GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF:            :

TITLE 11, ZONING REGULATIONS : Case No. COMPREHENSIVE TEXT REVISIONS : 08-06A :

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Wednesday, November 20, 2013
Hearing Room 220 South 441 4th Street, N.W. Washington, D.C.

The Public Hearing of Case No. 08-06A by the District of Columbia Zoning Commission convened at 6:00 p.m. in the Jerrily R. Kress Memorial Hearing Room at 441 4th Street, N.W., Washington, D.C., 20001, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairman MARCIE COHEN, Vice Chair MICHAEL G. TURNBULL, FAIA, Commissioner (AOC) PETER MAY, Commissioner (NPS) ROBERT MILLER, Commissioner

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OFFICE OF ZONING STAFF PRESENT:

SARA BENJAMIN BARDIN, Director
SHARON S. SCHELLIN, Secretary
ESTHER BUSHMAN, General Counsel
ZELALEM HILL

OFFICE OF PLANNING STAFF PRESENT:

HARRIET TREGONING, Director
JENNIFER STEINGASSER, Deputy Director, Development Review & Historic Preservation
JOEL LAWSON

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF PRESENT:

SAM ZIMBABWE
JAMIE HENSON
JONATHAN ROGERS

The transcript constitutes the minutes from the Public Hearing held on November 20, 2013.
P-R-O-C-E-E-D-I-N-G-S

(5:57 p.m.)

CHAIRMAN HOOD: Okay, we're going to go ahead and get started. Our court reporter has not arrived yet, but I understand that they can transcribe it from the webcast live. This is just reconvening our hearings on Subtitle C.

My name is Anthony Hood. Joining me are Vice Chair Cohen, Commissioner Miller, May and Turnbull. We're joined by Office of Zoning Staff Director Bardin, Ms. Sharon Schellin, Ms. Zee Hill and Ms. Esther Bushman, Office of Planning Staff Director Harriet Tregoning, Ms. Jenifer Steingasser, Mr. Lawson, District Department of Transportation, Mr. Zimbabwe, Mr. Henson and Mr. Rogers.

Okay, we're not taking any public testimony tonight, and I'm sure everybody knows that. This is the day for us to just ask our questions. So what we will do, let's get right into it.

I will ask Mr. Turnbull if he would
like to start off with -- Mr. Turnbull? Okay, thanks.

COMMISSIONER TURNBULL: Sure. Let me scramble through my notes here. Going back --

CHAIRMAN HOOD: Let me -- I'm sorry for -- let's, you want to start off with 10-minute rounds or 12-minute rounds.

COMMISSIONER TURNBULL: Sure. Ten is fine.

CHAIRMAN HOOD: Okay, thanks.

COMMISSIONER TURNBULL: I may come back for some others, by the time I go through my notes.

CHAIRMAN HOOD: Okay, that's fine.

COMMISSIONER TURNBULL: Going through the -- I want to thank the Office of Planning again for all their efforts in spearheading this.

I think in spite of some of the comments about not being, communicating with everyone, I think you've done a very tremendous
job, and I want to, I appreciate it very much what you've done.

Just going through, scrambling through my notes here, the one thing that came up -- I think several people brought it up, and I think maybe it was on the second night.

And we had the one person, Maisie Hughes from Casey Trees brought up about the GAR issue, about the caliper, ignoring -- getting rid of the caliper and base it upon a, going with giving credit based upon the tree height at maturity.

And I was just wondering what you guys thought about that.

MS. STEINGASSER: We actually give that a lot of credit, and we're happy to incorporate it. They contacted us when they saw the final order of the GAR, after the Zoning Commission had had the hearings.

COMMISSIONER TURNBULL: Oh, okay.

MS. STEINGASSER: So at that point we said, let's just wrap it into the zoning
rewrite and deal with it then. But we have no problem if the Commission, especially those of you with landscape experience, are comfortable with that recommendation. We find it very credible.

COMMISSIONER TURNBULL: Would you then get rid of the requirement based upon the caliper? Would you, or --

MS. STEINGASSER: Yes. We would go --

COMMISSIONER TURNBULL: -- and just based, go on the height? Okay. That makes sense. I had a couple of people comment, a lot of comments upon the parking requirement for institutions, on the square footage.

I think it was Cleveland Park, very much concerned about the amount of schools. And I wonder if you've had a chance to give that some thought, or what your comments are?

MS. STEINGASSER: We have --

COMMISSIONER TURNBULL: I think you've talked about this before. I think it
overlapped in some other sessions too, but --

MS. STEINGASSER: Yes sir, it did.

And we took -- as part of the original review of the parking standards, we looked at the private schools. We went through all the BZA orders.

We recalculated what those equivalents would be on a square foot basis, and tried to find something that would be a little bit more predictable and understandable, so that neighbors could understand how large it was going to be, and a school could then have a parking requirement tied to the building and its capacity rather than the program.

Our concern was that if a student enrolls who has special needs, suddenly now they've got two or three special ed teachers who may show up, or a therapist who shows, and now they've violated their parking cap and they've got to come back and get an amendment.

However, we are more than happy to work with -- the school, as you heard from Mr. Avitabile last night, they're not comfortable
with it.

COMMISSIONER TURNBULL: Right.

MS. STEINGASSER: So they're going to work with us, and we'll be bringing something back that's more in keeping. And we had surveyed ten different cities to look at how, what metrics they use.

COMMISSIONER TURNBULL: Yes.

MS. STEINGASSER: And they use everything from students to gross square footage to the number of classrooms, where it's just one to two cars per classroom. So that nationwide is kind of all over the place.

COMMISSIONER TURNBULL: Yes.

MS. STEINGASSER: There's a range. So -- but that's what we were trying to do. And we're happy to work with the schools and with the communities, to come up with something that's more acceptable. And if, you know --

COMMISSIONER TURNBULL: I know it's tough to get the metrics to work across the board. And I think part of the problem is we do
have some areas that may have more issues than others on this, so okay.

I think the -- I guess one of the questions we had, and I guess it came out last night more than anything else, was about IZ.

And we had talk about ADUs, which really doesn't, I mean, it's kind of a separate category, but it comes in and there's a lot of discussion about changing the AMI to make it more locally particular to our city --

MS. STEINGASSER: Yes, sir.

COMMISSIONER TURNBULL: -- and to the residents. And I don't know if we're handcuffed on that with other regulations or --

MS. STEINGASSER: Well, depending on how it's financed, as Commissioner Cohen explained last night, there are certain handcuffs. We are going to be bringing changes to you for the inclusionary zoning regulations, but they're going to be separate from this.

COMMISSIONER TURNBULL: Okay.

MS. STEINGASSER: We think they are
so complex and they require enough attention, that to wrap them into --

COMMISSIONER TURNBULL: Right, yes.

MS. STEINGASSER: -- everything from tree caliper to school parking is just too much. So that'll be coming back to you probably in January.

COMMISSIONER TURNBULL: Now, there was kind of two categories with that. There was the definition of what's included, whether it's 80 percent or whatever, and then it was -- I just lost my train of thought.

MS. TREGONING: The other question I noticed was that the number of units that were being provided, there were several --

COMMISSIONER TURNBULL: Yes.

MS. TREGONING: -- people who testified. Perhaps that's what you're thinking of.

COMMISSIONER TURNBULL: Yes. You know, whether it's 8 to 10 percent, though a lot
of people were saying, oh maybe it's 18 to 20, which I don't know if that's really feasible as a blanket number, but it's something to -- and I don't know how we adjust that, and maybe that's something you're going to be looking at.

MS. TREGONING: We can definitely look at it. I think that the issue of affordability, we could have different levels of affordability, deeper levels of affordability, irrespective of what the regional AMI is.

So if we were providing affordability at the 50 percent level, we could provide it at the 40 percent level, and that would have some of the same effect, right?

COMMISSIONER TURNBULL: Yes, okay.

MS. TREGONING: And we could offer additional bonus density under IZ in order to offset the cost of additional affordable units.

And that's something that we can look at, but as you may know, we are constrained in certain parts of the city --

COMMISSIONER TURNBULL: Right.
MS. TREGONING: -- where our by-right development envelope is such that there is no bonus density to give. And so that's also, that constrains us about where that, where those IZ units can go.

COMMISSIONER TURNBULL: Okay, thank you. I guess the other big thing that came out of both nights of hearings -- and I think people made reference to two council-members' letters, talking about data not being relevant to the city.

And I think it was related to parking, cars, and I think there was a lot of people that felt that a lot of the OP input really didn't reflect what's really happening in the city, whether it's the amount of cars, the ownership of cars, it didn't really reflect that.

And I, there was 11 -- we have two councilmembers' letters that say that we really need more specific data related to the city. Your comments on that?
MS. TREGONING: Well we have data. I mean, we rely on census data for a lot of, you know, of our conclusions about the way the city is trending, in terms of car ownership and car use.

And we have that data, you know, at the ward level, so we know that it varies among different wards, in terms of rates of car ownership and the number of cars owned per ward and even commute patterns and costs.

So, you know, can we get as fine as the block? No, we probably can't. But the data that we use for our parking recommendations is from our city, and from the many things that affect car ownership and car use in our city, including all the other choices that we now have for people to take.

So that, you know, we used to be a city where you were a driver or you did something else. So many people in the city now, sometimes drive, sometimes bike, sometimes walk, sometimes take transit.
And it means they have much, much lower transportation expenses. They have much more flexibility in hard times. It's a, you know, in that sense, you know, many, you know, everyone's sort of multi-modal. It's just a question of how often they use different modes.

And we certainly hope that our recommendations for transportation and parking in the city reflect the multi-modal nature of the city in that we expect everybody to be able to be accommodated, you know, in our city, with the balanced set of proposals which I hope we have provided you.

MR. LAWSON: If I can add to that, we've also looked at other kinds of local data. We've talked to developers about their parking capacity and its utilization rates. We've looked at the PUD cases and looked at how many parking spaces are required and provided.

For larger developments, we've looked at all of our BZA cases, where those are, what the level of parking relief was that they
asked for, what the size of the property is, why
the relief was needed, and why in pretty much
every case, that relief was granted by the BZA.

So we've definitely tried to do as
much diving into the local D.C.-based data as is
available.

MS. TREGONING: If you would like us
to address, you know, specifically, any of the
points that were raised, we're happy to do that.

COMMISSIONER TURNBULL: Yes, I
think there was just, I think you've got the
notes from some of the people who had -- I think
it was either Cleveland Park and Adams Morgan in
particular seemed to feel that they were being
singled out, that the right --

I think a lot of -- you had a lot of
people in support, but we had a couple of
neighborhoods saying, you really don't
understand our parking problems. Adams Morgan,
in particular, is really concerned about the
issues there.

And I think it was Cleveland Park
that had some issues with parking in their neighborhood, that they felt that without any, some kind of guidance on getting some more parking or just getting rid of it, they were afraid they were just going to, it's going to be saturated and they're going to have serious problems.

I mean, I think if you could just look at those. I think you've got the comments from them. All right, Mr. Chair.

CHAIRMAN HOOD: Thank you.

Commissioner Miller?

COMMISSIONER MILLER: Thank you, Mr. Chairman. I would associate myself with Mr. Turnbull's remarks about the Office of Planning's effort, and DDOT's effort, Office of Planning's effort on the whole ZR.

And I had eight issues written down. Mr. Turnbull, you covered four of them, but just to follow up.

So on this -- back to the councilmembers' letters, which Cheh and Evan's
letters, they talked about the D.C.-based data, but they also talked about this comprehensive parking management plan that DDOT's been doing forever. What's the status of that?

MR. ZIMBABWE: It's a continuous planning exercise. So I think that there -- we are working on thinking about how to manage parking on the, in the public right-of-way, going forward.

I think, from our perspective there are two related but separate issues, about provision of parking in private space and the provision of parking -- and the management of parking in public space.

There obviously is some relationship to them, and I think we're looking to what happens with the zoning update to also inform how we approach parking.

You know, we've -- I like to look back at history, and so two things. I think one is that the residential parking permit program was established in the District, 1974.
About ten months after the District got home rule we established a residential permit parking system, which is basically the same as it is, was the same then as it is today. Not much has changed in 40 years.

Ten years ago, Mayor Williams convened a parking task force, and came up with a lot of recommendations, some of which have been acted on. Most of the ones related to residential parking were not acted on.

And so I think that -- and some of the same issues that we see today about areas of the city with a lot of demand for curbside parking, a lot of, some places with lower demand are the same today as they were then.

And some of the same, you know, some of the same trends have been in place for the last ten years. But so we see these things as an ongoing process.

Where we are specifically, you know, we've been doing a lot of the same type of work that the Office of Planning did in developing the
parking recommendations that we're discussing, looking at how other cities are dealing with their curbside management issues, looking at how our own policies relate to those of others in the region and others nationally, and sort of best practices.

We should have, later this winter, some approaches to parking. I don't think that we're at the point where we're going to have a single set of recommendations, because a lot of what we would propose would likely require either council action or at least regulation to be issued by DDOT.

So we will have some sets of comprehensive ideas later this winter, but probably not a full final plan recommendation until some time in 2014.

And that'll depend a little bit on what the feedback is to some of our ideas, some of which, I think, will generate some of the same types of input on both sides, that you've heard for the past few nights of hearings on this
issue. I don't know if that answered your question.

COMMISSIONER MILLER: Well, I think it'd be helpful to get those draft approaches as soon as, out as soon as you're able to.

I mean, their letter says, wait for them until you do your parking mins. And the timing may work out that we'll have them anyway.

But there is the -- that is the concern of those who expressed concern about the parking, is the spillover into the neighborhoods, and the pricing, the wrong pricing of the on-street, not dealing with the performance or the demand, as you just alluded to.

MR. ZIMBABWE: Right. And I think that that's where there's some relationship, and then there's some non-relationship, or there's sort of, there's a lot of complexity and challenges in thinking about how off-street parking and on-street parking in our current programs work.
So right now, as you're probably aware, if you qualify for a residential parking permit, which is done on a block-by-block basis.

Blocks have to petition us to enter into the system. And the zones, the areas that those permits are valid are the same as the council wards.

So anybody who lives in Ward 3, say, that has our residential parking permits, can park anywhere in Ward 3, as if they were a resident of that particular block.

And so that creates some of the scarcity in some highly desirable locations for curbside parking. So we can, you know, some of the recommendations in 2003 were to shrink the zones and create more zones and make that more fine-grained. There's also the --

COMMISSIONER MILLER: Visitor passes, didn't you do them by ANC?

MR. ZIMBABWE: We have done them by ANC now, on the visitor parking passes. And it
works okay. I mean, the --

COMMISSIONER MILLER: I know, because I got one recently.

MR. ZIMBABWE: Good. So yes, so I mean, and the 2003 report recommended 39 zones. I think there's 37 ANCs or something close to that so, you know, roughly ANC level zones.

That also creates some challenges for those who live, who sort of depend on residential permit parking privileges outside of their ANC, and sort of currently like the system at the ward level.

So, and I think the same type of thing, as we try to introduce more market-based pricing or demand-responsive parking to -- pricing to the curbside, we get some of the same issues that, I think, you've heard and dealt with, in terms of who gets to access that curbside, and what that means about, sort of, who's allowed to park in certain places in the District and what that means about the District as a whole, so.
COMMISSIONER MILLER: Thank you.

While I've got you, or while I've got DDOT, we heard some testimony about increasing the car-sharing requirement, where parking spaces are, you know, I think 50 to 149 is one minimum, 150 to 249 spaces, you get, have to, two minimum to park there.

Are you looking at that, or --

MR. ZIMBABWE: Yes. In general, you know, we see car-sharing, on the whole, as an opportunity for people to have access to cars without feeling the need to own cars.

And so we support efforts that help make car-sharing a viable thing for people who choose to do that, and choose not to own a car but still need occasional access to a car. So, you know, we support as written.

COMMISSIONER MILLER: Okay. And one issue of parking at the -- but the issue that Commissioner Turnbull brought up, Ms. Steingasser, we talked about this before, and you said you're going to be working with
Independent Education, which I -- because they're doing analysis.

I think there's some valid point -- I can see how the square footage-based formula is much simpler and predictable, but I think it does not take into account the needs and the demands that, by students, teachers, staff at the individual schools and the different neighborhoods.

So I'm glad you're looking at that. I appreciate that. On the IZ, we said we're going to wait till the January case, or whenever, the separate case on IZ.

But isn't there an issue that it's not defined at all right now, the -- or somehow left out the income, the affordability levels?

I thought it was --

MS. STEINGASSER: The issue of the inconsistent definitions of what constitutes low or moderate?

COMMISSIONER MILLER: Yes.

MS. STEINGASSER: That'll all be
cleared up within the context of the current code. So that will then translate into the new -- should we get --

COMMISSIONER MILLER: So that part will be taken care of now?

MS. STEINGASSER: Yes, sir. That will be part of the January case.

COMMISSIONER MILLER: And I would be supportive, as I know maybe others would be, of lower percentages, the lower, you know, no more than 60 percent for sure.

So in my remaining time, we had some testimony about -- maybe I asked DDOT about this previously, bike racks being proposed to be, they are currently proposed to be 30 inches apart from either other and other obstructions, and somebody said it needed to be 36.

MR. ZIMBABWE: Yes, I mean, so on that issue, 30 inches is our standard, and has been our standard for a long time, both on-street and off-street.

You know, there's always a trade-off
between the space between racks and the number
of racks that are able to be fit in a given area.
We feel like 30 inches provides that right
balance.

But we also work with people as
they're planning bike parking in developments to
see if there's an opportunity to get wider. And
we know that, you know, with people having
baskets and cargo bikes and things like that, 30
inches can sometimes be a little bit tight.

So we like to see -- you know, this
is a, you know, a minimum standard rather than
a maximum. And we like to see it 36 inches where
we can, but we understand there's a trade-off in
terms of the space.

COMMISSIONER MILLER: Okay, thank
you. Thank you, Mr. Chairman. I'll come back.

CHAIRMAN HOOD: Okay, Vice Chair,
you want to go next?

VICE CHAIR COHEN: Actually, I was
hoping that I would go last, and I can say all
of my items have been taken care of. But I too
want to commend the Office of Planning for the work that they put into this effort.

And I'd also like to say that I was very pleased to see how many people, residents came out to testify. I think that that demonstrates the concerns that people have about their city.

And it really, I think, adds to the entire process, even though there was a lot of disagreement. But, you know, that's what democracy is.

I just will reiterate some of the things that have already been said, maybe just coming at it differently. And again, people argue for things like performance parking and market demand, and they don't realize.

And I was very taken with a few individuals' testimony regarding the price of parking, and how, you know, it's really inexpensive to park your car.

And everybody in the city who doesn't have a car is actually subsidizing that.
And therefore, again, I urge DDOT to evaluate that issue.

And of course, in evaluating it, the communication of why you're doing something is extraordinarily important, because I think people -- you know, be careful what you ask for, what you wish for, because it may cost you more. And in this case, I believe it will.

The other thing, again, I'd like to also state, I think everybody in this room understands how important I personally believe IZ is, but I also understand that there's a disconnect between the demand and the need in what we're providing under IZ.

And I'm hoping that we can fix that somewhat. I know there's going to be pushback. It's an economic issue. It is not just in the demand but in the supply as well.

And we have to take that into consideration, like the cost of land and the cost of subsidy needed to provide these units in today's economic market.
I was -- again, there is an impressive amount of individuals who are utilizing multiple forms of transit. And again, the bike issue and more bike parking, I think, is very important.

Our streets are clogged, and a lot of it is demand coming into our city that we have no control over. We can't congestion-price or do any of the other possibilities of, you know, getting people to pay to come into the city other than through, you know, maybe parking.

So because of that, I really do believe that we need to be very careful when we address minimum parking standards, because we are --

I mean, I don't drive, but when I'm, I live downtown so I'm constantly aware of the traffic problems, the congestion and the problems that people are facing just getting from Point A to Point B.

Accessory apartments, I think I earlier stated that I think the size that's being
required to permit accessory apartments may make
a number of them, in certain neighborhoods,
illegal.

And so you need to revisit that,
because I even used my own block, that the
accessory apartments on that block might end up
being illegal. So let's revisit that.

MR. LAWSON: We've actually started
to re-look at that already. We've started to do
some analysis of lot size in different zones and
typical sizes of houses, you know, those kinds
of things. So we expect to have that analysis
completed relatively soon.

VICE CHAIR COHEN: And then I know
that the width of the alleyway is an issue for
the fire department, and yet some people believe
that it's not an issue. And so again it's, you
know, reconfirming a lot of that.

As far as -- one of the things I
wanted to also mention is, I believe the issue
and the arguments over data, I mean, I think the
Office of Planning has given us a consistent
reference to the American Community Survey.

And, you know, every -- data can be interpreted differently, but I hope that all of these reports are available online for people to review, because I think we all need to be familiar with them in making our decisions.

And again, your citing best practices in different cities, I think, again, we don't need to reinvent the wheel. We just need to adapt to our own conditions.

Corner groceries, there is, you know, mixed concern in different neighborhoods. Some neighborhoods have had bad experiences.

I know you're limiting the percentage of square footage for liquor sales. Again, I -- in areas where the income limit is increasing, there's better produce.

And I think that maybe if it's under the jurisdiction of the Health Department or whomever, you know, they need to get out there more often and make sure that produce is not aged and, you know, things that are being sold are
dated, if we decide to move forward on corner groceries.

Oh, I've got plenty of time. Let's see. Oh, again, on parking -- I'm skipping around because there's just a lot of stuff that I was taking notes on.

But shared parking, some, and any kind of shared loading, there seems to be some concern by residents in downtown, in Penn Quarter, who can't access the shared loading, at least, for their deliveries.

You know, the owners are not allowing deliveries unless it's during business hours, so there needs to be some way of dealing with that problem, again, if we want downtown to be a mixed-use residential area.

Oh, and I have, on frequent occasions, talked about encouraging art, and not to be necessarily meeting a requirement by hanging a few paintings in a lobby. That just really doesn't make a vital or vibrant or aesthetic statement.
Many cities, there are best practices of cities that promote and encourage and probably subsidize. I don't know if we're working with the Department of Arts and Humanities or -- I mean Commission of Arts and Humanities on that issue.

But I really think that a city that's being promoted as, you know, City Beautiful, should be able to encourage more actual art on the street level, and make it more available to all people.

I do like the idea that we encourage, you know, water features in new developments and, along the waterfront. So that's it for now.

CHAIRMAN HOOD: Okay. Commissioner May?

COMMISSIONER MAY: Thank you very much. Also I would like to acknowledge the efforts of the Office of Planning. Thank you for all of your hard work, not just preparing all this but, you know, actually just understanding
it all.

This is just a massive, massive undertaking. And I do think that the, generally speaking, the public outreach has been very good.

And while there may be a lot of people who feel like there hasn't been enough or they haven't, it hasn't connected thoroughly with them, you know, I don't think that's really for a lack of effort.

It may be for lack of effectiveness. I'm not sure exactly what's attributable there, but I would hope that people would get past any sort of upset over not being fully informed over it, and get informed now.

And I think that we have enough time for people to get informed and to get involved and, you know, give us the input that they think that they need to give us. All right, enough of that.

I have a whole lot of comments, like I do on the other sections, that I will be
submitting some in writing. Some of them are just sort of simple, you know, question and response sorts of things, and those things will be in the record.

Then I have a, you know, I have a few that are more sort of typographical, that you can, you know, I'll share those too, but I don't think those are worthy of any note.

There are a few that I wanted to ask directly today, and this is based on my reading of the regs and not just on the commentary that we heard.

On the issue of setbacks for roof structures, if a building is taller than adjacent buildings' existing or by-right height, that -- you know, I think what we're allowing is existing or by-right height, but there are certainly circumstances where the by-right height is a lot higher than the existing.

And the existing is an historic building, and so we're never, we're always going
to wind up seeing that extra penthouse. Do we deal with that circumstance somehow? I don't recall.

I remember raising the issue before, but I didn't think it was covered in the regs.

MS. STEINGASSER: I don't have a memory of it being covered, so I think we'd probably, it probably fell through.

COMMISSIONER MAY: All right, so I'll --

MS. STEINGASSER: We'll need to --

COMMISSIONER MAY: And you may know of it now, but I'll include it in my list of --

MS. STEINGASSER: Okay. That'll be great.

COMMISSIONER MAY: -- written things, and you can respond to that one. The side and rear setbacks, with regard to -- well, sorry, side and rear setbacks allow retaining walls as defined by the building code, but that does not appear to be consistent with what we were considering in the retaining wall
regulation rewrite.

So is that just not caught up entirely yet?

MS. STEINGASSER: It's not caught up. We were waiting for that case to --

COMMISSIONER MAY: Okay. The Section 1916 drive-throughs, I was surprised to see that we have drive-throughs. Do we really need to permit drive-throughs anymore?

I mean, new ones, can they grandfathered under the existing ones? Do we need to permit new ones? I mean, is there a sufficient demand, I mean, I say this because I know that there are some parts of the country where they're not permitted anymore because of the pollution and things like that.

So why, I mean, why do we do that?

MS. STEINGASSER: You want to give us guidance to scratch it, we can scratch it.

VICE CHAIR COHEN: Scratch drive-throughs?

COMMISSIONER MAY: Yes.
VICE CHAIR COHEN: I would be for that.

COMMISSIONER MAY: All right, I think we should think about that. I mean, I don't think there's, anybody's ready to decide that right now, but I think you should think about that.

MS. STEINGASSER: We can look at that and do some surveying and look at where they are now, and --

COMMISSIONER MAY: Right.

MS. STEINGASSER: -- it'll be easy enough to map out.

COMMISSIONER MAY: Okay. So there were some -- I was a bit confused about trash, I don't know why. 2107.3, trash receptacles appear to be permitted in front yards or in public space under the control of a property owner, so in that, you know, that front yard space.

And I'm not sure that that should be universally permitted, that there might be some
sort of control over that, because most of those parking, you know, trash receptacles should be handled out of alleys that are serviceable by DPW.

I think there are circumstances where you have homes that are, that don't have alleys, and they're not serviceable by any kind of a walking alley or anything like that, so there's no choice but for the trash to come out front.

MS. TREGONING: I would say, on almost every block there's some, there are houses that, because of the way the alley turns, that don't have access. So there are always, like I say, on almost every block, some houses that don't have alley access.

COMMISSIONER MAY: Right. So if it gets too complicated to administer it based on, you know, having exceptions for those circumstances, I mean, it just seems like it's a question that ought to be addressed.

I think some people just put them in
the front yard because it's easier. And so I'm not sure what the right solution is there, but it's just some -- it's one of those picky little things. And I'm just always full of picky little things.

MS. STEINGASSER: Can you give us that section number again?

COMMISSIONER MAY: 2107.3.

MS. STEINGASSER: Got it.

COMMISSIONER MAY: So on IZ, I appreciate the fact that you want to bring a sort of a completely separate revision. I have spoken separately to Ms. Tregoning about how I think we ought to try to be more aggressive out of it.

I mean, I've got that sense of things that if there's room for us to be more aggressive in requirements for IZ, that that would be good.

I did have one particular question, which is that I wonder whether the differential between the 8 percent and the 10 percent requirement, which is based on the type of
construction, is that incentivizing the wrong solutions in some cases? Is that something that we need to look at?

MS. STEINGASSER: Yes it is.

COMMISSIONER MAY: Okay. So, and that'll be part of what you do in your rewrite, perfect. So let's talk about parking for a second, just a second.

First of all, the letters, I thought, were very interesting. Some of the things that showed up in the letters, not the desire for more extensive data about the District -- I think that there actually is a fair amount of data to be working from, but more about having to have a comprehensive solution.

I mean, that's been one of my themes, I think, from the beginning of our attempt to study parking regulations, because I am very concerned that if we eliminate minimums or reduce them, that we are going to wind up creating a problem in neighborhoods.

And I have also been regularly
raising the issue of RPP participation in, you
know, large apartments where, you know, there
before us is a PUD or even in a BZA case that,
you know, we need to make sure that if you build
a large building, that the parking needs are all
addressed and that parking on the street does not
become an option for residents of those
buildings, because that increases the pressure
on the buildings.

I also know how, in many cases where
you've got commercial areas that are in close
proximity to residential areas, there is a
problem with people who work in those buildings
parking in the neighborhoods.

I will admit that I did that. And
I knew where the parking patrols worked and the
times, and I knew that if I went out at a certain
time of day I could move my car and get away with
it.

So you can game the system, and I
think people do it. I don't think that's a
really huge problem, but it is possible. And I
think that we have to be wary about that.

I am very interested in understanding all of the tools that are being considered by DDOT at this time. I won't ask you to enumerate everything right now.

And I'm not -- I mean, maybe getting the draft of whatever you're looking at would be helpful. But at the very least, I'd like to know what, I mean, what are you doing right now?

What are the tools that are going to be available in the future? Are you looking at -- you know, I mean, at one point we talked about having RPP just cost more, and then cost more for the second car, and cost more for the third car.

And I think those are solutions. We can't require that, obviously. But if that's on the table, I mean, that's a council thing, right? So maybe you want to talk about that a little bit. And I will have some other questions, since I'm running out of time.

MR. ZIMBABWE: I'll probably go overtime in responding to all those, but I'll try
to keep it quick, and we can come back to it, always.

And there are a couple of things that I think probably each of them warrant some more discussion. So on the first issue of -- well, I don't know which was first, but the issue of, you know, requiring larger, new buildings to not, who do not provide parking on site, to not have RPP.

I think, so we have never, since the inception of the program, looked at whether somebody had off-street parking or not, in determining their eligibility for the RPP program.

So you can have a driveway, you can have a garage, you can have a parking space off-street. You can have a parking space not on-street. And you still are eligible if your block has opted into the program.

In some ways, actually somewhat paradoxically, if you have a building that provides a lot of parking but is eligible for
RPP, even if those people all technically park their cars off-street every night, they're still eligible for RPP and may create more strain on the system than a building that has no parking and has a few people who end up with vehicles that they would enter into the RPP system.

So a building that has 300 units with 300 parking spaces off-street would have and might end up having 300 vehicles in the RPP program.

And a building that has zero parking spaces off-street might end up with 20 parking spaces -- cars in the RPP program. So it's not quite as simple --

COMMISSIONER MAY: You describe the problem very well. So what's the answer.

MR. ZIMBABWE: Right. So, well sir, there are several answers. And I think, you know, as you said, all of them, most likely all of them will take either council action or some sort of regulatory change, which would require some form of deliberation and perhaps
council action at the end of it, too.

So, you know, we could charge for initial car, subsequent cars, things like that. Going back to the 1974 legislation, it says very clearly.

"The commissioner" -- at that time the commissioner, now it would be the director, "is authorized to establish by order an annual residential permit parking fee to cover the administrative costs of permits issued pursuant to this section."

So unless there is something that administratively is costing more, you know -- and that's a distinction in District law about administrative fees versus non-administrative fees --

COMMISSIONER MAY: I think it's an opportunity for you to seriously expand the staff.

MR. ZIMBABWE: Yes, exactly, exactly.

COMMISSIONER MAY: Just kidding,
just kidding.

MR. ZIMBABWE: The -- you know, so there's a cost element to it. There's, I think, a zone size element to it.

You know, if you reduce the size of the zone so it actually is more of a neighborhood and not a ward, that would address some of the spillover effects but would have other ancillary impacts which, you know, would impact some people.

You know, what we've ended up doing, in large part right now, is creating more and more restrictions on who can access the street.

So we've made, in some of the performance parking areas, by council law in all of Ward 1, what's, you know, some resident-only, some ward-only on one side of the block.

Actually, I think legally, we probably couldn't do that on both sides of the block. We would need to leave some access for people who are not -- on at least one side of the block.
That's somewhat separate, but that's been the response. But as there's more -- you know, in dense places, the competition may be more with neighbors than it is with non-neighbors, whether they have off-street parking or not.

And that's I think where, you know, coming back to the question of is this integral to the zoning or is it related and, you know, complementary.

I would side on the -- I would be on the side of saying they're related. They need to, you know, interact with each other but they don't need to go in lock step with each other, from my perspective. So we can maybe come back to it.

COMMISSIONER MAY: Okay, so I've done ten minutes, plus.

CHAIRMAN HOOD: I too will follow up, administratively, on the RPP issue. But let me go first to Ms. Tregoning. Well let me say this.
I want to echo the comments of all of my colleagues with the work that Office of Planning has done, as well as the work that the Office of Zoning has done, and more than that, the citizens who participated, whether you agreed, disagreed or in between.

We appreciate all the comments, all the work and the time that a lot of people have put into this, and actually are going to continue to put in. I see more time that needs to spent.

Let me ask Ms. Tregoning, is it fair for me to say that this proposal from the Office of Planning that's in front of us has been balanced with data not just from Cleveland Park, Georgetown and those neighborhoods, as well as we've also looked at Deanwood, we looked at Brookland, we looked at Congress Heights.

So the data that this commission has been presented is balanced and it's across the city.

MS. TREGONING: I think it is very fair to say that, although I would also go on to
say when it comes to specific elements, and parking might be one of those, the idea behind the parking proposal is to allow the parking that is provided to be tailored at that time to the conditions in that neighborhood.

Because otherwise what we have is a one-size-fits-all, based on a zoning category, which is indifferent to what the car ownership rate is, or the utilization rate, or many other things that affect how much parking demand there might be in a neighborhood.

CHAIRMAN HOOD: Okay. I'm actually glad to hear you say that. And I also was glad to hear you say about the multi-modal issue, giving people options, because basically we're victims of circumstance.

The five of us do something different. I learned another word during this process, car light. I think maybe I am car light, except on weekends, okay.

So anyway, so the data in the letters -- and I don't want be redundant because I don't
have but a few minutes, but the letters that the
councilmembers had talked about, basically the
letters say where is it provided, and do we have
it?

Those are the questions. They say, where is it provided, do we have it. And I heard
the Vice Chair say it's up on the website. Is there data out there that people can access? Is it on the website?

And I'll be honest, other than what you give me, I don't necessarily go to the website.

MS. STEINGASSER: The reports are up there, and all the data is referred to in the reports. What might be easier is if we go back through those reports and pull the data out, give it a name and make it it's own place to go, so people can go and see the census information we're using for parking and the --

CHAIRMAN HOOD: That may be helpful.

MS. STEINGASSER: -- GIS
information we're using for accessory buildings, things like that.

MS. TREGONING: Well, while you were talking I did pull up the letter to see kind of what was being referred to, and I think part of -- it's a little bit unclear, and I can certainly go back to the councilmembers and ask.

But part of what we said is that there are cities out there who seem to operate very effectively with standards that require less parking, that require, you know, that are different than our standards.

And yet in terms of our levels of car ownership, our use of other modes of transportation, you know, the options that we have in this city, the trend data for the city, that I think what we try to do is say, other cities who have many fewer choices than we do and less favorable data, have successfully implemented some of these changes.

So it wasn't to say, oh we're just like this city or that city. In some ways it was
to say, we are way ahead of some of these cities in terms of the options that we've offered to people and their uptake of those options, but we're behind a lot of these other cities in terms of what they've done to rationalize the parking requirements.

You know, the striking thing, if you go back and look at it, the original basis for the parking requirements that we have is pulled practically out of thin air.

It differs from city to city, from place to place to, you know, for any given use, it's different everywhere. And it doesn't seem to, you know, to have had a rational basis.

But now, you know, it's enshrined in law. And what, you know, what we're trying to do is to give a rational explanation for the requirements that we have going forward, but also recognizing what are our trends.

And, because we don't want to impose costs on anybody, particularly adding to the costs of housing in this city, you know,
unnecessarily.

We don't want to -- given the fact that we're a growing city, we don't want to send a signal out into the ether, please come and with your car, or two if you can manage it. Bring two cars here and come.

Because that, we'll never be able to accommodate that kind of traffic. So we're trying to both send those signals, but also accommodate every single mode of transportation that exists in the city now and that we might get in the future.

CHAIRMAN HOOD: Okay. Let me -- no, that's all right. I can bank that four minutes, three minutes. Okay. Let me ask, let me get a response from Office of Planning on this, and I hope I'm getting this right. I wrote this down from Sue Hemberger.

"If we are serious about affordable housing, let's have a code that allows deeper discounts on housing in exchange for parking."

There may be a legality issue, but can I get a
response on that statement?

MS. STEINGASSER: Just on a -- today, so pure economics don't match. A parking space that costs $40,000 won't begin, even if we took an entire floor, to pay for a condominium or a house that costs $400,000 just to construct.

So the economics are --

CHAIRMAN HOOD: So it doesn't get us to deeper, like to the 30 percent of the AMI. It doesn't get us there.

MS. STEINGASSER: It really doesn't. It really doesn't.

CHAIRMAN HOOD: Okay, fine. Let me move fast. AAA, I know that there was some discussion with Mr. Townsend from AAA. He factored in people who visit the city, this, you know, we have a lot of tourist sites. People come to D.C.

And some of the things that were requested -- well let me back up. Who's responsible or whose jurisdiction is it to expand downtown? I think that came from Ms. --
well, anyway, that's the question I have. Whose jurisdiction is to expand downtown?

MS. STEINGASSER: Are we talking about the West End Citizen Association concern about --

CHAIRMAN HOOD: No, not the CF or whatever, I can't remember what the acronyms are, but they -- no, I'm talking about expanding downtown.

There was something that we talked about expanding down, or we increased it, but it wasn't West End. It was with the Committee of 100 about how we're expanding downtown.

MS. STEINGASSER: Well we're proposing to match what's currently inside the DD overlay, to match those incentives that created the living downtown, the arts incentives, to the high density areas as currently identified on the comp plan. We're not exceeding those, so --

CHAIRMAN HOOD: So I guess, for me, when I look at areas that expand, like Capitol
Hill as far as, or used to expand -- I don't know if it's still expanding or not, whose authority is it? Who has the authority to expand downtown?

Is it Office of Planning? Who is it?

MS. STEINGASSER: Well, I'm not sure that it requires an authority as much as it's an organic process, that offices, as there's no more space in what we consider the traditional K and Connecticut, start to move into areas like NoMa.

You know, NoMa sat vacant and scary for many, many years, until the market organically went there because that's where the density.

So we've identified areas through the DD in the early 90s as part, as being receiving zones for density from the downtown. So that created kind of a ring of high density areas.

And now we're proposing, through
this zoning, which is reflective of our comp plan, to connect those, basically, to fill in those.

CHAIRMAN HOOD: Okay. Let me just say this. I do want us to try to engage AAA. I think you all are committed to doing that.

MS. STEINGASSER: We're happy to --

CHAIRMAN HOOD: Well, you know, I'm not going to just say AAA. Have we engaged AAA? Because some people have. I don't know what the other folks, or like, Allstate has a plan.

So have we engaged people like that in the conversation? Because it's very -- even though some of my colleagues had some concern about presentation, but I think it's important that they be engaged in the discussion.

Because, you know, one of the points he made that was a concern to me is people coming into the city, which then puts another burden on those of us who are in the city.

MS. STEINGASSER: Absolutely. You know, we're happy to receive whatever data we can
get from AAA. We've been to their website. That's where we got the figures that we provided to the commission on the cost of owning an automobile.

So we're very interested in dealing with whatever data they want to provide to us, that can help us or lend a factual credibility to what we're doing.

CHAIRMAN HOOD: Okay. I just want to put in, my last question is, the parking data, this whole discussion about parking spaces.

Do we know that -- well, I know that the accomplishments we're trying to do is improve housing affordability, reduce the government costs, and encourage use of public transportation.

I specifically know, when you have a problem parking you definitely encourage use of public transportation. But does parking -- I didn't really understand or get where parking -- my time is up, and I'm going to be obedient to my own rules, and I'll ask that on the next
round. Okay, Mr. Turnbull.

COMMISSIONER TURNBULL: Okay, Mr. Chair. I just wanted to add, although I complimented the Office of Planning at the beginning, I was remiss in mentioning the Office of Zoning, and the three amigos at the end of the day is Mr. Rogers, Mr. Henson and Mr. Zimbabwe.

So I want to thank you gentlemen, too, for all your work, and your staff. First thing, getting back to RPP for a minute, it was, I think it was on a PUD, it was established -- I don't know if Mr. Henson said it, but there's no RPP for a building on a commercial street, that what we defined as a commercial street. Was that it?

MR. ZIMBABWE: Typically, so there are eligibility requirements, and if a street is non-residential at all, then it would not generally qualify for a --

COMMISSIONER TURNBULL: So any street, like in the back, behind it, they're not eligible for it, or?
MR. ZIMBABWE: Yes.

COMMISSIONER TURNBULL: Okay. On the car-sharing, and we had a representative, I forget the gentleman from Zip Car, but we talked about public and private parking.

And we had some comments about, worried about Zip Car or shared parking spaces in garages where there might be a security concern.

How do you manage giving, I mean, you have -- they have to buy a space in the public space to have a Zip Car.

MR. ZIMBABWE: So we currently have 84 spaces, city wide, that are dedicated on-street parking spaces for car-sharing companies, and there's two vendors right now, there's Zip Car and there's Enterprise.

COMMISSIONER TURNBULL: Right.

MR. ZIMBABWE: Those were established in, I think, 2005, 2006, through a process where we actually went to the ANCs, got resolutions in support of dedicating those
spaces.

Most cases we would take out a meter. They're generally not on residential streets. We still have a process where those companies can come to us with other additional spaces, where we would look and see if it's viable.

They would get an ANC resolution in support and we could dedicate another space, you know, if it's agreeable to the community to an on-street reserved car-sharing space.

Otherwise, we're sort of not -- beyond those 84, we don't feel the need. You know, we see a lot of car-sharing being provided in off-street spaces.

We don't feel the need to expand the public space unless those, it's viable and the community supports it.

COMMISSIONER TURNBULL: Okay. So you have a process where a company comes before you, you go to the ANC or the neighborhood and then it's vetted and you approve it or whatever?

MR. ZIMBABWE: Exactly.
COMMISSIONER TURNBULL: Okay. I didn't have an issue with the drive-throughs per se except, well I'm thinking of fast food for one thing, but I worry about banks. Some areas of the city, a drive-through for a bank or something might be a valuable asset to the neighborhood.

So I don't know whether there should be a special exception in certain areas for like a bank or certain -- that's the only thing where I see is where it's a convenient, I mean, I love pulling up to an ATM and getting my money. But that's just me.

COMMISSIONER MAY: You know, it's very easy to pull up to them on a bicycle, too. Just saying.

COMMISSIONER TURNBULL: I'll have to -- well, I walk a lot, and I do it by walking a lot, more. I haven't done it by bike yet, though.

The other thing, and I think I mentioned this off line about, we had a Mr. O'Looney from Torti Gallas came, and he was
talking about the architectural embellishments.

And I went back. I'm still looking at this picture that he showed, and the one building down the street looked like the pergolas could have been built as a matter of right, and that's not an issue.

The pergola in the middle, if that was PUD, I can see how that could be approved. The ugly thing at the corner with the, what I would call the, it looks like the washing rack that you put out in your back yard, and from the 1950s, I don't know how that got approved.

But anyways, there was a thing about going above the height act, going above the building height. And we -- so I think you were going to look at that.

And I'm -- and normally, on a PUD, we've actually acquiesced on some of those issues where we have a main feature on a corner or whatever.

MS. STEINGASSER: We'll certainly look at that further, and talk with Mr. O'Looney.
about what this was.

    COMMISSIONER TURNBULL: I don't know what his concern was, yes. I mean, I think it's there. The flexibility is there, but --

    COMMISSIONER MILLER: Okay, thank you, Mr. Chairman. Back to the IZ, when you look -- are you, when, as part of your review, are you -- I assume you're reviewing whether the current IZ-excluded zones, whether they still make sense.

    I mean, in some cases, it's because -- they're excluded because you can't get any additional density because it's at the maximum density. And I think that was used in the, that's in some of downtown, that's in some of, it's NoMa and maybe Capitol Gateway.

    But we had a Capitol Gateway case where I was looking into the regulations recently, and there was actually a 1.0 FAR that was a discretionary on the part of the Zoning Commission, if it met certain criteria.

    And it just seemed to me if, wherever
there's additional density that's obtained, that's going to be discretionary, it seems that we should be looking at whether the -- that zone, if it doesn't currently have IZ applied to it, we should consider applying it to.

I think Mr. Cochran gave his testimony -- and the downtown, we heard the expanded downtown, that 5 of the 11, or 6 of the 11 zones, of D zones do have inclusionary zoning applied.

MS. STEINGASSER: They do. We found what the confusion was, was a typo. We had cut and pasted some sections, and the word not got left in.

COMMISSIONER MILLER: Not. I did count it nine --

MS. STEINGASSER: Exactly.

COMMISSIONER MILLER: I did count nine of them, nine of the eleven.

MS. STEINGASSER: And we have taken that out.

COMMISSIONER MILLER: But it's
actually, they do apply in that, about half of the zones.

MS. STEINGASSER: At least five.

COMMISSIONER MILLER: Five.

MR. COCHRAN: Excuse me, record. Steve Cochran, OP. It applies in all areas where IZ now applies. We didn't take any zones to which IZ applies out of these IZ applications area.

But it does not apply in the TDR receiving zones, which do comprise a fairly hefty chunk of the expanded area of downtown, and that's simply because within the heights and the densities that are now within those zones, which we didn't increase, you simply can't accommodate any more density after you take into account the receipt of the TDRs.

COMMISSIONER MILLER: Thanks.

MR. COCHRAN: And the same basically applies to the C4. Again, they're just bulk limitations.

COMMISSIONER MILLER: But it would
be useful to see where, the chart where it is excluded and why, and whether it would still make sense.

MS. STEINGASSER: That would be very easy to provide.

COMMISSIONER MILLER: I don't know if this is Subtitle C or -- the Consortium of Universities had a number of issues, and some of them are in Subtitle C. Some of them are, might be Subtitle 10.

But one of their biggest ones -- I don't know where it was, the interior private roads, they were concerned about, that they were, the current draft regulations require interior private roads on a campus that serve as access to buildings for circulation be excluded from FAR calculations.

And they said this is a significant departure from existing practice and it would deprive universities of their existing density rights. You may have addressed this in a previous hearing.
MS. STEINGASSER: At the -- yes.

Sometime last week or the week before, it did come up, and the Commission was comfortable with extending that exclusion to them. So we will be taking them out of that definition.

COMMISSIONER MILLER: Okay. And one of their Subtitle C issues was being able to permit accessory uses on college and university campus, even if the accessory use is not permitted in the underlying zone, so long as the use is determined to be incidental and subordinate to the principal use. Is that it?

MS. STEINGASSER: Yes. We are -- what we've done there is we've proposed a limit on how much, and some evidence, that they have to provide some evidence on how, what the nexus is.

But I think there was some concern that they raised about our proposal, that it be internal to the campus. They brought up George Washington specifically.

That's actually a very external,
urban university that addresses the street. So we're going to make sure that we cover that concern.

COMMISSIONER MILLER: Okay. So it was a week ago that we had testimony from folks in neighborhoods that said that Capital Bikeshare runs out of bikes at 14th and R, and 16th and T.

How quickly does it take for you all to -- it's only been one week since --

MR. ZIMBABWE: Yes, exactly.

COMMISSIONER MILLER: You knew about that already.

MR. ZIMBABWE: So, you know, we can no longer say that we have the largest bike-share program in the country, but we still like to say we have the most successful. And that sometimes means that there is scarcity.

So -- and we're constantly looking for places to expand and add stations. Some of the -- so we always look to balance station, adding new stations and new capacity to stations
towards, like near downtown and, you know, in
dense neighborhoods with farther outlying
neighborhoods to provide more access.

Right now there's a four to six month
lead time on ordering stations, not that -- you
know, we've got orders in. We've got stations
that we're continuing to expand. But it is a
little bit of a supply chain issue.

So we also do, we have a
crowd-sourcing map that's part of the Capital
Bikeshare website, where we ask for those types
of input.

And we sort of gather, not just from
individual testimony but from the whole
universe, places to continue to look to expand.
But I noted those, and we'll work on those, too.

CHAIRMAN HOOD: Vice Chair?

VICE CHAIR COHEN: I think we're
making this a bit more broad, but I just think
it'd be helpful for us to have -- I'm sorry, for
OP to develop a roadmap, because there was a lot
of Georgetown envy.
People really wanted, or seemed to want what Georgetown has. And so if a roadmap of how they can, you know, move ahead, because a lot of the responsibility is on their shoulders, and I think that it would be helpful.

And then I want to speak on behalf of the four-legged residents of the District of Columbia. I know they didn't get out here to testify, but again, we need some workable veterinarian space that has boarding for overnight guests.

And there are, again, there are ways of dealing with noise and waste.

CHAIRMAN HOOD: Okay, Commissioner May?

COMMISSIONER MAY: Okay, so picking up where we left off, the -- ultimately we're going to have to come to some piece, I guess, about how we believe spillover parking issues are going to be addressed.

And, you know, given that the plan is not, you know, we don't really have everything
figured out yet. You don't have everything figured out yet.

And it's not just a zoning issue, per se. It's going to be how zoning meshes with DDOT policies. You know, at the very least, I do think we need the sort of list of tools under consideration.

And some of it are things that are specific to, you know, how you handle the parking itself. But some of it is also how RPP is handled, even within the zoning code.

I mean, so is there, you know -- and this probably goes beyond the zoning code but, you know, are there buildings of a certain size that simply should not be -- you know, if you build a building of a certain size, should it be automatically excluded from RPP?

And I would think that there is an argument that it could be, or should be. You know, as much as we want to say that the market is going to decide, there are always going to be bad players who are just going to throw up a
building and rent it out, and not care about how people park.

You know, I'm not worried about the big, big buildings, because those are generally done by developers who are, you know, who really have a concern about customer service.

But some are thrown up by people who just want to throw them up and make some money and then maybe sell them off or something like that. So I think we need to be, have a coherent plan for that.

So I'm interested in the, sort of, the zoning tools that are available to us, and also then how that is complemented by what DDOT has under consideration, whether or not it's, you know, no matter what the process is to get those, active council or what have you.

It would also be very helpful to me -- and maybe you've already produced this and it's a matter of pointing me to it. But I have a very thick file now and have not memorized everything.
I have a thick file under that, and then there's the, you know, then there are the regs themselves. A chart that compares the existing parking requirements by the existing zones to, you know, how, you know, existing zone, new zone, parking, in the various forms, something simple like that.

I hate to keep making you sort of produce these kind of crosswalks, but --

MS. STEINGASSER: We have that.

COMMISSIONER MAY: You have?

Good.

MS. STEINGASSER: We've already done that.

COMMISSIONER MAY: Excellent. Did you -- do I have it?

MS. STEINGASSER: No, you don't.

COMMISSIONER MAY: Okay, good. Well that would be great to have. I love asking for things you already have. Speaking of which, I need a color copy of the maps that are on your report that we received.
I got a black and white, and it looks like you have the best walk scores in the middle of the Potomac, so I don't think that's correct. It's -- I know it's the opposite. But you can't tell the difference between a dark green and a dark red, so, because they're both gray.

MR. LAWSON: We actually handed out separate copies that are 11 by 17 --

COMMISSIONER MAY: Oh good. So we already have that in the other submissions.

(Simultaneous speaking)

MR. LAWSON: -- have that in your package, we'd be happy to distribute it again if you like.

COMMISSIONER MAY: That's even better. Not only do you have it, I have it. It's --

MR. LAWSON: Yes, the bigger size. You can actually --

COMMISSIONER MAY: This is just great. Okay, so the -- two things about bikes.
First of all, there's a new bike-share station in East Potomac Park by the tennis courts, not too far from my office.

So if you have meetings at my office, now you can come by bike-share. It's just, you know, you've got to walk the equivalent of like, two blocks but, you know, it's a really great thing.

We're very happy to have it there. I hope it becomes very busy like the other ones that we have in Parkland. And we're hoping to have more in other locations.

Second thing about bike parking racks, generally speaking, they're 30 inches apart? Like the ones out front, they're 30 inches apart? Yes. I mean, because you put those -- not you, but Jim Sebastian had those put in, I think before you were --

MR. ZIMBABWE: That was before me.

COMMISSIONER MAY: But, because I think that's probably fairly workable. I mean, the only place where I really have problems with
the racks being too close together was that zoo
over at Union Station when -- I don't know if it's
still there anymore, but it used to be hell
parking in that big field of bike parking.

And the last thing is, what is this?
We got this tonight. Is somebody going to walk
us through it?

MS. STEINGASSER: We can do that
right now.

COMMISSIONER MAY: Oh excellent.

MS. STEINGASSER: We supplied this
as a way, in anticipation that you might ask some
questions about the parking and how it's
distributed.

And we wanted you to see that most
of the city has parking requirements and will
continue to have parking requirements. So on
the first page it's low-density zones parking.

And this is what we currently have
is the R1A, the R1B and the R2, the R3 and the
R4. And all of that area in yellow has a one
parking space per dwelling unit or one parking
space per row house.

That's not changing. It's what's been on the books since '58 and it's going to continue to stay on the books. So as you can see, people who have parking are going to keep their parking.

And that was really, it was a concern to us because there was so much fear being generated that people were going to lose parking, that the elderly would lose their parking and would be roaming the streets, unable to get to their doctors, unable to get groceries, that mothers with six babies would be stuck at a bus stop.

People with parking will have parking. And no one will lose parking. There'll be no penalty for having parking.

You know, so that's what we just wanted to show, that the overwhelming majority of the city, in all eight wards, both east and west of the river, will retain the same parking standards that they've enjoyed to this day.
The next map, Map 2 shows low density in the downtown. And this was to show that part, and this is the extended downtown as well as the Capitol Gateway, and the Southeast Federal Center in Orange.

And that shows that, it's the downtown where we're proposing that there be no parking minimum at all. It's not a large part of the city.

It's -- we tried to put the metro on it but you couldn't even see it when we put all the metro lines on it. It is so well served by transit. Every site's within three or four blocks of at least one, if not two, three and four metro stations.

So we wanted to show that, again, in relation to the overwhelming majority of the low-density resident -- low density families, the low density community, it's a very, very small portion of the city.

And everybody who has parking there will continue to have parking. The offices will
continue to have parking. The hospitals, the
grocery stores, everybody who's got parking,
again, will continue to keep that parking.

On the last page, on Map 3 is when
we put it all together. Those orange areas is
what we're proposing to be the transit parking
reductions.

And within those -- what'd I call it?
Orange. In the purple -- sorry, too many Ps in
that sentence, in the purple areas, those are the
transit areas that we're proposing only a 50
percent reduction.

And so that's the real universe of
impact, are those small areas. And that
includes -- that's where this concern over
spillover would happen.

And we've looked very closely at
areas within that, who has alleys. You know,
there's a lot of talk of people who park on their
street.

We've been pretty extensive in our
mapping in these areas. Most of the residential
areas that would be affected -- first of all, none of the low-density would be affected.

    So if they're low-density, they would not be eligible to be purple. But they have alley access or they have parking of some sort on their lot, either through an existing garage or a driveway or an alley.

    So we just felt it was important to put these things in perspective so you could see the relationship of who has parking, who's going to keep parking.

    You know, none of the parking proposals remove someone's parking. And we just felt that was really important and that we needed to kind of walk through how these three pieces put together.

    The orange is the by-right, no parking. The downtown, as you can see, it's small. The purple is where we're proposing a 50 percent reduction, and then the yellow would maintain its current status.

    On the back, it just shows the
ownership trend changes over the last five years, that this is the data that people were talking about, so we thought well, well let's put it in a graph form.

We're just trying to anticipate some of the questions and how you might want to see that data.

MR. LAWSON: And I would just note, for the sake of people in the audience who may be watching, we've uploaded these maps onto the IZIS system already, so those are all available for people to view.

CHAIRMAN HOOD: Okay. Thank you all for this update. And that was going to be my first question, Mr. Lawson. Sometimes if you just wait, your question will be answered.

Okay, great. I think this was very helpful. I may ask that Page 3 be larger so I can see the exact, see a little more specifics of Page 3. I'm really interested in Page 3.

MS. STEINGASSER: We'll get you that page.
CHAIRMAN HOOD: And on -- because it makes sense, starting to come together, but I just want to see it from like, the aerial view, if we can get that. Okay.

MR. LAWSON: We can absolutely supply that. We have given you a larger size map --

CHAIRMAN HOOD: You have?

MR. LAWSON: -- of a similar map, the map that shows low-density areas and kind of the different kinds of uses as well as areas that would be eligible for the 50 percent reduction.

This is kind of an easier map to read, so we'd be happy to supply that as well.

CHAIRMAN HOOD: But if I already have it, no sense to --

MR. LAWSON: This is an easier one to read, so we'll definitely supply that, too.

CHAIRMAN HOOD: Okay. All right, let me go back to my question. I was going to ask about parking and construction costs. I heard a lot of parking and construction.
And again, as I stated, I know that the, to help parking, data helps to improve -- what's been implicated in the data that we've been given, improve housing affordability, reduce development costs, encourage use of public transportation.

Do we know that parking is linked to costs? And I heard this at one of the nights that we did this. Do we know that this is linked to the cost of construction?

And if we do, you may have already provided that data, but do we know that that's actually a true statement, or is that something that we believe?

Or are the developers telling us this? Or who's telling us this, or where did we get it from?

MS. TREGONING: You mean what data do we have on the cost to construct a parking space?

CHAIRMAN HOOD: A parking space.

Do we have the data on how parking is affecting
MS. TREGONING: Yes. I mean, we have a lot of data, and we've heard a lot of testimony from various people about the cost of parking, and the deeper you go for additional levels of parking, how expensive it is.

And as you know, much of our city is along the river, and so we're actually in the water table, right, of adjacent water bodies. It becomes really, really expensive.

But yes, we definitely have data on the range of parking costs.

CHAIRMAN HOOD: I've heard the discussion, and it may be in this file. I probably saw it. You probably have already provided it to us. But that was one of the things I've heard.

Actually, the way I perceived it -- I guess that's why there's five of us, is that what I've heard, I've heard both sides of it. And I was just trying to finalize and figure exactly out, where is it coming from.
Because I hear -- you hear one side of a story. They say have a need. The other side of the story is saying that they're not tied together.

So I'm just trying to figure out, where do we get our data from? And do we have anything for the file to substantiate it? If we already have it, then I'll just go and see it, if we've already had it. If we don't, can we supply it?

MS. TREGONING: I mean, we can give you an exhaustive amount of information about the construction costs for parking spaces, depending on whether they're below grade, above-grade structured or surface.

And a lot of the testimony I personally heard, for the two days that you've had witness testimony, we also got a lot of data from developers and from others who were very specific, so we can try to compile that for you.

CHAIRMAN HOOD: Okay. I know, I remember the other night, and I know we had two
or three developers who said that, but then I've also heard the other side of the argument. Okay.

VICE CHAIR COHEN: Can I just add something?

CHAIRMAN HOOD: Yes, my time. I didn't interrupt you.

VICE CHAIR COHEN: I just --

CHAIRMAN HOOD: But I'm a nice guy, so I'm going to let you do it.

VICE CHAIR COHEN: You are a nice guy, and I'll give you my, a minute.

CHAIRMAN HOOD: That's why you're doing it, because I'm a nice guy.

VICE CHAIR COHEN: Absolutely. And I think that when I say this, you'll even feel more comfortable and sleep well tonight.

CHAIRMAN HOOD: You're going to help her answer my question?

VICE CHAIR COHEN: Yes.

CHAIRMAN HOOD: Because I didn't want you to -- because that way we can argue later
VICE CHAIR COHEN: Oh, okay.

CHAIRMAN HOOD: But go ahead.

VICE CHAIR COHEN: No, I just wanted to tell, you know, mention that for 20 years I did finance housing throughout the country, much of it affordable housing.

And I have witnessed it in pro formas, it really does impact the cost of housing and the affordability. So I think that should help you sleep tonight.

CHAIRMAN HOOD: I was probably going to sleep anyway. But thank you, Vice Chair, appreciate it. That's really all I have, but I want to go back -- any other questions? Do we need to do another round?

VICE CHAIR COHEN: No.

CHAIRMAN HOOD: Okay, thank you. I really want to say that this has -- I know this has been a major undertaking, and I know that we may not all agree.

But one of the things that's really
starting to give me a comfort level is the, being tailored to the different neighborhoods. I think when we started off I heard that, and I'm still hearing that again. So that's giving me some ease.

But one of the things I will ask -- I did have two minutes, so I will continue my two minutes, one of the things I will ask, though, and I had asked Ms. Steingasser, and Ms. Tregoning, I'd say it's why you're here.

First thing I want to say is everything we've asked Ms. Steingasser and her team to do, they have done it. And that's very appreciative.

And I will tell you, I've let the Mayor know that. I appreciate that. It means a lot to us, because a lot of times it can be frustrating.

You work hard on something and you get beat up all the time by everybody, including us. But it gets frustrating, but I appreciate the way you all have, your stick-to-it-ness, the
way you all have helped us.

Because at the end of the day, for me, it's about trying to find a balance, and I'm sure my colleagues feel the same way. So I appreciate the Office of Planning as well as the Office of Zoning.

I think we have a Planning Director who's well respected by her peers. I think we have a Director of the Office of Zoning who's well respected by her peers.

And I've had the opportunity to hire three directors in the Office of Zoning, and I can tell you, the third time was the charm. The third time was definitely the charm.

The second was great, but the third time was definitely the charm. I didn't -- you know, any time you make a decision, you get beat up more.

I know that. I've been there, I've done that. So I just want to thank everybody, especially the audience, those who came down, the citizens who live there.
Because at the end of the day -- what
does concern me, though is that when it's all
said and done -- and I'm saying this for some of
the folks that I see in the store, that may run
around with me.

And they say, Hood, you all are
really messing up the city, especially about
Brookland when it's the height. But, you know,
it took me some time to get used to it. I like
it now, the lofts and stuff at Brookland.

So I'm saying, you know, and that's
why I want to make sure we do the best we can in
balancing this, because some of my friends don't
come down here.

They won't know I'm saying this
about it because they don't watch this. They
don't come down here. What they're going to say
is Anthony Hood, you all have really messed the
city up.

And actually we haven't. What
we've done, I think, is improved our getting
around and trying to balance it. So enough
said, and now I'm not going to lecture.

Stay tuned. Let's continue to work hard at it. Anybody have anything else? And again, thank everyone who participated, Office of Zoning, Office of Planning, DDOT.

DDOT, let me say, DDOT, we're going to come back to RPP, because we're going to definitely get on that. Because guess what, we've heard something totally different on that RPP, about how people can apply later on.

So, and Mr. Henson knows. He's working on that. We'll just give him a little more time. Okay, but you had something you wanted to say?

MS. TREGONING: I did, just very briefly. I just wanted to express my appreciation to the Office of Zoning and the staff, and particularly to the Zoning Commission.

I think you've been exceedingly thoughtful and deliberate. You've hung in there for -- it's been five years that we've been
talking about zoning.

Clearly, if it was easy to do, someone else would have done it, right? So it's a big, difficult undertaking, and we really appreciate the leadership that you've shown, and truly how thoughtful and very deliberate and fair you've been in every way.

And I think, you know, we're not doing this together on a lark. We're doing the things that we think are necessary to make our city successful in the future.

This is what planning is, you know. It's about looking to where we're headed, and making sure that we deliver a built environment that will help us have the city that we aspire to be, inclusive, affordable, economically healthy and sustainable. Thank you.

CHAIRMAN HOOD: Director Bardin, you have anything? Let me say this. I made a mistake. The first time was great. The third time was the charm. The second time, I won't comment. Okay, I messed up. I don't want, I'm
going to make sure it gets right.

DIRECTOR BARDIN: No, I just want to also thank the Office of Planning. We've been working really hard on these new regs, and I look forward, in the next couple of months, to move forward.

And we are here to help you in any way to get this out to the public. Thank you.

CHAIRMAN HOOD: With that, do we -- make other comments? Okay, with that -- oh, I want to thank the court reporter. Who else do we need to thank? We want to thank the court reporter.

All right, with that, I want to thank everybody. We appreciate everything. This hearing is adjourned.

(Whereupon, the meeting in the above-entitled matter was concluded at 7:30 p.m.)