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

ZONING COMMISSION MEMBERS PRESENT:

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

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary
PRESENT (CONT'D)

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Deputy Director,
  Development Review & Historic
  Preservation
BRANDICE ELLIOTT
STEPHEN MORDFIN
JOEL LAWSON
MAXINE BROWN-ROBERTS

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

ALAN BERGSTEIN, ESQ.
JACOB RITTING

The transcript constitutes the
minutes from the Regular meeting held on
December 09, 2013.
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CHAIRMAN HOOD: This meeting would please come to order.

Good evening, ladies and gentlemen. This is the 1,275th meeting of the Zoning Commission, the 22nd of 2013, on Monday, December 9, 2013, at approximately 6:40 p.m.

We're located in the Jerrily R. Kress Memorial Hearing Room.

My name is Anthony Hood. Joining me are Vice Chair Cohen, Commissioners Miller, May and Turnbull. We're also joined by the Office of Zoning staff, Ms. Sharon Schellin; Office of the Attorney General Staff, Mr. Alan Bergstein and Mr. Redding; Office of Planning, Ms. Steingasser and Mr. Lawson, Mr. Mordfin and Ms. Elliott.

Copies of today's meeting agenda are available to you and are located in the bin at the door. We do not take any public testimony at our meetings unless the Commission requests someone to come forward.
Please be advised that this proceeding is being recorded by a court reporter and its also webcast live. Accordingly, we must ask you to refrain from any disruptive noises or actions in the hearing room. Please turn off all beepers and cell phones. Also signs are not permitted.

Does the staff have any preliminary matters?

MS. SCHELLIN: No, sir.

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

Commissioners, first, on the agenda, as has been noted, we'd like to talk about the preliminary matter that I have is that we talk about how we're going to proceed with Zoning Commission Case No. 08-06A, the ZRR next steps. This is per the hearing being scheduled which has been noticed and notifications are going out.

On Thursday, January 30, 2014, the Zoning Commission is taking the show on the road. At 6:00 p.m., we're going to the John A. Wilson Building in Room 412. And that hearing has been
scheduled to hear testimony from the ANCs, and ANCs only.

Any questions on that, Commissioners?

(No audible response.)

CHAIRMAN HOOD: We're all on the same page?

(No audible response.)

CHAIRMAN HOOD: The next thing is also again with our show on the road, we're planning to hold four further hearings in Wards 1 and 2, 3 and 4, 5 and 6 and 7 and 8. These hearings will be held to hear testimony from those who have not already provided testimony before the Commission about the ZRR. Dates for those will be announced in the very near future.

Again, we want to make sure we had a wide representation of who will come down here to testify in front of us. So if we can't get them here, we're going to go to them. And I think the Commission has decided to do that.

Any questions on that or comments?

VICE CHAIR COHEN: No, sir.
CHAIRMAN HOOD: And I will implore those who are watching and those in the audience to make sure you get the word out that the Zoning Commission is going to the Wards -- 1 and 2, 3 and 4, 5 and 6, and 7 and 8.

Any questions?

(Applause.)

COMMISSIONER MILLER: Mr. Chairman, we haven't set the dates yet because I guess we don't have the locations pinned down. But is there a general time frame of when these are going to be? Are we trying to have these hearings in February after the ANC?

CHAIRMAN HOOD: Well, it will be after the ANC January, so we're probably looking at February. I'm hoping we won't get a whole lot of snow. But we're going to make it work.

COMMISSIONER MILLER: Okay.

CHAIRMAN HOOD: Okay?

Any other questions on that?

I think right now the goal is to close the record on March 3 of 2014 in that case. Then
we can change it at any point in time. But that's the goal.

And I think when we looked at the date, March the 1st is on a Friday. But the 3rd is on a Saturday. And we definitely don't want to close it then. And we don't want to do the Friday before that because it gives any additional person more time that we can be able to provide something to the record.

So are we all in agreement?

COMMISSIONER MILLER: This is a goal but not necessarily a decision where we make the decision after the hearings?

CHAIRMAN HOOD: Well, the goal is to set it for March 3rd.

I guess we need to give some -- well, it could change. I mean, the only thing we can do is extend it. I don't think we would shorten it.

COMMISSIONER MILLER: Right.

CHAIRMAN HOOD: Okay. We will definitely not shorten it. We would extend it if
we see we need to as we go along.

COMMISSIONER MILLER: Right.

CHAIRMAN HOOD: But that's what we have.

I know that the Office of Zoning has worked very hard in getting the word out. And I would ask everyone to get the word out even though we're looking at somewhere around February to come to the Wards. So we couldn't get everybody here. So the Zoning Commission is going to come to you. Okay?

Oh, yes. The record will remain open until 5:00 p.m., March the 3rd.

Actually, let's do this. Let's have the record open until March 3rd until 3:00 p.m. Okay? Let's do 3:00 p.m., not 5:00 p.m. Let's do 3:00 p.m.

Okay. That will give staff some time to try to juggle things. We don't want to wait until the last minute until the office closes.

Okay. Anything else?

(No audible response.)
CHAIRMAN HOOD: All right. Let's go along with our agenda.

And we will probably be repeating this more and more as we go along.

Next, Final Action, Zoning Commission Case No. 13-05. This is Forest City, Washington, 1st-Stage and 2nd-Stage PUDs and Related Map Amendment at Squares 744S and 744SS.

Ms. Schellin?

MS. SCHELLIN: Yes, sir.

Exhibits 29, 31 through 31D and 32 are the Applicant's first hearing submissions. Exhibit 30 is the supplemental DDOT report. Exhibit 33 is DC Water's response to Applicant's post-hearing submission. And Exhibit 34 is ANC SMD 6D07's submission.

CHAIRMAN HOOD: Okay, Commissioners, we've heard all the relative submissions that some of us may have asked for. And if you look at the audit, it's in Exhibit 31 and 31D dated November 12. And the other submissions have already been noted by Ms. Schellin. I don't want
Let me open it up for any comments.

COMMISSIONER TURNBULL: Mr. Chair, I think my major concern was the lights in the parking garage. I was concerned about how visible lights would be if you'd look up at this prominent structure.

And I didn't get exactly what I wanted as far as placement of lights. But the rendering that I'm looking at would appear to generate that you cannot see any lights. So I'm going to hold the Applicant to that, that lights are not visible from the inside of the structure.

CHAIRMAN HOOD: So Mr. Turnbull, does that satisfy?

COMMISSIONER TURNBULL: Well, it satisfies it based upon what I'm looking at. I mean, I'm not sure whether it's accurate totally. I did not see any placement of lights that would sort of indicate where they are in the garage. I think I had asked for that.

But their rendering that I'm looking
at shows a very dark-looking screen mesh that would appear to be not generating or a very low level of uniform light coming up which is I think what we wanted. We didn't want to look up and see a structure at this location where you'd see bulbs and rather glaring lights coming out for those couple of floors.

So notwithstanding that this rendering on A73 does not sort of appear to show any of that, I am basing my approval on the fact that they've solved the problem and we will not see any lights from the street looking up into the garage.

CHAIRMAN HOOD: Okay. You know this is a Final Action. So you feel comfortable? I just wanted to make sure.

COMMISSIONER TURNBULL: Well, based upon what we're seeing, if this is what the Applicant is proposing on 873 that -- I don't remember whether -- however the Office of Planning looked at this, but I mean, this is what I'm looking at. And it's showing that you're not
really seeing any lights.

So I'm willing to go ahead. But I guess the Zoning Administrator -- somebody can make a ruling later on if we do see light bulbs up there.

CHAIRMAN HOOD: Okay. Any other comments?

(No audible response.)

CHAIRMAN HOOD: Okay. Not seeing any, would somebody like to make a motion or anything that we're missing?

Vice Chair Cohen?

VICE CHAIR COHEN: Mr. Chairman, I will be happy to make a motion to approve Zoning Case No. 13-05, Forest City Washington, also known as DC Water-occupied lots.

COMMISSIONER MILLER: Second.

CHAIRMAN HOOD: It's been moved and properly seconded.

Any further discussion?

(No audible response.)

CHAIRMAN HOOD: All those in favor?
(A CHORUS OF AYES.)

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

MS. SCHELLIN: Staff records the vote as five to zero to zero; Commissioner Cohen moving; Commissioner Miller seconding; Commissioners Hood, May and Turnbull in support.

CHAIRMAN HOOD: Okay. Next, I'm going to call both cases.

Zoning Commission Case No. 09-03A; this is Skyland Holdings, LLC, PUD Modification at Square 5632, and all; and also Zoning Commission Case No. 09-03B. This is Skyland Holdings, LLC, Two-Year PUD Time Extension at Square 5632, and all.

Ms. Schellin?

MS. SCHELLIN: Yes, sir. For the first case, the PUD modification in Exhibits 52 and 52A have the Applicant's post-hearing submission.

And for the two-year time extension
case, the Applicant is requesting the two-year PUD time extension citing the fact that the case has been tied up in litigation and other factors that have been beyond the Applicant's control as reasons for the granting of the extension. Exhibit 8 in that case is an OP report in support of the extension.

We'd ask the Commission to consider final action on both cases.

CHAIRMAN HOOD: Okay. Colleagues, we have the time extension as well as the modification in front of us. Any comments?

(No audible response.)

CHAIRMAN HOOD: I actually don't have any on either one. I will be voting in support of the time extension.

Any comments or questions?

COMMISSIONER MAY: A comment. We saw some modifications to the design. It's out on Naylor Road. And it was a return closer to what was there originally. But it's improved over what was there originally which we wanted to have
changed. And it's a significant improvement over the last thing we saw which I don't think any of us were really in love with.

So I think it's acceptable. I was hoping for something more interesting and exciting in that little bit of that wide sidewalk but I'm satisfied with what we have.

CHAIRMAN HOOD: Okay. And actually, since we commented on that after we went back and forth through iterations, this is not a show stopper to me, but I actually like the first reiteration. I don't want to put the Applicant through all that.

I liked what was originally sent to us to begin with when I looked at it. But anyway, I think it's always in the eye of the beholder. But I think if we had left it alone, I think it would have looked a lot better.

Commissioner Miller?

COMMISSIONER MILLER: I would agree with you, Mr. Chairman. I think that the lower screens in the first iteration with the white
bands provided some relief from the darkness of the later iteration. But I think we gave a lot of mixed signals, I think, throughout. And so, it is a simplified screen. And I think it would have been good if the Applicant had taken it out. And maybe there's still an opportunity to take it up with Commissioner May's suggestion to do an art mural or some kind of civic art there.

But I'm prepared to support final action tonight.

CHAIRMAN HOOD: I wonder if it would be improper to approve both hoping they'd go back to the original. Is anybody open for that?

COMMISSIONER MAY: No.

VICE CHAIR COHEN: No.

CHAIRMAN HOOD: Anybody else?

(No audible response.)

CHAIRMAN HOOD: Okay.

COMMISSIONER MAY: It's very similar to what they had --

CHAIRMAN HOOD: It's very similar --

COMMISSIONER MAY: -- originally. And
I mean, it's simplified in a good way. I think there's some issues with the original which is why I wanted them to go -- I mean, I think actually I was more interested in what they would do with the space than with the wall. And it wound up in a very strange direction.

CHAIRMAN HOOD: Yes. I would agree. Commissioner May and I don't have a vote. So I just wanted to say that we went in that direction anyway.

Anything else? That's just this Commissioner's. But it's not a show stopper for me. All right? Okay.

All right. Would somebody like to -- anything else?

COMMISSIONER TURNBULL: Mr. Chair, if everything's okay, I'll make a motion.

I would move that we approve Zoning Commission Case 09-03A, Skyland Holdings, LLC, PUD Modification at Squares 5632, et cetera, et cetera, and Zoning Commission No. 09-03B, Skyland Holdings, LLC, Two-Year PUD Time Extension at
Squares 5632, et cetera, and look for a second.

COMMISSIONER MILLER: I would second that.

VICE CHAIR COHEN: Second.

CHAIRMAN HOOD: Okay. It's been moved and properly seconded as two seconds. So we're really trying to get through this. I think this is long overdue.

So it's moved and properly seconded.

Any further discussion?

(No audible response.)

CHAIRMAN HOOD: All those in favor?

(A CHORUS OF AYES.)

CHAIRMAN HOOD: Any opposition?

(No audible response.)

CHAIRMAN HOOD: Staff, would you record the vote?

MS. SCHELLIN: Staff records it five to zero to zero to approved final action Zoning Commission Case Nos. 09-03A and 09-03B; Commissioner Turnbull moving; Commissioner Cohen seconding; Commissioners Hood, May and Miller in
support.

CHAIRMAN HOOD: Okay. Next, we have Zoning Commission Case No. 05-28J and 05/28K, CI GD Parkside 7, LLC, Modification to 1st-Stage PUD and 2nd-Stage PUD at Square 5041.

Ms. Schellin?

MS. SCHELLIN: Yes, sir. Exhibits 26, 28 through 28C and 29, we have the Applicant's first hearing submissions. We'd ask the Commission to consider final action this evening.

CHAIRMAN HOOD: Okay. Let's open it up. Any comments?

VICE CHAIR COHEN: Yes.

CHAIRMAN HOOD: Vice Chair?

VICE CHAIR COHEN: Mr. Chairman, just a few comments on the Zoning order itself.

On page seven, 1st-Stage Modification, paragraph 36, the sentence under D, Parking, I would just suggest that we note the date of the revised plans that replaced the 1st-stage PUD. It's mentioned later on in the Zoning order, but I think it may be helpful to have it here as well.
so there's no confusion.

I believe that this project also meets LEED neighborhood -- I think it's ND -- requirements. But I didn't see it in the Zoning order. And so, I think we may want to re-visit that.

And then lastly, I think we need a clarification with regard to the Affordable and Workforce Housing under paragraph 42 that the Affordable Housing requirement represents 40 percent of the total affordable housing contribution. Well, yes. No, never mind. Because well, I did some calculation, and it was confusing when it said 19 percent of the total approved 1500 units when if you do the math, it says 12 percent. So I just think we need to have a clarification of that.

I did discuss it with the Office of the Attorney General, and I just want to make sure that this is really, really clear.

CHAIRMAN HOOD: Okay. Can we hold for one second?
Ms. Schellin, Mr. Mike DeBonis is here and he came to hear about the ZRR to help us with the promotion of that. He missed that. So if he can maybe come up and see Ms. Schellin, maybe we can find a way to give him the news so he can help us with this advertisement.

MS. SCHELLIN: Okay.

CHAIRMAN HOOD: So if you could share it. But that was already done.

So I would hope that he could help us. Hopefully, I'm not putting him on the spot. But hopefully, he can help us. Okay.

Okay. Let's go back. I'm sorry, Vice Chair.

VICE CHAIR COHEN: No, I was finished. So unless anybody else has further statements, I'm willing to move ahead and make a motion to approve this application.

CHAIRMAN HOOD: Any other comments?

Commissioner Miller?

COMMISSIONER MILLER: Just in response to THE Vice Chair's comment, I do see a reference
to LEED on page 13 of the OAG draft order. I guess it's paragraph 55 -- the end of paragraph 55D -- the LEED ND is referred to.

VICE CHAIR COHEN: Oh, okay. Great. Thank you for pointing that out.

COMMISSIONER MILLER: I agree. The other areas could use a little bit of clarification because it was a little confusing.

VICE CHAIR COHEN: All right. Well, thank you for pointing that out, Commissioner.

And so, I will move to approve Zoning Case No. 05-28J/K, Application of CI GD Parkside 7, LLC for approval of a modification to approve a 1st-Stage Planned Unit Development and approval of a 2nd-Stage application for the Parkside Planned Unit Development, Square 5041, Lot 808.

COMMISSIONER MILLER: I would second that.

CHAIRMAN HOOD: Okay. It's been moved and properly seconded.

Any further discussion? Commissioner May?
COMMISSIONER MAY: Yes. Okay. So there are a few things architectural that were up in the air when we saw it last. One was the transformer enclosure which may have moved from a brick wall to a wood-like material. And now they're drawn all the way to wood.

I will now go along with it, but I don't think this is the right direction. I mean, this is one where we should go back to where we originally were.

And in the very first, we didn't suggest that it be changed. The Applicant changed it on their own. But the original version of this was brick with an iron gate. And I just think that that's more fitting for the rest of the surrounding.

But I'll go along with it but not without commenting on it.

They also declined to take my advice to do a little more work on the lofts where they have those extra little roof pavilions for the units on the top floor. It's mostly out of
concern for the long-term upkeep of the building. I think that they're buying a lot more flashing than they really have to if they had just designed it a little differently.

But again, that's not a key issue for us. Certainly, it's below the height that's allowed. So it's not a big issue.

The last thing I would just complain about is the fact that the facade has been peppered with all of these little vents which I think is a significant negative. And I'm saying this not so much in this case -- because I'm ready to just go along at this point and sign off on it -- but for all the other applicants out there who want to do residential housing who need to integrate louvers and vents into the facade of the building. They need to integrate it into the facade and not simply place it symmetrically and paint it the same color. That's not integrating it. And I think what we're seeing, it just looks cheap. And there are other adjectives I could use that I probably don't want to be quoted on.
Anyway, it's just not good. So this is a lecture. I see a few lawyers in the audience sort of nodding their heads. At least they'll carry that word back to their friends. I see a few architects, too.

So, anyway, thank you very much.

CHAIRMAN HOOD: Were you trying to draw up your support because I didn't see anybody's head nod?

COMMISSIONER MAY: Oh, no.

(LAUGHTER.)

CHAIRMAN HOOD: All right. I'm just messing with you.

COMMISSIONER MAY: Very, very, very subtle nods.

CHAIRMAN HOOD: Oh, okay. All right.

Anything else?

COMMISSIONER TURNBULL: Yes, Mr. Chair.

I just wanted to associate my comments with Commissioner May. They're not show stoppers, but I think the fencing material is
obviously an upgrade to the vinyl or foam material we saw before. But for the little amount more of masonry that would have been added, the longevity of the wood and how long it's going to be -- it just would have been a very minor increase to put masonry around this thing and basically incorporate it with the rest of the project.

It's minor. It is so minor. And it would have just been a more inviting material to have for the length of the project.

CHAIRMAN HOOD: Okay. Any further discussion?

(No audible response.)

CHAIRMAN HOOD: Okay. It's been moved and properly seconded.

All those in favor?

(A CHORUS OF AYES.)

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

MS. SCHELLIN: Staff records the vote
five to zero to zero to approve final actions on Commission Case Nos. 05-28J/05-28K; Commissioner Cohen moving; Commissioner Miller seconding; Commissioners Hood, May and Turnbull in support.

CHAIRMAN HOOD: Okay. Next, we're going to go with Hearing Action, Zoning Commission Case No. 13-10. This is ZP Georgia, LP, Consolidated PUD and Related Map Amendment at Square 2892.

Mr. Mordfin?

MR. MORDFIN: Good evening, Chairman, and Members of the Board.

The Applicant is requesting a Consolidated Planned Unit Development to permit a mixed-use building consisting of residential and retail space. The PUD-related map amendment from GA --

CHAIRMAN HOOD: Is your microphone on? Or maybe you need to scoot it up a little closer.

MR. MORDFIN: Sorry.

A PUD-related map amendment from GA
C2A to GA C2B is requested to increase the building height, FAR and lot occupancy. The application requests flexibility to reduce yard loading provisions and modify the compact parking regulations to permit more than one roof structure and also to construct on the lot in excess of 12,000 square feet and permit less than 75 percent of the streetwalk to be built to the property line within the Georgia Avenue Overlay District.

In exchange for this flexibility, the Applicant proposes several public benefits and amenities including provision of a masonry building with residential balconies and store fronts directly accessible from the public sidewalk, participation in the first-floor employment program, a LEED Goal 2009 for new construction and major renovations building and also working with the ANC to identify benefits and amenities that are desired within the community, specifically the installation of African-American trail markers in buildings along
Georgia Avenue.

Should the Commission set this application down, the Office of Planning will work with the Applicant on further addressing this list.

This application is consistent with the provisions of the comprehensive plan including encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land-use policies and objectives and also to promote mixed-use development including housing and commercially-zoned land, particularly in new commercial centers.

Therefore, the Office of Planning recommends that the Commission set down the subject application.

Thank you.

CHAIRMAN HOOD: Okay. Thank you, Mr. Mordfin.

Commissioners, any comments?

VICE CHAIR COHEN: Yes.
CHAIRMAN HOOD: Vice Chair Cohen?

VICE CHAIR COHEN: Thank you, Mr. Chairman.

I just wanted to state that in OP's report, they do mention that they will not consider the affordable housing to be a benefit or an amenity because it proposes what is required. Eight percent of a new residential square footage is affordable at 80 percent of AMI. I would concur with that.

And let's see. Do I have another comment?

Oh, and I just want to state for the record that the review we received from OP states that the affordable units will be distributed throughout the building and that the unit mix would generally reflect that of the building as a whole. I think that we really should push that as it shall reflect that of the building as a whole.

So those are my only two comments.

CHAIRMAN HOOD: Okay. Anyone else?
Commissioner May?

COMMISSIONER MAY: Yes. As we often find in so many PUDs, it just seems like there's an awful lot going on on the roof in terms of the roof heights and the various enclosures and so on. And I would strongly encourage the Office of Planning to work with the Applicant to try to simplify that and actually try to reduce the relief needed because it seems to me that it is possible to reduce the -- or rather increase the set-back from some of the rooftop structures that appear to need relief. And there are just so many of them, and there's so many pieces of it and so many different heights. It needs to be simplified and consolidated to the extent possible, moved away from the outside walls.

I'm particularly troubled by the elevator core which is right up against the edge of the building. And I know that ultimately the site immediately to the south is likely to be re-developed and so that penthouse will not be as obvious. But who knows how long that will be
from now? And if it's only built to a matter of right height, that means the penthouse will still be standing high above what else would be allowed there. So I really want to get that moved back to the appropriate set-back so that relief is not required.

Other than that, it's the usual things that we'll need to see in terms of further refinement of the architectural design. But I think generally speaking, it's heading in a good direction.

CHAIRMAN HOOD: Okay. Vice Chair has something she wants to clarify on that.

VICE CHAIR COHEN: Yes. I just wanted to clarify that again, we're going from a C2A versus the PUD and that C2A does require deeper subsidies. So if the Applicant is going to argue that they are providing a greater amount of affordable housing, they really need to balance their argument and tell us why if we should be having the compliance as a public benefit how it really should weigh in as a public benefit
because the subsidy level is not as deep under IZ.

CHAIRMN HOOD: Okay. Commissioner Turnbull?

COMMISSIONER TURNBULL: Thank you, Mr. Chair.

I want to thank Mr. Mordfin for a great report as usual. And I think this project is obviously in a very important part of the City. And I think Georgia Avenue is something that we really want to see developed.

But after saying that, I agree with Mr. Mordfin about the five and a half feet on the one part of the front elevation that should be addressed. And if it could be pushed back, I think it would increase the streetscape to a better degree.

And I'm glad you're going to be working with the Applicant about benefits and amenities because right now for the relief that they want, the 30 to 40 feet extra for what we're getting as far as benefits and amenities, I
really don't see the pluses here that I think we ought to be seeing.

I would like to see a street view of that first floor to see that whole entrance to see what's really going on. And I think that the whole building -- the Georgia Avenue -- it looks conflicted and confused. There's just a lot going on there. It looks busy. There's not a defined rhythm to the building. I'm not sure what I'm really seeing with the four little trees that suddenly appear on the rooftop. It's like I'm going to put four little green trees.

But the whole elevation just to me is difficult. And I wish they could simplify this and make it read a little easier.

I would agree with Commissioner May that I think we need to see something more on the roof. I would like to see some cross sections through the whole thing, not only north/south but east and west that would show the relationship of the heights of the various penthouses. And again, if that could be simplified, I think it'd
be a little easier on the building also.

I guess I would also like to see elevations of the courtyard. I think what was not there -- the only thing that's made reference to is fiber cement panels. And I mean, the really only other elevations that you have is Georgia Avenue and then you've got the interior court. So there's a lot of effort going on Georgia Avenue. But the interior court as far as the living residences, if it's all fiber cement panels, I'm just concerned about what it's really going to look like. I'd like to actually see what kind of character is going to be in that area.

It's a difficult site. I would agree with that. But I think there's just some part of this that needs to be re-worked a bit.

The inclusion of a dog spa is interesting. It means you don't have to wash your dog in the bathtub, I guess. You can take it down to the basement and do it. I don't know what the perk is on doing that. I think I'd
rather wash my dog in my bathtub and just have him there so I'm not dragging him all over the place. Because you've got to dry him afterwards. I don't know. It's just --

COMMISSIONER MAY: It's the big shake-off --

COMMISSIONER TURNBULL: It is.

COMMISSIONER MAY: -- after you're done that you have to worry about.

COMMISSIONER TURNBULL: You always get wet. So I don't know if I would want to walk through the building.

COMMISSIONER MAY: I'd rather have the dog shaken off in the garage.

COMMISSIONER TURNBULL: Anyway, that's a minor point.

I think the only other thing is that they're showing two parking spaces by the alley. But I think you can only put a compact car in there. Hopefully, there's not going to be a car sticking out into the alley. But I think those are only going to be compact spaces back there.
So Mr, Chair, I think that'll be it.

CHAIRMAN HOOD: Okay. Thank you, Mr. Turnbull.

Commissioner Miller, do you have anything?

COMMISSIONER MILLER: Yes. Thank you, Mr. Chairman.

Yes, except for the dog spa comment, I associate myself with Commissioner Turnbull's comments, particularly agreeing with the Office of Planning comment to pull back the facade of the building five and a half feet and your request for renderings showing how many roof structures there actually are and what their heights are and where they relate to each other. And the courtyard as well because I don't think we had anything that really showed what either of those elements looked like.

I would share the Vice Chair's comment that the Applicant should submit a balancing analysis on the inclusionary zoning because going to C2B, the affordability levels won't be as
They will, however, be about 2500 square feet more of affordable housing because it's in the C2B rather than the matter of right C2A. So I did consider it a public benefit for that reason under our rules. But I think that balancing needs to be done and submitted to us because the affordability levels aren't as deep.

And I think this will be another exciting project as Mr. Turnbull says to help revitalize the whole Georgia Avenue corridor in this area.

Thank you.

CHAIRMAN HOOD: Okay. I would like to see a more realistic view from Georgia Avenue like we did the one from Kenyon Street. And I know that this Commission voted on a project some years back up and down Georgia Avenue. I didn't really think to look and see if that's even being built or what's going on. And normally I do that. And it dawned on me when I saw this that we did one right at the corner of Georgia and Lamont where the old liquor store used to be.
But anyway, it goes to Commissioner Miller's comments about revitalizing Georgia Avenue. I think I would agree with that comment. I just want to see a perspective -- a live perspective like the perspective we have on 819 H20. That's a live rendering to me. And it shows the back of the view perspective from Kenyon Street and Sherman Avenue and then the perspective from Lamont Street. So I would like to see one -- Georgia Avenue is north and south -- I'd like to see one from the south side and the north side if I look on Georgia Avenue.

But again, I think this is helping to jump start, especially that area down in Georgia Avenue.

So that's all I have. Any other comments?

(No audible response.)

CHAIRMAN HOOD: Okay. Would someone like to make a motion?

COMMISSIONER TURNBULL: Mr. Chair?

CHAIRMAN HOOD: Mr. Turnbull?
COMMISSIONER TURNBULL: I would move that we approve Zoning Case No. 13-10, ZP Georgia, LP, Consolidated PUD and Related Map Amendment at Square 2892.

CHAIRMAN HOOD: Okay. It's been moved and properly seconded.

Any further discussion?

(No audible response.)

CHAIRMAN HOOD: All those in favor?

(A CHORUS OF AYES.)

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

MS. SCHELLIN: Staff approves Case No. 13-10 for set down as a contested case by a vote of five to zero to zero; Commissioner Turnbull moving; Commissioner Miller seconding; Commissioners Cohen, Hood and May in support.

CHAIRMAN HOOD: Okay. Thank you.

Let's go right to our next case which is on the hearing action of Zoning Commission Case No. 13-15, FC 1212, LLC and FC QUALICB --
maybe somebody can tell me what all that is -- LLC, Text Amendment to Add New Language to 1803.16.

Ms. Elliott?

MS. ELLIOTT: Good evening, Mr. Chairman, Members of the Commission. For the record, I'm Brandice Elliott representing the Office of Planning.

The Office of Planning recommends a Zoning Commission setdown for a public hearing amendment to Section 1803 of the Zoning Regulations as they relate to veterinary hospitals in the Southeast Federal Center Overlay District.

The construction of a new mixed-use development at the corner of M and 4th Streets SE, which is called 1212, is anticipated to be completed in the spring of 2014. This development was reviewed by the Zoning Commission and approved at its December 2, 2010 public hearing.

The building will consist of 90,000
square feet of retail and service uses as well as 218 residential units. So far, the tenants include a Harris Teeter Grocery Store, a three-level fitness facility and several eating establishments.

The Applicant, which is Forest City, would like to consider a lease with a veterinary hospital but this use is not currently permitted in the Southeast Federal Center CR District. While text amendments to the Zoning Regulation review process have been proposed that would allow this use, they would not be approved by the time the building has been completed.

In order to expedite this request, the Applicant has requested that the amendment only apply to the specific lot for the 1212 development. However, the Office of Planning would not oppose applying this amendment to the entire overlay as we believe that the use would be compatible with other uses in this area and the Applicant has established that there is a need for this use.
OP will continue to work with OAG to clarify the advertised language.

And with that, we recommend that the Commission set down the amendments as presented in the report. And I'd be happy to answer any questions you may have.

CHAIRMAN HOOD: Okay. Thank you very much, Ms. Elliott.

Commissioners, any comments? Vice Chair Cohen?

VICE CHAIR COHEN: Yes. If we set this zoning case down, I think we need to have more information on attenuating the noise and the waste issues. There are state-of-the-art ways of addressing these issues.

And in addition, we do need clarification with regard to whether or not this is going to be a boarding hospital that does not exclude dogs. Obviously, I have one. So I would suggest that we get that clarified before advertising it as you mentioned.

Any other comment?
CHAIRMAN HOOD: Comments?

(No audible response.)

CHAIRMAN HOOD: Would somebody like to make a motion?

VICE CHAIR COHEN: I move to set down Case 13-15, except that the text should be advertised to permit a veterinary boarding hospital on any property within the Southeast SEFC CR District subject to such other changes as OAG and OP believe are necessary to draft the intent of the proposed rule.

CHAIRMAN HOOD: Okay. It's been moved and I'll second it.

Any further discussion?

(No audible response.)

CHAIRMAN HOOD: All those in favor?

(A CHORUS OF AYES.)

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

MS. SCHELLIN: Yes. Staff records five to zero to zero to set down Zoning
Commission Case No. 13-15 as a rulemaking case; Commissioner Cohen moving; Commissioner Hood seconding; Commissioners May, Miller and Turnbull in support.

CHAIRMAN HOOD: Okay. Do we have anything else on our agenda tonight?

MS. SCHELLIN: No, sir.

CHAIRMAN HOOD: Okay. I want to thank everyone for their participation and also thanks to Mr. DeBonis for all the help he's going to give us. And we'll appreciate it.

This meeting is adjourned.

(Whereupon, at 7:23 p.m., the hearing was adjourned.)