

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

+ + + + +

ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

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

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

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

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.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

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. Jennifer 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

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 like to start off with -- Mr. Turnbull? Okay,
2 thanks.

3 COMMISSIONER TURNBULL: Sure. Let
4 me scramble through my notes here. Going back
5 --

6 CHAIRMAN HOOD: Let me -- I'm sorry
7 for -- let's, you want to start off with
8 10-minute rounds or 12-minute rounds.

9 COMMISSIONER TURNBULL: Sure. Ten
10 is fine.

11 CHAIRMAN HOOD: Okay, thanks.

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

15 CHAIRMAN HOOD: Okay, that's fine.

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

20 I think in spite of some of the
21 comments about not being, communicating with
22 everyone, I think you've done a very tremendous

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 job, and I want to, I appreciate it very much what
2 you've done.

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

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

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

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

20 COMMISSIONER TURNBULL: Oh, okay.

21 MS. STEINGASSER: So at that point
22 we said, let's just wrap it into the zoning

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 rewrite and deal with it then. But we have no
2 problem if the Commission, especially those of
3 you with landscape experience, are comfortable
4 with that recommendation. We find it very
5 credible.

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

9 MS. STEINGASSER: Yes. We would go
10 --

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

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

20 MS. STEINGASSER: We have --

21 COMMISSIONER TURNBULL: I think
22 you've talked about this before. I think it

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 overlapped in some other sessions too, but --

2 MS. STEINGASSER: Yes sir, it did.

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

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

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

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

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 with it.

2 COMMISSIONER TURNBULL: Right.

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

8 COMMISSIONER TURNBULL: Yes.

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

14 COMMISSIONER TURNBULL: Yes.

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

20 COMMISSIONER TURNBULL: I know it's
21 tough to get the metrics to work across the
22 board. And I think part of the problem is we do

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 have some areas that may have more issues than
2 others on this, so okay.

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

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

11 MS. STEINGASSER: Yes, sir.

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

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

21 COMMISSIONER TURNBULL: Okay.

22 MS. STEINGASSER: We think they are

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 so complex and they require enough attention,
2 that to wrap them into --

3 COMMISSIONER TURNBULL: Right,
4 yes.

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

9 COMMISSIONER TURNBULL: Now, there
10 was kind of two categories with that. There was
11 the definition of what's included, whether it's
12 80 percent or whatever, and then it was -- I just
13 lost my train of thought.

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

17 COMMISSIONER TURNBULL: Yes.

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

21 COMMISSIONER TURNBULL: Yes. You
22 know, whether it's 8 to 10 percent, though a lot

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 of people were saying, oh maybe it's 18 to 20,
2 which I don't know if that's really feasible as
3 a blanket number, but it's something to -- and
4 I don't know how we adjust that, and maybe that's
5 something you're going to be looking at.

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

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

15 COMMISSIONER TURNBULL: Yes, okay.

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

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

22 COMMISSIONER TURNBULL: Right.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

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

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

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

19 And I, there was 11 -- we have two
20 councilmembers' letters that say that we really
21 need more specific data related to the city.
22 Your comments on that?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 MS. TREGONING: Well we have data.
2 I mean, we rely on census data for a lot of, you
3 know, of our conclusions about the way the city
4 is trending, in terms of car ownership and car
5 use.

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

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

18 So that, you know, we used to be a
19 city where you were a driver or you did something
20 else. So many people in the city now, sometimes
21 drive, sometimes bike, sometimes walk,
22 sometimes take transit.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 And it means they have much, much
2 lower transportation expenses. They have much
3 more flexibility in hard times. It's a, you
4 know, in that sense, you know, many, you know,
5 everyone's sort of multi-modal. It's just a
6 question of how often they use different modes.

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

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

20 For larger developments, we've
21 looked at all of our BZA cases, where those are,
22 what the level of parking relief was that they

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 asked for, what the size of the property is, why
2 the relief was needed, and why in pretty much
3 every case, that relief was granted by the BZA.

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

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

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

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

22 And I think it was Cleveland Park

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 that had some issues with parking in their
2 neighborhood, that they felt that without any,
3 some kind of guidance on getting some more
4 parking or just getting rid of it, they were
5 afraid they were just going to, it's going to be
6 saturated and they're going to have serious
7 problems.

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

11 CHAIRMAN HOOD: Thank you.
12 Commissioner Miller?

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

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

21 So on this -- back to the
22 councilmembers' letters, which Cheh and Evan's

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 letters, they talked about the D.C.-based data,
2 but they also talked about this comprehensive
3 parking management plan that DDOT's been doing
4 forever. What's the status of that?

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

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

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

19 You know, we've -- I like to look
20 back at history, and so two things. I think one
21 is that the residential parking permit program
22 was established in the District, 1974.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 About ten months after the District
2 got home rule we established a residential
3 permit parking system, which is basically the
4 same as it is, was the same then as it is today.
5 Not much has changed in 40 years.

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

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

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

20 Where we are specifically, you know,
21 we've been doing a lot of the same type of work
22 that the Office of Planning did in developing the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 parking recommendations that we're discussing,
2 looking at how other cities are dealing with
3 their curbside management issues, looking at how
4 our own policies relate to those of others in the
5 region and others nationally, and sort of best
6 practices.

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

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

18 And that'll depend a little bit on
19 what the feedback is to some of our ideas, some
20 of which, I think, will generate some of the same
21 types of input on both sides, that you've heard
22 for the past few nights of hearings on this

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 issue. I don't know if that answered your
2 question.

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

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

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

16 MR. ZIMBABWE: Right. And I think
17 that that's where there's some relationship, and
18 then there's some non-relationship, or there's
19 sort of, there's a lot of complexity and
20 challenges in thinking about how off-street
21 parking and on-street parking in our current
22 programs work.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 So right now, as you're probably
2 aware, you know, if you qualify for a residential
3 parking permit, which is done on a
4 block-by-block basis.

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

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

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

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

21 MR. ZIMBABWE: We have done them by
22 ANC now, on the visitor parking passes. And it

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 works okay. I mean, the --

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

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

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

13 So, and I think the same type of
14 thing, as we try to introduce more market-based
15 pricing or demand-responsive parking to --
16 pricing to the curbside, we get some of the same
17 issues that, I think, you've heard and dealt
18 with, in terms of who gets to access that
19 curbside, and what that means about, sort of,
20 who's allowed to park in certain places in the
21 District and what that means about the District
22 as a whole, so.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 COMMISSIONER MILLER: Thank you.
2 While I've got you, or while I've got DDOT, we
3 heard some testimony about increasing the car-
4 sharing requirement, where parking spaces are,
5 you know, I think 50 to 149 is one minimum, 150
6 to 249 spaces, you get, have to, two minimum to
7 park there.

8 Are you looking at that, or --

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

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

18 COMMISSIONER MILLER: Okay. And
19 one issue of parking at the -- but the issue that
20 Commissioner Turnbull brought up, Ms.
21 Steingasser, we talked about this before, and
22 you said you're going to be working with

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Independent Education, which I -- because
2 they're doing analysis.

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

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

14 But isn't there an issue that it's
15 not defined at all right now, the -- or somehow
16 left out the income, the affordability levels?
17 I thought it was --

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

21 COMMISSIONER MILLER: Yes.

22 MS. STEINGASSER: That'll all be

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 cleared up within the context of the current
2 code. So that will then translate into the new
3 -- should we get --

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

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

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

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

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

22 You know, there's always a trade-off

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 between the space between racks and the number
2 of racks that are able to be fit in a given area.
3 We feel like 30 inches provides that right
4 balance.

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

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

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

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

20 VICE CHAIR COHEN: Actually, I was
21 hoping that I would go last, and I can say all
22 of my items have been taken care of. But I too

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 want to commend the Office of Planning for the
2 work that they put into this effort.

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

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

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

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

21 And everybody in the city who
22 doesn't have a car is actually subsidizing that.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 And therefore, again, I urge DDOT to evaluate
2 that issue.

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

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

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

19 And we have to take that into
20 consideration, like the cost of land and the cost
21 of subsidy needed to provide these units in
22 today's economic market.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 I was -- again, there is an
2 impressive amount of individuals who are
3 utilizing multiple forms of transit. And
4 again, the bike issue and more bike parking, I
5 think, is very important.

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

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

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

21 Accessory apartments, I think I
22 earlier stated that I think the size that's being

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 required to permit accessory apartments may make
2 a number of them, in certain neighborhoods,
3 illegal.

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

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

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

19 As far as -- one of the things I
20 wanted to also mention is, I believe the issue
21 and the arguments over data, I mean, I think the
22 Office of Planning has given us a consistent

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 reference to the American Community Survey.

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

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

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

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

18 And I think that maybe if it's under
19 the jurisdiction of the Health Department or
20 whomever, you know, they need to get out there
21 more often and make sure that produce is not aged
22 and, you know, things that are being sold are

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 dated, if we decide to move forward on corner
2 groceries.

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

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

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

17 Oh, and I have, on frequent
18 occasions, talked about encouraging art, and not
19 to be necessarily meeting a requirement by
20 hanging a few paintings in a lobby. That just
21 really doesn't make a vital or vibrant or
22 aesthetic statement.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Many cities, there are best
2 practices of cities that promote and encourage
3 and probably subsidize. I don't know if we're
4 working with the Department of Arts and
5 Humanities or -- I mean Commission of Arts and
6 Humanities on that issue.

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

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

16 CHAIRMAN HOOD: Okay.
17 Commissioner May?

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

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 it all.

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

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

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

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

21 I have a whole lot of comments, like
22 I do on the other sections, that I will be

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 submitting some in writing. Some of them are
2 just sort of simple, you know, question and
3 response sorts of things, and those things will
4 be in the record.

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

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

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

21 And the existing is an historic
22 building, and so we're never, we're always going

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 to wind up seeing that extra penthouse. Do we
2 deal with that circumstance somehow? I don't
3 recall.

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

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

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

11 MS. STEINGASSER: We'll need to --

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

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

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

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 regulation rewrite.

2 So is that just not caught up
3 entirely yet?

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

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

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

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

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

20 VICE CHAIR COHEN: Scratch
21 drive-throughs?

22 COMMISSIONER MAY: Yes.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 VICE CHAIR COHEN: I would be for
2 that.

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

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

11 COMMISSIONER MAY: Right.

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

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

21 And I'm not sure that that should be
22 universally permitted, that there might be some

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 sort of control over that, because most of those
2 parking, you know, trash receptacles should be
3 handled out of alleys that are serviceable by
4 DPW.

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

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

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

22 I think some people just put them in

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 the front yard because it's easier. And so I'm
2 not sure what the right solution is there, but
3 it's just some -- it's one of those picky little
4 things. And I'm just always full of picky
5 little things.

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

8 COMMISSIONER MAY: 2107.3.

9 MS. STEINGASSER: Got it.

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

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

19 I did have one particular question,
20 which is that I wonder whether the differential
21 between the 8 percent and the 10 percent
22 requirement, which is based on the type of

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 construction, is that incentivizing the wrong
2 solutions in some cases? Is that something that
3 we need to look at?

4 MS. STEINGASSER: Yes it is.

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

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

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

22 And I have also been regularly

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 raising the issue of RPP participation in, you
2 know, large apartments where, you know, there
3 before us is a PUD or even in a BZA case that,
4 you know, we need to make sure that if you build
5 a large building, that the parking needs are all
6 addressed and that parking on the street does not
7 become an option for residents of those
8 buildings, because that increases the pressure
9 on the buildings.

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

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

20 So you can game the system, and I
21 think people do it. I don't think that's a
22 really huge problem, but it is possible. And I

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 think that we have to be wary about that.

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

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

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

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

21 MR. ZIMBABWE: I'll probably go
22 overtime in responding to all those, but I'll try

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 to keep it quick, and we can come back to it,
2 always.

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

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

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

20 In some ways, actually somewhat
21 paradoxically, if you have a building that
22 provides a lot of parking but is eligible for

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 RPP, even if those people all technically park
2 their cars off-street every night, they're still
3 eligible for RPP and may create more strain on
4 the system than a building that has no parking
5 and has a few people who end up with vehicles that
6 they would enter into the RPP system.

7 So a building that has 300 units with
8 300 parking spaces off-street would have and
9 might end up having 300 vehicles in the RPP
10 program.

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

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

17 MR. ZIMBABWE: Right. So, well
18 sir, there are several answers. And I think,
19 you know, as you said, all of them, most likely
20 all of them will take either council action or
21 some sort of regulatory change, which would
22 require some form of deliberation and perhaps

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 council action at the end of it, too.

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

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

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

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

20 MR. ZIMBABWE: Yes, exactly,
21 exactly.

22 COMMISSIONER MAY: Just kidding,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 just kidding.

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

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

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

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

18 Actually, I think legally, we
19 probably couldn't do that on both sides of the
20 block. We would need to leave some access for
21 people who are not -- on at least one side of the
22 block.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 That's somewhat separate, but
2 that's been the response. But as there's more
3 -- you know, in dense places, the competition may
4 be more with neighbors than it is with
5 non-neighbors, whether they have off-street
6 parking or not.

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

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

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

19 CHAIRMAN HOOD: I too will follow
20 up, administratively, on the RPP issue. But let
21 me go first to Ms. Tregoning. Well let me say
22 this.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 I want to echo the comments of all
2 of my colleagues with the work that Office of
3 Planning has done, as well as the work that the
4 Office of Zoning has done, and more than that,
5 the citizens who participated, whether you
6 agreed, disagreed or in between.

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

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

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

21 MS. TREGONING: I think it is very
22 fair to say that, although I would also go on to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 say when it comes to specific elements, and
2 parking might be one of those, the idea behind
3 the parking proposal is to allow the parking that
4 is provided to be tailored at that time to the
5 conditions in that neighborhood.

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

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

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

21 So anyway, so the data in the letters
22 -- and I don't want be redundant because I don't

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 have but a few minutes, but the letters that the
2 councilmembers had talked about, basically the
3 letters say where is it provided, and do we have
4 it?

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

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

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

20 CHAIRMAN HOOD: That may be
21 helpful.

22 MS. STEINGASSER: -- GIS

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 information we're using for accessory
2 buildings, things like that.

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

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

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

21 So it wasn't to say, oh we're just
22 like this city or that city. In some ways it was

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 to say, we are way ahead of some of these cities
2 in terms of the options that we've offered to
3 people and their uptake of those options, but
4 we're behind a lot of these other cities in terms
5 of what they've done to rationalize the parking
6 requirements.

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

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

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

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

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 unnecessarily.

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

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

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

19 "If we are serious about affordable
20 housing, let's have a code that allows deeper
21 discounts on housing in exchange for parking."
22 There may be a legality issue, but can I get a

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 response on that statement?

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

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

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

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

19 And some of the things that were
20 requested -- well let me back up. Who's
21 responsible or whose jurisdiction is it to
22 expand downtown? I think that came from Ms. --

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 well, anyway, that's the question I have. Whose
2 jurisdiction is to expand downtown?

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

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

10 There was something that we talked
11 about expanding down, or we increased it, but it
12 wasn't West End. It was with the Committee of
13 100 about how we're expanding downtown.

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

21 CHAIRMAN HOOD: So I guess, for me,
22 when I look at areas that expand, like Capitol

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Hill as far as, or used to expand -- I don't know
2 if it's still expanding or not, whose authority
3 is it? Who has the authority to expand
4 downtown?

5 Is it Office of Planning? Who is
6 it?

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

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

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

22 And now we're proposing, through

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 this zoning, which is reflective of our comp
2 plan, to connect those, basically, to fill in
3 those.

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

7 MS. STEINGASSER: We're happy to --

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

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

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

21 MS. STEINGASSER: Absolutely. You
22 know, we're happy to receive whatever data we can

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 get from AAA. We've been to their website.
2 That's where we got the figures that we provided
3 to the commission on the cost of owning an
4 automobile.

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

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

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

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

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 round. Okay, Mr. Turnbull.

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

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

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

20 COMMISSIONER TURNBULL: So any
21 street, like in the back, behind it, they're not
22 eligible for it, or?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 MR. ZIMBABWE: Yes.

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

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

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

13 MR. ZIMBABWE: So we currently have
14 84 spaces, city wide, that are dedicated
15 on-street parking spaces for car-sharing
16 companies, and there's two vendors right now,
17 there's Zip Car and there's Enterprise.

18 COMMISSIONER TURNBULL: Right.

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

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 spaces.

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

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

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

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

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

22 MR. ZIMBABWE: Exactly.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

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

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

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

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

20 The other thing, and I think I
21 mentioned this off line about, we had a Mr.
22 O'Looney from Torti Gallas came, and he was

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 talking about the architectural embellishments.

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

7 The pergola in the middle, if that
8 was PUD, I can see how that could be approved.
9 The ugly thing at the corner with the, what I
10 would call the, it looks like the washing rack
11 that you put out in your back yard, and from the
12 1950s, I don't know how that got approved.

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

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

21 MS. STEINGASSER: We'll certainly
22 look at that further, and talk with Mr. O'Looney

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 about what this was.

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

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

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

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

22 And it just seemed to me if, wherever

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 there's additional density that's obtained,
2 that's going to be discretionary, it seems that
3 we should be looking at whether the -- that zone,
4 if it doesn't currently have IZ applied to it,
5 we should consider applying it to.

6 I think Mr. Cochran gave his
7 testimony -- and the downtown, we heard the
8 expanded downtown, that 5 of the 11, or 6 of the
9 11 zones, of D zones do have inclusionary zoning
10 applied.

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

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

17 MS. STEINGASSER: Exactly.

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

20 MS. STEINGASSER: And we have taken
21 that out.

22 COMMISSIONER MILLER: But it's

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 actually, they do apply in that, about half of
2 the zones.

3 MS. STEINGASSER: At least five.

4 COMMISSIONER MILLER: Five.

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

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

18 COMMISSIONER MILLER: Thanks.

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

22 COMMISSIONER MILLER: But it would

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 be useful to see where, the chart where it is
2 excluded and why, and whether it would still make
3 sense.

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

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

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

18 And they said this is a significant
19 departure from existing practice and it would
20 deprive universities of their existing density
21 rights. You may have addressed this in a
22 previous hearing.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 MS. STEINGASSER: At the -- yes.
2 Sometime last week or the week before, it did
3 come up, and the Commission was comfortable with
4 extending that exclusion to them. So we will be
5 taking them out of that definition.

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

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

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

22 That's actually a very external,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 urban university that addresses the street. So
2 we're going to make sure that we cover that
3 concern.

4 COMMISSIONER MILLER: Okay. So it
5 was a week ago that we had testimony from folks
6 in neighborhoods that said that Capital
7 Bikeshare runs out of bikes at 14th and R, and
8 16th and T.

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

11 MR. ZIMBABWE: Yes, exactly.

12 COMMISSIONER MILLER: You knew
13 about that already.

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

19 So -- and we're constantly looking
20 for places to expand and add stations. Some of
21 the -- so we always look to balance station,
22 adding new stations and new capacity to stations

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 towards, like near downtown and, you know, in
2 dense neighborhoods with farther outlying
3 neighborhoods to provide more access.

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

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

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

17 CHAIRMAN HOOD: Vice Chair?

18 VICE CHAIR COHEN: I think we're
19 making this a bit more broad, but I just think
20 it'd be helpful for us to have -- I'm sorry, for
21 OP to develop a roadmap, because there was a lot
22 of Georgetown envy.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 People really wanted, or seemed to
2 want what Georgetown has. And so if a roadmap
3 of how they can, you know, move ahead, because
4 a lot of the responsibility is on their
5 shoulders, and I think that it would be helpful.

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

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

14 CHAIRMAN HOOD: Okay, Commissioner
15 May?

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

21 And, you know, given that the plan
22 is not, you know, we don't really have everything

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 figured out yet. You don't have everything
2 figured out yet.

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

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

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

18 And I would think that there is an
19 argument that it could be, or should be. You
20 know, as much as we want to say that the market
21 is going to decide, there are always going to be
22 bad players who are just going to throw up a

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 building and rent it out, and not care about how
2 people park.

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

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

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

18 It would also be very helpful to me
19 -- and maybe you've already produced this and
20 it's a matter of pointing me to it. But I have
21 a very thick file now and have not memorized
22 everything.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 I have a thick file under that, and
2 then there's the, you know, then there are the
3 regs themselves. A chart that compares the
4 existing parking requirements by the existing
5 zones to, you know, how, you know, existing zone,
6 new zone, parking, in the various forms,
7 something simple like that.

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

10 MS. STEINGASSER: We have that.

11 COMMISSIONER MAY: You have?
12 Good.

13 MS. STEINGASSER: We've already
14 done that.

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

17 MS. STEINGASSER: No, you don't.

18 COMMISSIONER MAY: Okay, good.
19 Well that would be great to have. I love asking
20 for things you already have. Speaking of which,
21 I need a color copy of the maps that are on your
22 report that we received.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 I got a black and white, and it looks
2 like you have the best walk scores in the middle
3 of the Potomac, so I don't think that's correct.

4 It's -- I know it's the opposite.
5 But you can't tell the difference between a dark
6 green and a dark red, so, because they're both
7 gray.

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

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

12 (Simultaneous speaking)

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

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

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

21 COMMISSIONER MAY: This is just
22 great. Okay, so the -- two things about bikes.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 First of all, there's a new bike-share station
2 in East Potomac Park by the tennis courts, not
3 too far from my office.

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

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

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

19 MR. ZIMBABWE: That was before me.

20 COMMISSIONER MAY: But, because I
21 think that's probably fairly workable. I mean,
22 the only place where I really have problems with

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 the racks being too close together was that zoo
2 over at Union Station when -- I don't know if it's
3 still there anymore, but it used to be hell
4 parking in that big field of bike parking.

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

8 MS. STEINGASSER: We can do that
9 right now.

10 COMMISSIONER MAY: Oh excellent.

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

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

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

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 space per row house.

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

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

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

18 You know, so that's what we just
19 wanted to show, that the overwhelming majority
20 of the city, in all eight wards, both east and
21 west of the river, will retain the same parking
22 standards that they've enjoyed to this day.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 The next map, Map 2 shows low density
2 in the downtown. And this was to show that part,
3 and this is the extended downtown as well as the
4 Capitol Gateway, and the Southeast Federal
5 Center in Orange.

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

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

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

21 And everybody who has parking there
22 will continue to have parking. The offices will

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 continue to have parking. The hospitals, the
2 grocery stores, everybody who's got parking,
3 again, will continue to keep that parking.

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

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

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

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

21 We've been pretty extensive in our
22 mapping in these areas. Most of the residential

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 areas that would be affected -- first of all,
2 none of the low-density would be affected.

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

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

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

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

22 On the back, it just shows the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 ownership trend changes over the last five
2 years, that this is the data that people were
3 talking about, so we thought well, well let's put
4 it in a graph form.

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

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

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

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

21 MS. STEINGASSER: We'll get you
22 that page.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 CHAIRMAN HOOD: And on -- because it
2 makes sense, starting to come together, but I
3 just want to see it from like, the aerial view,
4 if we can get that. Okay.

5 MR. LAWSON: We can absolutely
6 supply that. We have given you a larger size map
7 --

8 CHAIRMAN HOOD: You have?

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

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

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

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

19 CHAIRMAN HOOD: Okay. All right,
20 let me go back to my question. I was going to
21 ask about parking and construction costs. I
22 heard a lot of parking and construction.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 And again, as I stated, I know that
2 the, to help parking, data helps to improve --
3 what's been implicated in the data that we've
4 been given, improve housing affordability,
5 reduce development costs, encourage use of
6 public transportation.

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

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

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

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

21 CHAIRMAN HOOD: A parking space.
22 Do we have the data on how parking is affecting

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 construction?

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

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

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

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

18 Actually, the way I perceived it --
19 I guess that's why there's five of us, is that
20 what I've heard, I've heard both sides of it.
21 And I was just trying to finalize and figure
22 exactly out, where is it coming from.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Because I hear -- you hear one side
2 of a story. They say have a need. The other
3 side of the story is saying that they're not tied
4 together.

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

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

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

21 CHAIRMAN HOOD: Okay. I know, I
22 remember the other night, and I know we had two

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 or three developers who said that, but then I've
2 also heard the other side of the argument.
3 Okay.

4 VICE CHAIR COHEN: Can I just add
5 something?

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

8 VICE CHAIR COHEN: I just --

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

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

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

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

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

20 VICE CHAIR COHEN: Yes.

21 CHAIRMAN HOOD: Because I didn't
22 want you to -- because that way we can argue later

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 on.

2 VICE CHAIR COHEN: Oh, okay.

3 CHAIRMAN HOOD: But go ahead.

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

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

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

17 VICE CHAIR COHEN: No.

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

22 But one of the things that's really

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 starting to give me a comfort level is the, being
2 tailored to the different neighborhoods. I
3 think when we started off I heard that, and I'm
4 still hearing that again. So that's giving me
5 some ease.

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

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

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

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

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 way you all have helped us.

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

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

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

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

19 I know that. I've been there, I've
20 done that. So I just want to thank everybody,
21 especially the audience, those who came down,
22 the citizens who live there.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Because at the end of the day -- what
2 does concern me, though is that when it's all
3 said and done -- and I'm saying this for some of
4 the folks that I see in the store, that may run
5 around with me.

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

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

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

20 And actually we haven't. What
21 we've done, I think, is improved our getting
22 around and trying to balance it. So enough

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 said, and now I'm not going to lecture.

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

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

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

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

20 I think you've been exceedingly
21 thoughtful and deliberate. You've hung in
22 there for -- it's been five years that we've been

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 talking about zoning.

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

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

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

18 CHAIRMAN HOOD: Director Bardin,
19 you have anything? Let me say this. I made a
20 mistake. The first time was great. The third
21 time was the charm. The second time, I won't
22 comment. Okay, I messed up. I don't want, I'm

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 going to make sure it gets right.

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

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

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

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

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

20
21
22

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1
2
3
4
5

NEAL R. GROSS
COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com