask  
11 Mr. May something and then I'm going to go to  
12 Mr. Bergstein.

13 Commissioner May, would you like  
14 to see something, I guess, perspective or is  
15 the renderings we have sufficient or would you  
16 like to see something additional?

17 COMMISSIONER MAY: Yes, I have  
18 been puzzling over that myself, because, you  
19 know, the Office of Planning provided exactly  
20 what I asked for by looking at those massing  
21 diagrams.

22 And I'm not -- you know, we have a

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1 number of perspectives and sections through  
2 the area that were provided in the original  
3 package. So, you know, I'm not sure that  
4 there is another drawing that I need to see  
5 that is going to help me with this.

6 I don't know. I'll have to think  
7 about that a little more. I mean, you know,  
8 it is pretty apparent from some of the  
9 perspective views that we see that were  
10 provided at the original hearing, but what  
11 we're talking about is something that really  
12 is very, very large from many different  
13 perspectives.

14 And the view down, what is this,  
15 this is, 2<sup>nd</sup> Street, I think, I'm not sure, in  
16 the original package it's on page B-3. Mr.  
17 Turnbull, maybe you know what view this is.

18 But you can see the building  
19 looming about Union Station. As you get  
20 closer and you get right across the circle,  
21 Columbus Circle from Union Station, you can  
22 see it above it. And most of what you would

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1 see is parapet and unfortunately, you know, we  
2 are potentially emphasizing the least  
3 attractive portion of the building.

4 I mean, from so many different  
5 directions, it is visible and it really does  
6 tower over the rest of the context. So I  
7 don't know. Like I said, I don't know that  
8 there is another drawing that helps me.

9 CHAIRMAN HOOD: Okay. Again,  
10 we're trying to impose regulations. But let  
11 me ask this and I'll asked Mr. Bergstein to  
12 help me.

13 2905.1(b)(1) says "The Commission  
14 will make a preliminary decision whether to  
15 approve to the additional height as part of  
16 its Stage I review. The preliminary approval  
17 will become final, unless modified or  
18 disapproved during the Stage II review."

19 Will that kind of help Mr. --  
20 well, I don't know if it will, but will that  
21 help you? In other words, we have to have --  
22 we are going to have another review of that.

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1 MR. BERGSTEIN: That's limited to  
2 buildings that are located in the area that is  
3 described in 2905.1(a), which are limited to  
4 90 feet. And then that's why, and OP can  
5 correct me, that greater than 90 feet is  
6 permitted in (b) as part of that primary  
7 review.

8 So that restriction and then that  
9 greater flexibility doesn't apply to the  
10 entire USN District, but only to the area and  
11 the buildings that are called out in  
12 2905.1(a). If I'm incorrect, I would ask OP  
13 to correct me.

14 CHAIRMAN HOOD: Okay. I see that  
15 now. I was just trying to get a level of  
16 confidence, so we can try to move forward  
17 tonight or at least go forward unanimously.  
18 I'm not sure how we get there, Commissioner  
19 May. Commissioner Selfridge?

20 COMMISSIONER SELFRIDGE: I just  
21 want to call attention to the fact 2918 that a  
22 master plan component was added to the

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1 regulations and I just wonder if there is a  
2 way, in the interest of keeping things moving,  
3 not that that's the most important thing here,  
4 but trying to find a way, to kind of solve  
5 this issue is if this can't be strengthened or  
6 defined such that this issue is still left  
7 open and we decide it at later stages of the  
8 project when there is more information  
9 available.

10 I think maybe part of the problem  
11 is that there is not a lot of information  
12 available. There is perspective drawings on  
13 what may happen or may not happen. And if the  
14 Commission retained the prerogative to review  
15 this again later in the process, perhaps it  
16 would allow everybody to move the ball forward  
17 a little bit, but not give up any of the  
18 review or concerns that Commissioner May has.

19 CHAIRMAN HOOD: Okay. Anybody  
20 else? Vice Chairman?

21 VICE CHAIRMAN SCHLATER: Mr.  
22 Chairman, I just want to thank the Office of

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1 Planning. I think a lot of the comments that  
2 I made during the hearing have been addressed  
3 with the revised text, specifically the  
4 inclusion of the master plan, which I think is  
5 going to help us understand better how the  
6 overall site is going to be organized, how the  
7 open spaces and the right-of-way are going to  
8 be laid out across the zone.

9 There have been some tweaks to how  
10 the residential requirements are going to be  
11 implemented to ensure that 1.5 FAR of  
12 residential will actually get built on the  
13 site. So I appreciate that very much.

14 And with respect to the height, I  
15 appreciated getting these exhibits, which  
16 showed the general massing with the different  
17 heights. And I'm personally of the belief  
18 that just because a building is taller than  
19 Union Station and it is occupying a good  
20 portion of the skyline, doesn't make it a bad  
21 thing.

22 I think it just means we have to

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1 set a higher bar for what those buildings are  
2 going to look like. And I think the way the  
3 text has been written is that the Zoning  
4 Commission is going to have a design review  
5 over these buildings.

6 We are limiting the FAR on the  
7 site to 6.5 and maintaining the higher height.

8 I think it's a much greater likelihood that  
9 we are going to get better buildings if we  
10 maintain the 6.5 FAR and allow the height to  
11 get to 130.

12 If we maintain a 6.5 FAR and then  
13 squeeze it down into 110 feet or 90 feet, you  
14 are going to end up with your typical District  
15 blocky buildings and I don't think that that  
16 does a service to Union Station or the other  
17 structures in that area.

18 Somebody made a comment that the  
19 massing on one of these drawings looks very  
20 similar to the buildings in the surrounding  
21 area, but I would say that the buildings in  
22 the surrounding area, specifically NoMa,

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1 aren't very nice.

2 I think we are not getting good  
3 architecture out of there and that's mainly  
4 because people are trying to squeeze a lot of  
5 FAR into a limited amount of height.

6 I think we have an opportunity  
7 here to set a high bar in the design review  
8 phase of this project to create great  
9 buildings above the Union Station Air Rights  
10 that will be a compliment to Union Station.

11 And I think if people are  
12 concerned about the visual impacts of those  
13 buildings in relationship to Union Station and  
14 the other historic buildings around there, we  
15 need to figure out how to write the design  
16 review better in such a way that we are  
17 comfortable when those buildings come before  
18 us that the buildings will compliment the  
19 historic fabric around there.

20 And that's where I would encourage  
21 my colleagues to focus their energy. I don't  
22 think just by limiting height that you are

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1 going to be improving the situation.

2 CHAIRMAN HOOD: Okay. We have all  
3 weighed in. We have something before us. Any  
4 further discussion? Again, even though I  
5 cited the wrong regulation, I think that  
6 because it says the limit is 110, but even at  
7 that, Commissioner May, I think what I'm  
8 hearing from Commissioner Selfridge and  
9 possibly Schlater and possibly Mr. Turnbull is  
10 that, you know, I think -- I don't want to be  
11 a mind reader, because if that was the case, I  
12 probably wouldn't be sitting here. I would be  
13 somewhere worth a lot of money.

14 But I think your issues, you don't  
15 want to put it out there if you know that you  
16 are going to have a problem later, because you  
17 know that's what is going to be presented,  
18 pretty much.

19 I mean, I'm not speaking for you.  
20 I'm kind of trying to figure out where --

21 COMMISSIONER MAY: Yes. I'm not  
22 inclined to vote for something, you know, take

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1 Proposed Action in favor of something if I  
2 have significant reservations about what is  
3 included within it.

4 Just as a matter of -- I mean,  
5 it's one thing to take Proposed Action knowing  
6 that we are going to tweak things later on,  
7 but if we are talking about something that --  
8 where I have some fundamental issues, I'm not  
9 inclined to vote in favor of it at Proposed  
10 Action.

11 It's not to say that it couldn't  
12 be -- that my concerns couldn't be addressed  
13 and that we could somehow get to a Proposed  
14 Action. I'm -- I don't know. I mean, I think  
15 that we are -- it feels to me like we are  
16 trying to accomplish too much with this  
17 particular chapter, that we are trying to not  
18 just deal with a constrained situation, but  
19 try to somehow use this as the vehicle for  
20 creating or encouraging, you know, grander  
21 creativity because the city simply needs  
22 better buildings than the boxes that we get.

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1 Well, I'm not sure that this is  
2 necessarily the right way to go. Maybe there  
3 is a reason to be doing that somewhere in the  
4 city. I don't think that here where we are  
5 constrained, we necessarily are adopting the  
6 correct strategy.

7 I mean, if we wind up with massing  
8 that is similar to the buildings around it, I  
9 don't think that is a loss. You know, even  
10 though the buildings around it in the  
11 immediate vicinity may not be terrific,  
12 wonderful buildings, there are some other  
13 nicer buildings not very far away.

14 I mean, there are some good  
15 buildings that have been built around there  
16 that are very well designed and some of them  
17 were PUDs. Most of the better ones probably  
18 were PUDs.

19 I don't know. I mean, it was  
20 suggested during the hearing that maybe this  
21 should be handled as a PUD. I don't know how  
22 complicated that gets, because we have to do

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1 so many other things with this chapter, the  
2 text, that it might not be practical to  
3 consider it as a PUD.

4 But maybe the -- you know, what we  
5 need to do is, I don't know, allow a certain  
6 height and then allow some additional height  
7 as a PUD. I don't know.

8 You know, I kind of -- I would  
9 prefer to be seeing the whole thing as a Stage  
10 I PUD. In my gut, it seems like, you know,  
11 that's an established process and it's a way  
12 that could work.

13 I mean, another thing that we have  
14 done before and unfortunately hasn't resulted  
15 in specific buildings yet, but we did use a  
16 form-based zoning for Reservation 13. And  
17 maybe that's what this is calling for, that we  
18 need to actually attempt to try to sculpt  
19 where the massing is going to be on this to  
20 try to address some of the concerns. I don't  
21 know.

22 I mean, these are all sort of

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1 practical solutions to the problem. I'm still  
2 trying to get myself comfortable with the idea  
3 of measuring off the viaduct, which I just  
4 have a negative reaction to that, in the first  
5 place.

6 I can understand where this is a  
7 unique circumstance and, you know, we are  
8 dealing with having to build a platform on top  
9 of railroad tracks and so you are starting at  
10 a higher height and you don't get the parking  
11 underneath it and all of these other things.  
12 So I know that it is different and it's  
13 unusual. And there are only a couple of  
14 places in the city that are really like this.

15 But I want to be really, really  
16 sure if we are going to go down that road that  
17 there really are not other circumstances, that  
18 this is not going to be coming back to us as  
19 precedent setting for, you know, every other  
20 elevated highway in the city, you know, at  
21 some point, or, you know, even if it is not  
22 us.

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1 Well, I'll still be here in 20  
2 years, but, who knows about you guys.

3 CHAIRMAN HOOD: I don't know, I  
4 may join you. You never know.

5 COMMISSIONER MAY: Absolutely.

6 CHAIRMAN HOOD: I'll be here. So  
7 let me ask you this. I think I counted -- Mr.  
8 Turnbull, did you want to add something?

9 COMMISSIONER TURNBULL: No. Well,  
10 I wanted to add that I think that Commissioner  
11 May brings up some good points. And I would  
12 say that any height, 110 or 130 feet, does not  
13 guarantee good design. I wouldn't say 130 is  
14 any better than 110 or 90 or whatever else.

15 I think that Commissioner May was  
16 bringing up that it's a philosophy of approach  
17 to this area, that there has to be something  
18 that is going to bind this thing together that  
19 we are going to get good architecture out of  
20 it, good design and good, you know, urban  
21 sense of place.

22 So I think Commissioner May has

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1 brought up some issues, I think, that we are  
2 all concerned about. It's that we want this  
3 to go ahead. We want this. It's a difficult  
4 site. It's, you know, a unique site. But I  
5 think just, carte blanche, that 130 feet, go  
6 for it guys.

7 I think we are being remiss. We  
8 are not -- we have to have some kind of input  
9 on this to make sure that this thing goes down  
10 in a way that when it is done, we all feel  
11 comfortable about it.

12 CHAIRMAN HOOD: But you know, I  
13 don't know if we -- aren't we saying carte  
14 blanche 130 feet? Are we saying that we, as I  
15 think Commissioner Selfridge mentioned,  
16 reserve the right to look at that? That we  
17 can tighten it up and look at that at a later  
18 time?

19 COMMISSIONER TURNBULL: Well, I  
20 just don't want to get to Building 1 and it  
21 comes out it's 130 feet, Building 2, oh, it's  
22 130 feet, we have to have 130 feet. Building

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1 3, oh, we have to have 130 feet because we  
2 can't afford to do anything else. So before  
3 we're done, we've got -- I mean, that's what  
4 I'm worried about.

5 CHAIRMAN HOOD: They don't do that  
6 in this city, right? Vice Chairman Schlater?

7 VICE CHAIRMAN SCHLATER: I just  
8 want to say I don't feel strongly that every  
9 building on this site should be 130 feet. I  
10 think there have already been provisions made  
11 that some of the buildings on the site are  
12 going to be less than 130 feet, particularly  
13 at the northeast corner of the site.

14 One potential way forward is right  
15 now the master plan review level is a fairly  
16 limited review. It speaks to open space. It  
17 speaks to alleys and right-of-way. You could  
18 add into that list of things you are reviewing  
19 at the master plan level, similar to a PUD  
20 review, a sense of how tall the buildings are  
21 going to be on each of the building pads that  
22 get created.

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1           And that might provide a path  
2 forward where we are acknowledging up front  
3 that you don't necessarily get 130 feet. You  
4 have to propose the height on the different  
5 blocks of the site at the master plan stage.  
6 And we review it at that point.

7           COMMISSIONER MAY:       So you are  
8 suggesting beefing up the master plan review  
9 requirements?

10           VICE CHAIRMAN SCHLATER:   Correct.  
11       And then it becomes a little bit more PUD-  
12 like without being a PUD.   Right now the  
13 master plan review criteria is in 2923, page  
14 12 of the revised report.   And the criteria  
15 right now is "Internal connectivity, external  
16 connectivity, private right-of-way width,  
17 sidewalk width and community outreach."

18           I would not have a problem adding  
19 in -- I don't feel like we need to see the  
20 massing of each building.   You know, I don't  
21 need to see the design of every building that  
22 is coming through there.   And I don't even

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1 need to see a block design of it.

2 But I think you could look at the  
3 -- you could approve the height of the  
4 different blocks as part of that review.

5 CHAIRMAN HOOD: So --

6 VICE CHAIRMAN SCHLATER: Just add  
7 it as a seventh criteria.

8 CHAIRMAN HOOD: -- that kind of  
9 alludes to what Commissioner May mentioned.  
10 You mentioned something that we did do at our  
11 Reservation 13, a form-based -- I guess what  
12 I'm trying to do, I know what the vote -- I  
13 mean, I think I calculated as it states how to  
14 move.

15 I think the vote would be 3 -- I'm  
16 not really sure where Mr. Turnbull -- I'm just  
17 trying to see that we move along in consensus,  
18 so that's what I'm trying to get.

19 And, obviously, from what I have  
20 heard, I'm more confused now on how we can  
21 approach this to at least get the ball  
22 rolling. And I agree with you, Commissioner

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1 May, and not voting for something proposed  
2 knowing that you have a problem with it and  
3 knowing it's probably going to be similar at  
4 final, you know, when we vote.

5 But also in consideration of my  
6 colleagues, who have -- the Vice Chairman just  
7 mentioned something about a next step in the  
8 master plan, but, at some point, we need to  
9 figure out how we are going to move. I'm not  
10 saying we all have to agree.

11 Now, somebody may be out on the  
12 limb voting against this, but on down the  
13 line, I think everybody's contribution to this  
14 is significant. And I have learned that by  
15 being here and looking at a project in this  
16 city right now. So I don't want to discount.

17 And one person told me something  
18 and I think of that every time I'm there about  
19 that one -- John Parsons, Mr. Parsons,  
20 mentioned something to me and here I am 10  
21 years later regretting I didn't do what he  
22 said to do, I will tell you.

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1           So I'm just thinking that how do  
2 we move this thing forward where all of us can  
3 kind of agree to move it forward in the  
4 fashion that we move forward? Form-based  
5 Code? What is it? Commissioner Selfridge?

6           COMMISSIONER SELFRIDGE: Just to--  
7 I want to associate myself closer to Mr. May's  
8 position. I do think we could find a path  
9 forward tonight, but I'm not sure I  
10 articulated it, but I would certainly share  
11 the concerns that he raised about a carte  
12 blanche 130 feet.

13           Not to say that we are not going  
14 to decide down the road or somebody else will  
15 decide down the road that that's okay, but I  
16 think that I would probably be uncomfortable,  
17 at this stage, just kind of letting that one  
18 go.

19           So I'm hopeful we can find a path  
20 forward, but I think that this is a serious  
21 issue that needs to be addressed at this  
22 stage.

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1 CHAIRMAN HOOD: Mr. Bergstein, let  
2 me get clarification. Are we saying carte  
3 blanche 130 feet?

4 MR. BERGSTEIN: You're not saying  
5 carte blanche 130 feet. But you are saying  
6 that except for the limited area that we just  
7 discussed, 130 feet is the maximum allowable  
8 height.

9 You do have within the Stage I and  
10 Stage II reviews a review of the height of the  
11 building that is proposed. So that is there  
12 and I think the concern is that, what I hear  
13 from Mr. Turnbull, by allowing -- by saying  
14 you can have up to 130 feet, that's what you  
15 are going to get in each application.

16 But the fact is that for the Stage  
17 I, Stage II reviews, height and the visual  
18 relationship of each building unit is a part  
19 of both of those reviews. And it will happen  
20 at that time.

21 So, no, you are not giving them  
22 carte blanche. You are giving them an outer

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1 envelope that they will have to justify with  
2 each Stage I, Stage II or consolidated  
3 application. At least, that's how I interpret  
4 the regs. And again, if I misinterpret that,  
5 I would invite OP to correct me.

6 CHAIRMAN HOOD: Okay. We'll go  
7 back to you, Mr. May and Mr. Turnbull. If we  
8 proceed in the fashion that we just heard from  
9 Mr. Bergstein, and then knowing that at first  
10 stage we will have another bite or another  
11 chance to revisit that -- and I agree -- I  
12 hear you, Mr. Turnbull, about pretty much  
13 their right.

14 They will probably come back with  
15 140 feet. But anyway, you're right, that  
16 probably will happen. But I think in this  
17 discussion, I think the applicant is here,  
18 they hear us. The threshold is going to have  
19 to be pretty high for that 130 foot height.

20 And I don't get into better  
21 designs at 90 feet and 130 and poor  
22 architecture, because there's a whole lot of

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1 stuff up here. I disagree, but sometimes I  
2 yield to my professionals. Some times, but  
3 not all the time.

4 But I think what we heard Mr.  
5 Turnbull and also Mr. May, could we move along  
6 tonight and get your support in that? I know  
7 I'm putting you on the spot, but can we move  
8 together in that fashion in what we heard Mr.  
9 Bergstein just mention? It's not carte  
10 blanche.

11 If not, can somebody give me a  
12 resolution?

13 COMMISSIONER TURNBULL: Well, what  
14 are we doing? I mean, are we just approving  
15 what -- the language that is here or are we  
16 making some changes --

17 CHAIRMAN HOOD: We can make  
18 changes.

19 COMMISSIONER TURNBULL: -- based  
20 on Mr. May or the Vice Chair had said it.

21 CHAIRMAN HOOD: We can tighten it  
22 up, but again, back to the 130 feet issue, as

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1 Mr. Bergstein has already mentioned, we are  
2 not giving carte blanche. I'm not sure where  
3 that word came up tonight from, carte blanche,  
4 but we're not --

5 COMMISSIONER TURNBULL: I don't  
6 believe I said that.

7 CHAIRMAN HOOD: You didn't?

8 COMMISSIONER TURNBULL: No.

9 CHAIRMAN HOOD: Okay.

10 COMMISSIONER TURNBULL: I don't  
11 believe I said that.

12 CHAIRMAN HOOD: Well, that seems  
13 to be the -- but anyway, it doesn't appear,  
14 but while I --

15 COMMISSIONER TURNBULL: It used to  
16 be a credit card. I don't know if it still  
17 is.

18 CHAIRMAN HOOD: They never sent  
19 one to my house. So if we want to revise  
20 something, let's do it. I know sometimes it's  
21 hard to rework it here on the dias, but if  
22 not, what do we need to do? Do we need some

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1 more time to figure something out to  
2 strengthen this?

3 COMMISSIONER TURNBULL: I'm  
4 looking at the other end of the dias at Mr.  
5 Selfridge and May.

6 COMMISSIONER MAY: Well,  
7 personally, I am not fond of the idea of  
8 trying to fix the language right here and now  
9 from the dias, because I think it is more  
10 complicated than what we can really  
11 effectively work out ourselves.

12 And, you know, I'm sure the Office  
13 of Planning has been listening to us very  
14 carefully and I would be, you know, inclined,  
15 more inclined to try to give them some  
16 direction on changes that we would like to see  
17 to incorporate the -- you know, our thoughts,  
18 at this point, and, you know, let them come  
19 up with their best version of this.

20 And, you know, as quickly as we  
21 can, take the matter up again and take action  
22 at a future meeting, with the understanding

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1 that one way or another, we will -- you know,  
2 I would commit to taking action at that next  
3 meeting.

4 COMMISSIONER TURNBULL: Well,  
5 maybe we can get Ms. Steingasser's input on  
6 this point.

7 CHAIRMAN HOOD: Let me do this,  
8 before we go to Ms. Steingasser, the way I  
9 count the votes, really if I called for the  
10 vote tonight, it would pass, unless I'm  
11 mistaken.

12 The way I count the votes, the way  
13 I counted is 3-2, but I want to make sure the  
14 way I counted. Now, I may be wrong. I've  
15 been wrong before. But the reason we are  
16 doing this is because at the end of the  
17 proposed, all of us are going to have to be in  
18 tune with the first stage.

19 COMMISSIONER TURNBULL: Yes.

20 CHAIRMAN HOOD: I believe we are  
21 going to be around for the second stage or  
22 whatever. So that's why I want to make sure

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1 we kind of move forward together.

2 So as Mr. Turnbull has already  
3 mentioned, maybe I waited too late, I want to  
4 go to Ms. Steingasser.

5 Okay. I missed that, so it's 3-2  
6 the other way. Okay. But I do take Mr.  
7 Turnbull's concern. I take your concern  
8 seriously, because I think you are right, Mr.  
9 Turnbull. If we say 130, everybody is going  
10 to come up with 130.

11 But also, I would hope that  
12 listening to all the concerns that you have  
13 with 130 and make it really fit as the Vice  
14 Chairman mentioned.

15 Now, that's kind of -- I'm putting  
16 all this together to make it work, but,  
17 obviously, there are some reservations. So  
18 let's go to Ms. Steingasser.

19 MS. STEINGASSER: We would rather  
20 take a two week delay and try to work through  
21 some language to give some ease to the Full  
22 Commission through the master plan language

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1 and the first stage language.

2           The applicant -- the property  
3 owner, the development rights' owner has no  
4 problem with a two week delay. And we think  
5 we can solve some of your problems through  
6 some clarification.

7           CHAIRMAN HOOD: Okay. Do we need  
8 to provide any more guidance, Mr. May?

9           COMMISSIONER MAY: I think so.  
10 No, I was just going to suggest, you know,  
11 sort of recapping some of our thoughts that  
12 have come out so far, but also being a little  
13 bit more specific.

14           I think that some of what makes me  
15 uneasy about this is some of the particular  
16 views in certain directions. And, you know, I  
17 do harken back to the form-based zoning effort  
18 under Reservation 13, not that I really want  
19 to start that as a precedent, but there are  
20 already certain parts of the site where you  
21 are proposing more limited height and maybe  
22 that's simply the way to try to address that.

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1           So I would encourage some thought  
2 about what massing is right in what aspects of  
3 the site and be a little bit more prescriptive  
4 about that as opposed to simply saying we are  
5 going to do a master plan review and it's  
6 going to be specific to, you know, the issues  
7 of height.

8           So I mean, I guess, that's all I  
9 really wanted to add to the discussion. I  
10 wouldn't just limit it to sort of a new and  
11 improved master plan review or master plan  
12 criteria, but actually think very carefully  
13 about what height is appropriate and in what  
14 parts of the site.

15           And, you know, well, if there is a  
16 massing, some consideration of massing that  
17 goes with that, either in the form of section  
18 drawings or something like what was done here,  
19 that's always -- that always makes it easier  
20 to understand these things. That's it for my  
21 suggestion.

22           CHAIRMAN HOOD: Anybody else would

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1 like to expound on that, other than what we  
2 have already said or what we have already  
3 heard? Okay.

4 Okay. So we're going to put this  
5 off for two weeks. Ms. Schellin, could you  
6 give us some dates?

7 MS. SCHELLIN: Yes. I just wanted  
8 to clarify from OP if they were looking at the  
9 March 14<sup>th</sup> meeting? And if so, if we could  
10 just set a date for their report to come in by  
11 noon on March 8<sup>th</sup>?

12 MS. STEINGASSER: Yes, yes.

13 MS. SCHELLIN: That will work?

14 MS. STEINGASSER: Yes, absolutely.

15 MS. SCHELLIN: Since this isn't  
16 their normal report, they don't need to do  
17 that 10 days before, if the Commission will  
18 agree, otherwise, they would have to file that  
19 by Friday and I think that's pushing it.

20 CHAIRMAN HOOD: Whatever it takes  
21 to get us --

22 MS. SCHELLIN: Yes. I think --

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1 CHAIRMAN HOOD: -- to resolution.

2 MS. SCHELLIN: -- if we could get  
3 it by noon on March 8<sup>th</sup>, we could do that.  
4 Okay.

5 CHAIRMAN HOOD: Okay. Anything  
6 else? Are we all on the same page? Okay. We  
7 actually don't have anything else on the  
8 agenda. Do we have a status report?

9 MS. SCHELLIN: No, sir.

10 CHAIRMAN HOOD: It's not really --  
11 it says none under Hearing Action, but at the  
12 next meeting, I'm going to be asking the  
13 Office of Planning to work along with OAG to  
14 work along with the Office of Zoning to also  
15 work along with us, so we can revisit,  
16 reenergize the ZRR process.

17 I do not -- I would not intend on  
18 going back over the three years of work that  
19 we have already done, but I will say that we  
20 need to figure out and bring some resolutions  
21 or some solutions to the table to kind of have  
22 a roundtable, so we can make sure that

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1 residents of this city are engaged with the  
2 roundtable process.

3 Case in point, Council Members  
4 have assigned members or asked members to  
5 represent them at the Task Force and we need  
6 to make sure that everybody is galvanized and  
7 reenergized to start showing back up at those  
8 meetings, because we do not want to get to the  
9 end of the book and then the whole city comes  
10 out, 600,000 or whatever it is, whatever the  
11 count is that we have, and say that they did  
12 not have a chance to participate in the  
13 process.

14 I want to make sure that we have  
15 exhausted all these options, that make sure  
16 whether you live in Ward 3 or Ward 8, that you  
17 have been involved with this process or  
18 somebody has been speaking on your behalf,  
19 because when you wake up and the zoning has  
20 changed or uses have changed in your  
21 neighborhood, then that's not going to be the  
22 time for us to change it.

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1           The time for us to do it is now.  
2           So I'm going to ask the Office of Planning,  
3           Office of Zoning, Office of Attorney General  
4           and if I have to, we will go around and  
5           mention to the Council Members to try to get  
6           everybody galvanized, reenergized.

7           So I think it is incumbent upon us  
8           to be able to make sure that we do that. So  
9           that's going to be on the agenda in March, so  
10          bring your ideas.

11          Again, we are not trying to go  
12          back over all the work that we have already  
13          done, because I think there has been some good  
14          work done. But I want to make sure that  
15          everybody is still in tune and participatory  
16          in the process.

17          So do we have anything else?

18          MS. SCHELLIN: No. We are done.

19          CHAIRMAN HOOD: All right. With  
20          that, this meeting is adjourned. Thank you.

21          (Whereupon, the Regular Public  
22          Meeting was concluded at 7:32 p.m.)

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