

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

OFFICE OF ZONING STAFF PRESENT:

SARA BENJAMIN BARDIN, Director
ZELALEM HILL, Staff Assistant
SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Deputy Director,
Development Review & Historic
Preservation
JOEL LAWSON
ELISE VITALE

The transcript constitutes the
minutes from the Public Hearing held on
February 12, 2014.

TABLE OF CONTENTS

ZONING COMMISSION CASE 08-06A 5

TESTIMONY:

KAHDIJAH WATSON (8B)..... 14

MARY D. JACKSON (7E04)..... 16

EUGENE PURYEAR (8-resident)..... 19

ROBIN HAMMOND MARLIN (7B05)..... 66

HOLLY MOHAMMAD (8A01)..... 72

DEBORAH ROLLINS (7-property owner). 105

IRV SHEFFEY (7-resident)..... 108

GARRETT HONEA (7-resident)..... 114

ROBERT RICHARDS (7B)..... 117

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P-R-O-C-E-E-D-I-N-G-S

(6:03 p.m.)

CHAIRMAN HOOD: Good evening, ladies and gentlemen. We're going to go ahead and get started.

The Zoning Commission, as you know, has been going out to a different wards. Because of the inclement weather, we're going to start with who we have, and I'm sure we'll have others that will join us later on in this proceeding.

This is a public hearing of the Zoning Commission for the District of Columbia for Wednesday, February 12, 2014.

My name is Anthony Hood. Joining me are Vice Chair Cohen, Commissioner Miller, and Commissioner Turnbull. We will be expecting Commissioner May shortly. He is running a few minutes late, but he will be here shortly.

We're also joined by the Office of Planning staff -- our director, Ms. Sara Bardin, to my right, Ms. Sharon Schellin, and Ms. Zee Hill; and the Office of Planning

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-- Ms. Steingasser, Mr. Lawson, and Ms. Vitale.

This proceeding is being recorded by a court reporter. Accordingly, we must ask you to refrain from any disruptive noises or actions in the hearing room, including the display signs or objects.

ZONING COMMISSION CASE 08-06A

The subject of this evening's hearing is Zoning Commission Case 08-06A. This is a request by the Office of Planning for comprehensive revisions and amendments to the zoning regulations, Title 11 of the DCMR. Notice of today's hearing was published in the DC Register on December 20, 2013, and copies of that announcement are available on the table by the court reporter, to my right.

This hearing will be conducted in accordance with the provisions of 11 DCMR 30.21, as follows: Preliminary matters, and testimony from the public.

The following time constraints will be maintained in this hearing: Organizations, five minutes; and

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individuals, three minutes. The Commission intends to adhere to these time limits as strictly as possible, and notes that at no time shall it be exceeded. The Commission reserves the right to change the time limits for presentations if necessary, and again, it notes that no time shall be exceeded.

As noted in the Notice of Public Hearing, testimony will be limited to individuals, organizations, or associations that have not previously testified before the Commission on this case.

Witnesses may only testify in the ward in which they reside. Tonight is Wards 7 and 8. Persons who have previously testified but still want to the Commission with additional comments may do so by submitting comments in writing.

The only exception to testifying, again, will be the advisory neighborhood commissioners, since they represent many District residents. We do ask that if an ANC Commissioner has previously testified and is going to provide additional testimony this evening, they confine their comments to

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new subject matter that they have not yet presented.

All persons appearing before the Commission are to fill two witness cards. These are the located, again, on the table by the court reporter, to my right. Upon coming forward to speak to the Commission, please give both cards to the reporter first.

When presenting information to the Commission and speak into the microphone, first stating your name and home address. When you are finished speaking, please turn your microphone off so that your microphone is no longer picking up sound or background noise.

The decision of the Commission in this case must be based exclusively on the public record. To avoid any appearance to the contrary, the Commission requests that persons present not engage members of the Commission in conversation during any recess. or at any time. In addition, there should be no direct contact whatsoever with any commissioner concerning this matter, be

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it written, electronic, or by telephone. Any materials received directly by a commissioner will be discarded without being read, and any calls will be ignored.

The staff will be available throughout the hearing to discuss procedural questions.

I would also ask that you not repeat testimony that has already been given. Rather than repeating the same comments, I would suggest that you state you agree with the testimony that has already been given and add additional comments that we have not yet heard.

Please turn off all beepers and cell phones at this time so as not to disrupt these proceedings.

At this time, the Commission will present any preliminary matters. Does the Staff have any preliminary matters?

MS. SCHELLIN: No, sir.

CHAIRMAN HOOD: Okay, I do have two preliminary matters. If you know of anyone in Wards 1 and 2 and can relay this information, it would be very helpful to us

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as we try to get the word out, on what we're doing. In case the DC Government closes on Thursday, February 13, 2014, for inclement weather, Wards 1 and 2 ZRR community-based public hearing scheduled for that night will be rescheduled to February 26, 2014, at 6:00 p.m. at the DC Housing Finance Authority at 8015 Florida Avenue, Northwest. Please note, it will only be postponed to the 26th if the DC government is closed on the 13th.

I have two more additional comments. First, the Office of Planning will be holding open houses in at least two wards east of the river and at least two wards west of the river. Further details will be available on OPM's website in the very near future at Planning.DC.GOV. The Office of Planning will also post a news item on its website at DCOZ.DC.GOV. I would encourage you to check the websiteS for further information.

I know that everyone does not have a computer and does not do the website thing, so I would ask, if you have additional questions or you want to follow

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what we're doing, you can call 202-727-6311 -- again, 202-727-6311. I know that they're getting calls; they let me know that today.

Second, as a result of these further hearings, the Zoning Commission has decided to leave the record open in this case until Thursday, April 17, instead of March 3. That allows an additional six weeks to submit written comments. Thank you.

I will tell you, that stemmed from a lot of what we heard, especially from the commissioners in Ward 8. So you will be proud to know that your commissioners are definitely on the ball in 7 and 8, but particularly, specifically, I remember one from Ward 8.

Okay, do we have any preliminary matters? Anything else?

MS. SCHELLIN: No, sir.

CHAIRMAN HOOD: Okay.

What I'm going to do is go down this list. Again, forgive me in advance if I mispronounce your name. You can come up and correct me as you come to the table.

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When I call your name, if you can, come up. We have six seats at the table. You can come up, and you're going to have to share mics.

Commissioner Jackson;.

Kahdijah Watson;.

Commissioner Holly Muhammad;.

Commissioner Anthony Lorenzo Green;.

Commissioner Betty Scippio;.

Irv Sheffey;.

Eugene Puryear;.

Commissioner Pho S. Palmer;.

Commissioner Robin Marlin;.

Garret Honea;.

Commissioner Robert Marlin -- I don't see Commissioner Marlin; and -- Garrett Holman.

How many more people would like to testify? Please raise your hand.

(Show of hands.)

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CHAIRMAN HOOD: Is there anybody else in the audience who would like to testify?

(No response.)

CHAIRMAN HOOD: Ms. Gaffney, would you like to testify?

CHAIRMAN HOOD: Would anybody else like to testify?

Well, one thing's for sure: If this is it, you will get home early tonight before the snow.

MS. JACKSON: (Off-mic.) are you going to go back again?

CHAIRMAN HOOD: I will if somebody else shows up, Ms. Jackson, and wishes to testify.

I know one thing: I know you're going to keep me Street.

Yes, ma'am?

SPEAKER: Ms. Muhammad's on her way.

CHAIRMAN HOOD: Ms. Muhammad's on the way, okay.

SPEAKER: So is (off mic)

CHAIRMAN HOOD: Okay.

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SPEAKER: He'll be here after work.

CHAIRMAN HOOD: Right; I understand.

We're going to start with the ladies first. Let's start to my left -- your right.

Young lady, you can sit down until we go to Ms. Jackson, then you can start.

(Whereupon, off-mic comments were made on the record.)

TESTIMONY BY KAHDIJAH WATSON (8B)

MS. WATSON: Good afternoon, or, good evening. My name is Kahdijah Watson, and I am the, I'm currently the Chairperson of Advisory Neighborhood Commission 8B. I represent Single-Member District 8B01. I am grateful to be here, to have the opportunity to testify before the Zoning Commission, and to express my concern regarding the proposed rewrite of the zoning that will adversely impact my community for years to come.

First, I would like to incorporate and embrace the entire testimony

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of ANC Commissioner Nancy J. MacWood on behalf of ANC 3B that was presented before the Zoning Commission on January 20, 2014 at the John Wilson Building. I want to personally thank her for a job well done.

Second, our community needs more public examination and engagement between the Office of Planning and ANC 8B. We respectfully request that the Office of Planning conduct workshops at our public meetings so that we have a keen understanding of how these zoning changes will impact our community for generations to come. Considering the essential fact that the Office of Planning Director will be employed by the United States Department of Housing and Community Development, that's not too far from here.

Third and finally, our community wants more affordable-unit housing created in each residential development than is currently required. We want these affordable units to be constructed for individuals and families, particularly

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targeted to those making \$30,000 per year or less.

Thank you.

CHAIRMAN HOOD: Okay, thank you. If you'll hold your seat, we may have some questions for you.

MS. WATSON: Okay. Okay.

CHAIRMAN HOOD: Commissioner Jackson.

TESTIMONY BY MARY D. JACKSON (7E04)

MS. JACKSON: Good evening, everyone. My name is Mary D. Jackson. I'm in ANC commissioner and I have been, for quite some time. I'm chairperson, currently chairperson of 7B, and my SMD is 7E04.

I'm here tonight to testify on Case 08-06A. That's the Title II Zoning Regulations comprehensive text revision. First of all, I'm asking you, I'm asking your office, to postpone this decision for at least six months, to give all of us east of the river time to look at the changes that the Office of Planning has made.

Most of the changes made were done online through Planning. As for as we

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know, the community has been left out of the process totally. Some years ago, you took away most of our R2 zones, and developers came in and asked that the zones be changed to R2 to R5A. R5A was to be zoned for less density, but it did not happen.

Then, the restructuring done in the early '90s to change how the zoning plan got around to community, the community protested group homes; we no longer can protest, nor can we say we don't want them. That was changed by saying, under new rules, six people in a residence as a family and do not need to be related to each other. The community has no say in the process.

Some work for halfway houses and mental health facilities in group homes. It appears that zones are change to benefit organizations that want contracts with DC government and DHCD to get federal grants for their process. The 2014 Supernova will be issued on April 2, 2014. Workshops will begin in January, February, and March. Is this why, the rush to approve citywide regulations?

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Well, in my opinion, we, the community, need this extra time to be educated at great lengths to be able to understand what and how this will affect our neighborhoods. My community would like to see a moratorium on any changes in Ward 7 until we, until we know the impact it will have on us and our police department.

Finally, these regulations -- I saw that in some of these regulations, in trying to read some of that 1,000-page piece that they sent me, that the regulations that they're wanting to see put in place will dictate the building heights, the density, and the distance between buildings and property lines.

CHAIRMAN HOOD: Thank you.

Next.

TESTIMONY BY EUGENE PURYEAR

(Ward 8 resident)

MR. PERYEAR: Well, good evening to the Commission. I thank the Commissioners for this opportunity. Again, my name is Eugene Puryear, a resident of Ward 8, and I'm also a candidate for the DC

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Council at large from the Statehood Green Party. I know we have a weather issue here, so I'm going to truncate my written testimony just a bit and confine it to the portions dealing with the issue of housing affordability, which is the key area of my testimony.

Currently, the eligibility for inclusionary zoning unit determined using area median income, which includes some of the wealthiest surrounding counties in the DC Metro area. This is the definitions of affordability upward, allowing developers to promote what are functionally market-rate units as affordable.

Ultimately, the Zoning Commissioners could amend the eligibility requirements during this rewrite in one of two ways to remedy this issue. The first way would be to amend the criterion by using, instead of average median income, DC median family income as opposed to AMI.

So, just as a quick example here, in Fiscal Year 2013, AMI was \$107,300, while the DCMI, DC Median Family Income, was

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\$87,400. So, if, for example, housing that qualified as affordable was meant to mean income between 30 and 50 percent of whichever one of those metrics we wanted to use, AMI or DMI, we can see that it would be a very drastic difference.

Using AMI, the range that would be qualified as affordable would be between \$32,000, roughly \$32,000, and roughly \$53,000. Using DMI, the same range would be between \$26,000 and \$43,000.

Now, this is an extremely significant number as a 2010 study that was done by the DC Fiscal Policy Institute showed that, in fact, over two-thirds of people with income that is essentially below \$30,000, or what is 30 percent of AMI, face severe housing burdens, which means they spend over 50 percent of their income on housing costs. And so, shifting the metric you use from area median income to District family median income would significantly impact those people who most need relief in terms of affordable housing.

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If you didn't want to do it that way, however, there is another way you could change the eligibility requirements that would accomplish something similar, and that would be to define "low- to moderate-income housing" in relationship to the federal minimum wage -- which is currently \$7.25, I believe -- to the current yearly income of someone making exactly the federal minimum wage. Working 40 hours a week is \$15,080.

So, if you set the range of affordability for low- to moderate-income housing at between 100 percent and 200 percent of federal minimum wage, it would mean that individuals who made between \$15,000 and \$30,000 a year would be eligible. That's what these, that would be the income standard for those units. So, again, the effect would be to shift down the definition of what is low- and moderate-income housing for inclusionary zoning to the elements of the population to the elements of the population who are the most affected by the high cost of housing that exists in the District of Columbia.

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And the second piece I will say, just to finish up here in regards to the housing piece, is the Commissioners can also revise the square footage percentage that is required for inclusionary zoning. I know that's also front of the Council. But I would urge you to move it from the current to eight- to 10-percent to upwards of 20 percent in terms of that requirement, which will significantly increase the affordable housing stock that exists and that's being created in all new developments.

So, again, I thank you so much for allowing me to make this testimony.

CHAIRMAN HOOD: Okay, thank you.

Did everyone fill out a witness card so we can have it for the record?

(No response.)

CHAIRMAN HOOD: I'm just asking, did everybody at the table--

(Whereupon, off-mic comments were made on the record.)

CHAIRMAN HOOD: Commissioner Marlin, you're going to fill out a witness card.

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Why don't we do this: Why don't we ask the questions of the three. This is how we normally do it. In the other places, we had asked the individuals, but let's ask the questions of the three people first, then we'll go to Commissioner Marlin and Commissioner Muhammad in the next round.

Okay, any questions Commissioners?

(No response.)

CHAIRMAN HOOD: Anyone?

(No response.)

CHAIRMAN HOOD: Commissioner May?

COMMISSIONER MAY: Okay, it sounds okay now.

So I have a question for Commissioner Jackson.

MS. JACKSON: Yes.

COMMISSIONER MAY: You mentioned, on April 2, something was happening, a supernova, super-something. What is that?

MS. JACKSON: The Supernova is what DHCD has out there for federal funds, like the CDBG block grant money and monies

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that come from the federal government that will take care of our less fortunate folks.

COMMISSIONER MAY: Okay.

MS. JACKSON: And I guess, in order for them to get these grants, they have to, they have to go within certain neighborhoods, to put these facilities.

And we want to make sure that whatever it's zoned now, we be educated, or the Office of Planning let us know what plans they have in place to change these zones that's not going to go coincide, that's going to affect what's, you know, there are now because, believe me, Ward 7 has its share, right now, of group homes, things for mentally ill people.

COMMISSIONER MAY: Right.

MS. JACKSON: Group homes for kids. You know, we're even opening homeless shelters.

It's only so much community can take.

COMMISSIONER MAY: Right.

MS. JACKSON: And if you took away our residential and give us R5A, that

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allows you to take down some of the big structures and put the little old cracker-box houses and line them up in a row, and you've still got high density.

COMMISSIONER MAY: Right.

MS. JACKSON: So, you know, they're supposed to be townhouses, but--

COMMISSIONER MAY: My question was just what that event was, that you were that you were --

MS. JACKSON: Well, I just needed to explain it to you so you fully understood.

COMMISSIONER MAY: I understand. All right, thank you.

CHAIRMAN HOOD: Okay, any other questions?

VICE CHAIR COHEN: Yes.

CHAIRMAN HOOD: Vice Chair.

VICE CHAIR COHEN: Ms. Jackson, I understand the concerns of the community with regard to a large number of social-service and special-needs housing.

But I want to make sure I understand, you are supportive of affordable

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housing in your neighborhood as long as it's not high-rise, high-dense--

MS. JACKSON: Right.

VICE CHAIR COHEN: Okay.

MS. JACKSON: You know, it's not that we're trying to snub our noses on anyone. We just to make sure that we keep a community, you know, and not be overrun with things that other wards don't want to we're constantly stuck with.

According to this paper right here that I got from DHCD, we're getting ready to get 314 affordable housing units.

You're going to get 99 in Ward 1.

None is going in Wards 2 and 3.

Two hundred seventy-five is going in Ward 4.

One-twenty is going in Ward 5.

Eighty-four is going in Ward 6.

And 86 is going in Ward 8 --

Three hundred and fourteen (314) in Ward 7.

So it's not that we're saying 'we don't want you'. We're saying, be fair with this. You know, how come Wards 2 and 3 get

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nothing? I realize that housing costs up there are so high that nobody can live there, but people up there. But we're not going to have those people up there dictate to us out here as to how we want to run our neighborhoods.

That's the bottom line.

VICE CHAIR COHEN: Thank you.

CHAIRMAN HOOD: Testing -- sorry.

SPEAKER: Are we still asking questions?

CHAIRMAN HOOD: No, we haven't finished yet. I haven't asked my questions you, so give me a second.

Commissioner Miller.

(Whereupon, off-mic comments were made on the record.)

COMMISSIONER MILLER: Thank you, Mr. Chairman, and thank each of you for your testimony tonight.

Commissioner Jackson and -- Ms. Jackson or Mr. Watson -- now I forget which one; I lost my notes.

Mr. Watson and Mr. Puryear, you both mentioned deeper affordability levels

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for the inclusionary zoning program. The Zoning Commission is going to look at that issue this year. It was somewhat of a battle to get a set-aside programs at all, to begin with, several years ago.

But many of us recognize the need for deeper affordability levels there. They make more sense for the District population, and we're looking for ways to do that. So I just wanted to assure you that that will be looked at, by both the Office of Planning and the Office of Zoning.

I didn't have any questions for you, but I just wanted to make that comment.

CHAIRMAN HOOD: Commissioner Turnbull.

COMMISSIONER TURNBULL: you, Mr. Chair.

I guess I just want to get clear a clear picture.

Mr. Purview, you're talking about redefining the bracket for affordable housing, but I'm hearing also that there's - - too much affordable housing?

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I guess I'm concerned you don't want -- if the number I heard was too much -- I guess I'm concerned that you want affordable housing at a better bracket, but you want to reduce the amount coming in to Wards 7 and 8.

MS. JACKSON: Are you talking to me and him?

COMMISSIONER TURNBULL: Any three of you, any one of the three of you.

MS. JACKSON: Well, he can't speak for Ward 7 because he lives in Ward 8.

COMMISSIONER TURNBULL: Well, I'm just throwing that out as a general question for either ward. Puryear. Well, to speak to the, just to the basis of it, I actually don't think there's a contradiction; you can correct me if I'm wrong.

But I think the point that she was making, which is very valid, is that they seem -- the affordable units -- to only be clustered in certain areas. And an issue with that, and it, of course, was just mentioned in her, in her response to the previous question -- was the reason there's

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fewer units, affordable housing units, coming into 1 and into 2 is because of the high cost of living there.

What I'm speaking to, is in terms of changing the bracket, in terms of new developments which are primarily coming in, in those areas -- 1, 2, and 4 to a certain degree -- in larger and larger numbers. It would at least not mitigate but certainly drive down the issue I believe the Commissioner was speaking to, where people would be able to have more affordable units in 1 and 2, which would reduce the disproportionate burden.

COMMISSIONER TURNBULL: All right. Puryear. I think she's speaking to the fact that there's a disproportionate burden.

COMMISSIONER TURNBULL: The number, yes.

Okay, thank you.

MS. WATSON: And I also mentioned that they should have affordable housing.

But don't bring -- like, for instance, don't have so many over there that

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you can't, it's too close to another building. I mean, on Martin Luther King Avenue is a government building. On that parking lot, they're getting ready to put housing there, and it's supposed to be affordable housing. That's too close.

If you go over there to Martin Luther King Avenue, across from Marion Barry's building -- I call it Marion Barry's building -- and you look at the back of the parking lot, it's not that big. So that means it's too close. I see houses all through DC close, too close to each other. Any old space they find, they're going to build housing. That's too much.

Now, affordable housing: I want it in Ward 8, but, why not? I don't care how high the rent is over there in Wards 2, 3, and 6; they can do some set-asides too. They can, they can have some affordable houses too. Why not? Don't always bring everything over here in Ward 8 and Ward 6.

We do have too many transitional housing units. We want some business over there, not just Skyline. It's supposed to

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be businesses all down Martin Luther King Avenue, but they've got all this transitional housing and drug rehab, and people are standing on the corner and loitering all down the street. And we're scared to go to the bank because of the loitering. So, if you're going to a rehab, you go to do your rehab, but put it somewhere else. Don't put it in the business area.

And I don't mind having low-income housing, but I don't want all of them shoved over there at Ward 8. We had Sheraton, and they're getting ready to tear down Berry Farms. It's going to be a lot of housing, but not clutter.

COMMISSIONER TURNBULL: Thank you.

CHAIRMAN HOOD: Let me see.

Commissioner Jackson, you asked us to postpone our decision --

MS. JACKSON: Yes.

CHAIRMAN HOOD: -- for six months.

MS. JACKSON: Yes.

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CHAIRMAN HOOD: I've been --

MS. JACKSON: And I'll ask again.

I'm, I'm not cutting you off, but I've asked the Mayor the same thing. He meets with the chairs of the ANCs every three months, and at his meeting this month, I asked him because I felt that the Office of Planning has kind of kicked us in the heiny by saying, you know, you don't count; we don't need to have your input on anything.

And I'm just getting sick and tired of these little structures, like Kahdijah said, on little pieces of land in the Marshall Heights community that -- nobody will come and build because you put it up too fast, it looks like little decorated barn with the siding on it, and he wants to charge somebody \$300- and \$400,000 for this mess. Who's going to buy it? And then you'll turn around when you can't sell it and offer it up for a group home, or whatever you can do to get some money out of somebody.

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We want some regulations, and it's not just from you all. It's in DCRA also.

CHAIRMAN HOOD: Okay, but let me just come back to this process.

You may ask for this, but when the Office of Planning went out, they did their tour, kind of like what we were doing.

(Whereupon, an off-mic comment was made on the record.)

CHAIRMAN HOOD: Okay.

Well, they did a -- I'm not sure when it was.

Does anybody remember? Was it a year ago? No, I thought it was -- but anyway.

The Office of Planning went out to the wards, and when they went out to the wards -- first of all, of the three who testified, was anybody involved in any of those sessions.

MS. JACKSON: No.

CHAIRMAN HOOD: Okay.

MS. JACKSON: Okay.

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CHAIRMAN HOOD: I guess my question is -- we know what the budget is, and it's something I've been grappling with -- oht, it was in December. We went out on December 12.

MS. JACKSON: Christmastime. Christmastime -- why would you hold a hearing in December, when people are preparing for Christmas? That's just stupid.

CHAIRMAN HOOD: But Ms. Jackson, I know you're getting ready to get me told. I've known you a long time.

MS. JACKSON: Now, and I'm not, I'm not in here for that tonight because I love you, and you know I'm not going to do that.

CHAIRMAN HOOD: We've been friends a long time.

MS. JACKSON: But you know I'm going to speak my mind.

CHAIRMAN HOOD: I know that.

MS. JACKSON: Who in their right mind would schedule a meeting in December when folks are getting ready for Christmas,

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and you think people are going to come out to a meeting.

CHAIRMAN HOOD: But Ms. Jackson -

-

MS. JACKSON: It's bad planning, and they do it all the time.

CHAIRMAN HOOD: I understand. I understand, Ms. Jackson.

Let me tell you, one of the issues that we face is, if we do it in the - - last night I heard -- I thought somebody was throwing something at me -- last night, I heard that we did it when it was cold. Then when we tried to do it when it was warm, I heard that we do it at vacation time.

I'm trying to -- and they'll tell you, the Office of Planning and the Office of Planning will tell you -- that I'm trying to figure out what we need to do. Do we need to put something in the newspaper? Do we need to send something out to every home?

But here's the other thing: If it's coming to my house and I get a little card, if it's not interesting, then it goes

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in the recycle bin, and it could be a very important subject. Some people send things to me that says "very important"; then I start looking at it for a minute, and if it's not important to me, then I throw it in the bin.

So I guess, Ms. Jackson, what you're experiencing -- I've known you a long time -- what can we do to get the word out? That's the issue.

MS. JACKSON: Well, we found out about this just by accident from Phil Mendelson's office because he meets with the ANCs also, and we practically took his head off of his shoulders because we knew nothing about it.

I don't know what it is about this city that they just seem to think the folks where we live at, that maybe we don't count, we're stupid and we don't know how to read and we can't count one and two. You know, there are some very intelligent people east of this river, and a lot of them are very professional people, you know, and we have had good jobs. I'm retired now. I've

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been retired from 30 years in the in the United States Senate.

So, therefore, you know, it's not in anybody's -- how do I say this and be nice? It's not in anybody's mindset to think that we don't care. For a long time over here, we had had to write the books for what we wanted in our ward, Ward 7, because nobody paid any attention. We were the ones to put community policing in place. Most of our officers from the 6D are down there now in Cathy Lanier's office because we trained them out here. We have a working relationship. This is a close-knit community, and we just want to keep it that way.

But we want to be told when things are happening, and I guess how you can do is, if you plan it -- if people say it's too cold, they don't have, they don't have a good concept of what the issue is. It's cold now; I'm getting gout in my foot; I've got a bad knee with a brace on it. But I came here tonight because this is important.

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Do you realize we have a bed-and-breakfast in the middle of the block on P Street, Southeast. What for? The only way you can get a room there is you've got to go online to do it. Who is it for? The man came from Hawaii and put his paperwork in. A lot of stuff has got to stop being done online because you're not including everybody.

Everybody is not on the Internet. Everybody doesn't have a computer. Things have to be done where people are included in the process, and this process just as a working.

CHAIRMAN HOOD: So let me just ask you this, Ms. Jackson; let's peruse this for a minute.

If we were to send out a card, do you think that would help.

MS. JACKSON: If you send the cards out, we will see to it that the information gets put out at our ANC meetings. This got put out at the ANC meeting because they sent me a packet about

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two weeks ago, and I just happened to go to the Ward 7 Dems meeting.

I took that envelope with me, they allowed me to speak, and I let folks know, this is something real serious that we've got to start paying attention to. We just can't let them keep putting things in our neighborhoods where folks can go online and apply for a permit, and then you come back and say, well, you know, we can get a variance to do this. Too many variances are being asked for here lately.

We had two of them at our ANC meeting last night, but I would not give them a vote because they came before you all in September, did not ask us, did not come to us, so I'm going to make him wait.

CHAIRMAN HOOD: Okay.

Let me see; I had another question for you, Ms. Jackson.

MS. JACKSON: Yes, sir.

CHAIRMAN HOOD: Now, Ms. Jackson, not that kind of set the record straight, but you know, on the change of the Department of Justice -- as you remember --

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MS. JACKSON: Yes.

CHAIRMAN HOOD: -- when the definition was changed by this Commission, which took the matter right out, you know, the Department of Justice was suing the city for so many thousands of dollars or whatever it was per day, until we came until we came into compliance.

This was actually when I first came on the Zoning Commission We took that matter of right exactly the same, and we changed the definition. We're required to by law. The Department of Justice was suing the city every day. Actually, I voted against it, but it didn't make a difference because at the end of the day, it was going to have to be changed so we could come into compliance with the Department of Justice.

But that definition -- you said that the Zoning Commission changed it back.

MS. JACKSON: Oh, yeah, about the housing.

CHAIRMAN HOOD: Right. Right. Yes.

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MS. JACKSON: Well, that was when the Clinton administration was in there and we had the empowerment zone and the enterprise community, and they were trying to build back the cities and bring folks back into the city. And that was, that was when Eric Holder was the US attorney. So, and we had the Weed and Seed program out here.

So that's how they were trying to get rid those folks that they had in these institutions. People were standing in line for the money, yet they weren't doing anything for the people that they were supposed to be responsible for.

CHAIRMAN HOOD: So let me just ask this, Commissioner Watson, because I can tell you, we've heard a lot from, well, really, every meeting we've had, and my colleagues and I are really concerned about 7 and 8 not being heard.

Commissioner Muhammad -- I said this before she got here, and I'll say it while she's here -- she was very vocal in saying that this area was not being heard.

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MS. JACKSON: No, we weren't; she's right.

CHAIRMAN HOOD: She was very instrumental, and to her credit. That's why I said that the ANC commissioners are working hard. She was very instrumental, and got us rethinking some things coming out.

Let me just ask this to you, Commissioner Watson.

MS. WATSON: Yes.

CHAIRMAN HOOD: You mentioned the Office of Planning being more engaged. Now, the Office of Planning was in Ward 7.

MS. WATSON: Okay.

CHAIRMAN HOOD: They were in Ward 7.

Did you all know the Office of Planning was an Ward 7?

MS. WATSON: No, I did not; I had no idea.

CHAIRMAN HOOD: Okay.

SPEAKER: I want to (off-mic.)

MS. WATSON: Wait a minute.

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She wanted to know where, in Ward 7; what precinct.

CHAIRMAN HOOD: I know Commissioner Marlin; I'm going to get to her.

MS. WATSON: Okay, just go ahead and talk to me, then.

You'll get your turn.

Okay.

CHAIRMAN HOOD: I'm talking to you now.

I'm trying to figure out how we can be better engaged -- some of the same questions I just asked Ms. Jackson.

MS. WATSON: Can I ask you a question? Hood. Yes, ma'am.

MS. WATSON: How did 2, 3, and 6 know about it before we did?

CHAIRMAN HOOD: Honestly --

MS. WATSON: Yes.

CHAIRMAN HOOD: -- from what I've seen, if you want my opinion --

MS. WATSON: Yes.

CHAIRMAN HOOD: I'm hearing the same thing everywhere I go.

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MS. WATSON: Okay, the same --

CHAIRMAN HOOD: The difference is that we've been getting help from 2, 3, and 6. I understand, I think 3 has come out and helped.

Your own testimony said you supported Ms. Nancy MacWood. Was that you?

MS. WATSON: Yes, because I listened to her speech.

CHAIRMAN HOOD: Okay.

MS. WATSON: -- on January 29. That's the first time I heard it.

See, let me say this: You had the young man who was on the radio engaging with the ANC Commissioners. Do you think that something's wrong with the ANC Commissioners? Because, we need to be engaged.

CHAIRMAN HOOD: You know, you're talking to a former president of the City Association with 28 years of service.

MS. WATSON: But I'm, I'm just saying -- oh, I'm not talking about just you.

CHAIRMAN HOOD: Okay.

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MS. WATSON: I'm just making a --
listen to me.

CHAIRMAN HOOD: Okay.

MS. WATSON: Listen to me.

CHAIRMAN HOOD: I'm here to
listen.

MS. WATSON: They need to come
out to our ANC commission. They know the
dates of our meetings. Come to our -- or
come to our board meeting, our executive
board meeting. We need to know so we can
pass this information to our residents.

Also, you could do it on the
radio, the flyers, or whatever, but come to
our ANC commissioners meetings and let us
know what's going on because we're the ones
to get the word out in our communities.

CHAIRMAN HOOD: Okay.

MS. WATSON: Just like you all
were talking about the, moving the
precincts. I had a problem with that. Let
me say something about --

CHAIRMAN HOOD: Moving the
precincts? Help me understand.

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MS. WATSON: You know, you know,
but I --

CHAIRMAN HOOD: That's the --

MS. WATSON: I'm not going to mix
apples with oranges. You know, I'm going to
just leave that alone.

CHAIRMAN HOOD: Okay.

MS. WATSON: Today I was watching
TV, Channel 13, and guess what I heard? I
heard that -- what's that young lady who's
leaving the Office of Planning?

CHAIRMAN HOOD: Ms. (inaudible)

MS. WATSON: Yes.

She made a statement that --
somebody mentioned the zoning rewrite, and
she said that's, we're finished with that;
that done, so we're not having any more
hearings regarding the zoning rewrite. And
I'm sitting up here like, I'm supposed to go
to a hearing this evening. You know, and
the Mayor was sitting, standing right beside
her when she made that statement.

CHAIRMAN HOOD: Well, maybe one
of my other colleagues --

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COMMISSIONER MILLER: I watched that.

MS. WATSON: You watched that; did you hear that?

COMMISSIONER MILLER: I watched that -- no, what she said -- with all due respect, she said, the Office of Planning was finished with their recommendations, and it was in the Zoning Commission's hands.

MS. WATSON: Well, I didn't hear that. I must have been.

COMMISSIONER MILLER: It's in the Zoning Commission's hands--

MS. WATSON: Okay.

COMMISSIONER MILLER: -- in terms of hearings and how they want to proceed.

MS. WATSON: Well, the thing is -
-

COMMISSIONER MILLER: In terms of the Office of Planning.

COMMISSIONER MILLER: Oh, that's the Office of -- she said it was a done deal.

COMMISSIONER MILLER: She said they had forwarded the recommendations

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months ago to the Zoning Commission, and it was in the Zoning Commission's hands.

The Office of Planning, though, is still going out, as the Chairman announced, with four open houses in the next several weeks.

CHAIRMAN HOOD: And I think, Commissioner, as a result of what we heard -
-

MS. WATSON: Okay.

CHAIRMAN HOOD: -- we are very interested in hearing you because when we make a decision, we want to make sure we make a decision that's informed and that the community has had input. That's a big thing for this Commission; okay?

MS. WATSON: Okay.

CHAIRMAN HOOD: That's why we're here, and that's why Ms. Muhammad knows we're coming back.

MS. WATSON: If you're concerned about Ward 8 and Ward 7, you need to give us more time to read the whole package.

CHAIRMAN HOOD: Okay, so can we make an agreement tonight that -- I'm not

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sure when the Office of Planning is going to come out, but let's start, all of us in room who hear me now and let's tell others -- let's start perusing the document and seeing if we can try to understand it and figure it out.

I said this last night. I don't want anybody to think I didn't say that in Ward 3 because I was in Ward 3 last night. I said the exact same thing.

MS. WATSON: Okay.

MS. JACKSON: Mr. Hood, have you seen that document?

CHAIRMAN HOOD: Have I seen it?

MS. JACKSON: Yes.

CHAIRMAN HOOD: I actually did--

MS. JACKSON: Did you see me just struggle, did you see me just struggle in here dragging that bag with all those papers in it?

CHAIRMAN HOOD: Commissioner, what I had to do--

MS. JACKSON: And, and still, I still haven't gotten to read this much of it.

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CHAIRMAN HOOD: Commissioner, what I had to do was break it up into subtitles when I carried it around the city.

MS. JACKSON: I know, but not only that, if you don't know what the zones are now and how it's been explained as to what can be put in our community, how are we going to know how you're going to change it to make it any different, other than this part right here, where I saw that they want to talk about the density. You know, there's no building height. There's no limit; there will be no limit on the height of a building or the density and the distance between the property lines.

CHAIRMAN HOOD: Okay, here's what we're going to do, Commissioner Jackson and Commissioner Watson and Mr. Purview: I have your comments, and we're going to be discussing matters we move forward, but what I'd like for us to do now is to maybe contact the Office of Planning. I know they're doing some other sites. They're going out and talking to people; they're working with people. You can contact the

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Office of Planning and find out, what is it that they're really proposing? And if you need assistance, I'm sure that they can give assistance.

MS. JACKSON: Well, I think I have the part that they planned, that they -
-

CHAIRMAN HOOD: Proposed, what they proposed.

MS. JACKSON: -- right; what was proposed from them.

CHAIRMAN HOOD: Nothing is a done deal; nothing.

MS. JACKSON: Well, I'm glad to hear that.

CHAIRMAN HOOD: Nothing is a done deal.

MS. JACKSON: I'm glad to hear that.

CHAIRMAN JACKSON: Okay.

Are there any other questions?

(No response.)

CHAIRMAN HOOD: Okay.

Commissioner May.

COMMISSIONER MAY: I want to ask a question about notifications that may have

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come to the ANC offices, so -- to the two people who are with the ANC.

The reason I ask is that we first started holding hearings on topics related to the zoning regulation rewrite in 2007 or 2008, something like that; it was a long, long time ago, and I'm looking on the table and Ms. Schellin.

Ms. Schellin, for those topics that are of general interest to all ANCs, is there a notice that's mailed directly to each ANC?

MS. SCHELLIN: To the ANC office, yes.

COMMISSIONER MAY: Yes.

MS. SCHELLIN: But not the SMDs.

This time--

COMMISSIONER MAY: Not the SMD.

MS. SCHELLIN: Back then, for the guidance hearings, that's correct; it did not go to the SMDs. It went to the ANC offices.

But for this round, in November, it went to the ANCs and the SMDs.

COMMISSIONER MAY: SMDs.

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So I guess my question for you is, with these earlier hearings we were talking about different subject matter. We had hearing about parking. We had hearing about commercial districts and things like that. It was divided into topics as opposed to what we're doing tonight, which is just about everything. And that goes a long way back, and it was just to get the initial guidance so that the Office of Planning new what to write about.

If those notices went to those ANC offices, were they not being shared with all of the SMD commissioners? Because it goes back a long time, and there were a lot of them.

I mean, how many hearings did we actually have on the subject matter? Maybe the Office of Planning would --

MS. SCHELLIN: I believe there were 15.

COMMISSIONER MAY: Fifteen.

MS. SCHELLIN: Between 13 and 15.

COMMISSIONER MAY: I'm hearing 20 over here.

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Soul I mean there were a lot of hearings. It wasn't a matter of one or two. So notices would have gone out 15 times.

MS. SCHELLIN: There would have been a notice for each guidance--

COMMISSIONER MAY: Right.

So there would have been 15 notices over a period of several years, and then things quieted down for a while. Then there would have been noticed that went to every SMD, Commissioner, in the fall for the hearings that were held in November.

And now it sounds like you didn't hear anything about it until you heard from Phil Mendelson a couple weeks ago.

MS. JACKSON: Well, you just stated yourself that over a period of years.

COMMISSIONER MAY: Correct.

MS. JACKSON: Who's going to remember something over a period of years that can go back and look in that in trying to move forward now?

COMMISSIONER MAY: All right.
Well, I mean--

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MS. JACKSON: So, if you started this process over a period of years, then that's when we should have been really pounded in our minds, you know, this is important; this is what we need to do for this hearing.

So, if you're not going to emphasize that -- and then you said you walk away from it for a while.

COMMISSIONER MAY: Well, we didn't want away from it. It just --

MS. JACKSON: Well, you stopped the hearings.

COMMISSIONER MAY: It slowed down for a period while they did a lot of writing.

MS. JACKSON: That's the same thing. You know --

COMMISSIONER MAY: And then, in the fall, you didn't get the notices that were mailed to you?

MS. JACKSON: We started getting the notices when we started looking at the time frame that all of this is going to take place, and we're --

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COMMISSIONER MAY: You mean the current round, what we're doing right now.

MS. JACKSON: Yes. How is it going to take -- no, not the hearings; the deadline, which I think was in December.

COMMISSIONER MAY: Right.

MS. JACKSON: It was something for December that was the deadline.

COMMISSIONER MAY: Right; we had hearings in November.

MS. JACKSON: Right.

COMMISSIONER MAY: So you did get those notices.

MS. JACKSON: No, we, we got those notices -- but we didn't know about the changes that were going to take place how they were going to affect our neighborhoods until we went to Phil Mendelson's meeting.

COMMISSIONER MAY: Right.

MS. JACKSON: And we jumped all over him because it was like the parking situation. We knew nothing about no temporary stickers that they were using up

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in Ward 3 that you could get parking from the police department, in your house.

COMMISSIONER MAY: Right.

MS. JACKSON: We knew nothing about that.

People in my neighborhood got tickets. When somebody came to visit from out of town or if, you know, they stayed overnight, they got a ticket in the morning.

COMMISSIONER MAY: Right, that is important --

MS. JACKSON: You know, so--

COMMISSIONER MAY: -- and that's not our domain.

MS. JACKSON: Well, it's not your doing, but evidently--

COMMISSIONER MAY: Right.

MS. JACKSON: -- everybody's operated from a different book.

COMMISSIONER MAY: All right. Okay, thanks.

I just wanted to know about what kind of notice--

MS. WATSON: I didn't get --

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(Whereupon, the speakers engaged in simultaneous conversation.)

COMMISSIONER MAY: -- because there were attempts to notify the ANC.

MS. JACKSON: Well, we have an office, so we get the notices for this, for this part of it.

COMMISSIONER MAY: Right. Okay.

CHAIRMAN HOOD: But again, ma'am, going forward, what I need everyone to help us do is to continue to get the word out, like doing.

Again, Ms. Jackson, as you stated, everyone doesn't have a computer and doesn't do it that way. So that's why, always make sure, at every hearing we have, I say call the office at 727-6311, and they'll keep you updated on the further process as we move forward.

MS. JACKSON: Okay. Well, we'll do what we can.

CHAIRMAN HOOD: But I really thank you all for your testimony.

MS. WATSON: I just bought a brand-new computer yesterday, just for this.

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CHAIRMAN HOOD: And this is just a side note: Everyone who has doubt, drink celery juice and beets. I haven't had a problem since.

(Laughter.)

CHAIRMAN HOOD: You all take care. Thank you very much.

MS. JACKSON: Will that help my knee?

CHAIRMAN HOOD: It will. It really will. Celery juice really does help out, and pineapples. Trust me, drink it as a juice.

MS. JACKSON: Okay.

CHAIRMAN HOOD: Thank you very much.

Okay, Commissioner Marlin.

TESTIMONY BY ROBIN HAMMOND MARLIN (7B05)

MS. MARLIN: I'm Commissioner Marlin. But can I not do time yet? Can I address your -- Mr. Mays' -- issue about notice? Because I think something needs to be put on record before we go forward, and this is that the ANCs are represented to represent the single-member district. We

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are not a quick, easy conduit for disseminating information.

Each of you have a responsibility to come out to an ANC meeting and share upcoming proposals or what's going on with the Zoning Commission. So I'm really, I'm trained with agencies feeling like, oh, just give it to the ANCs.

You sent me a package of this information. What should I do with it? I'm one person; I'm not going to read 20 flyers. Is your expectation for me to get out and walk and take it around? I disagree with that.

It's the agency's responsibility to get the information out. So, since you asked me about that, I heard above a forum on TV. Maybe you can use the TV; Channel 8 talked about the forum last night.

So do not rely on ANC Commissioners to put your information out there.

So that's, I wanted to say that before I testify.

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CHAIRMAN HOOD: Okay. We may have some questions for you after this.

MS. MARLIN: About that?

CHAIRMAN HOOD: About that, too. That's why I'm counting that as part of your testimony.

So you may begin.

TESTIMONY BY ROBIN HAMMOND MARLIN (cont'd)

MS. MARLIN: Okay. All right then.

I really wanted to address the -- do I have to give my name again?

CHAIRMAN HOOD: It would be nice for you to introduce yourself.

SPEAKER: I'm Commissioner Robin Muhammad are Marlon. My SMD is 7B05. I'm in ANC Commissioner in Commission 7B.

I wanted to speak about the R1B standards as it relates to setbacks, and actually, the side setback. I've had some development in my single-member district along Branch Avenue, where, you know, with the advent of these mega homes -- I guess you call them McMansions or what have you --

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people are thinking that they can use every square inch of a lot.

Most of the lots in the District, as you know, are small. I think they're 25 square feet or something in diameter and width. So if you're not mindful of how much lot occupancy you're allowing, you can deal with the commissioner saying that your homes are too close.

In one instance, you know, we have this huge home, and this little tiny house has been swallowed up between two other large homes. And the side yard is only eight feet; if you put a fence up, then some of the appurtenances and the utilities are so close that you don't even have enough space for common privacy when you put homes like that.

I agree with the Commissioners that stated that too many variances are being given with matter-of-right properties. I think, with that, you need to look at redefining lot occupancy again. I think that there are a lot of -- let's see here -- there are cross-references as it relates to

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this document. So I found it not user-friendly, to say the least.

I think that the issue as it relates to -- I think they're called -- of all, gosh, I'm trying to go through these papers. Well, it has to do with other structures that R1Bs, like churches and day cares, that kind of thing. There's a section that speaks to signage. I don't think that -- it says "one sign posted." I think you need to expand on that.

We've had instances where people put up these neon signs in the middle of their yard or post something on a fence. I'm comfortable with existing regulation. I just think that the sign needs to be flush -- like the sign behind you -- flush to the building, or maybe posted on a wall because you want to stay consistent with that R1B, that residential feel.

When you put these big signs out in the yard -- and people use their judgment as to how they want to advertise their business -- if it's a true R1B residential

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neighborhood, we want it to have the same feel.

And then, let's see.

And then also, I just want you to keep in mind the tree canopy. Even though we're used of the river, it may not seem that we like trees. We want to make sure that our neighborhoods are, have green space.

And what DDOT has done now to some of our corridors by making the sidewalks wider for bicycle traffic -- I have a bicycle, so I'm not against that. But I think we need to keep in mind that we want to maintain our green spaces and a true canopy.

And my last comment would be that I hope that everyone -- because I'm, you know, I'm kind of an eye-contact person; I use body language. I know some people look like they're disinterested, so I'm hoping that you're not. I hope you're really interested in what we have to say.

Thank you.

CHAIRMAN HOOD: Okay, thank you.

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Next.

Either one; you can share.

TESTIMONY BY HOLLY MOHAMMAD (8A01)

MS. MUHAMMAD: Good evening. My name is Holly Muhammad, and I'm an ANC commissioner in Commission 8A, Single-Member District 8A01. I'm here to tonight to testify on behalf of my single-member district only because our ANC has not had the opportunity to meet and vote again for me to move forward to vote for the full ANC.

After reviewing part of the zoning document, ZRR 08-06A, listening to feedback from my constituents and other residents, and meeting with the Office of Planning, I'm not prepared to offer testimony on the subtitles on the rewrite.

During the Ward 8 meeting that the Office of Planning had with the Ward 8 ANC commissioners, Jennifer Steingasser, the Deputy Director, stated that the ZRR 08-06A was written with younger single residents in mind, and that we have had an influx of younger residents. Ward 8 has young residents, but our ward consists of young

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residents with families. We also have a large number of single residents, and we have everything in between.

This zoning rewrite was not written with the vision or the compassion of the one city model that we have adopted under Mayor Vincent Gray. We discussed parking, new development, the conversion of residential row houses into corner stores, and none of what we discussed is tailored specifically to Ward 8. I believe that this zoning rewrite needs to be revisited and tailored ward-specific. With the resignation of Director Tregoning, I believe that anyone of like mind needs to follow.

With that said, I call for a moratorium on moving forward with the adoption of any regulations in ZRR 08-06A until we have a new Director of Planning in place that will review this rewrite, meet with the wards regarding the specifics of each, and that will consider all of the different social and economic statuses in our city, and all of the residents of the District of Columbia, in a project that,

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once adopted, will affect the lives of all who live here.

Thank you.

CHAIRMAN HOOD: Thank you. Thank you both.

Commissioners, any--

MS. MUHAMMAD: I did. Can I--

CHAIRMAN HOOD: I was going to see if we have any questions.

I know you might have something else, but let me see if we have any questions.

MS. MUHAMMAD: Okay. I'm sorry.

CHAIRMAN HOOD: As I was saying, Commissioners up here, do you have any questions?

(No response.)

CHAIRMAN HOOD: All right, no more questions.

I have some.

MS. MUHAMMAD: Yes, sir.

CHAIRMAN HOOD: You may actually go first, Commissioner Muhammad. You want to say something.

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MS. MUHAMMAD: Well, I was just listening when the other commissioners were testifying, and I heard some of the same things I heard back in November when I first went to the hearings. One thing is that it's repeatedly said that, well, we met with commissioners in 2007-2008; I've heard that over and over.

What needs to be understood is that we have to run every two years. If you met with ANC commissioners in 2007, more than likely, they're not even seated today. That is not being taken into consideration when you think that you've reached out to the ANC commissioners. Sometimes they don't run again, and sometimes they don't win. So you have new commissioners all the time.

And one of the things that I said back in November is that I don't know what, if the Office of Planning has a community engagement person or outreach, but if they do not, that is a job that needs to be created. Now, just as Commissioner Marlin said, we have up to 2,000 residents in our single-member districts. Most of these --

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and this is a problem with some of the agencies -- they email us a flyer for us to get out to 2,000 residents, and a lot of times, we have to try to get it out within a week, three days, five days. I mean it's ridiculous.

And this is east of the river. Everyone does not have computers at home. So that means that we have to take these flyers, copy them, and try to walk them to our residents to make sure that they are notified.

Now, this rewrite took you six years to do, and for you to take something that large and not even think to run an ad; this deserved a full-page ad in the Washington Post. The rewrite, when it began, the hearings, your follow-up, all of that -- you should have constantly run an ad, and you have the money to do it, in the Washington Post because almost everybody reads it. And if you don't read it, somebody's going to tell you that they read it. So that is a better way of spreading the word to residents to let them know that

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something of this magnitude is not only going to affect us, it's going to affect our children.

You're talking about something that hasn't been rewritten for, what, fifty years or so? So you can't take something of this magnitude and sit down and give us five days of hearings for three hours a night, and think that it's done when it took you six years to do it.

CHAIRMAN HOOD: No, Commissioner Muhammad, I hear you; I've heard you in the past. And while with most of what you're saying, I agree.

But I think, though -- and you have to be honest -- this Commission has been very amenable to and done pretty much everything you've asked.

MS. MUHAMMAD: You have, and I will say that and I appreciate that.

CHAIRMAN HOOD: Okay.

MS. MUHAMMAD: But I'm still hearing some of the same things, and I'm just trying to get you to understand--

CHAIRMAN HOOD: I think --

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MS. MUHAMMAD: I, I have asked lawyers, teachers -- we have educated people east of the river that didn't' even know this took place. And I'm trying to get you to understand that.

CHAIRMAN HOOD: We have people all over the city --

(Whereupon, the parties engaged in simultaneous conversation.)

MS. MUHAMMAD: We are in the process, in Ward 8 --

CHAIRMAN HOOD: Right; I understand that, but --

MS. MUHAMMAD: -- of trying to get consultants now. That's where we are.

CHAIRMAN HOOD: We have people all over the city that were not aware of this, and that's why one of the questions that I have asked at every ward meeting -- last night, Saturday at Dunbar -- I asked the same question: how can we better do this? Not just the Zoning Office, because now it's in the Zoning Office's lap. Some of this may get kicked back, is the announcement I read earlier, and I'm going

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to read again, for those who just came in,
to the Office of Planning to do more things.

So, again, residents obviously
were not engaged when the Office of Planning
had it.

MS. MUHAMMAD: Right.

CHAIRMAN HOOD: Now it's been
kicked to us, so now we've come out here,
and we're trying to make up double-time.
And obviously, to some degree, we need to
rework that.

I think this commission, as well
as the Office of Planning, has heard that
loud and clear, so we understand. In other
words, we got it.

MS. MUHAMMAD: And I appreciate
you coming here.

CHAIRMAN HOOD: And as far as
being disinterested, I don't know how people
look when they're up here, because I'm on
this side --

MS. MARLIN: Well, expression is
--

CHAIRMAN HOOD: -- but I can
assure you, we take notes. That's why we

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like the testimony. We're very attentive, and a lot of the questions you ask, we will be asking Office of Planning ourselves. Okay?

Now, something else you mentioned

--

MS. MARLIN: Well, let me ask you -- may I ask you -- are the two individuals on the end from the Office of Planning?

The two of you?

SPEAKER: (Off mic.)

MS. MARLIN: Okay. All right -- not you, Mr.

CHAIRMAN HOOD: We've been working them hard lately, keeping them out late. Okay? So I will say that. They were out late last night.

MS. MARLIN: All right.

CHAIRMAN HOOD: We've been keeping them out late.

MS. MARLIN: But to Commissioner Muhammad's -- one thing I--

CHAIRMAN HOOD: I wanted to address your point, but I want to hear from you.

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MS. MARLIN: -- because, you know, she gave such stellar testimony.

But she's right about the office of planning needs to have an outreach program. I don't remember Ellen's last name. Ellen -- she was the previous director, before Tregoning.

CHAIRMAN HOOD: Ellen McCarthy.

MS. MARLIN: Yes, McCarthy -- she was big on community engagement. Harriet -- I mean -- yeah, Harriet was not, and I'm not here to pick apart her. But there were a lot of instances where 7B complained to Office of Planning that there was not a representative that we could touch and feel, someone we could communicate with about a lot of issues that came out of Office of Planning. So that could be a problem with the extent that you all are having now with, with the rewrite.

So, and you've got to have someone -- I mean the Office of Planning plans for the community, so they should, you know, they should be into outreach. And Harriet was not, in my opinion and my

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experience. I just wanted to say what Commission of Muhammad said. They do need a person.

You know, we used to have a ward person when Ellen with there. Hood.

CHAIRMAN HOOD: I think they still do.

I'm going to go to the Office of Planning.

MS. MARLIN: Well, who's the Ward 7 person? --

CHAIRMAN HOOD: Ward 7 and Ward 8, I think, has a planner; I know Ward 5 does.

MS. MARLIN: But you need to know that person.

CHAIRMAN HOOD: Right. Right.

MS. MARLIN: So there again, if you don't know who the person is --

CHAIRMAN HOOD: Let's do this, Commissioner Marlin -- I don't want to call you Robin because we know each other; I'm going to call you in this setting.

MS. MARLIN: Okay.

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CHAIRMAN HOOD: Let's see who the Ward 7 and 8 planner is.

Mr. Lawson?

MR. LAWSON: Good evening, Mr. Chair and members of the public.

I think the Commissioner is absolutely right. There have been staffing problems with the Ward 7 position. There's always been one, but the position's changed more than is common.

Right now, the planner is Debbie Crane. She used to be the Ward 5 planner; she's transitioning into Ward 7.

The Ward 8 planner has been the same neighborhood planner from quite some time, and that's Evelyn Kasongo.

But you can also reach out to Tracy Gabriel; she's the associate director-

-

I can give people their names. I don't have their cards with me, obviously, but I can spell out their names and stuff if you like -- Tracy Gabriel is the Associate Director for Neighborhood Planning. And Rosalynn Hughey is the Deputy Director, who

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I'm sure you all know. So you could reach out to one of them as well.

There's always been a neighborhood planner. But you're actually right: That person has changed a couple of times over the last four or five years, which is unusual for neighborhood planning.

CHAIRMAN HOOD: Who is the Ward 5 planner?

MR. LAWSON: The Ward 5 planner is still kind of Debbie Crane. She's doing double-duty until that position is filled.

CHAIRMAN HOOD: So she's the city-wide planner, for the whole city.

MR. LAWSON: That's a lot of the city, for sure.

CHAIRMAN HOOD: Okay, Commissioner Marlin, there was a point you mentioned earlier about us coming out to the ANC commissions. Didn't I come over there? I think it's been some years ago.

MS. MARLIN: Yes, you did. You came to Fort Dupont Park Civic Association.

CHAIRMAN HOOD: Yeah, I know I did.

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And the issue is, when we have a live case, we can't talk about it outside of the hearing room. As soon as we adjourn this, when you and I walk out, you and I can't talk about it. Commissioners cannot talk about a case.

Typically, when we come out, we can talk in general, but we can't talk about a PUD or a text amendment; we can't talk about any case matter that's in front of the Commission. So it's kind of difficult for us to do that.

I understand that Chairman Mendelson -- one of the commissioners said, get Hood out; can't you make him get out? If it's about a case, I can't come. But anything else, I think you know, I don't have any problems coming in June to any ANC commission or anywhere.

Now, the staff can come out, but if a case is involved, we can't do that.

MS. MARLIN: Since you're interested in --

CHAIRMAN HOOD: It's called ex parte; the regulations are ex parte communications.

COMMISSIONER MILLER: Can I add, the three of us can't even talk zoning. If there are three of us, it's a meeting and has to be publicly noticed, and it has to be in public and it has to be recorded. So we don't, we can't even talk among ourselves.

MS. MARLIN: Right, but I guess I wasn't talking about that.

COMMISSIONER MILLER: Even --

MS. MARLIN: I'm talking about, you all want to know why we don't know, and what we're telling you is that we're not getting the information.

So let's just say, if, you know, you've got at least eight people up there at the eight wards, somebody take a ward and go around to the ANCs and say, you know, this is coming up. That's what I'm saying.

COMMISSIONER MILLER: Right, and I that --

MS. MARLIN: But I don't know how many of you all live in the city, either.

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CHAIRMAN HOOD: Some of that --
everybody up here.

MS. MARLIN: Oh.

CHAIRMAN HOOD: Some of that was
done. I can tell you that. I know; I
personally did that --

MS. MARLIN: Well, I will exclude
you --

CHAIRMAN HOOD: Okay.

MS. MARLIN: -- because I know I
have seen you in my community.

CHAIRMAN HOOD: Okay.

MS. MARLIN: And of course, I
know some people. I've done a lot with
Sharon. I just met Sara yesterday over the
phone. I know Rob from the Council.

But I'm saying, put a face on
your document. You want us to be involved;
why not each of you -- you know, I do it.
You know, I live on the other side of the
ward and I'm over here testifying.

So you all may not live in Ward
5, but take Ward 7 and go around to the ANC
meetings and just talk about the fact that
you want us to come out; you want citizens

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to come out and participate in your process,
even though it's for us.

I don't want to feel like, well,
you know, in the back of your minds, you're
blaming us for asking for a moratorium, or
you're --

CHAIRMAN HOOD: No, I don't --
no.

MS. MARLIN: -- blaming us
because we don't think we're having enough
time, and we should have done this and we
should have done that.

I'm just saying, you want us
engaged; why can't you all be engaged?
You've got enough people up there, including
the Office of Planning, to send people out
to the community. And then -- you know.

CHAIRMAN HOOD: I think you're
missing my point, Commissioner Marlin.

MS. MUHAMMAD: He can't.

CHAIRMAN HOOD: This is a live --

MS. MARLIN: No, not that; to
come out with your flyer. You can't do
that; you can't come out and say --

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CHAIRMAN HOOD: We cannot -- like I said, the three of us can't even talk zoning. So when you hear us deliberating --

MS. MARLIN: Right.

CHAIRMAN HOOD: They're not going to talk about earlier because, as deliberators --

MS. MARLIN: Okay, but you can't do it. Do you have a staff person that can do it?

CHAIRMAN HOOD: Everything has to be on the record.

That's what I'm saying: We'd get our staff to do that.

MS. MARLIN: Okay. All right, then.

VICE CHAIR COHEN: I have a question about process.

I thought ANCs together. Is that not true?

MS. MARLIN: Are you talking to me?

VICE CHAIR COHEN: Just in general, all ANCs.

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MS. MARLIN: When you say "together," do you mean, like, all the wards?

VICE CHAIR COHEN: All city, citywide -- there's never any, like, get-togethers or responsibilities or communications --

MS. MUHAMMAD: Do you mean, like, all of the ANCs?

MS. MARLIN: Do you mean, like, all the ones in Ward 7?

VICE CHAIR COHEN: Well, that's one, question A.

Question B would be, throughout the city.

MS. MUHAMMAD: I think --

VICE CHAIR COHEN: I'm sorry; I don't know the answer to that.

MS. MUHAMMAD: -- well, since I've been an ANC commissioner, it depends, it depends on who has purview over the ANCs, which councilperson.

Now, when I was in 7B, the ANCs fell under Councilman Alexander, and she did have meetings where -- she would have one --

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what was it? Like once a quarter or something?

WATSON: Yes, it was called every --

MS. MUHAMMAD: Where everone was invited. But that hasn't happened in a while, in a long time.

CHAIRMAN HOOD: Okay, let's --

MS. MARLIN: Can I respond real quick?

CHAIRMAN HOOD: Yes.

MS. MARLIN: To your point about the citywide kind of thing, there was a gentleman who sort of tried to have like an ANC -- what was it? Assembly; that's it.

CHAIRMAN HOOD: Commissioner Jim Berry.

MS. MARLIN: Jim Berry; yes.

CHAIRMAN HOOD: So I'm engaged.

MS. MARLIN: And that was a good forum for something like this, to notify the ANCs about it if that was your question.

CHAIRMAN HOOD: And again, that forum was perceived as illegal. And that's the issue.

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MS. MARLIN: Oh, I didn't know that.

CHAIRMAN HOOD: So, as we do things -- yes, yes, it was, and I remember Jim having to go through that.

Ms. Jackson, you may remember it.

I see somebody else shaking their head.

So I know what's going on with that. I thought it was a good forum, but the ANC commissioners got criticized, especially Jim Berry. I actually went down and spoke about zoning at one of those, and I was told that was an unofficial meeting and I shouldn't have been down there. So there are other things.

But we need to work through all of that. We need everyone's help in that. We're not asking you to do everything; the Office of Zoning is here and the Office of Planning is here. We're going to do it on weekends with the resources we have. We want to get the word out, we're here. Thanks to Commissioner Muhammad and others.

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We need everyone here in the room tonight to help us.

MS. MUHAMMAD: I just wanted to say -- I, I'm just, I was just trying to clarify that that seems to be the recurring theme as far as going back to 2007 -- But I do appreciate, it's very obvious, that you listened to us in November when we were calling for hearings in our community.

And I did let Director Bardin know that I appreciated it. She has sent additional documents to my home, which I'm sure she sent to all the commissioners, to help navigate this whole rewrite.

And it's unfortunate that it is on your table now because, personally, I think it should be kicked right back to OP. And whenever we get this new director, it needs to be revisited, and they need to --

CHAIRMAN HOOD: Ms. Muhammad, let me just cut you off. You missed my statement. I want you to really pay attention. I'm going to read this statement again. You missed the statement I --

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MS. MUHAMMAD: Did I? Yes, sir.

All right.

CHAIRMAN HOOD: -- yes.

But anyway, go ahead.

MS. MUHAMMAD: No, I was just --

CHAIRMAN HOOD: Well, let me do
this.

Is there anyone else who would
like to testify?

(Show of hands.)

CHAIRMAN HOOD: Okay, we've got
two more people.

MS. MUHAMMAD: Yes, sir.

CHAIRMAN HOOD: So, if you want
to stay at the table since you all are
engaged, we'll bring the other two up.

MS. MUHAMMAD: Yes, sir.

CHAIRMAN HOOD: I don't want to
hold everybody up because the weather is
going to get bad, but we're not rushing
because I know you'll get me on that.

MS. MUHAMMAD: Yes, sir.

CHAIRMAN HOOD: Any other
comments from either of the Commissioners?

(No response.)

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CHAIRMAN HOOD: Okay.

SPEAKER: Mr. Hood?

CHAIRMAN HOOD: Hold on for a second. Let me finish with these two, and we'll bring everyone else back up to the table.

Commissioner Marlin and Commissioner Muhammad, do you have any other comments?

MS. MUHAMMAD: Can I stay?

CHAIRMAN HOOD: Can you stay there?

MS. MUHAMMAD: Can I stay up here, or do --

CHAIRMAN HOOD: Well, you need to take a seat back there --

MS. MUHAMMAD: Okay.

CHAIRMAN HOOD: -- since you had a lot to do with this meeting.

MS. MUHAMMAD: Yeah, I'll wait.

COMMISSIONER MAY: Mr. Chairman, can I ask a question?

CHAIRMAN HOOD: Yes.

COMMISSIONER MAY: I want to ask one more question of Commissioner Marlin.

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You raised the issue of R1B setbacks --

MS. MARLIN: Yes.

COMMISSIONER MAY: -- side setbacks.

Are you saying that eight feet is not sufficient?

MS. MARLIN: For the side yard.

COMMISSIONER MAY: For the side yards.

MS. MARLIN: Yes. I don't know if you've ever looked at that because, in my SMD, there have been at least three or four homes that have -- the matter of right --

COMMISSIONER MAY: Right.

MS. MARLIN: -- kicks in. So the owner tries to squeeze these houses. I think another commissioner spoke about how much space is left.

But in doing that, in this particular example on Branch Avenue, it interfered with the utilities in such a way so that utilities ended up -- because it was one big lot.

COMMISSIONER MAY: Right.

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MS. MARLIN: Utilities ended up on another lot and weren't on the lot -- the utilities for the home that was built --

COMMISSIONER MAY Right.

MS. MARLIN: -- was on another lot.

COMMISSIONER MAY: So, but --

MS. MARLIN: So the house was one lot --

COMMISSIONER MAY: But the thing that I'm struggling with is that R1D requires eight feet now.

MS. MARLIN: Yes.

COMMISSIONER MAY: And you're concerned about the matter of right, so you'd like to see --

MS. MARLIN: See it increased to like 12 feet.

COMMISSIONER MAY: -- that actually increased.

MS. MARLIN: Yes, maybe -- I couldn't come up with a number.

COMMISSIONER MAY: Well, it wouldn't --

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MS. MARLIN: So I looked at eight -- I mean 10 feet -- maybe because --

COMMISSIONER MAY: Yes, I was trying to figure out whether you were concerned about it being changed and reduced, or whether you were --

MS. MARLIN: No, I don't want it reduced.

COMMISSIONER MAY: -- depending on the increase.

MS. MARLIN: And the reason why I speak to that is because I have come before the Board, before the Commission, and the builder will ask for a variance maybe to six feet. And I think there are too many variances being given.

COMMISSIONER MAY: I think that's a legitimate complaint as well. And that one, I understood. It was what your concern was now, with the current R1B.

MS. MARLIN: The R1B, and then also, the conformity, so that -- I don't know how you would work this, but when they build these homes -- you're stating here that you want there to be compatibility in

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the structures, and I don't know how much guidance you can give or --

COMMISSIONER MAY: That's an issue that's come up in a lot of neighborhoods.

MS. MARLIN: Yes.

COMMISSIONER MAY: We heard a lot of that last night, the compatibility of development.

MS. MARLIN: Yes.

COMMISSIONER MAY: Concerns about -- maybe it's not as much of an issue here - - but with popups.

MS. MARLIN: It is -- yes.

COMMISSIONER MAY: Here, you have McMansions, but there's also popups that go up to 40 feet next to a 25-foot house, and they look completely out of place.

MS. MARLIN: But then structures, too. I mean we have one instance where the owner was only going to put two windows in a house. I mean who does that?

COMMISSIONER MAY: Right.

MS. MARLIN: So, and then you have houses surrounding you that are really

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pretty, and they have windows and shutters and that kind of things. But just to get in -- and then what's happening in my SMD is they build these homes, or he was building a home, and then he was going to live in Virginia and rent the house.

COMMISSIONER MAY: Right.

MS. MARLIN: So those kinds of things need to be looked at when you're writing these things, and I didn't find a lot of specifics.

You know, I'm telling you, make sure the sign is flush against the building, but you all just say "post." So, when I go to a constituent and say, hey, you have a business here and you've got the sign in your yard, they can come back and say, well, it says you can post it; it doesn't tell you how to post it. Those kinds of things.

COMMISSIONER MAY: Okay. Thank you.

MS. MARLIN: Thank you.

CHAIRMAN HOOD: I want to thank you.

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Is there anyone else who would like to testify besides the two gentlemen I see here at the table?

(No response.)

CHAIRMAN HOOD: Okay, who's going to testify? Do you want to come to the table?

On the other side of Commissioner Marlin -- I don't want it to look like I'm picking on her. I know her, so I can pick on her a little bit.

Thank you. I wanted you to move, but I appreciate your doing that.

TESTIMONY OF DEBORAH ROLLINS

(Ward 7 property owner)

MS. ROLLINS: I'm in Ward 7, and I'm a proud Washingtonian. My grandparents came to Ward 7 in 1921, in Deanwood.

And one of the problems I've been talking today -- oh, I'm sorry -- Dr. Deborah Rollins.

One of the problems that I have as one of the oldest families in Deanwood is that we've been through the good times and the bad times, in Washington, DC, and we

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wanted to utilize the land that my grandparents had. It's been very difficult, and I agree that there has to be an update or a modernization of the zoning because there are a lot of vacant lots, lots that have been in people's families for years, and they're just sitting there and they're eyesores.

And some of us do want to come back and modernize, help with the redevelopment of Deanwood, but we're having a hard time doing it. So I totally agree that there has to be some new customization of the variances. We want to go back and try to fit in, but to me, Deanwood looks like Takoma Park. We want to work with the neighborhood and the neighbors.

Even though I don't live in Ward 7 now, we still have property in Ward 7. I live in Ward 5, in Riggs Park.

CHAIRMAN HOOD: Here's the problem: You represented to us just now that you live in Ward 7, and the rule is -- I'll tell everybody -- that we want to hear from Wards 7 and 8.

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Now, you started off telling us you live in Ward 7.

DR. ROLLINS: Okay. Well, if I have a house in Ward 7 -- but I don't live in Ward 7.

CHAIRMAN HOOD: Okay, so I don't want -- I want to stay on Ms. Jackson's good side because I need to get on the Metro and get home.

DR. ROLLINS: Okay, I totally agree.

CHAIRMAN HOOD: So, if you don't mind if you could, just wait and give us your testimony in writing.

DR. ROLLINS: Okay. Okay.

CHAIRMAN HOOD: But thank you for coming. And please stay engaged.

DR. ROLLINS: Okay. I will, okay.

CHAIRMAN HOOD: So you can take your seat.

I'm sorry about that.

Next.

TESTIMONY OF IRV SHEFFEY

(Ward 7 resident)

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MR. SHEFFEY: Good evening. My name is Irv Sheffey. I am a Ward 7 resident and community activist. I want to first say good evening, and thank you for this opportunity to testify before you on the proposed regulations, and in particular, the Green Area Ratio, or GAR.

To give you a brief bit about myself, I am a former staff member of the Sierra Club, surveying the District as a field organizer for the club's Environmental Justice and Community Partnerships program, and much of my work in that role in the last seven years revolved around the greening of Wards 7 and 8. And though no longer on staff, I am an environmentalist and a community activist residing in Ward 7, and I'm keenly interested in the future of where I live, and the District as a whole.

One of the key attractions of living in the District is its open space, trees, and people-scaled skyline vistas, especially in contrast with my hometown, which is New York City. As much as I love my former home, I want the District to avoid

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becoming a place of congestion, concrete, and manmade canyons. These zoning regulations can make such a difference.

East-of-the-river neighborhoods with their presence of several national parks, landscaped private homes, tree-lined streets, and land available for potential development contribute to Wards 7 and 8 being some of the greenest sections of the city. While I would like to see more development here, thus improving the local economy and bringing more amenities, we need to retain as much of our green space as possible while doing so.

Development must be done mindfully. Once chopped down, once cleared, once built, once paved, those spaces are gone, not to return in my lifetime nor those of generations to come. We must preserve as much of the green spaces -- especially our tree canopy -- not only for their beauty but their utility in cleaning our air, capturing storm water, countering global warming, and a myriad of other ecological services. Zoning is one key element in assuring that

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planning and development is done in a mindful manner. The intent behind the use of GAR can be seen as a step towards that mindfulness.

Now, I may not be an arborist, but I have examined some of the suggestions posed by those who are; mainly, Casey Trees. For full disclosure, I have been a volunteer with them since I returned to DC in the fall of 2005, serving as a lead system forester, planting trees all over the city.

I want to underscore what they have suggested and liberally quote the testimony presented to this body by May Z. Hughes, their director of planning.

One, we believe the intent of the GAR is to value green elements according to their environmental benefit. The benefits of a large canopy of trees are exceptionally greater than the environmental benefits of trees with smaller canopies. For example, a mature oak tree provides far greater environmental benefits than a mature crape myrtle. Therefore, we believe that the GAR

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should score trees based on their size at maturity, as it does for shrubs.

Seattle's Green Factor, who published the GAR model, is widely recognized as the industry standard for environmental regulation. The green factor also prioritizes trees based on size at maturity.

By simply changing the language in lines B3 and B4 of the GAR scorecard, the District can create -- I'm almost through -- a smart regulation that works.

Line B3 of the scorecard reads, "Tree canopy for all new trees, 2.5 inches to 6 inches in diameter, or equivalent, calculated at 50 square feet per tree." We propose replacing that language with, "Tree canopy for all new trees, 40 feet or less at maturity, calculated at 50 square feet per tree." --

Line B4 of the scorecard reads, "The tree canopy for new trees 6 inches in diameter or larger, or equivalent, calculated at 250 square feet per tree." We propose replacing this language with, "The

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tree canopy for the new trees greater than 40 feet at maturity, calculated at 250 square feet per tree."

These suggestions, suggested changes, made sense from this layman's point of view, and I hope you will strongly consider them as you finalize regulations.

And for any clarification or additional information, I can be contacted. My address is on this testimony, and so is my email and my telephone number. So please feel free to contact me.

CHAIRMAN HOOD: Thank you.

Let's do this while the subject is hot. Any questions?

Commissioner Turnbull.

COMMISSIONER TURNBULL: Thank you, Mr. Chair.

I think your comments have actually come up at several other hearings, and I think the Office of Planning is moving forward, I think, with changing some of that language.

MR. SHEFFEY: Great.

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CHAIRMAN HOOD: Any other questions?

(No response.)

CHAIRMAN HOOD: Next.

TESTIMONY BY GARRETT HONEA

(Ward 7 resident)

MR. HONEA: Good evening, ladies and gentlemen. My name is Garrett Honea. I live in Ward 7 in Kingman Park, at 25th and E. I'm here tonight to strongly supposed the proposed update to the DC zoning code, and procedurally, the proposed reforms to the parking requirements, corner stores, and accessory apartments.

Today's zoning code reflects the needs of the District in the 1950s. The proposal will help to enhance our neighborhoods by improving access to affordable housing and local shops.

Eliminating and reducing parking minimums will encourage a more walkable, dense, and diverse neighborhood, while improving the west-to-east travel imbalance that plagues Metro's cost of service on my

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daily commute on the Blue and Orange Lines from Stadium-Armory.

Similarly, the access -- the accessory apartment -- reform will immediately increase the supply of legal housing, removing things from the black market, as well as provide for an increase in income for those with extra space available in their homes, like some senior citizens in my neighborhood.

SPEAKER: (Off mic.)

MR. HONEA: Kingman Park.

SPEAKER: (Off mic.)

MR. HONEA: I live at 25th & E.

CHAIRMAN HOOD: Hold on, you're supposed to be --

Hold on. Hold on a second.

I would ask that everyone be respectful, whether you agree or disagree. You're supposed to be talking with us.

And I would ask other commissioners, please, if you disagree, just kind of keep it to yourself. If you want to yell, yell on your way home.

Okay, let's move on.

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MR. HONEA: Thanks.

CHAIRMAN HOOD: Don't do that.

MR. HONEA: Sorry. It's hard for me not to respond to people when they talk to me.

Where was I?

Oh -- and lastly, allowing for a reasonable increase in corner stores will improve the retail options in neighborhoods like Kingman Park, where residents like me have to travel a mile or more for healthy groceries and snacks.

Our 1958 zoning code no longer fits a modern environmentally friendly, neighborhood-focused city like DC. Subsidizing cars with more expensive rents is not a sustainable policy and further degrades DC's affordability.

I love Kingman Park, and as the D Street streetcars come through and, I'm sure, more development, I really hope the Commission adopts these zoning reforms so that that development is smarter, more sustainable, and more affordable.

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The Zoning Commission has an open window of opportunity here to shape the future of Kingman Park and other DC neighborhoods for generations to come, and I believe this zoning code proposal is a great opportunity to positively impact our quality of life.

Thank you for your time.

CHAIRMAN HOOD: Thank you.

Commissioners, do you have any questions?

(No response.)

CHAIRMAN HOOD: Okay, thank you for your testimony, Mr. Honea.

Next -- Mr. Richards.

TESTIMONY BY ROBERT RICHARDS (7B)

MR. RICHARDS: Good evening. My name is Robert Richards. I'm a resident of Ward 7. I live on Carpenter Street. I am an ANC commissioner in ANC 7B07, and I am the Chair of ANC 7B.

Since the subject of streetcars just came up, I remember my first visit to Washington, DC. I grew up in Connecticut

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when you still had your streetcars, for those of you who lived there back then.

As America changed over the years, we found that those things didn't really work and we got rid of them, probably for good reason. And we probably replaced them with busses, which are much more flexible and work in an environment like ours. Let's not go back and make the same mistake again.

I told the Mayor that, and he told me the decision's been made. Decisions can sometimes be a mistake.

Let me first begin by saying I would like to echo the remarks of Commissioners Marlin and Muhammad, who spoke with you a few minutes ago, particularly their comments with regard to the lack of notice to the citizens and the ANCs, and their recommends to you that you need to get more involved in disseminating information to the community.

The efforts done by the Office of Planning in this regard were totally woeful and lacking, and probably created the

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environment in which -- we're not really attacking you for something that they did -- but as a matter of fact, the community really does not know what's your plan.

And you need to consider the moratorium. You need to consider giving the public an adequate opportunity to digest the 1,000 pages of material that you put out, to comment on that, and to discuss it in the community.

Let me just leave it at that. I think you've gotten the point from these hearings you've had all over the city. Ward 7 is not the only ward saying this.

Now, one of the things that Ward 7 does complain about is that other wards did get more of an opportunity to comment, but you're giving it to us now, so we're not, I'm not going to complain about that.

Our commission has appointed a committee to begin looking at your document and preparing our comment and making it available to the citizens to discuss this, which will be happening at our next several ANC meetings. But our meetings are a month

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apart. Our next one is the 20th of this month. The one following that would be in March. So we're going to need plenty of time to do that.

I understand that you're going to leave the record open to April 17. That will give us some opportunity to discuss this publicly with the citizens and get back to you timely. But it's still a very short notice when you consider what needs to be done to bring a full and adequate discussion to the community to understand what's there and to debate those issues. As you can see, some people favor accessory buildings; I do not. So we need to give people an opportunity to digest, to debate, and then get back to you.

Now, we have had a chance to look at a few points, and I would like to use the rest of my time to briefly go over them, to get them at least on the record at this time.

The ability to customize or localize neighborhood zoning must be preserved. We cannot -- the new rules will

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become final before we've had an adequate opportunity to customize the local area zoning that we're going to need and consider what these mean for us in the future.

After you put them in place, those rules will only allow the customization of greater uses and additional densities. Many of our residents are going to be seeking an opportunity to put into these kinds of plans lower densities and, Commissioner Marlin pointed out, extending side yards, and other kinds of things.

Many of us who have lived here want to see the quality of our neighborhoods preserved, not turning Washington, DC into New York City, as Harriet Tregoning was trying to do.

Now, with regard to parking, that's an interesting debate. Existing parking minimums should be retained. New parking rules are one-sided, are one-size-fits-all, and that one side is aimed at young, single, and athletic. That's not characteristic of everyone who lives in the city, and certainly not characteristic of

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me. The zoning rules should encourage walkability, not enforce it. Not enforce it.

Accessory building units are not necessary in the R-1-B areas, zoned areas, and we feel that these are just totally incompatible with our current lot occupancy and other kinds of issues, and is an inappropriate use of the land if you're trying to maintain the quality of the kinds of neighborhoods that we have in our city.

And one of the other thing that you're over-expanding the Downtown area. That is going to increase the density Downtown and put further pressure on the communities. And it shrinks the residential communities as you try to expand the Downtown.

And it's my understanding that you're looking at trying to triple the size of the Downtown area, and we believe that allowing that kind of density, which would be a 100-percent lot coverage, is inappropriate for some of the other neighborhoods that are going to be impacted

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and shrunk as you do that, so we are very much opposed to that.

But as we go forward, we will be looking more at these issues, and we'll have more detail for you. But we are going to need more time.

CHAIRMAN HOOD: Commissioners, any questions of Commissioner Richards?

(No response.)

CHAIRMAN HOOD: There's something you said, Commissioner Richards. You were saying that we've given other areas more opportunity, and I'm trying to figure out how we've done that because I've always tried to be balanced.

MR. RICHARDS: Sir, I was referring to the Office of Planning.

CHAIRMAN HOOD: All right. Okay.

MR. RICHARDS: Thank you, sir.

CHAIRMAN HOOD: All right, thank you for that clarification.

MR. RICHARDS: Office of Planning had those meetings with ANC commissioners and the public two or three year ago, and because of the way they set up the meetings,

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at each subsequent meeting, there were fewer and fewer ANC commissioners at the meetings.

I mean --

CHAIRMAN HOOD: I know that when we did the ward meetings -- I'm not sure. I think people requested -- I'm not sure if they went out to all the ANCs, but I know --

Was that Fort Dupont, where we were?

I know they did one.

I actually went with them to Ward 7, and I went with them purposely. I went with them because I had heard that they weren't going out to certain areas. Ms. Schellin and I joined them in Ward 7 on, I think it was Pennsylvania Avenue Baptist Church. And actually, they gave a very good presentation that night, I thought.

MR. RICHARDS: Well --

CHAIRMAN HOOD: I'm not debating or disputing or taking up for anyone. I want to see what has been done wrong so we can make some changes because I know you're definitely engaged. I know you as a

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commissioner; I'm the chairman, so I know you're definitely engaged.

I just want to make sure that -- as you state about another issue that I'm not going to touch -- we don't make the same mistakes. That's all I'm trying to do. Is that fair?

Are there any other questions of this panel?

Commissioner Turnbull.

COMMISSIONER TURNBULL: Yes.
Thank you.

Chairman Richards, I appreciate your comments, and I thank the committee -- are you spearheading the committee yourself?

MR. RICHARDS: No, my wife.

COMMISSIONER TURNBULL: Okay,
your wife.

(Laughter.)

COMMISSIONER TURNBULL: But the points that you've risen, though, so far, those are reflecting the views of the committee. They're not just your personal view; they're the committee's views so far.

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MR. RICHARDS: Yes. The committee is in the process of being formed, so there's really only three members of a seven-member committee at this date.

MR. RICHARDS: No, my wife it.

COMMISSIONER TURNBULL: Okay.

MR. RICHARDS: I've talked to some of those persons, and that's where these comments have come from.

COMMISSIONER TURNBULL: Okay, great. Thank you.

CHAIRMAN HOOD: Mr. Honea --

MR. HONEA: Yes?

CHAIRMAN HOOD: -- how long have you been in this city? I'm just curious.

MR. HONEA: Two and a half years.

CHAIRMAN HOOD: Okay, all right - - not that that's a requirement. I'm just trying to balance things.

Commissioners, are there any other questions of this panel?

(No response.)

CHAIRMAN HOOD: Okay, thank you - - oh, hold on one second.

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COMMISSIONER MILLER: I have a quick comment.

I don't know the ability of a neighborhood to customize a zone for their neighborhood going forward, but I don't think there's any intent to limit that customization only to increased uses and increased densities, but we've already previously with the Office of Planning that that language needs to be clear in the zoning rewrite, that that ability exists and how it's to be accomplished.

We talked about that, and I wanted to share that with you.

MR. RICHARDS: Yes, and some of the community concerns are that those are the kinds of things that just happen in life. You know, things tend to move in one direction, and that's where the pressure to move is. The pressure is towards greater density.

No one's going to find developers coming in and saying, hey, tear down this city block, instead of 50 homes, there will now be 40 homes. It doesn't work that way.

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It's, we're going to tear down this, and instead of 50 homes, it's going to be 150 homes.

CHAIRMAN HOOD: Do we have anyone else who would like to testify?

(No response.)

CHAIRMAN HOOD: Let me just say that while I know there are some things we could improve upon, and I've said this in other meetings in other wards, we are not bashing the Office of Planning. We might feel like they didn't reach out enough, but I will say that they've worked hard through this process.

I've been with them through this whole process of rewriting. I've never been involved with writing a zoning code or making a decision on a zoning code. But there's one thing I'm very sure of: You have to have public participation. That's one thing that is very clear. I really didn't need a hearing to understand that.

I, too, come from the community. I was a civic leader, and I know how it is when you have to try to get people to a

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meeting, get your community engaged and involved. I understand that; we understand that. And I don't want to slight the Office of Planning in any hearing because I think the Office of Planning has worked hard. We might not agree with the subject matter, and we might not agree with what they've done. But I think they've worked hard, as well as the Office of Zoning.

We're now working even hard as we try to double our time and make things right and try to hearing what we're hearing from the community, to get as much input as possible to see what they need to do to better this process. Get folks engaged, and then let's make decisions up or down about how this city as a whole -- as one city as the man said -- is going to move forward.

This goes to an announcement I wanted to make because I know some people came in late. This goes to our hearing tomorrow night. If you know anyone who lives in Ward 1 or Ward 2, in case the DC Government closes on Thursday, February 13, 2014, for inclement weather, the Ward 1-2

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ZRR community-based public hearing scheduled for the 9th will be rescheduled for February 26, 2014 at 6:00 p.m. at the DC Housing Finance Authority at 815 Florida Avenue, Northwest. Please note that it will only be postponed to the 26th if the DC Government is closed on the 13th.

The next announcement -- this is important -- the Office of Planning will be holding open-houses in at least two wards east of the river and at least two wards west of the river. Further details will be available on the Office of Planning website in the very near future, at Planning.DC.GOV. The Office of Zoning will also post a news item at its website, at DCOZ.DC.GOV. I would encourage you to check the websites for further information.

And also, for those who may not have accessibility to the computer and our website, please call 202-727-6311. That's the Office of Zoning's main telephone number. Again, that number is 202-727-6311.

I've been announcing the Office of Planning. I think this is a shared

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responsibility, so we're going to get a number from the Office of Planning eventually, but I'm going to hold off on that right now.

Further, as a result of these additional hearings, the Zoning Commission has decided, as we all had said earlier, to leave the record, giving you until Thursday, April 17, instead of March 3. This allows an additional six weeks to submit written comments.

Again, for those who are here tonight, I would ask that you help us to continue to get the word out as we continue this process. And again, the latest updates about how we're proceeding will be on the website, as well as calling the Office of Zoning. I'll get a number eventually for the Office of Planning. Zoning's number is 727-6311.

Ms. Schellin, do you have anything else before we adjourn?

VICE CHAIR COHEN: I would like, please attend the Office of Planning's meetings. I think that it would be a help

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to them, to us, if you were to provide feedback, but I think it would also be helpful to you to understand some of the thinking that goes into the preparation of this document. It is extensive. It hasn't changed as significantly as a lot of people have been talking about.

But again, your feedback is important; your understanding is equally as important. So thank you for attending tonight. It's been very helpful. Stay safe in the snow storm.

CHAIRMAN HOOD: Ms. Schellin, do we have any --

MS. SCHELLIN: No, sir.

CHAIRMAN HOOD: Again, this is not a done deal.

Yes, ma'am. Come to the mic, please.

MS. JACKSON: Could we leave here with the understanding that everybody up there heard our concerns here in Ward 7 and Ward 8? That we have asked for the moratorium. And that if the zones have to be changed, we want ours done differently

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than what the Office of Planning or whoever, what plans they have in place so that we will know what's coming in our neighborhoods because we're getting too many structures that DCRA -- and maybe you need to bring them to the table because they're the ones who are issuing these permits. That's putting all the weight on you all to get all these variances approved.

So, you know, this is a whole piece of pie; not a half a pie. So I think they have just as much to do with what's going on than just putting it all off on Office of Planning because when Planning did their piece, these folks go online and get these permits, and they build these structures. Nobody comes out to check to make sure they built what they built. Nobody checks to see if they've got the proper footage around the property that they're supposed to.

Most of them start a project and then don't finish. Do you know how many half-built houses we've got setting up there in our community? Come look. If you want a

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tour, any day, give me a call. I'm retired, so I can do it. And you don't have to worry about the gas; I'll use my own gas. But if you need a tour to see what's going on, that's why folks are in such an uproar. You need to come out and look and investigate.

And when you issue a permit, they should make sure this man is building what he said he's going to build. The bed-and-breakfast is out there because the man got a permit to build a house. He built a house, but he didn't tell anybody he was going to put a bed-and-breakfast in there.

So these kinds of things are going on out here in our neighborhood that, if it happened Uptown, they'd shake the White House. We want the same respect, and we want to make sure that those things don't happen to us.

So please consider what we're asking you -- please.

CHAIRMAN HOOD: Okay, I think that's a point well worth repeating. That will resonate with us, and we'll leave it with that, Ms. Jackson.

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MS. JACKSON: And I thank you very much, and I thank you all for coming out to the beautiful Ward 7.

CHAIRMAN HOOD: I want to thank you all for having us out here, Wards 7 and 8. We will be back. I really appreciate your presentations and your testimony tonight. It's very helpful as we continue to move through this process, so stay on top of it, and we appreciate everything.

Ms. Schellin, anything else?

MS. SCHELLIN: No, sir.

CHAIRMAN HOOD: Okay, with that this hearing is adjourned.

(Whereupon, the hearing adjourned at 7:49 p.m.)

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