GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF:            :
:                            :
ZONING REGULATIONS           : Case No.
COMPREHENSIVE TEXT REVIEW    : 08-06A
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Wednesday,
February 26, 2014

HFA Auditorium
815 Florida Ave, N.W.
Washington, D.C.

The Public Hearing of Case No. 08-06A by the District of Columbia Zoning Commission convened at 6:00 p.m. in the Housing Finance Agency Auditorium at 815 Florida Avenue, N.W., Washington, D.C., 20001, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairman
MARCIE COHEN, Vice Chair
MICHAEL G. TURNBULL, FAIA,
Commissioner (AOC)
PETER MAY, Commissioner (NPS)
ROBERT MILLER, Commissioner
OFFICE OF ZONING STAFF PRESENT:

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

OFFICE OF PLANNING STAFF PRESENT:

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

The transcript constitutes the minutes from the Public Hearing held on February 26, 2014.
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CHAIRMAN HOOD: Good evening, ladies and gentlemen. This is the Public Hearing of the Zoning Commission for the District of Columbia for Wednesday, February 26, 2014.

My name is Anthony Hood. Joining me are Vice Chair Cohen, Commissioner Miller, Commissioner May and Commission Turnbull.

We are also joined by the Office of Zoning Staff, our Director, Ms. Sara Bardin, and the Secretary to the Zoning Commission, Ms. Sharon Schellin. The young lady who will taking your cards, you’ll see her running around a little bit. And that’s Ms. Zee Hill.

We’re also joined by the Office of Planning Staff which to my right is Ms. Jennifer Steingasser. I think Mr. Lawson may be joining us. Okay. He’s not going to join us.

(Off the record comment.)

CHAIRMAN HOOD: He’s not going to
join us tonight. 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 of signs or objects.

The subject of this evening’s hearing is Zoning Commission Case No. 08-06A. This is a request by the Office of Planning for comprehensive revisions and amendments to the Zoning Regulations Title 11, DCMR.

Notice of today’s hearing was published in the D.C. Register on December 20, 2013. And copies of that announcement are available on the table in the back of the room as you enter through the doors.

The hearing will be conducted in accordance with provisions of 11 DCMR 3021 as follows: Preliminary Matters, Testimony from the Public.

The following time constraints will be maintained in this hearing: organizations,
five minutes, individuals, three minutes. The
Commission intends to adhere to the time limits
as strictly as possible in order to hear the
case in a reasonable period of time. The
Commission reserves the right to change the
time limits for presentations, if necessary.
Notice that no time shall be ceded.

As noted in the Notice of the Public
Hearing, testimony will be limited to
individuals, organizations or associations
that have not previously testified before the
Commission in this case. Witnesses may only
testify in the ward in which they reside. So
tonight is Wards 1 & 2.

Persons who have previously
tested but still want to provide the
Commission with additional comments may do by
submitting comments in writing. The only
exception to testifying again would 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 that they confine their comments to new subject matter that they have not yet presented.

All persons appearing before the Commission are to fill out two witness cards. These cards are also located on the table in the back of the room as you enter.

Upon coming forward to speak to the Commission, please give both cards to the reporter. When presenting the information to the Commission, please turn on 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 the persons
present not engage the members of the Commission in conversation during any recess or at any time.

In addition, there should be no direct contact whatsoever with the Commissioners concerning this matter, be it written, electronic or by telephone. Any materials received directly by the Commission 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 that you agree with the testimony that has already been given and add any additional comments that we have not yet heard.

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

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

   MS. SCHELLIN: Just one. One thing that=s a little bit different in this building in addition to the witness list, there is a sign-in sheet. This building, this Agency, requires everyone that comes into this building actually sign in. So whether you=re testifying or not, you need to sign in.

   If you haven=t done so, please do that. I think Ms. Hill is actually trying to catch everyone who walks in. But I just want to state that also. So please sign in whether you=re testifying or not.

   CHAIRMAN HOOD: Did everybody hear that announcement? As you come in, we=re required to sign in. So if you could please do that as Ms. Schellin has already mentioned, that will be very helpful. We want to be respectful of the Housing Finance Agency.
And let me just say that I want to thank Chairman Ford and his board as well as the Housing Finance Agency Staff for allowing us the opportunity to be able to come out into the community as the Commission has been doing in the past few weeks for letting us use this facility. And I thank our Staff for setting all this up.

I do have -- Ms. Schellin, anything else?

(No verbal response.)

I do have an announcement and I’m going to ask everyone to help participate in this announcement as we move through the next steps. This is also located on the Office of Zoning’s website as well as the Office of Planning’s website. And if you have any questions about this, you can call the Office of Planning. And I’m going to ask Ms. Steingasser if she can give me that phone number again.

MS. STEINGASSER: Yes. The Office
of Planning=s phone number is (202) 442-7600. And the receptionist can provide the information. Or you can ask for me directly, Jennifer Steingasser or Joel Lawson, and she=l1 transfer you to us. And we=l1 be available to answer any questions.

CHAIRMAN HOOD: Okay. Thank you.

Now this is the ZRR Announcement of Next Steps. You don=t have to memorize it tonight because it=s located -- The same text of what I=m getting ready to read now is located on the websites.

Over the last couple of weeks, we had announced that the Office of Planning will be holding open houses. We now know that OP will, Office of Planning will, be holding those on March 4th, 11th, 12th and 15th. You can check with their office and/or their website for the locations of the open houses. In addition, Office of Planning will hold open houses at their office every Friday in the month of March from 9:00 a.m. to 5:00 p.m. for people
to walk in and have any questions they have or they need answered.

The Zoning Commission will hold two further hearings. First, as previously decided, the Commission will hold a further hearing in Ward 8. Also Ward 8 asked us to come back. So we’re going to hold a previous hearing in Ward 8.

At that hearing, which will be held on April 21st at 6:00 p.m., the Commission will first hear from residents who reside in Ward 7 & 8 and then from those who reside in the other wards who have not previously testified.

After that, we’re going back downtown. Second, on April 24th at 6:00 p.m., the Commission will hold a hearing in this room, in our hearing room, and hear from anyone who has not previously testified. In addition, the Commission will keep the record open until 3:00 p.m. on Friday, April 25th. We will then decide the next steps at our April 28th meeting.

Again, we’re going to have to take
it back in-house because now what we’re hearing, we will webcast live. About us going out, we’re not able to do that. So after the Ward 8 meeting, we’re going to go back and we’re going to do everything from that point within the confines of 441 so it can be webcast live. If you’re not able to make it, you can tune in and see exactly what’s going on at that time. Everyone across the city will have that opportunity.

Again, we will then decide the next steps at our April 28th meeting. Thank you.

Okay. Let’s go right into the list. If I mispronounce your name, forgive me. If it sounds close, I would ask that you come down to the table. Tom Millar. Daniel Levine. Michael Holzheimer. Mary Fitch. Dan Malouff. Sylvia Ruiz. Lyn Stoesen.

Did I call too many people? No. That’s good. Okay.

What we’re going to do is we’re going start to my right, your left. And if you
have testimony, when you come down if you can just hand to Ms. Schellin.

It would be good if you could give it to us before you start so that we could follow you because we do pay attention and we do make little notations on your testimony. We’re going to start to my right, your left. Sir, we’ll begin with you.

III. TESTIMONY FROM PUBLIC

MR. MILLAR: My name is Tom Millar. I’ve lived in Northwest D.C. for 11 years, currently in a condo unit at 14th and W, NW. My wife and I are both Federal employees and we have a daughter recently turned three.

I’m here to testify in support of lower minimum parking requirements for Subtitle C. I’m from a military family. And I’ve spent most of my life in suburbs and on bases where owning an automobile was a necessity.

When my enlistment was ending from the Air Force, I spent about a week in Manhattan
on leave and realized that at the end of that week I hadn’t seen my car in nine days. I realize that’s longer than a week. And I hadn’t missed it. Hadn’t needed it. Yet had been able to go and see and do just about anything I wanted.

Made the decision that I would move into D.C. proper and not stay in the burbs. After seven months, I signed my studio apartment lease in Columbia Heights and I sold my car and haven’t looked back. In the last couple of years, I even cancelled my car sharing membership.

My anecdote is to illustrate how owning a car is becoming less and less necessary for many D.C. families. And new parking requirements should reflect this fact.

There are a lot of beliefs and assumptions about car ownership and the necessity of parking which simply aren’t true like the idea that you have children you have to have a car. I understand that I used to be incapable of
imagining being an independent adult without a motor vehicle.

As a Federal supervisor, I hire young people from all over the country who come to D.C. and can=t fathom the idea that my family doesn=t need a car. They have a hard time figuring out how somebody could buy groceries without having a trunk to load everything into. But I do it all the time.

My family doesn=t need a car. I see no reason why this would change with all the options D.C. already offers for public transit, biking, car sharing and walking. I don=t believe my family is an anomaly. More people realize that living car-free is not a hardship and more people are going to be abandoning personal vehicle ownership, not just young, single people, but couples and families as well.

Zoning changes should reflect that by reducing the minimum parking requirements.

Thank you for your time.
CHAIRMAN HOOD: Thank you. Next.

MS. FITCH: Thank you for the opportunity to speak. I’m Mary Fitch, a Ward 1 resident and Executive Director of the Washington Chapter of the American Institute of Architects. AIA D.C. represents more than 2100 architects who live and work in Washington. And we’re the fourth largest chapter in the country.

We very much appreciate the process that the Zoning Commission, Office of Zoning and Office of Planning have undertaken to bring the City’s zoning code into the 21st century. I have four points to make.

First, we appreciate that you have tailored the document to the specific circumstances of individual neighborhoods. While this may make it harder to read from a citywide perspective, this format makes it easier to use on a case-by-case basis and is consistent with other cities similar to Washington with complex codes such as San
Francisco and Boston. Boston=s code has a searchable database by address with really clear graphics which we recommend to D.C.=s code.

Second, we support the proposed reduction in parking minimums as it more accurately reflects changes in travel behavior that are present in the City today and will likely intensify in coming decades.

Third, recent census data shows that Washington has the highest percentage of any US city of people living alone. This warrants greater attention and our chapter is currently looking at many housing alternatives that would respond to this and would provide more housing choice. Included in these alternatives are well-designed accessory apartments that can provide both lower cost housing and help to improve the age and income diversity in neighborhoods.

And, finally, we=d like to propose a modest amendment to a few sections of the code
as they apply to mechanical penthouses. Currently, the code limits the height of mechanical penthouses to 18.5 feet. This often limits the choice of equipment that can be used and raises cost.

We seek a modest increase to 20 feet. That extra 1.5 foot will give designers and builders greater choice in equipment and potentially lower some building costs.

In addition, the elevator is generally the tallest element on the rooftop, while other rooftop equipment is less tall. Yet the code requires enclosing walls to be of equal height. We seek the opportunity for some variation in the height of the enclosing walls.

The current requirement we believe leads to some pretty clunky-looking rooftop structures. We believe that allowing some variation in the height will improve the appearance of D.C.'s rooftops.

Thank you again for the opportunity
to speak. We commend the Commission=s five year effort to update the code. We appreciate the tradeoffs and compromises needed to make such a complex document workable. And we urge its adoption. Thank you.

CHAIRMAN HOOD: Okay. Thank you. Next.

MS. STOESEN: Good evening, Chairman Hood and Members of the Zoning Commission. And thank you for this opportunity to testify.

My name is Lyn Stoesen and I=ve lived and worked in Washington, D.C. for almost 25 years. I=ve called Ward 1 home the entire time and have lived in Parkview since 2000.

I=m here to express my support for the updates to the Zoning Code. The proposed changes are timely, important and necessary.

The Subtitle C parking proposal that lower minimum parking requirements make sense for D.C.. One of the things I love about D.C. is the fact that you don=t need a car to
live here. I lived in D.C. for 10 years without a car, biking most places or taking buses or Metro.

The carless lifestyle in D.C. has gotten even easier recently. I love Capitol Bike Share and the increase in local, easily reached retail, restaurants and community amenities make D.C. better than ever for residents like me.

But I think the parking proposal can be good for all D.C. residents. My wife, Ann Stom, owes Annie=s Hardware and Petworth and the majority of her employees live in Ward 1 or Ward 4.

One of the biggest challenges her employees face is finding affordable housing near their jobs. Most of her staff do not have cars and rely on public transportation to get to work. Reductions in parking minimums will help slow increases in housing costs and can provide more residential options near jobs.

Affordable housing is also good for
our older citizens who want to stay in D.C. like many of my neighbors. Our city is actually a great place to age in place. Many seniors don’t have cars, don’t want to drive or no longer are able to drive. But in D.C. it’s easy to get to services and stores without a car.

Our connected neighborhoods help seniors maintain community, avoid isolation and stay independent. Ensuring that we’re prioritizing housing and not parking will help us remain a great place to grow old.

These are reasons I also support the Subtitle D and E proposals on accessory dwelling and corner stores. Increasing accessory housing in the City will make a difference both for homeowners in an increasing expensive area and for those who can live in these units.

Integrating small retail into our residential area also makes sense. I’m lucky to have several corner stores close to my house where I can pick up a bag of ice, buy an
emergency roll of paper towels or other items. There is no reason to prevent new stores from serving our neighborhoods and the proposals are modest and reasonable.

I love D.C. and I think we=re moving in the right direction. Making changes to these zoning regulations can help ensure that I can stay here even if I don=t have a car and maintain an integrated, acted, connected lifestyle as I age. And it will help D.C.=s diverse workforce like those employed at Annie=s Hardware enjoy the benefits of our City.

As you can imagine in my 25 years in D.C., I=ve seen enormous change. I believe that cities are organic and they=ll change with or without regulation. But thoughtful regulation like these proposals can help changes make sense for a city and can move us forward in directions that will benefit all residents, both current and future.

Thank you again for your time.
CHAIRMAN HOOD: Thank you. Next.

MR. LEVINE: Thank you, Commissioners for the opportunity to testify. My name is Daniel Levine. I will summarize my remarks in the interest of time.

I’d like to speak in support of the proposal and specifically in support or reducing parking minimums and increasing flexibility for accessory dwelling units. Both of these provisions will in significant ways help to reduce the growing burden of housing costs in the District.

I had the privilege of living in the District for close to three years now and look forward to living here for much longer. But as I plan my future in the District, I need to know that I’ll be able to afford housing and be able to continue living in great neighborhoods like where I live in Columbia Heights or the other neighborhoods in Wards 1 & 2 where we can live without being burdened by needing to drive to all of our destinations.
I would like to see the proposal go even further on some of these particular issues. But I very much support the work of the Office of Planning, support the compromises made and hope the Commission will put these in place without further delay. Thank you.

CHAIRMAN HOOD: Thank you. Next.

MR. MALOUFF: Hello, my name is Dan Mouloff. I live at 1629 R Street, NW. I'll be brief in the interest of time.

I agree with everyone who has spoken already. I strongly support the proposed changes to the zoning ordinance including reducing parking minimums, allowing accessory dwelling units, allowing corner stores. These things are necessary for the continued livability and affordability of our urban city that we live in and that has seen huge growth of people who want to live in an urban city.

It’s good for our economy. It’s necessary for affordability. Thank you.

CHAIRMAN HOOD: Thank you. Next.
MR. HOLZHEIMER: Hi. Good evening. My name is Michael Holzheimer. I live at 6th and G at Gallery Place in Chinatown. I’m here expressing my strong support for the proposed updates to the D.C. Zoning Code, in particular, the reform of the outdated parking requirements. I urge the Zoning Commission to revise D.C.’s 1950s Zoning Regulations and help to take this great city and great neighborhoods and turn them into a more vibrant, walkable and inclusive place. Eliminating and reducing the parking minimums will help this City become even more walkable and inclusive.

CHAIRMAN HOOD: Can you bring your microphone closer?

MR. HOLZHEIMER: Absolutely.

CHAIRMAN HOOD: So we can hear you and the audience.

MR. HOLZHEIMER: Sure. A little bit better?

CHAIRMAN HOOD: Yes.
MR. HOLZHEIMER: Excellent.

I’ve loved living in my neighborhood because I don’t need a car and I can always get around with Zip Car or Car-to-Go or rent a car for the day or use a taxi or Uber or Lift. And those are just the options with automobiles. That is not to say anything of Capitol Bike Share or Metro or walking. And the list goes on.

Our Zoning Code from 1958 neither fits a modern dynamic city like D.C. nor does it respect the form of our historic neighborhoods and our many transportation choices that include not owning a car. Our current Zoning Code is based on data concept as to what a city is, how people travel and how our city should grow and contains no emphasis on sustainability or meeting the goals of Mayor Gray’s laudable, sustainable D.C. plan.

It is my opinion, shared by many I would argue within our age demographic, that we need to modernize our zoning code to better
accommodate the needs of current and future D.C. residents and respect the nearly 40 percent of households who do not own a car. Parking should be viewed as an amenity, not as a necessity.

Washingtonians would object if we were forced to pay for parking, gyms or doormen or pet care or weekly house cleaners throughout every building in the city. Many would find those services worth paying for, but many would not. It is equally objectionable to require entire city=s residents to subsidize parking needs of some without providing the options to go without parking.

Reforming parking mandates recognizes that more than half of all renters in the City don=t own a car. Why shouldn=t housing cater to these households? Thank you, Members of the Zoning Commission, for your time.

CHAIRMAN HOOD: Okay. We want to thank this panel. Can you hold your seats
because we might have a few questions? Hold your seats.

Any questions? Vice Chair?

VICE CHAIR COHEN: Thank you, Mr. Chairman. I just want to ask one of you to self-select. This will be our last public meeting to date. And one of my concerns is with the corner grocery stores. They're very convenient, but they also seem to attract more trash, possibly crime, people hanging out. Does anybody want to share their experience whether they have seen that or is this just something that doesn't really exist?

MR. MALOUFF: I live on R Street between 16th and 17th Streets. I have a corner store. There are several corner stores in my neighborhoods. It's one of the amenities that I love about my neighborhood. It's key to why I live there. And if I didn't have that ability or those things within walking distance, close walking distance, I wouldn't live in the District of Columbia.
VICE CHAIR COHEN: Anybody else want to?

MS. STOESSEN: Hi. Yes, in Parkview, we have a number of corner stores. There’s one about a half block away from me. Since I’ve lived there, there have been two owners. They’re I consider part of the neighborhood. They’re very friendly and welcoming to everyone.

There are a lot of kids who go in there. And the junk food is a different issue. I won’t get into that. But there’s a lot of people coming and going from the store. But I’ve never seen a problem with loitering or crime.

There’s a trash can right outside that is emptied fairly often. So I don’t have a problem with that either. I do consider it a good amenity to my neighborhood. Thank you.

CHAIRMAN HOOD: Okay. Questions?

Commissioners Turnbull.

COMMISSIONER TURNBULL: Thank you,
Mr. Chairman. I have a question for Ms. Fitch.

I need to point out that I am a member of the Washington Chapter AIA. And I’ll try to be fair to our Executive Director.

I just had a question, Mary. In our lot of Zoning cases, penthouses come up. And I don’t think we’ve ever had too many architects come before us and say they want extra height.

MS. FITCH: Right.

COMMISSIONER TURNBULL: I can only remember one case on the BZA where some special elevator equipment wanted a variance because of extra height. But most of them seem to be satisfied with 18.5.

In fact, I think we’ve had one or two cases where new equipment has even said they can be lower. So I’m just wondering where the 1.5 foot is coming from.

MS. FITCH: Well, we’ve been discussing height, the height of buildings, for various reasons here in the District of Columbia.
COMMISSIONER TURNBULL:  Right.

MS. FITCH:  And this came up as part of the discussion and you would think that with the miniaturization of nearly everything that elevator equipment is actually getting tighter. But what we=ve learned is that that=’s actually not the case.

And as elevators go to the roof, you have to get the elevator up and the equipment up over top of it. So you can get it into 18.5 feet, but you=’re limited on the amount of equipment. And 1.5 foot seemed when we had a roundtable discussion with a number of folks that do office buildings as well as multi-family units across the board they all said, AYes. If we could just have that little extra cushion, that would be great.@

COMMISSIONER TURNBULL:  Okay.

MS. FITCH:  So it=’s about 18 inches.

COMMISSIONER TURNBULL:  Yes, as I said, I don=’t think we=’ve ever had too many
architects complain. If it would help, maybe the Chapter could provide us some more information on that.

MS. FITCH: Sure.

COMMISSIONER TURNBULL: If it’s a substantial issue. But as I say in all the PUDs we’ve had I don’t really think we’ve had a big concern about going an extra 1.5 foot.

MS. FITCH: Yes, and I was surprised when this came up. But as we talked about it with the rest of the folks on that panel they all agreed that this would be really helpful. And the kinds of equipment that they’re trying to mask is not getting smaller.

COMMISSIONER TURNBULL: If you could -- If the Chapter could send something to the Office of Planning I think as background on why the Chapter thinks it would be worth it to do that, that would be helpful.

MS. FITCH: Sure.

COMMISSIONER MAY: I’ll also disclose I’m a member of the Chapter. But I
don’t have any qualms about giving the Executive Director a hard time. No, I really don’t.

One thing that was interesting to me is learning more about what other jurisdictions allow. And I think that actually might be helpful, too, because I know that in Alexandria they don’t allow even 18 feet. It’s more like 14 or 15. And so knowing what other cities typically allow would be helpful.

MS. FITCH: Okay.

COMMISSIONER MAY: The other thing that I have a question for you about is having to do with the rooftops. The penthouses the way they are treated in the Height Act and the Zoning Code queues to the Height Act is that these are necessary attachments to buildings. They’re not necessarily enhancements to the architecture.

And sometimes we get architects who are very interested in sort of dressing up the top of the building. And some of your
statements go in that direction. I guess what
I wonder is is it generally understood that
penthouses really are supposed to be background
pieces and not supposed to be the embellishment
of the building.

MS. FITCH: Yes, I believe so. But
I think they can -- there=s the possibility to
make them a little bit better. And in the case
of if you want them to be even more background,
you don=t necessarily have to have that one wall
that=s 18 or perhaps 20 feet high. So some
variation and the more people are using roofs
for green roofs and for terraces. I think that
could be really helpful.

COMMISSIONER MAY: What would you
think of having an allowance that everything
stays at one height except for elevator
overruns which are the things that really drive
that extra height?

MS. FITCH: We can certainly look
at that and we can suggest something to you if
that=s helpful.
CHAIRMAN HOOD: Any other questions?

(No verbal response.)

Ms. Stoesen. Who is Ms. Stoesen?

MS. STOESEN: Yes sir.

CHAIRMAN HOOD: Okay. We've been around town, going around town. And I've heard this argument on both sides. You say many citizens don't have cars, don't want to drive or no longer are able to drive. But in D.C. it is easy to get to services and stores without a car.

I'll be frank and honest. Today, the way my feet were hurting where I walk from Shaw, if somebody had come by and picked me up or if I had a car, I would have drove up there. But let me just say that that's a two-sided argument.

One of the things that we have heard about that is -- I'm trying to figure this out. I've heard this a lot. This is my first time asking this question. Seniors don't want to
Now some of the seniors say -- I know some and we know some in the city that drive to 90 and 95 years old. And that's how they get around.

Are we talking about a code for the immediate future or a code for the long-term future? Because some of us and I've said this about -- I have a bike question and a grocery question. Some of us now who are doing some of the things we're doing now, we're not going to be able to do them later. And I hope to be driving personally if I need to at that age.

So I'm just putting it out there because we have people that tell of two different ways of doing this. Some people say they don't need a car.

But we're not going to be as vibrant as we are now. How are we going to do then? Do we want to sell ourselves short and say we're not going to drive after 70? Help me understand this statement.
MS. STOESEN: Certainly. I absolutely agree that there are a lot of differences here and there are some seniors who will certainly continue to drive as they age and continue to want to drive as they age.

Some people like my father who does not live in the District but is in his 80s no longer drive. And he lives in an area where he can=t go anywhere without a car. So my brother has to come and drive him where he needs to go.

But I think one of the advantages of D.C. is that it is a very livable community for seniors who want to age in place. I have a number of neighbors who are probably in their 70s or 80s who don=t have cars and I see them walking to the corner store. I see them walking to the Metro quite often and to the bus stops.

I think that certainly I don=t mean to imply that you shouldn=t have a car when you get older or that people shouldn=t have cars. But I think that we=re entering a time as our
population in general ages and I know that
D.C.’s demographics may be a little different
because we’ve had so many young people moving
here.

But in general in the United States
the population is getting older. And the
population research shows really wants to age
in place. They want to be able to stay where
they are. And one of the things I love about
D.C. is that you can because you’re not
isolated. You’re in a community. If you’re
in a rowhouse like I am, you can go to your
neighbor next door if you need help lifting
something in your house, things like that. So
I really think it’s a wonderful place to age in
place without a car.

In terms of the present versus the
future, I’m not sure I’m understanding the
difference that you’re talking about. I think
that right now it’s a great place to age in place
and I think that we can maintain that in the
future as well.
CHAIRMAN HOOD: Okay. In other words, you’re not saying do away with it. You just want sections like this to be included.

MS. STOESEN: Right. I think it’s a smart move for D.C. for many reasons. And I think one of those is that our aging population won’t need cars. I think a lot of older people don’t have cars or don’t need cars or are unable to drive for health reasons. So that may reduce the need for parking if I’m understanding what you’re asking correctly.

CHAIRMAN HOOD: Okay. I’m not going to -- You’re not in court. So you’re actually helping me to help form my decisions.

MS. STOESEN: Thank you.

CHAIRMAN HOOD: I do want to talk about the grocery. You mentioned this, Mr. Millar, I believe.

MR. MILLAR: Millar.

CHAIRMAN HOOD: Millar. Mr. Millar, you mentioned about the -- And these are questions I’ve already asked. As a matter of
fact, the bicycle issue I’ve gotten beaten up on. I’m just curious. How do you -- You said they really have a hard time figuring out how somebody could buy groceries without having a trunk to load everything into.

And I’ll tell you. The statement I made a couple of months ago was that I haven’t seen anybody -- and this is an exact statement. So if somebody tweets it, make sure we tweet it right this time. I haven’t seen anybody with ten bags of groceries on their bicycle.

Now I understand from what I’ve heard -- I’ve been incorrect. So some people might ride around with 15. But how do you accomplish what you have in your testimony?

MR. MILLAR: So I think the way I explained it to one of my co-workers from the Inland Empire in California was that the grocery store is within walking distance for me. I can go -- I will go after this hearing to pick some stuff up. I guarantee there is something in the fridge that we need more of.
And I’ll get a little text and I’ll find out what
that is.

But I can go on the way home right
now. I can go on the way home before my Metro
commute. I can see grocery stores -- Between
me where I work and my house I have several
options to go in and stop and go grab scones or
milk or any other options. So I only ever carry
about two bags. And then if I need to get more
I go the next night and the next night. Right.

My wife and I are able to access a
lot of places to buy food, reasonably
inexpensive food and support our family. And
we can do that on a daily basis. So it’s not
the suburban model where you go -- We would go
to the PX or the Commissary and load up the
minivan and then we’d have everything for a
whole week. We wouldn’t have to do any more
shopping.

The pedestrian model is more like
only buy what you can carry in one load, but you
expect to make a few more trips.
CHAIRMAN HOOD: All right. Thank you very much.

Any other questions, Commissioners?

(No verbal response.)

We thank all of you for your testimony. We appreciate it. Thank you.


MS. RUIZ: Hi.


I’m sorry. Did I skip Ms. Morgan, Commissioner Morgan? Is Commissioner Morgan here?
(No verbal response.)

I knew she wasn’t here. I didn’t skip her. Okay. We’re going to start to my right, your left. This young lady here, you may begin.

MS. HACKETT: Thank you, Chairman Hood.

CHAIRMAN HOOD: Do you want to pull the mike up so we can hear you?

MS. HACKETT: Thank you, Chairman Hood. My name is Colleen Hackett and I live in the Mount Pleasant section of Ward 1. And my comments are primarily focused on asking the Board questions about enforcement.

I’ve lived in the District for almost 20 years. And in my neighborhood we have lots of problems with enforcement of what we have as current zoning regulations and current parking regulations. So when I read the Zoning revisions, the questions that came to my mind are how are these changes going to be enforced.
First and foremost, it's my understanding that the power to change zoning is predicated on a very important quality that it has to be done to ensure the public safety and the public welfare. I'm acutely aware as a homeowner of a single family home that what is about to be applied to Mount Pleasant is that we're going to be R-1 or R-F-1 -- excuse me -- which means that every single family home can be chopped up into two flats. And it's possible to add a third story.

Now I have concerns about architect, but that's not why I'm here. What I'm concerned about is in terms of budgeting and enforcement what is the District of Columbia prepared to do to ensure that we are not taxed out of our homes as single family homeowners.

To me that seems like a public welfare issue. And I would like to see what the OTR has written. Those zoning revisions have been going on. The plan is being written for four years. And I would like to see what during
those four years the Office of Tax and Revenue has put together to offset the very real possibility that every single family homeowner in my neighborhood is going to be taxed out.

And I’m not talking about the homestead deduction. And I’m not talking about the Section 8 for seniors. I’m talking about meaningful tax revision. And I see that as a welfare issue.

Secondly, parking. I like Tommy Wells and I think the bag idea to clean up the Anacostia and all that is a great change project. It’s probably the most successful change project in history.

But this idea that we’re not going to issue parking stickers to people who buy these condos and that that’s going to solve our parking problem, again how is the City budgeted to enforce that? In my neighborhood and I’ve lived there for 16 years, what we have going on is every night everyone knows after 8:00 p.m. you’re free and clear. The ticketing people
aren't coming around.

Are you going to enforce 24 hour/7 towing to ensure that when we double the number of cars that are coming to our streets that they're removed from in front of fire hydrants, blocking alleys, that ambulances are able to get in.

Has anyone here ever been to South Philadelphia and seen how people in South Philadelphia deal with parking? They double park and there's no enforcement. And I see that coming to my neighborhood.

And I want to hear from the panel that the City Council has a budget to enforce this no-parking idea. I don't see it happening even now. Thank you.

CHAIRMAN HOOD: Okay. Thank you.

Next.

MR. GRISBY: Thank you, Chairperson Hood and Members. My name is Darnell Grisby. It's a pleasure to be here.

I'm a resident of 1300 N Street, N.W. I'm a
homeowner, a member of my condo association board. In my day job, I’m Director of Research for the American Public Transportation Association.

I’m here to express my personal appreciation of this Commission with taking up the parking issue. I’m here to express my support for the reforms that are on the table here, especially reducing the minimum parking requirements in new development.

I moved here from Southern California. And one of the things I love about living here in D.C. is that there’s a vibrant and emerging culture of walking and public transit access. It’s something I didn’t have when I was growing up in Southern California.

And whenever I go back home to see my family, it reminds me of what we have here in D.C. And everyday I wonder if my mother can stay in her home because she has glaucoma and it’s growing worse every year. But yet we live in a very transit apartment, very
auto-dependent area where she has to drive everywhere.

I know this will be an issue for her going forward. Her community has plenty of highways and parking, but the infrastructure has crowded out the walking and public transit options that she needs to maintain her independent living.

This proposal to reduce parking requirements is a modest one, but it will support a less costly housing option, more affordable housing and encourage riding public transit and walking as a viable option for more people. Those of us who live in zero car households or one car households as I do will be able to decide how much parking we actually want to buy when we buy a place.

We have a good thing here in D.C. and I think a concrete way to keep it and to make sure that we ensure this city is one city that has prosperity for all is to support of these sort of reforms to the Zoning Code. Thank you.
CHAIRMAN HOOD: Thank you. Next.

MS. RUIZ: Good evening. My name is Sylvia Ruiz. I live at 1375 Kenyon Street here in D.C. And last year I had the opportunity to attend the Zoning Update Briefing at Tubman Elementary that the D.C. Office of Planning conducted. And I wanted to appreciate the Staff that conducted those briefings that brought me up to speed on what questions that I had. And they did a really good job of answering whatever concerns I had.

Thank you for the opportunity to testify tonight. It’s my first time here before the Zoning Commission. But I thought it was important to share my voice and express my support for the revision to the Zoning Code that will reinforce what I love best about my adopted hometown. I’m also from California. It’s walkability, diversity and vibrancy.

I’m specifically here to express my support for the reductions in the parking minimums which were designed for a different
kind of place than is the City that we have today as I understand it. I=m again from California where I drove hundreds of miles every day just to get to work and get through my life. I had a car for everything.

When I came here to D.C. I was leery about leaving my car in California. I wasn=t sure how I was going to survive. But I=m glad to say that I have enjoyed living in this city with all the different public transit options, but also just neighborhoods that are very walkable and a city has come towards that.

I realize I don=t need a car to get around. And I can do my shopping. I can get to work on the Metro or the bus. I can walk to restaurants or shops. And there is just so many different choices here.

And it=s not just me. Most of my friends that I work with or my neighbors don=t have cars. So many choices here that we should make it easier for people not to own a car so that they can enjoy the benefits of walking and
riding transit.

I know that there are a lot of people I see on a daily basis on the Metro or the bus, whether they’re young parents with children taking them to school or senior citizens going about their daily lives or to businesses. Some people, this is a necessity that don’t have the money to maintain a car. For others, it’s just a choice.

In my apartment complex, there are a lot of people that actually don’t own cars. And I think we should continue to support that option.

Another way to make the city more affordable is obviously to allow accessory apartments and reducing barriers to creating accessory apartments to give extra income to either seniors, empty nesters or to young families.

And supporting the corner stores, I’d love more corner stores in my neighborhoods that’s more a little bit big box, Target and Best
Buy and the Giant. But I'm hoping to have more corner stores.

And I hope that as D.C. continues to grow that the Zoning Code can ensure that moderate and low income families can afford to continue to live in the city, reducing unnecessary costs from parking minimums in order to stay in the city. Thank you so much.

CHAIRMAN HOOD: Thank you. Next.

MS. FOX: My name is Nancy Fox and I live at 1323 V Street, N.W.

CHAIRMAN HOOD: You have no more time than that.

MS. FOX: Okay. Thank you. I'm speaking in support of the proposed changes to the Zoning Ordinance and, in particular, to the greater flexibility that it offers on parking.

I'm a Ward 1 resident who speaks to you as one of the nearly 40 percent of households in D.C. that do not own a car. My family makes a willing choice not to own a car. My husband and I are both busy working professionals who
have the means to own a car, but for us the advantages of not owning a car far outweigh its challenges.

And many other witnesses have talked about how easy it is to get around without a car so well that in the interest of time I won=t talk about that. But I also want to say that I do have a toddler and we still are fine without owning a car. Our lives have gotten a lot more hectic, but we still find it less time-consuming and less of a hassle not to be burdened with car ownership and worrying about tickets and where our car is parked.

We appreciate the beauty and the vitality of our city as best enjoyed on a walking and a biking speed. I know other families in my neighborhood who choose not to own any cars as well. And I will happily preach the gospel of car-free living to anyone who is willing to listen. But still I recognize that many of current and future neighbors will still choose to own a car. And I don=t have a problem with
that.

The proposed changes to the Zoning Ordinance do not limit a builder from including the parking that residents want and need in a new development. But the beauty of the Board=s changes are these. They are also flexible enough to allow builders to meet the demand of families like mine who prefer not to own a car and who shouldn=t have to shoulder the extra expense of a below-ground parking space that we don=t need. Not to mention that the changes can facilitate the construction of more affordable housing and can allow the market to better respond to the future needs of the aging baby-boomer population that will own fewer cars.

My family offers itself as evidence of the influx of new, relatively affluent residents in D.C. Even the growing number of households with children does not necessarily have to exacerbate the city=s traffic and parking woes. In the five years that we have
lived in the District, we have seen so many positive changes that make car-free living even easier, more zip car spaces, Uber for sending our babysitter home, using Capitol Bike Share to pick up our son from daycare.

Who knows what services and innovations will be offered in the future that continue to provide all of us with even more choices on how to get around. And as Commissioners, you have the opportunity and the responsibility to set in place a new zoning framework that can accommodate a future that we can=t possibly conceive right now.

The last zoning overhaul happened some 55 years ago and it=s possible that the zoning overhaul that you are considering right now will survive longer than any of us will before it=s fully considered again. With your actions you could take the safe route, avoiding changes to parking regulations that some may consider controversial or with your actions you can bequeath a legacy that can provide our
children and future residents with a possibility of a more sustainable, more livable city by institutionalizing a more flexible approach to parking as the city continues to develop.

And I wholeheartedly encourage you to embrace this latter choice. Thank you for taking the time to hear my comments.

CHAIRMAN HOOD: Okay. Thank you.

Next.

MS. KANAGY: Good evening. My name is Megan Kanagy. I live in the Columbia Heights neighborhood at 1423 Columbia Road, N.W. I=m here tonight to express my support for the proposed update to the Zoning Code, especially the reforms concerning parking minimum and accessory dwelling units.

My husband and I purchased our home in Columbia Heights two years ago. We love our neighborhood because it=s a diverse, vibrant community that is incredibly well served by transit. We are one of the nearly 40 percent
of District households including several people at this table that choose to live car-free and we are able to afford to buy our first home thanks to the estimated $8,000 we save annually by not owning a car. We’ve lived car-free since 2006.

In addition, the price of our condo was comparatively lower because it did not come with an unneeded parking space. Building parking particularly if it’s underground is very expensive as we all know and those costs are passed onto the renter/owner. By reducing parking minimums, the zoning update helps to reduce the overall costs of renting or owning a home and makes D.C. more affordable to all.

Before moving to D.C., my husband and I lived in Berkeley, California where we rented a granny flat or as it referred to in the Zoning Code accessory dwelling unit or ADU. This unit was located on a quiet residential street lined with detached homes built in the early 1900s.
ADUs like ours allowed for an increase in density and affordability of the neighborhood without adverse impacts to the character of the street or the historic homes themselves. And I’m sure the couple we rented from who lived above us and had owned their home for 40 years appreciated the extra income.

Our current Zoning Code is outdated and does not support the growth of D.C. as an inclusive, dynamic city. I fully support the proposed update to the Zoning Code and encourage the Commissioners to do the same. Thank you for your consideration.

CHAIRMAN HOOD: Thank you. Next.

MR. VERWEIJ: Good evening. I’m Vincent Verweij. I’m a resident of Ward 1. I live at 781 Fairmont Street, N.W., near Sherman Avenue. I’m certified arborist and I’m working for Arlington County as an arborist. And I’m going to talk about everything but parking.

I do appreciate the comments made about parking and I actually support
everybody=s comments so far. I have three comments regarding the green area ratio in the current Zoning Code that are being looked at as part of the revision and on the section on tree protection.

I do really appreciate that we=re taking a look at this. Ward 1 is a ward most disconnected from nature unfortunately with the lowest tree canopy percentage in the city and very little open space compared to other wards.

Developing in a sustainable fashion including green space in a green area ratio and trees is vital to making our ward and our city a more livable space. Trees and green areas provide us with much better public health and a better environment for our residents.

First off, I=d like to suggest a revision to the approach on tree planting laid out in the current code. The Code seems to focus most on the planting of trees based on caliper size as opposed to what the tree is going to provide for us in the future. We really need
to be looking at larger canopy trees to be planted on properties. And I’m sure this has been mentioned before.

But that is currently not one of the focuses of the Zoning Code. Many municipalities in the area have actually done research on this. You don’t need to do new research. And I actually brought a list of canopy targets that you could use from Arlington County. I know people hate comparing to Arlington County, but they do do some things right.

Secondly, I’d like to express a desire to emphasize the use of native plants more. There is already some bonus for using native plants. But it seems to be a little bit unclear how that’s applied.

It could be either just planting one native plant and getting the bonus which would be ridiculous as to also having to plant all native plants on your property which would also be ridiculous. I suggest something in between.
Maybe getting the credit when you plant 75 percent or 50 percent native plants.

And, finally, I have a concern as an arborist with the tree protection section. It does not seem to talk at all about how these trees are protected when you are trying to preserve trees. I have a little bit of document on how to properly protect trees. That really needs to be part of the Zoning Ordinance if these are being given credit. Otherwise, we're going to end up with projects that have pretended to protect trees and not actually done anything and they die after a year or two. And we have nothing as far as our tree canopy. Thank you very much.

CHAIRMAN HOOD: Thank you. Good testimony. All of it is good. We appreciate everyone's testimony. Very helpful. Any questions? Commissioner Miller?

COMMISSIONER MILLER: Yes. I thank each of you for your testimony and Mr. Verweij.
MR. VERWEIJ: Verweij.

COMMISSIONER MILLER: Verweij, sorry. Thank you particularly for the specific suggestions. All of the suggestions that witnesses from the public are making are going to be looked at by the Zoning Commission and are being looked at by the Office of Planning and we will get recommendations on them from them.

I appreciate your green area ratio. The green area ratio we’ve already adopted. But we have received during these hearing suggestions for improving the green area ratio from Casey Trees and others. And I appreciate your specific suggestions and references to other jurisdictions.

Ms. Hackett, I think you’re raising a good point about enforcement. It is something that isn’t something that we do, but we obviously have to be aware of whether the policies we adopt are enforceable or making it easier. Now we’re actually looking at that issue in the context of the --
Well, we’re looking at the particular issue of the condition that we have been imposing in a couple of cases of prohibiting a building from having RPP or requiring that the leases or the sales documents to preclude that. We are aware that we’re going to be looking at that issue whether that is workable with DDOT and DMD. So I appreciate your bringing that up as well.

And I think the Office of Planning also is looking at the particular problem in your neighborhood of the breaking up of houses. So thank you for bringing that up. Thank you all for your testimony.

CHAIRMAN HOOD: Okay. Any other questions or comments?

Let me just say this about the enforcement issue. I can assure you that Councilmember Graham is definitely letting us know about some enforcement issues in Ward 1. Trust me. So if you leave here and you see him today, you can tell him we mentioned it. He’s
asked us to look at it not once, not twice, not three times, but four times.

And I’m not sure if he’s going to come tonight. But I can tell you if he does come, the Commission, we already know what it’s about. It’s about pop-ups. And we asked the Office of Planning to address it. We’re working on that. Believe me. We’ve heard him loud and clear. So if you see him, you can tell him, The Zoning Commission has heard you loud and clear. Okay. And as part of that enforcement I’m glad, Ms. Hackett, you brought that up.

Any other questions, Commissioners?

Commissioner May.

COMMISSIONER MAY: Actually, Ms. Hackett, I had a question, a couple of questions, to clarify what you had testified about. You said that your neighborhood is going to be zoned R-F-1. And what is it now?

MS. HACKETT: R-4.

COMMISSIONER MAY: Okay. And
you’re concerned because under R-F-1 the properties could become flats and divided into two units.

MS. HACKETT: And then also --

COMMISSIONER MAY: You need to be on a microphone if you’re going to speak.

MS. HACKETT: Thank you for the opportunity to expand on my comments there because it’s hard to put everything in three minutes.

COMMISSIONER MAY: I understand.

MS. HACKETT: I think there are other people here from Mount Pleasant tonight who are going to address components of our concerns on specifically what=s being proposed for Mount Pleasant.

I think it’s important for everyone here to recognize that Ward 1 is very varied and diverse. Columbia Heights is pretty much wall-to-tall impervious surface; whereas Mount Pleasant probably holds the largest tree reservoir in the city and contributes to the
largest CO2 offset in the city.

And we also sit at about 280 feet, Mount Pleasant. And so when we have rainfall, we have runoff and we have flooding into the park and that flood plain.

COMMISSIONER MAY: Okay. And I appreciate all of that. But my question was really about the zone that you're in.

MS. HACKETT: Right. If we --

COMMISSIONER MAY: So related to that or I'll ask another question.

MS. HACKETT: Where the changes impact those issues are the lot occupancy.

COMMISSIONER MAY: Right.

MS. HACKETT: Right now, you can only convert from 40 percent lot occupancy to 60 percent if you're converting from single family home to condominium. The new zoning changes us to matter-of-right conversion from 40 percent to 60 percent which means you're incentivizing loss of our impervious surface.

COMMISSIONER MAY: Okay. So
that=s an area where I think there needs to be some clarification because the R-F-1 is not supposed to be substantially different from R-4. It=s supposed to be pretty consistent with R-3 and R-4. And lot occupancy is limited to 60 percent in R-4 and it=s 40 percent currently in R-4 when you have a side yard, when you=re at the end of a row or something like that.

So I think there needs to be some clarification of exactly what is in there.

MS. HACKETT: Yes.

COMMISSIONER MAY: And maybe it=s worth talking to the Office of Planning about what the difference is. Although I have studied the new Zoning Code, I haven=t memorized it and I can=t tell exactly how it differs from the -- The new proposal differs from the existing code, but I don=t think it=s as different as you might think it is.

MS. HACKETT: I live on a street with predominantly detached homes. So it will
impact us greatly.

COMMISSIONER MAY: Right. So if it's a fully detached home, yes.

MS. HACKETT: Yes.

COMMISSIONER MAY: But I don't know that that's necessarily -- I'm not sure how that's treated in the Code. So it's worth figuring that out.

Then the second thing you said was the concern about -- Now I'm not sure I can relay it exactly. But your concern about condominiums and having no parking. I mean I'm not sure that there's a broad provision that condominiums are not going to have a parking minimum. Are you talking about granting variances for parking minimums?

MS. HACKETT: There's a provision I believe to allow a builder to not put in the required parking per unit. And the agreement will be that the city will not issue a parking sticker to anyone who purchases those units. And I don't believe that's enforceable.
COMMISSIONER MAY: Okay.

MS. HACKETT: And the problem that I have with it is I think it's a rationalization and a wishful thinking on parking change. And as someone who came to the District without money to buy a car and is now the mother of a 11 year old, I will testify to the fact that people=s needs change. And children change your priorities. And it is a reality that at some point people need a car.

And I would just say that do you know what the developers do with that gift. They put another basement condominium in and they get more money out of the property.

COMMISSIONER MAY: Okay.

MS. HACKETT: They=re not making the city car-free. It=s just a wish.

COMMISSIONER MAY: Okay. So I think the concern that you=re talking about is a tradeoff that=s sometimes made when a proposal is made for a condominium building where for some reason the developer can=t put in the
parking and how that sometimes gets, that
impact, is mitigated by excluding that building
from residential parking programs so to ensure
that people can=t park in the neighborhood.
The only area where we=re talking about an
elimination of parking minimums is in the
downtown area. It=s not -- Well, anyway.

MS. HACKETT: I can tell you there=s a development proposed across the street from
my house. And that developer would like to not have to put in parking at all because then he
could --

COMMISSIONER MAY: So is he seeking a variance for that?

MS. HACKETT: Well, if she gets the Zoning law, she won=t have to.

COMMISSIONER MAY: Okay. Thank you.

CHAIRMAN HOOD: Okay. Are there any other questions?

(No verbal response.)

I want to thank this panel. We
appreciate your testimony.

Ms. Hackett, do we have your testimony? We may have it. Okay. Do we have it?

MS. HACKETT: I can send it to you.

CHAIRMAN HOOD: That would be good.

Thank you.

Okay. Again, Theresa Kerrigan.


How many people do we still have left that would like to testify?

(No verbal response.)

How many people do we have left whose name is not on the roster?

(No verbal response.)

All right. Everybody has signed.

That=s all right. Let me withhold my comments.
All right. We’re going to start to my right, your left. You may begin.

MR. MALMO: Thank you. Thank you, Commissioners.

CHAIRMAN HOOD: Make sure the mike is on and pull it up. There we go.

MR. MALMO: My name is Jerry Malmo. I’m a Ward 1 resident and I live at 1331 Park Road, N.W. And I’m here to testify about some concerns I have about the credit system in the green area ratio.

I do support the previous witness= testimony concerning the green area ratio and how the trees are scored based on the caliper at the time of planting. I have more detail in my testimony that I submitted to you.

But I just want to make sure that you understand at least the point I’m trying to make or that we=d like to make is that only trees should be 2.5 inches at caliper at the time of planting, but there should be incentives for the trees that will grow larger. And some changes
to the green area ratio and the scoring that I have in my testimony would do that.

The regulations must provide for a higher ratio for trees that are based on their size at maturity, not at the time of planting. This is subtle but critical and a win/win for developers in the community.

Right now, a developer working to meet the GAR has a zero rate incentive to plant large canopy trees. This is like creating a scholarship program for math teachers and then awarding the scholarships to English majors.

Since 1950, the D.C. tree canopy has declined from 50 percent to its current level at 36 percent. To reverse this trend, the District has adopted a 40 percent tree canopy goal. Trees planted to meet the GAR are critical in reaching this goal. Our policy and our regulations must align with this goal.

Also I'd like to speak about the scorecard and how it assigns a multiplier of 0.8 for preserving existing trees that are 24 inches
in diameter or larger. This multiplier is too low. I'd like you to change this multiplier from 0.8 to 1.0 and add a new multiplier of -1.2 for the removal of existing trees 24 inches in diameter or larger. Again, we must align policy and regulations with our goals.

The decisions that we make today will have a lasting impact on future generations. Trees are a perfect symbol of this maxim. It's important to protect our trees and encourage developers to plant more large canopy trees.

Changing the zoning regulations to score trees based on their size and maturity and increasing incentives to preserve existing trees will greatly improve the GAR and our quality of life in D.C. Thank you.

CHAIRMAN HOOD: Thank you. Next.

MR. TINPE: Good evening, ladies and gentlemen. I'm John Tinpe, Advisory Neighborhood Commissioner from 2C01. Thank you for allowing me to testify.
In my neighborhood concerning the debate over whether or not to have parking, I found that the straw poll is equally tied between who want to have parking and people who don’t need cars. Apparently, the age group under 40 they don’t feel the need to have cars. They are very happy with bicycles and other means of transportation.

But there’s a generation between 40 and 70 which feel that they need to have cars. And therefore I came to the conclusion that the answer is choice. And that is some people can get around without cars while some people feel a necessity to have cars.

Some other concerns in the neighborhood that we have are I live in an area which is downtown and there’s a growing number of businesses over there which is welcome to the neighborhood. And the residents find it increasingly challenging to live with the growing businesses, namely bars and restaurants. The noise is the issue. And then
other than that, we would like to take the Office
into consideration when making decisions of
allowing mixed use zones to take into
consideration the issue of noise.

Another issue is parking and we
talked about it already. They feel the
necessity to have choices when living downtown.
Some people can easily get around without cars,
but some people need cars.

Another issue that they would like
to have seen is a cost sharing. They would like
to see parking garages to be able to offer car
sharing so that the people who don’t have cars
will be able to use cars to go shopping.

And then another issue is the
downtown residents would like to see loading and
unloading 20 minutes in front of their
buildings. Currently, there is no loading and
unloading. They live in front of bus stops and
they find it extremely challenging to get in and
out of their cars or load and unload groceries
and so forth. So they would like to see loading
and unloading in front of their residential buildings.

Another being that came to attention was newspaper boxes in front of buildings. They find it to be growing and just spreading all over the place and currently blocking entrances to the residential parking. So newspaper boxes should be moved like 20 feet away from entrances to the building.

In addition to that, I would like to add that the Office when taken into consideration of zoning, they pay particular attention to the architecture, design and the historic significance of the building which are all great. But what seems to be missing is the human element and that is every time there is gentrification we forget what happened to the previous residents. Where did they go? The City currently has about 40,000 homeless residents, mainly minorities and poor people. And we have to take into consideration the human element.
Another thing if I may is -- one more thing -- would be the same thing with in the commercial areas. There is a lot of new developments being done in the downtown area. And when there is a new -- For instance, in my neighborhood, there were seven businesses that were evicted when a building was purchased to be developed. And that was a loss of 70 jobs and $500,000 in sales tax revenue.

So whenever a building is approved to be down for redevelopment, we would like the Office to take into consideration the human factor. Thank you very much.

CHAIRMAN HOOD: Thank you. Next.

MS. KRAMER: Good evening and thank you for the opportunity to testify in support of D.C. Zoning Code=s update. My name is Melissa Kramer and I=ve lived in the U Street neighborhood since 2002.

In that time, I=ve seen a degree of change in the neighborhood that I could have never have imagined since I moved there. And
those changes have by and large been positive from my point of view. And I'd like to continue to see things improve.

I'm here to express my strong support for the Zoning Code update especially reforming the outdated parking requirements. I moved to the U Street neighborhood because living here allowed me to walk to work and the grocery store and gave me convenient access to the bus and the Metro when I needed to go other places.

Since then this neighborhood has become even more convenient and livable. Now I have a half dozen grocery stores that I can walk to, a hardware store, a brand new gym and the stores just up the street at DC USA. There are new car and bike sharing options, a new circulator bus route and the Yellow Line service from the U Street Metro station.

I recognize that these things have come to the neighborhood because of the new people that have moved here. And since I did
encourage more businesses to come here, that makes walking around safer.

The 1958 Zoning Code update reflects the outdated belief that what would make the City great is a car for every one of these people that moved here with a place to park it at home and everywhere that they might want to go. But this neighborhood really has not improved by mid-lot curb cuts that makes walking around more dangerous and less appealing nor by the traffic that=s generated when everybody has a car near their house and it=s the cheapest and easiest way for them to get around.

I should be clear that unlike a lot of other people that testified here my husband and I actually do own a car and we don=t have access to an off-street parking space. So I understand the frustrations that lots of people feel about how difficult it is to find parking at U Street particularly on a Saturday night. The problem is I=d like to see D.C. address that through a comprehensive parking management
strategy that covers the entire neighborhood and recognizes that market value of our street side public spaces.

Requiring private developers to provide something at great expenses increases the cost of housing even for people who choose not to own a car and will not solve our problems as long as D.C. continues to give away the same product essentially for free.

I want more people to live in the neighborhood and continue to support the things here that I love. But I certainly hope that more and more of these people choose to move here without a car to compete with me for those on-street parking spaces that I so desperately need. And if developers= market research indicates that they can attract those types of renters or buyers to the neighborhood, D.C. should not stand in their way and demand that they create parking that they don=t want to provide, that renters and owners don=t want to buy and that many people in the neighborhood
don’t want to have. Thank you.

CHAIRMAN HOOD: Thank you. Next.

MR. CONWAY: While there are many things in the proposed Zoning rewrite that are appropriate for a more public transit-oriented --

CHAIRMAN HOOD: Excuse me. Could you introduce yourself first?

MR. CONWAY: My name is Thomas Conway. I live at 1833 Park Road. While there are many things in the proposed Zoning rewrite that are appropriate for a more public transit-oriented city with a growing population, my community, Mount Pleasant, will be poorly served if a customized residential zone is not established to protect the Mount Pleasant historic district.

Mount Pleasant is a unique neighborhood. It has a wide variety of building stock, commercial, institutional and apartment buildings, rowhouses, many of which are semi-detached and individual,
free-standing single family homes, many of which have English basement. In short, the neighborhood already has a density and diversity that is well-balanced and contributes to the increasing performance of neighborhood schools, the viability of community institutions and the overall neighborhood stability.

The Mount Pleasant Historic District is a unique asset to the City that includes individually listed houses on the National Register of Historic Places, that are also recognized as city landmarks. Yet this unique resource is under a sustained assault by developers who are exploiting what is derisively known in the community as the developer conversion bonus. This bonus encourages the conversion of single family houses to multiple unit condos by allowing the developer to expand the lot occupancy to 60 percent rather than stay in the 40 percent maximum allowed for single family houses.
Because Mount Pleasant has literally hundreds of houses of that type sitting on large lots developers are able to routinely outbid families who want to purchase a single family home because even with the 900 square foot per unit minimum they can blow out the back or sides and jam three, four, five or even more pricy, not affordable condos and make a financial killing. But their financial killing is relentlessly killing the neighborhood and the pace is dramatically accelerating.

What made the community historic is being physically defaced front and back of what has been 30 years of steady progress to stabilize the long-term family residency with a focus on neighborhood school improvement. It’s being jeopardized by the transit character of pricy started condos that cannot sustain family growth over the long term. The proposed zoning for Mount Pleasant will facilitate everything that is rewarding to the bottom line
of developers while doing both immediate and 
long-term damage to the character, quality and 
unique social and economic composition of our 
community.

Further, the proposed zoning for 
Mount Pleasant is at odds with the objectives 
of the District=s 2006 Comprehensive Plan. 
What Mount Pleasant deserves from this zoning 
rewrite is not the proposed cookie-cutter 
residential flat zoning, but a customized 
residential zone that reflects and protects the 
unique assets recognized by the historic 
designation and will balance the density and 
stability of the neighborhood which it 
currently enjoys.

Our neighborhood was essentially 
promised that customization at the Ward 1 
presentation, by the City Planning Department 
last year. We want to see that customization 
zone in place as soon as possible and we=re 
prepared to begin those discussions 
immediately.
(Applause.)

CHAIRMAN HOOD: Okay. I=m trying
to refer back to the opening statement and most
people were here at the opening statement.
Normally, in our hearing room, I usually say we
don=t do applause like in counter chamber.

But I=m going to let that one slide
because we=re not in our hearing room. But we
ask you refrain if you feel good, positive or
not positive. Just hold it. Just hold it
tight. Okay.

So are we all together? Mr. Conway,
you obviously have a lot of support. Okay.

Let me ask next. We=re going to go
to Mr. Krieger.

Mr. Krieger, I=m going to ask you not
to demonstrate anything to us about a pending
case that you have in front of the Board of
Zoning Adjustment which one of us may be sitting
on or are sitting on. Let=s not refer to any
cases. Let=s just keep it general.

Okay. All right. Are we on the
same page?

MR. KRIEGER: I believe so. I think I have some different paper in front of you that is about --

CHAIRMAN HOOD: I have your testimony. But I just want to make sure we're not referring to what you brought to the BZA hearing the other day.

MR. KRIEGER: No, I'm going to be referring in general terms to other things that are going on in our neighborhoods and in our community.

CHAIRMAN HOOD: Okay. That's fine. But you're not referring to what you brought the other day.

MR. KRIEGER: That is correct.

CHAIRMAN HOOD: Okay. Thank you.

MR. KRIEGER: Is this on?

CHAIRMAN HOOD: You may begin.

Yes.

MR. KRIEGER: Okay. My name is Andrew Krieger. I live at 1309 Irving Street,
N.W., Washington, D.C. I’m a District resident in Columbia Heights for 35 years. I think the Zoning revisions are way overdue. But I also feel that I just found out about these by chance. Many of my neighbors and people in my community have no idea that this process is even going on.

The failure to adequately communicate this process or to provide the opportunity for public inclusion in it nullifies the process itself. The result of this rewrite are going to affect the profile, quality of life, neighborhood character and the world reputation of this city for perhaps 200 years or more. For the public, taxpayers and residents not to be made aware of the depth and the ramifications of these guidelines is criminal.

Residents already have serious questions about the current District guidelines, their enforcement, their experience with ineffective monitoring of government agencies, cross permitting, how
development is strip-mining the character of
the neighborhoods, zoning actions that are
pushing residents into hardship, increasing
levels of density under a foundation of faulty
and worn out infrastructures.

Residents are asking AWhat is going
on in the District of Columbia?@ This is the
Nation=s Capital. The City is supposed to be
setting a standard for the nation, the standards
of comprehensive planning, leading the green
revolution of the commercial/residential
sectors, creating a healthy urban
infrastructure that can be examples for other
American cities to model on. These concepts
that are totally be dismissed by the City and
sold to the highest bidder with no effort or
little approach to approach these guidelines
are the results of short-sighted planning and
resource management going to be left to our
children to live through and manage.

What is going on? We have
developers who are coming into our communities
to do projects that show respect, consideration, flexibility and work on their sites responsibly. They’re organized, responsible workforces and work practices. They have good reputations and they walk away from their successful jobs to the next with recommendations and a profit.

We have others that are grossly taking advantage of the District of Columbia, the taxpayers and our neighborhoods.

I have submitted several pictures to you here and I'd just like to go through them quickly. The first one is of a pop-up. This is of the 1300 block of Irving/Kenyon Street, N.W. Four stories above, blocking all kinds of light, vistas, air circulation and again taking away the character of our community.

To picture number two, this is the back of a property that was knocked down on Martin Luther King Day. The whole back of the building. Never mind disrespect. What kind of enforcement was there? None.
Picture number three, this is that same structure going up. Four floors of two by fours. I have no idea what code that is. By the way, that same developer had to pushed by residents to get permits for plumbing and electrical.

This is another property on Girard Street. Another built-out drastically changing the profiles of our community.

And the last picture is the house right next door which was Dorothy Brizil’s house going up in flames. The next picture that was taken 20 seconds after this is a complete whiteout.

And I thought the building that was next door had gone up. Luckily, it hadn’t. Fire could get nowhere near the back of that building to put out any kind of fire that was brewing and it was just luck that they got Dorothy’s house out in time before the other one caught fire. And if you talk to any of the firemen that have been in that situation before
those houses go up like that.

That=s what=s going on in our communities. And, excuse me, but people in my block are asking what=s going on. Thank you.

CHAIRMAN HOOD: Okay. Thank you.

The next person I know, but I have not discussed anything about this. So since we were doing AIA, I figure I would disclose too.

Okay, Sebastian. Thank you.

MR. GUILMARD: Hi. My name is Sebastian Guilmard. I=m at 14 --

CHAIRMAN HOOD: Do you want to pull the mike up so we can hear you?

MR. GUILMARD: -- 14th and Girard.

I generally support the Zoning update proposed by the Office of Planning. On accessory dwelling units, the District needs to look at our alleys in a different way. Instead of seeing them as back of the house, the utility area or forgotten space, we can look at sculpting this into a living space.

Most architecture looks away from
alleys, making them dark, ugly, foreboding spaces that may encourage crime, dumping and other illegal activity. I've always --

CHAIRMAN HOOD: Excuse me. We want to hear you. So pull your microphone up.

MR. GUILMARD: Sure. I've always been disappointed while experiencing the typical D.C. alley. To allow accessory apartments or dwellings in alleys would allow for more interesting, safer, beautiful spaces that could only bring value to D.C. on many levels. What if owners spent as much time planting, fixing and beautifying our alleys as they do the front of their homes? Imagine how nice it would be to allow the alley to be an extension of our streets, more people living, walking, playing and making them safer spaces.

I was told that the fire marshal was concerned that alleys smaller than 30 feet should not be allowed to have accessory dwelling units. This is absurd. If fire is a concern, then perhaps the Zoning Code could put
requirements that all buildings in alleys should be noncombustible type material, greatly reducing the possibility of an out-of-control fire.

Finally, having separate, rentable spaces in a larger residential, single family home gives owners greater flexibility in living their lives and remaining in their communities. Owners that fall on hard times can rent out a space. Elderly parents, adult children, family or friends can move in. The space could even be used by domestic help for children, elder care and other, all this while maintaining a personal space for the owner=s family and possibly bringing in a little revenue.

On the parking issue again, we need to look outside the box and find new options for transportation. I support the change to remove restriction on parking. However, I would like to see some provision for larger residential and commercial buildings whether they provide vehicular parking or not to provide secure
bicycle parking on premises.

I also notice that there was no provision for motorcycles or scooters. Motorcycles take up considerably smaller footprints in cities and can be parked in very little space. In a density environment, they are perfect to quickly get around while carrying a passenger or groceries and whatnot. All new construction should be required to provide a good amount of dedicated motorcycle parking.

Thank you.

CHAIRMAN HOOD: Thank you.

Commissioners, any questions of this panel? Mr. Turnbull.

COMMISSIONER TURNBULL: Mr. Chair, I just had one comment just to tell Mr. Malmo that we’ve had several comments in several of other wards of both the tree canopy and the calipers. And Office of Planning is taking into account those changes.

MR. GUILMARD: Thank you.

CHAIRMAN HOOD: Commissioner
COMMISSIONER MILLER: Thank you, Mr. Chairman. Thank you to you for your testimony.

Ms. Kramer, I think you’re absolutely right that the City needs a comprehensive parking management strategy. We hear that those recommendations are coming soon from DDOT, although we’ve heard that for a while. But we think they are coming soon. So I appreciate you bringing that point up.

We obviously can’t solve all parking and loading problems in the Zoning Code. This is just dealing with the reduced parking minimums. But I appreciate you bringing that up. It’s something the City is looking at and I hope those recommendations come forward soon.


COMMISSIONER MAY: Mr. Conway, I wanted to follow up on your points. You spelled out in detail the issues with the Mount Pleasant
Historic District. Just so I understand what you=re suggesting, you=re suggesting -- You understand that the R-F zones are not substantially different from the existing R-4s, right, in terms of lot occupancy?

MR. CONWAY: Yes.

COMMISSIONER MAY: Okay. And this is about additional protections that you would like to see. That=s really what your testimony is about whether it=s done through a customization or even broader changes to the Zoning regs.

MR. CONWAY: Yes, I would say that=s correct and also bring it into alignment with the 2006 Comprehensive Plan which calls for just the type of things we=re suggesting.

COMMISSIONER MAY: Okay. Thank you.

CHAIRMAN HOOD: Vice Chair Cohen.

VICE CHAIR COHEN: My question is for Mr. Krieger. At earlier panels a person from I believe Mount Pleasant stated that -- She
complimented the Office of Planning and attended a meeting at a school. And we’ve heard various residents of the District, some of them saying that they’ve been following the Zoning rewrite for many years and others suggesting that it’s brand new to many people.

So my question is because we did not have our local newspaper that’s widely circulated -- The Washington Post did not cover it -- but many of our neighborhood newspapers did.

So I would like you to elaborate a little bit as to when you heard about the Zoning rewrite and just again how the disparity exists among people who either knew about it or didn’t know about it. Do you have any insights into that?

MR. KRIEGER: Sure, Ms. Cohen. I thought it very interesting, too. The only reason that I found out about the Zoning rewrite was actually going to the Zoning Office by chance and finding a circular on the desk in that
office. And I consider myself pretty active in my neighborhood with what is going on with my ANC and close to my ANC representative also.

But I had never heard anything about the rewrite. And many of my neighbors and other people in the community were not familiar with the process that was going on either. When I did find out about it, I tried to circulate it around as quickly as possible because I think this process is tremendously important because it is going to be changing the face of the City for the future in a great many ways. And it=s going to be impacting everyone.

So once I found out about it I wanted to plug as many people into it as possible. But I just found out about it three weeks ago I think when I went to the office or four weeks ago.

VICE CHAIR COHEN: What is your neighborhood newspaper? I live in Ward 2 and it=s been covered pretty extensively since the setdown at least.

MR. KRIEGER: What is my
neighborhood newspaper? We do get The Washington Post. That is the newspaper I get. And we really don’t have time to read many newspapers anyway. But we do get one paper and that’s supposed to be the paper that’s cluing me in into what’s going on where I live, my hometown, my city. That’s it.

VICE CHAIR COHEN: You may need to subscribe to something else I’m sorry to say.

CHAIRMAN HOOD: We have on our own asked folks like Mike Debonis to help us get the word out. Just recently Hamil Harris -- I think he’s still with The Post -- was just asked last week. So we’re also doing the best we can.

And you’re right. Everybody doesn’t read The Washington Post. I don’t read it. But you’re right. We’re still trying -- We’re still doing the best we can to try to get this word out.

A lot of us go to a lot of civic meetings. We don’t talk about any particulars, but we AHey, get involved with the ZRR or the
revision. Get involved. And some of us have
been doing it since 2007. Okay.

But, Mr. Krieger, were you here when
I made the announcement about Councilmember
Graham and the pop-ups because I do not want
anyone to leave here to think that he has not
mentioned to this Zoning Commission on more than
one occasion about pop-ups? Were you here when
I made that announcement?

MR. KRIEGER: I was here.

CHAIRMAN HOOD: Okay.

MR. KRIEGER: When you made that
announcement.

CHAIRMAN HOOD: I just want you to
know that it=s definitely on our plate. It=s
running over because he=s made that point to us
like I said not once, not twice, not three, a
number of times. And he wants us to deal with
it and he wants action and he wants it swiftly.
Okay.

So don=t leave thinking that he=s
not on it because he=s definitely on us. Okay.
Commissioner -- How do you pronounce your last name?

MR. TINPE: Tinpe.

CHAIRMAN HOOD: Tinpe. Do we have your testimony?

MR. TINPE: I did not. No, it's just --

CHAIRMAN HOOD: I really would like yours because your testimony gave a balance. You included the neighbors under 40 as well as the ones above 40.

Let me ask you all. Have any of you all been to a special session? I know there are some groups that are having special sessions that are -- Oh, you can't hear me.

(Off microphone comment.)

But I can't -- If you can ask Staff or you want to respond to a question. Or am I talking too loud? Could you just come and let Staff know what the issue is because we don't really have anything like that from the audience unless you're at the table? Okay. If you have
a question or something, you can come and mention it to Staff.

Actually, I want to know what it is. So if you can come tell Staff. But if you could do that would be very helpful.

MR. TINPE: Yes. Fine.

CHAIRMAN HOOD: Has anyone been to any special -- I understand there are special groups going on that have any insight trying to help people come up to speed. I don't know what issues. Has anyone been to that? Any of those groups?

MR. KRIEGER: Can you explain that?

CHAIRMAN HOOD: Like the Committee 100, Smart Growth, ANC meetings, the Office of Planning when they came out to the wards? Okay. If everybody wants to participate in that, that would be good.

MR. MALMO: I would say no. And I think I'm a pretty active member of my community. Columbia Heights I don't believe has a community newspaper. I heard first about
the Zoning rewrite in an article in the City
paper that I happened to pick up. But no.
There is no -- And I don=t subscribe to The
Washington Post.

CHAIRMAN HOOD: Okay. My question
was a little different and I just -- Okay. I
understand about the publication issue. My
question was there are different groups who are
trying to educate, inform, help, make sure
groups understand what=s in front of us. And
I want to know if anyone at least at the table
-- If anyone wants to participate that=s great
-- If any of the folks present tonight been to
any of those sessions, if you could just raise
your hand.

(Show of hands.)

So may I ask this? If you did not
go to these sessions, would you still have been
here tonight? Raise your hand.

(Show of hands.)

Okay. You were asked to go to those
sessions. Were you asked to come here tonight?
Raise your hand. By those groups, any of those groups?

(Show of hands.)

Okay. All right.

MR. CONWAY: Can I clarify a point of order here?

CHAIRMAN HOOD: Sure.

MR. CONWAY: I mean in Mount Pleasant this issue is boiling. I don’t think there’s hardly anybody that doesn’t know what’s going on on this issue. There have been repeated discussions at the ANC. There have been discussions in and around. Within 200 yards of my house there are three real world examples of what my testimony was trying to get at in terms of these issues.

I have attended sessions that Councilman Graham organized within the last ten days or so. The Committee of 100 has been active on this issue. I actually got an email from an organization that was all about pro the proposed changes, largely on parking and
transit issues. And that=s how I signed up even
though I don=t -- that=s not my major concern,
although I=m sympathetic to a number of those
issues.

Yes. There is a lot of advocacy out
there. And I=ll tell you in my neighborhood
this is a boiling issue.

CHAIRMAN HOOD: And I=ll tell you.
Let me just explain why I asked that. Again,
as we continue to go on, I=m hearing a lot of
people who mentioned to this Commission that
they didn=t know about it. And it seems like
from my opinion while I know the Office of
Planning is doing what they can do. I know the
Office of Zoning and I=ve had this discussion
with them is doing what they can do.

But it=s something that those groups
are doing that seems to be effective. Wherever
you fall on the issue is not my issue. I need
to probably figure out -- we need to figure out
how those groups are getting out in the
neighborhood. Maybe I don=t know. Do they
spend 24/7? But they seem to be getting more people engaged.

And I just want to encourage all those groups regardless of where you fall on the issues to continue to help us. That was my point. It wasn’t anything else but that.

Okay.

All right. Any other questions?

(No verbal response.)

Thank you all very much. We appreciate your testimony. We don’t normally ask questions from -- I go to many ANC meetings and many civic meetings. We don’t ask questions from the audience.

What we do is call your name and you come up. And if you have a question and you want to know about a process question, you can come and ask Staff. But there’s going to be a time if you didn’t sign up tonight and you live in Wards 1 and 2, I’m going to bring you to the table. Okay.

Peter Lyden. Jeremy Van Ess. Now

Oh, I may enough. Hold tight. I’m sorry. If the seats don’t fill up, I keep right on going. So forgive me. I might have called too many people. If you can have a seat and whoever I called -- Okay. If you could stay close though. You can come right back. Just do me a favor. When we get to your name, just come right back up. Thank you. And I apologize.

Okay. Let’s start with the young lady to my left this time. Let’s give everybody a chance to get settled so they can hear your testimony. Okay. You may begin.

MS. BROWN: I’m Janet Brown. I live with my husband in a rowhouse at 1746 Q Street, N.W. in the Dupont Circle area.

We first moved here to this area in 1957, two blocks from where we now live at that
time in a 60 unit apartment building that’s only
a couple of blocks away from where we live now. It
had no interior parking.

If one arrived at home at night after
10:00 p.m. by car on a week night, it would take
you 20 minutes to a half hour to park even then.
And it’s just about the same now.

I remember when this current Zoning
revision process first started. Was it four or
five years ago? And I’m here tonight to urge
the Commission’s prompt approval of the
proposed revisions especially on accessory
apartments in single family homes, on a
reduction of the parking requirements in
multi-family buildings -- I would go even
further than you proposed at this point -- and
licensing of appropriate neighborhood stores
and restaurants. This combination of changes
will make even more neighborhoods in the City
really enhanced in the quality of life.

I’m 82 years old. And I have lived
in this area for most of my adult life. I love
my neighborhood and including the stores and the
restaurants at the end of my residential block.
There are almost no parking spaces in the
apartments and condo buildings in our area.

In our 120 year old rowhouse we have
an apartment that helps pay the mortgage and is
very nice as we get older. It=s very nice as
we get older to have somebody else in the
building in case of emergencies and just to help
shovel the snow in the wintertime.

I have made it a point over the years
not to rent the apartment to anybody who has a
car. It doesn=t seem to me necessary in this
neighborhood. And besides I can demonstrate to
them that by using public transportation,
bicycles, walking, and renting a car on the
weekends when you need to go do an errand in the
suburbs or get away from the city altogether,
you can do it much more cheaply than owning and
operating a car in our neighborhood.

I just wish that all of the
neighborhoods in the city had the same kinds of
amenities that we have here. Modern, efficient, public transportation, plenty of good places to shop and eat, a dry cleaner and a bank. I regret that some of my neighbors disagree with me. I happen to think they’re wrong, including Mr. Graham who has all of his career been a real advocate for equality in the city.

If I were revising the revisions I’d go in the same direction you have. But I’d go even further. Thank you.

CHAIRMAN HOOD: Thank you. Next.

MS. McREYNOLDS: Good evening. Thank you for this opportunity to testify. My name is Mary McReynolds. I have lived in the District since 1968 and I’ve practiced law here since 1971. Since 1978 I have owned my apartment at 2101 Connecticut Avenue, a historic landmark building built in 1927 located in the Kalorama Triangle Historic District part of Ward 1.

D.C. agencies charged with the
responsibility of regulating land use in Washington, namely the Zoning Commission and the Historic Preservation Review Board, do not coordinate their lawmakers and review functions in order to effectively preserve and protect historic properties. Owners of historic properties do not receive adequate advanced notice of proposed construction affecting historic properties. As a result, these agencies will continue to lack key input from those most keenly committed to historic preservation.

In consequence, our Nation=s capital is experiencing the incremental destruction of historic neighborhoods as a result of in-fill development and pop-ups that are incompatible with historic districts, that destroy gardens, trees and open spaces and worsen the quality of life concerns such as density, noise, parking, trash and other sanitation problems.

To arrest further destruction of
historic properties and neighborhoods, I respectfully urge the adoption of modifications to the zoning and land use provisions that would embody the following mandatory protections for historic properties: (1) mandatory actual advanced notice to historic district and neighborhood property owners. One of my fellow 2101 residents, Bart Leonard, will be testifying shortly. And he=s going to focus on mandatory notice. And I support what he will have to say;

(2) the immediate, automatic historic property down-zoning. In other words, for all historic properties that are on the National Register or D.C. Register of Historic Places or that are located in existing historic districts or future designated historic districts should be automatically down-zoned to their existing use and size. That would eliminate the headroom that developers have to come into existing historic districts to seek to expand the size, the destroy the back gardens, to go
for pop-ups. If a developer wants to change a historic property in any way by making it larger, taller, eliminating the gardens, a variance should be then required and should only be granted if there=s no other way to save the historic property.

We have a beautiful historic city. There=s plenty of room in this city for new development that will not destroy the historic districts. And therefore I support zoning which protects the historic districts and properties and the changes that are being considered should not be made at the cost of the historic properties of historic districts. Thank you very much.

CHAIRMAN HOOD: Thank you. Next.

MR. OLOWOFYFOYEKU: Good evening. My name is Toby Olowokoyeku. I will state that we=re at Lanier Heights and the needs of Lanier Heights is similar to the needs of Mount Pleasant and the historic districts that the lady spoke about.
I know previously we left a request for historic designation. But we’re close enough to Mount -- We’re actually in Mount Pleasant almost. And Lanier Heights and Adams Morgan developed as a result of unique cultural diverse mix of local inhabitants and residents, immigrants. They created diverse artifacts, food, fabric stores and live entertainment. And a visitor who comes to our area thinks that they’re in a foreign country.

A melting pot was created which was a magnet for people who wished to move into our area. I believe now in the re-zoning we need to be aware of the needs of our type of area, the character of our neighborhood. Most of the streets have multi-occupation properties. There is no need to start breaking up the single family homes.

I myself come from a family of 14 brothers and three sisters. Now we’re going to live in a two bedroom flat here if we move here. No. We came originally from Lagos. So I say
the re-zoning must consider the needs of expanding family who have kids. We have two kids in my family. I need existing single family homes, not microunits that developers are promoting to you.

We propose that the re-zoning limits any future alterations of single family units in Mount Lanier to two units in one plot. The building should not occupy more than 60 percent of the land. It should be no higher than similar plots. No pop-ups should be allowed.

We are requesting parking even though people who want to live in microunits do not need parking. The needs of one place and one idea doesn’t suit everybody.

Speculators are creating a vultured (phonetic) development zone in Lanier Heights. Please take them out. They have deep pockets and they are driving us out.

The recommendations are this. Do not allow developers to break up existent single family homes to create multi-purpose units.
Set proposition limited to two units. Don’t allow future developments to occupy more than 60 percent of the land and space in a plot. The rule will prevent developers from blocking direct access to sunlight for existing homes and their gardens. It’s great if I wake up in spring and look at the next garden. Oh, those are daffodils. Those are hyacinths. There will be nothing anymore like this when they build throughout. Insist that new homes provide minimum parking requirements, gardens, leisure areas and beauty areas necessary for exercise and well-being of D.C. dwellers, especially if you have children in the home. They are not going to be running around on concrete.

CHAIRMAN HOOD: Okay. Thank you. Next.

MR. MARLIN: My name is David Marlin. And I and my wife have resided in the District since 1961 and since 2005 in 2101 Connecticut Avenue, N.W., the co-op apartment
that a previous witness talked about in the Kalorama Triangle Historic District.

And my testimony will follow Mary McReynolds and the gentleman who spoke from the Mount Pleasant Historic District. And it’s about the intrusion of developments into the historic districts to the detriment of the plan that the historic district is all about.

Let me say that I’ve served as a District Administrative Judge for 11 years, as an Appellant Judge with the Rental Housing Commission, a Trial Judge with the Contract Appeals Board and Chair of the D.C. Board of Appeals and Review.

Let me tell you something about our case at 2101. In 2012, Lock 7 developers contracted the purchase of two well-cared for colonial revival adjoining single family homes at 2012 and 2014 Kalorama Road adjacent to our property with the intent of converting them into 17 condominium apartments. Lock 7 presented its concept plans to the Historic Preservation
Review Board, but didn’t provide notice to the adjoining property owners which was in violation of its legal obligation.

The concept plan was approved before we had ever heard about it. But when we did hear about it, we contested the plan. But what we were told by HPRB was that the developer had a right to do the construction, do the renovation, do the substantial enlargement of these properties and that their only function was to address the design of the program.

That last point is pretty critical because it left our building in a disadvantageous position. At substantial expense, we mobilized experts. Jim Graham, Ward 1, came forward in support. The Kalorama Citizens Association came forward in support. The ANC Commissioner also came forward in support. And we were able to successfully get some changes in the design that provided some protection for us. But the intrusion is substantial and is ongoing.
I wanted to bring this case to your attention so that while you’re making some judgments about what to do with historic districts you could review the file in this case. You can come and visit our property if you’d like and see the enormous hole in the ground which will block off 25 percent of our residents’ views.

It’s my belief that the Smart Growth Policy that the Office of Planning has been implementing in the city and I don’t oppose it at all except for its effect in historic districts. The desire to increase density around Metro transportation routes, subway and bus, is there even though in Kalorama Triangle it’s a fully built out neighborhood. The only way to increase density is by basically invading existing buildings.

That’s basically what I want to say and I’m available to answer any questions you have. Thank you.

CHAIRMAN HOOD: Okay. Thank you.
Next.

MR. VAN ESS:  Hi, my name is Jeremy Van Ess. I live at 1465 Florida Avenue, N.W.
I'd like to add my voice to those calling for the updates to D.C.'s parking requirements and I'll also add my support for provisions regarding accessory apartments and corner stores.

I'm going to go ahead and spare you listening to me read my statement. I'd just like to address one thing that's been raised tonight and that's this idea that some of the young people who have moved to the city might all own cars. We might change your mind by changes and we need a code to protect us and protect the city for that time.

I think that debate is kind of a false debate. And I think we need the Code to work for us at all stages of life. I need it to work for me now when I'm a biker who needs affordable housing. And I may need it to work for me when my kid grows up and I do need to have
parking.

I actually think you=ve found that flexibility in your provisions. And that=s one reason I=m here to support them. I want to thank you for that and urge you to move forward without delay.

CHAIRMAN HOOD: Thank you. Next.

MR. LYDEN: Can you hear me? I=m on. Peter Lyden, 1726 Euclid Street. Here since 1978. Members of the Commission, thank you very much for this opportunity to speak. I appear before you as --

COMMISSIONER MAY: Can you bring your microphone even closer to your mouth because we cannot hear you.

MR. LYDEN: How about that?

COMMISSIONER MAY: That=s good.

Thank you.

MR. LYDEN: Okay. Yes, I=m Peter Lyden. I represent the Reed Cooke Neighborhood Association. I=m the Treasurer. And I=m appearing here tonight to give you some of the
concerns that we have with the proposed ZRR changes to the Reed Cooke neighborhood.

Having heard the testimony of the gentlemen from Mount Pleasant and Lanier Heights, we fully endorse those. Those are good outlines of our problems.

To mitigate and minimize conflict between residents and businesses that we saw in 1984, we waged a six year fight for the adoption of the Reed Cooke Overlay District. The mix of daytime businesses and neighborhood residential uses followed the carefully crafted Reed Cooke Overlay District with much success. However, that=s not the case we have today.

We are a neighborhood organization wishing to deal with a number of issues in our neighborhood and not concentrate solely on one problem. But the way the ZRR has been introduced to us over a number of years by the Office of Planning has been chaotic, has had complete reversals of direction and has given us poor information about how ZRR with the
effect would be implemented and affect our neighborhood.

This resolves in our loss of focus. We have a lot of other things to do and deal with. The Italian Embassy, the Church Hotel, liquor licenses and now we’re back to deal with a document that’s confusing to read, difficult to decipher, has internal contradictions, loses the intent of the zoning protection for residents that we have come to understand. In short, it’s a mishmash to us.

An example of the streamlining of the Reed Cooke Overlay District has gone from a cohesive, understandable, clear, consecutive six pages to something that’s 37 pages long. It’s just defused and it’s lost a lot of the power and intent of it. And it also requires the intervention of a person that majored in English to understand it.

There was a section I didn’t understand. I talked to one of our members, our vice president. She said yeah. She read it
180 degrees from the way I did. I gave it to my wife to read. She read it 180 degrees. She said I was wrong. So I am wrong. But three people, two different interpretations. And my wife told me to have an English major text Oedipus up to the ZRR.

Last week at our monthly meeting I tried to present how the ZRR is organized and the issues we face. I was able to talk in terms of major subtopic headings. But trying to go deeper and explain how the overlay was treated was lengthy and not altogether clear to my audience. A map of the proposed changes would have ensured we were discussing the same areas which new zonings would be applied. I had an OP representative tell me that a map of the new zoning would follow, but it would have been nice to have that visual aid at my meeting.

We’ve heard talk about transit zones. Where are they in relation to Reed Cooke and what impact will they have on us? Again, a map would just assist in even focusing on what
we’re looking for.

Second, the impetus for the ZRR to be updated is to update the current regulations with the 2006 Comprehensive Plan. One Comprehensive Plan element speaks specifically and positively about Reed Cooke. It’s City Policy 2.4.5, the Reed Cooke area. Protecting existing housing within the Reed Cooke neighborhood, maintain heights and densities at an appropriate level, encourage small scale business development does not adversely affect a residential community.

However, the ZRR is currently drafting to tax many of those safeguards that were in place to protect the residential character of our neighborhood. Why OP has moved residential housing that’s presently under R-5-B and has placed it into A Zone, apartment zones A is unknown to us. Apartment zones allow for commercial and other nonresidential uses to intrude into residential neighborhood.
We feel the residential housing should at least be under a residential flat zone with the appropriate protections we have today. We have a clear, solid residential area and urge that the zoning designations be reexamined with an idea to prevent the intrusion of nonresidential uses, deleting the provisions allowing conversion of houses, condos and apartments and pop-ups.

By the way, I have a great view out my back window of a pop-up. I did not bring a picture of it though.

Third, representatives have assured us that we would not change a thing about the Reed Cooke Overlay District with probably some very minor changes to bring it up-to-date. OP has disassembled the overlay district, 11 DCMR Chapter 14, and applied parts of it to mixed use zone 33 and 34 and apartment zone 8A. The reorganization has created confusion, redundancy, has dropped substantive phrases, made additions that are not currently
authorized by the overlay or worse do not under
existence of the current code.

To use the term overlay makes sense
to us. It takes an underlying code and lays it
on top of certain restrictions. It’s simple to
understand. There is a crosswalk from the
overlay to the ZRR. However, we know parts of
the overlay have been deleted, terms have been
changed, and it no longer reads with the force
that was intended. The changes have degraded
the intent and the application from what we have
today.

In the last four years, we’ve had two
explicit applications of the overlay. They
were the Adams Morgan Church and a proposal to
build an 85 foot building at 1711 Florida
Avenue. In both cases, clear revisions of the
overlay were applied and demonstrated that the
overlay in its present form is as relevant today
as it was when the Zoning Commission enacted
that.

We ask that you maintain the
integrity of the overlay district with other cities' overlays because I'm sure they're having the same problem. We ask that you do this to allow the general user to understand what they can do and what they cannot do and please make the text and the code explicit to what is prohibited, thereby making it easier to understand and apply.

In closing, prior to the closing of this case, we will provide you comments and specific recommendations on the discrepancies we have found and propose solutions as well as our concerns and proposals to rectify neighborhood problems we've seen within the ZRR. With your consent, we look forward working with the OP staff to prepare alternative Reed Cooke text and approaches for your consideration. Thank you.

CHAIRMAN HOOD: Okay. Thank you very much. We appreciate everyone's testimony.

Commissioners, any questions? Mr.
COMMISSIONER TURNBULL: Yes.

Thank you, Mr. Chairman. I want to thank all of you for your comments tonight.

But for Mr. Marlin, I just wanted to -- I think one of the issues is we all sit on the Board of Zoning Adjustments and we all get the HPRB reports.

But I think the greater issue here is that it's not really a zoning issue. I think what is going to be needed is that there has to be legislation by the Council to reinforce historic neighborhoods.

So I think Councilmember Graham in your case would have to intervene and introduce legislation to tighten that language. I think if you're really concerned that's where it has to begin is at the Council level to create neighborhoods for the safeguards that you're looking for.

The Zoning Commission we're dealing with land use. And for historic preservation
you really need the Council to weigh in on this.

MR. MARLIN: What is the -- When

HPRB says that Zoning permits by right a
development doesn=t that affect your agency?

COMMISSIONER TURNBULL: Well, it
depends. It depends what zone it=s in and
depends what=s covered under it. And I think
those are the confusing items. And I think in
your particular case you would either need to
sit down with the Office of Planning to
understand what that neighborhood is and what=s
going on.

And if there is some confusion, I
think then it would be go to introduce language
to strengthen that area. I mean if there is a
significant change, then I think we need some
assistance to help protect that.

MR. MARLIN: I=ll certainly take
what you=re saying under advisement. And I
believe that Mr. Graham or his successor,
whichever it is --

COMMISSIONER TURNBULL: Right.
MR. MARLIN: -- will be willing to work on that. But it’s been a frustrating experience not to be able to preserve the historic character of the neighborhood.

COMMISSIONER TURNBULL: Right. I think the first place would probably be to sit down with the Office of Planning, understand the zone, understand what’s required. And if that is not satisfying the neighborhood and what can be done, then I think you need to take the next step a little bit further.

MR. MARLIN: Could I assume that the Zoning Commission might be supportive of our effort?

COMMISSIONER TURNBULL: I totally am supportive of historic preservation. Whatever we can do to support historic neighborhoods, I’m 100 percent for it. Absolutely.

CHAIRMAN HOOD: Any other -- I’m sorry. Are you finished?

(No verbal response.)
Okay. Commissioner.

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

Ms. Brown, it’s great to see you and thank you also for your advocacy on behalf of affordable housing for so many years. It’s very much appreciated by the City.

And, Mr. Marlin, my former neighbor, it’s good to see you.

I think you might want to, if you’re not already planning, attend the oversight hearing that Chairman Mendelson is having on the Office of Planning and the Office of Zoning. Historic preservation comes under his purview. When is that oversight hearing when you’re testifying, Mr. Chairman?

CHAIRMAN HOOD: We’re on March 5th. Are you on March 5th? Are you all first or are we second?

(Off the record comment.)

You’re last. Okay. Good.
COMMISSIONER MILLER: Anyway, you might want to sign up to testify before Chairman Mendelson and you might have a dialogue, an interesting dialogue, there. I think it might be useful.

I can see how down zoning if you -- That would be a pretty blunt instrument to use to try to get at what=s supposed to happen which is compatible development in historic districts. But if particular neighbors want to come together and ask for a down zoning or an ANC or a neighborhood association want to petition for a re-zoning of their neighborhood, that=s certainly their right to. And they should work with the Office of Zoning on that. And I would encourage you to do so.

MR. MARLIN: What we offered, Ms. McReynolds and I and Bart Leonard and others in our building, was the thought that there might be a variance required so that a developer who wishes to make substantial changes in buildings would have to seek approval by the Historic
Preservation Review Board. But we thought by this Commission as well. Does that sound like a reasonable approach?

COMMISSIONER MILLER: We don’t usually answer the questions up here. That’s the beauty of being up here.

CHAIRMAN HOOD: We don’t answer questions.

COMMISSIONER MILLER: But I would encourage you to work with the Office of Planning on that.

CHAIRMAN HOOD: We don’t answer questions and we don’t bind ourselves and we don’t bind any future commissions. Okay. All right. So that will answer your question. I didn’t want to interfere with my colleagues. Okay.

MR. MARLIN: Very well.

CHAIRMAN HOOD: I think that’s fair enough though. Okay. Next.

MR. OLOWOFOYEKU: I had a question.

CHAIRMAN HOOD: Can you turn your
microphone?

MR. OLOWOFOYEKU: In the past there was a request for historic preservation for Lanier Heights. It didn’t go through. But we are right next to Mount Pleasant. And in our case that midway needs a treatment. We should not be a free for all. And that’s what our neighborhood is requesting in this re-zoning basically for us. That it protects what we already have, what is unique about our area and doesn’t destroy it.

CHAIRMAN HOOD: I think I understand you and I think you’ve spelled it out in your testimony what you’re asking for which is in the jurisdiction of the Zoning Commission. There are probably some other bodies that may need to get into play in this, but we’re going to do our part as we look into it.

Again, we’re not binding ourselves or we’re not -- We’re going to have to deliberate. Okay.

All right. Any other questions?
(No verbal response.)

All right. Thank you all for your testimony. We appreciate it.

Come on up. Yes. Okay.

Thirty-six is already at the table. Ms. Esposito. I'm sure you're --

MS. ESPOSITO: Esposito.

CHAIRMAN HOOD: Esposito, okay.

Paul Alan Levy. Bart Leonard. Dennis Suski. And Matt McCarthy. Is there another person whose name I have called or whose name -- Is there another person in the audience who has signed up who has not testified yet? Sir, if you can come forward. Is there anyone else who signed up who has not testified yet?

Okay. Mr. Otten, I don't have your name on my list. Okay. That's six. And, Mr. Otten, you've testified before.

Is there anyone else who has not testified who lives in Wards 1 and 2 who would like to testify after this panel? Anyone else in the audience?
Okay. We're going to start with this young lady to my left and your right. You may begin.

MS. ESPOSITO: Hi. I'm short. So this is hard. My name is Melissa Esposito. I live at 17th and R N.W. in Ward 2. I'm a business owner and a resident. And I've lived here for nine years now and plan to live here for many more decades.

I strongly support the proposed zoning update. In order to accommodate that will come in D.C.'s future, we need to modernize the Zoning Code.


(Off the record comment.)

Okay. There's already a ruling. You know we've been around all the city. And we've dealt with this all over the city. I can
tell you. Every time we get to the end it=s always the same. I was hoping Wards 1 and 2 we wouldn=t have to do this. It=s always been a very good hearing.

But it=s something about when we get to the end. There=s always an issue in every ward. And I was hoping that wouldn=t happen here. But I see that it=s getting ready to happen tonight.

(Off microphone comments.)

Okay. I want you to be respectful to the people who are here to testify. Mr. Otten, I=m going to ask you to be respectful.

(Off microphone comments.)

Well, let me just say this. Get somebody -- Mr. Otten, I=m not going to entertain you. Okay. I=m not going to -- I=m always sitting on the Zoning Commission. So I=m not going to entertain that.

(Off microphone comment.)

Okay. So I=m asking you. Get somebody else from --
(Off microphone comments.)

Get somebody else from your area or from your organization to come up and testify.

(Off microphone comments.)

Nobody -- Mr. Otten, I’m going to ask you to either get someone else to come and provide testimony from your organization or have --

(Off microphone comments.)

VICE CHAIR COHEN: Please submit --

Have him submit --

CHAIRMAN HOOD: Or have a seat.

VICE CHAIR COHEN: Mr. Otten, submit your testimony in writing.

(Off microphone comment.)

` No one gets a response. We’re using it --

(Off microphone comment.)

CHAIRMAN HOOD: Okay. Let’s move on. Mr. Otten, if you want to see me after the hearing, you can see me. I’ll be right here to the left with the staff. If you want to see me,
you can talk to me after the hearing.

Okay. I want to apologize to everyone. It seems to be going over and over again. It’s always the same people. So I want to apologize to you. We came to hear from the residents who we have not heard from. And we’re going to start again to you to the left.

MS. ESPOSITO: Sure. Just to where I left off we need to modernize the Zoning Code. I support doing away with parking minimums and allowing accessory dwelling units.

I’m personally trying to buy a home in the District and the number of people who want to live here drives the price up. When we allow for ADUs and when we disconnect parking from housing costs it makes more housing available at an affordable price.

I use Metro and bus and biking for nearly all of my transportation. I have no desire for a car in the City. I resent that a lot of condos and apartments come bundled with parking that I would have to pay for when I don’t
even want it. So I approve of that modernization to the Code.

I also especially support the proposed Code that allows for an increase in retail on corners in the neighborhoods. We see many small retail shops closing because the rent for commercial spaces continually increase. And I can tell you as a business owner myself it is frankly ridiculous in the District.

Providing for more places for mom and pop shops to exist affordably will increase the vitality of retail in our city. We then have options other than big box stores. Thank you very much.

CHAIRMAN HOOD: Thank you. Next.

MR. LEVY: I=m Paul Levy. I live at 1698 Lanier Place. I=m another one of that crowd of Lanier Heights people who want to preserve rowhouses for family housing.

Yes, I=m sorry. My wife and I have had the benefit of being able to raise a family while living close to downtown, being able to
walk to work while sending our kids to the local public schools, to enjoy knowing our neighbors, many of whom have stayed around for years and years.

Our neighborhood has lots of apartment units for those who don’t need that much space. But family housing in our neighborhood is threatened because rowhouses can be more profitable if they’re cut up into small apartments.

What we want to do is preserve for future generations the benefits that our family has been able to enjoy of family housing close to downtown. We think that a custom zone is the way to preserve that.

D.C. has been spending hundreds of millions of dollars to rebuild the closing schools, Cardozo and H.D. Cooke, Bell Multicultural. There are plans afoot to spend more on Marie Reed and Bancroft. The investment in Ross was lesser. But where are the kids from those schools going to come from
if all of the family housing has been cut up into small apartment units?

Enabling cut-ups and pop-ups is not a means to achieve affordable housing. My written testimony presents some data showing that the new condos being created out of rowhouses in our neighborhood are the most expensive living space in the neighborhood.

This is a proposal that enjoys wide support in our neighborhood. A number of the opponents of historic designation are part of our effort. I was witness to a very touching moment when one of the leaders of the opposition to historic designation in Lanier Heights came up to the leader of the effort to achieve historic designation and said, AYou know. We screwed up. We should have supported historic designation. We wouldn=t be where we are now, although it=s not a perfect remedy.@

You=ve received a communication from one member of our neighborhood, a Mr. Baker. He=s entitled his view and he=s made
some great signs opposing our effort. But if you walk around our neighborhood, you’ll see his signs on a few light poles. If you walk around our neighborhood, you’ll see lots and lots of signs supporting zoning reform in yards and front areas of the houses.

This isn’t in my statement. But I just want to make a brief point about parking. The pop-up developer who put in a pop-up next to our house said, ‘‘Well, people don’t really want parking anymore.’’

Forgive me for being a little cynical. To the woman who spoke about how she didn’t need parking because even though she has a toddler, I would say wait until you have a five year old who wants to go to play dates or wants to go to soccer practice up at Stoddert School which is where Stoddert has soccer practice for five year olds. And wait until you have middle schoolers.

I expect people are going to need that parking later on. And we shouldn’t
eliminate the requirement just because some people don’t need it now.

CHAIRMAN HOOD: Thank you. Next.

MR. SUSKI: Hello. Dennis Suski, 1706 Lanier Place. I wanted to thank you for the opportunity to speak regarding the new zoning laws. My wife and I have been Adams Morgan residents for 15 years and we bought our home in Lanier Heights seven years ago in 2007.

Currently, aggressive developers have been continuously blanketing our street with mailings and phone calls to buy our homes to cut them into condos. They have the means to outbid perspective buyers who are looking for a home and they are inflating the market by going well beyond what a normal asking price would be.

They say they are creating density and affordable housing. But recently a 1400 square foot condo unit from a cut-up rowhome sold for $760,000. This equates to $540 a square foot. This is $100 to $200 over the price per square foot of a full rowhome. This
type of development is threatening the homes, parking and open air that makes our neighborhoods great places to live.

Because we are zoned R-5-B developers have the potential to do pretty much whatever they want. It states in the FAQ in the D.C. Zoning update, that org, that zoning does not control whether someone can demolish a building. So, yes, it’s true. Zoning does not control whether someone can demolish a building, but it does control what someone can do with that land after a building has been demolished or gutted.

It’s also mentioned that the best way to combat the pop-ups and teardowns is to re-zone or through historic preservation which recently even this has proven to not be a deterrent. On top of this these recommendations are not helpful in controlling build-back to the rear property line. This is detrimental to homeowners with trees and yards, not only reducing their quality of life by
reducing privacy and blocking light and air, but by diminishing their property value as well.

In regard to the new Zoning laws, we certainly welcome the addition of the RF zones. However, there needs to be a more defined path towards them. The R-F-4 and R-F-5 zone proposals that are intended to preserve the character of residential neighborhoods that is stated in Section E seem contradictory in their statements.

First, I feel as though lot occupancy is far too permissive at 60 percent, especially considering that the stepbacks for these zones have been deleted.

Regarding 100.3, it does not seem possible to retain the character in homes of these neighborhoods when you are allowed to convert the homes into three and four units in these zones. I can=t see how this is supposed to help retain the character of the homes and green space of these communities. These homes and streets were built primarily to house one
or two units and not three or four.

Additionally, regarding the R-F-5 zone allowing a height restriction of 50 feet will do little to stop adding additional floors to rowhomes and disturbing the skyline. We need to do more to ensure that these neighborhoods remain intact.

Also in Section E 600.2 states that you can convert a building to an apartment if the building is on a lot in the R-F-1, 2 or 3 zones. Maybe I’m reading this wrong, but it doesn’t seem to make any statement about converting R-F-4 and 5 zones.

I personally believe that much of the new zoning leaves far too many holes for interpretation and over development. There are so many great things about this city that make it special. First and foremost are the people that live here and call it home. The Zoning Commission needs to understand that we should not have to live in fear of what a developer sees fit to do to ruin our
communities, to make a quick dollar and to move on to the next.

I have no problems with increasing density when it=s done responsibly and with regard toward others and the future. But I am concerned that what=s happening in this city is very short-termed and very short-sighted. There should be room in this city for rowhouses in neighborhoods and they must be protected because once they are gone they will not be back.

Thank you for hearing me and I implore you to add additional provisions to save what=s left of D.C.=s neighborhoods and rowhomes. Thanks.

CHAIRMAN HOOD: Thank you. Next.

MR. LEONARD: Good evening. My name is Bart Leonard. And I live at 2101 Connecticut Avenue with my wife and two daughters and their cars.

I=m going to speak about an advanced notice. This is a mandatory advanced notice the historic district=s neighborhoods. The
developer proposing constructional work on any historic property must give actual notice to each owner of any property located within 1,000 feet of the front, side and rear entrances of such a historic property no fewer than 90 days prior to the initial appearance before the Advisory Neighborhood Commission and no fewer than 90 days before seeking approval of the construction by the Historic Preservation Review Board. Such actual notice must be confirmed in writing.

Here are a few points to consider:

- written notice of the proposed construction to each owner by certified mail, return receipt requested;
- written notice of the proposed construction posted prominently on each entrance to the historic property in question;
- written notice of the proposed construction by certified mail, return receipt requested to each citizen=s association representing each neighborhood located within the historic district where such an historic property is
located; online posting in electronic format of the written notice of the proposed construction including copies of all architectural concepts and/or plans depicting such proposed construction on the website of each agency to consider any aspect of the proposed construction.

Written confirmation by each owner of the receipt of the required notice must be secured by the Advisory Neighborhood Commission, Historic Preservation Review Board and Zoning Commission before any proceedings before such an agency may commence. Thank you.

CHAIRMAN HOOD: Thank you. Next.

MR. COUMARIS: My name is Tom Coumaris. I=ve lived at 1413 S Street, N.W.

VICE CHAIR COHEN: I don=t think you=re on.

MR. COUMARIS: I=m not on.

(Off microphone comments.)

Hello. Do you have me? Okay. I need this because I talk real low.
COMMISSIONER MAY: Keep it very close because we still have trouble.

MR. COUMARIS: Yes. I know I talk real -- I=m sorry. My name is Tom Coumaris. I=ve lived at 1413 S Street, N.W. for 35-37 years. My family=s lived adjacent to my house since 1902 in what used to be called Greek Alley there.

I used to be the ANC for a long time. I=ve been involved in a lot of the Zoning, a lot of the Historic Preservation cases, cases before you all. I=m good friends with the bid developers. A lot of them started in our neighborhood years ago and I talk to them all the time on these issues.

I=m a second generation Smart Growther. I=m a confirmed urbanist. I ride my bicycle all the time. Any time I have to drive a car I only drive a hybrid or electric. I=m not an old fuddy-duddy in spite of the hair.

But as a Smart Growth person, I=m 100 percent opposed to this update. The first time
I heard about this update was when someone came by my house about three years ago. And I asked her what she was doing. And she said she was from OP and they were doing an update just to update everything so that it was current with the way our zoning was.

Well, over the last couple of years, I’ve heard these different things coming up. And it’s become apparent that what they’re trying to do is not just cement and codify what is there. What they’re trying to do is actually change things.

Now I’m all for change for the better. But don’t lie to me when you’re doing it. Be honest and let’s talk about the issues about what needs to be changed and how it should be changed.

People in my neighborhood are getting very suspicious about what all is going on. The most suspicion is coming from this party line that we keep hearing from the developers’ front groups, from OP, that this is
mostly about opening little corner stores where you can go there and you can get a warm baguette down on the corner in the morning. That=s all this is about.

Now we hear -- No, it=s not. There=s a lot of other things that can come in. This has nothing to do with corner stores. These are businesses that can come in into the R-4 residential rowhouses. And we haven=t been told what it is that these businesses can be. I think it=s only fair that we have an honest discussion about what type of businesses can come into an R-4 zone and not just call them corner stores or baguette shops.

We=ve tried to reach out to OP. There=s a lot of issues that on both sides for the developers and I=ve worked with developers plenty too. There=s a lot of important issues on both sides. They have been totally uninterested.

We tried to talk to them about the wraparound zoning problem where new nightclubs
are opening up next to single family R-4 houses because of the oddity of the way the zoning wraps around. They are totally uninterested.

We’ve tried to talk to them about increasing density by changing the number of units allowed in an R-4. You could double the number of units allowed in R-4 and double the density in the city immediately. They’re not interested in talking about those things either.

They have a certain agenda that was set up by certain people that they’re going forward with. The parking is --

VICE CHAIR COHEN: Sir, I’m going to interrupt you for a second because you may not have been here earlier to hear the announcement that OP is going to have every Friday in March office hours to discuss these things.

MR. COUMARIS: Well, we brought it to their attention already.

VICE CHAIR COHEN: So I think that you should take advantage of their offer.
MR. COUMARIS: But with the parking, the parking is my big issue. I’ve been involved with the residential parking here in the neighborhood.

CHAIRMAN HOOD: Move up closer to your mike so we can hear you. Move up closer to your mike.

MR. COUMARIS: Okay. The parking situation, this parking proposal unilaterally went away with the parking requirement. That’s not smart growth. That’s really stupid. We’re getting nothing in return. We’re asking nothing in return from the developers for giving that up.

Arlington does that successfully. And you know that Arlington has a policy where the building owner can sign an agreement that that building is not eligible for RPP. And in return they don’t have to build a garage.

Why can’t we do that here? Tommy Wells has a bill in before the D.C. Council right now to accomplish the same thing here so that
we could have that.

We know that 60 to 70 percent of the people who are coming into D.C. are registering new automobiles in D.C. If it's only 60 percent that's still 6,000 new automobiles coming into the District a year. Who's going to foot the bill for taking care of those cars and parking them? Is it going to be the taxpayers? Are we going to say those cars can be parked on the street? You don't have to pay for your own car.

We can't keep assuming this new responsibility for more and more cars coming in and the taxpayer taking the bill for it. The only smart way to do this would be an arrangement where the developer signs for that building not to have RPP rights in return for that developer not having to build parking. The developers I know they don't like to build parking because they don't make as big a profit on it as they do with housing. They're lucky if they meet cost of the building parking. So,
of course, they want to get out of that.

It’s a big financial benefit to them. It’s like writing a check out to them for $1 million on a $30 million project.

CHAIRMAN HOOD: I’m going to ask you -- I make it a practice when we go out to the wards not to cut anybody off even when they go over time. But I think --

MR. COUMARIS: I would rather hear from you all to be honest.

CHAIRMAN HOOD: You’re going to hear -- I tell you what. When we deliberate you’re going to hear from us. You’re definitely going to hear. So stay tuned and stay engaged.

MR. COUMARIS: That’s the whole thing. There needs to be more engagement between the citizens and the people who really know what the issues are and the wards.

CHAIRMAN HOOD: When we deliberate if we ever get to deliberating you will hear a lot of issues. And I think most people in this
city will be surprised of how we’re going to dig into this. I really do. We’re going to do our best to get a code that works for the city. Okay.

Just at some point we’ve got to get a chance to get to it. But we want to hear from you all. That’s what we’re doing now.

Okay. Are you closed out? Are you straight?

MR. COUMARIS: Yes. Unless you have something else to say.


MR. McCARTHY: Thank you, Mr. Chairman. My name is Matt McCarthy. I own a townhouse. I reside in that townhouse on the 1900 block of 19th Street, N.W., 1931 19th Street, N.W. at the bottom of Adams Morgan.

I’ve given different testimony than I came intending to give to try to address different issues than have already been addressed tonight except one and that is parking. Parking minimums should be
maintained unchanged because Adams Morgan is already stressed. I mean it=s notoriously stressed across the city with the existing residential parking demands only exacerbated by the parking demands from patrons from the restaurants and bars which crowd the very few blocks of Columbia and 18th Street.

Just those restaurants in those very few blocks have over 7,000 seats of occupancy. And the crowding requires that residents regularly drive around and around and around for a half hour, 45 minutes and end up parking five blocks away. Keeping the parking minimums in place would mean that for the various in-fill projects or major apartment/condo redevelopments at least those projects wouldn=t exacerbate our problems because enough parking would be built within them.

I am a bike rider. I am bike rider because Metro was so unreliable, so bad, that I finally eight years ago just gave up and started riding my bike. I am a member of Zip
Car. I am a member of Car-To-Go. I am a member of Bike Share. And I can tell you that no one I have spoken to, no one I know, thinks that those somehow replace the need for parking in the city.

So I urge you to keep the parking minimums. It’s already just deadly. It’s outrageous in our neighborhood.

In addition, the proposal to allow additional density, FAR floor area ratio, in C-2-A and C-2-B zones jumping from 1.5 to 2.0 FAR by rights would mean increases in size and the number of occupants permitted inside numerous ABC establishments of which we have 70 something in a few block area. They are the dominant commercial use in Adams Morgan.

This is inconsistent with the Comprehensive Plan at Option MC 1.1.B which seeks to address the concentrations of liquor license establishments which are in the neighborhoods, particularly on 18th Street and Columbia Road.
and at Policy MC 1.1.6 which seeks preservation
housing located in commercial areas and at
Policy MC 2.4.2 which encourages businesses
that serve the needs of local residents.

The proposal to allow corner stores
which -- May I go on?

CHAIRMAN HOOD: Yes.

MR. McCARTHY: Thank you, Mr.
Chairman.

-- which includes many types of
businesses to intrude into otherwise entirely
residential zones should be rejected
particularly for Adams Morgan where we are
already well served with many, many bars, far
too many bars, restaurants, groceries and
stores generally within not more than two blocks
from where almost any of us live. We have a
serious rat problem. We have a serious litter
problem. That would only exacerbate it.

Moreover, seeking additional
density it seems to be they=re going to allow
or suggesting -- the OP is suggesting to allow
outdoor speakers. It just adds to the crush that we’re already suffering in that neighborhood.

If I may as a point of order address the question that you raised earlier about do people know that this is happening and what’s in it. My response to you is absolutely not. I am much more active in my community than most people, not as active as some. But I didn’t really -- I wasn’t really aware of what was going on until quite recently. And I’ve talked to my neighbors about it and very few people are aware of the fact of the ZRR, certainly unaware that it’s a complete rewrite. People have been stunned.

Indeed I attended an open meeting, a briefing, sponsored by Councilman Graham just a couple of weeks ago that other people have referred to here. And the room was filled with far more people than this who were stunned, had not been aware of what was going on and did not like, uniformly did not like. I mean people
were upset. Did not like what they were hearing
about some of the stuff I've addressed, parking
and other things, many other things.

So I believe and I think almost the
vast majority of people at that conference, my
neighbors to whom I've spoken, believes that
this needs to be slowed down. I know that
you've been working on it for five years. But
people aren't ready for this. They don't
understand it and they don't understand how much
of a top to bottom rewrite this is.

So I beg you to slow it down. This
doesn't have to happen right away. And there
are many reasons that it should not happen right
away.

Finally, we would like to thank you
for the two new rowhouse zones, R-F-4 and R-F-5,
that were specifically designed to permit down
zoning in R-5 areas to solve our problems of over
development. And in the same vein there is no
reason that the 10 foot limit on the roof
structure height already proposed for some
rowhouse areas should not apply to all rowhouse areas including Adams Morgan.

    Thank you. I appreciate you giving me extra time. And I appreciate your listening and the opportunity to come and speak to you.

    CHAIRMAN HOOD: I want to thank each and every one of you for your testimony. But, Mr. McCarthy, let’s walk through the scenario.

    Just recently, probably last month, I did not run for reelection on my civic association after 20 years. I was the president of Woodridge Civic Association and now would you not believe that -- You know if I was on the Zoning Commission which I was in 2007 and I mentioned to my civic association about the zoning rewrite, the revision that we called it at first and then it was rewrite and then revision. I don’t know what we call it now or whatever it is. That’s what it is.

    And I asked a question just before we had the election last month. No, I take that back. It was this month. And I asked everyone
Are you familiar with the zoning revision that’s going on in the city?

And I will tell you that my own civic association three people raised their hands. And do you know what they said? They said, ‘We heard you talking about it.’

Now you know my own civic association I’ve been trying to get them engaged. I mean I didn’t get into these particulars. So what is it? Is it that I didn’t come to someone’s front door? They’re not interested? Because we hear this argument and I’m using my own civic association. They’re not in here and this is not — They might read the transcript and get mad with me later. But I’m now resigned. I’m gone being a president even though they did give me emeritus.

But my point is when I hear this and I look at a group who I know that I live with and I told them about this and I mentioned this at every meeting. Believe me, there’s not a meeting that went by AGet involved with the
Office of Planning. The Office of Planning is coming. We’ll be here. We’ll be at Dunbar High School on a Saturday.

And I mentioned that. And I think we might have had three people from our association come. I guess to hear AWe didn’t know what was going on@ and I=m using them for an example. I know they can’t tell me they didn’t know what was going on, but they did.

MR. McCARTHY: They did or did not?

CHAIRMAN HOOD: Oh yes. They did tell me they didn’t know this was going on and I know they know it was going because I told them and not just them. There are other people across the city. I go to a lot of community meetings.

So help me understand. Is it because they just weren’t paying me any attention? There goes Anthony Hood again. Or was it because they didn’t think it was going to affect them. Or what was it? What is it?

MR. McCARTHY: Well, I can’t say for
sure. But I can certainly appreciate the frustration that you must have and that many who have been working on this for five years must have.

But the fact is they don’t. They don’t. And when Councilman Graham just sends out a notice, a grassroots notice, that I just happened to stumble across because I happened to be attending the relevant committee of my ANC that night. I was like one of five people that were. People were stunned. People were stunned.

Now I think there is a lot of blame to go around. One, I think that our elected representatives didn’t really bring this to people’s attention in the way it needed to be because it is so large. It is so technical. It is so detailed that it is going to take a long time for people to understand it, to understand the stuff that affects them. They do not now.

Our press I think deserves blame. I mean this is the kind of thing that The Post
should have been running many more articles. It has done you a terrible disservice by simply ignoring it apparently for the most part. This is a big story. This should be a big story. This should be the front of the Metro page.

The other local presses, the Current and others, didn’t really address it. People just don’t know.

The Office of Planning I think deserves some blame here because they did I know come to local citizens associations. But as was described to me, they mostly just stood there to answer people’s questions. People didn’t know what to ask about it and were stunned at that meeting to hear from the few people that were up on it some of the ins and outs and some of the risks and threats.

You’ve heard from a lot of neighborhoods tonight about them and about how AOh my God, what’s going on here? This is scary.@

So I appreciate your frustration.
But the facts are the facts and the facts are people don’t know. And they don’t like what they’re hearing. And they don’t like especially the proposition that this is a top-to-bottom rewrite, completely new terms, throw out the old ones. I mean this huge thing that could very, very affect their daily life, their property values, all kinds of things.

They don’t know. And more time is needed to allow them to know. The Office of Planning. I think a big part of it also -- I mean a part of it also that deserves mention here is that we’ve had two mayors now that I think have very much queered the process by putting the Office of Planning and the Historic Preservation Office underneath the deputy mayor for economic development.

Now it doesn’t take a rocket scientist to know that that deputy mayor’s primary interest is to garner support from the major contributors, potential contributors, for his boss. And those contributors everyone
who=s lived in the city for any length of time
knows are development interests.

Now I have had personal experience
and others here I know have had different
experiences with the same people to know that
those offices -- the planning group and the
historic preservation group -- have been
carrying water that they shouldn=t be carrying.
The process of natural tensions where the
development interest has its interest and has
a right to press them. And Historic
Preservation has its interests and the right to
press them freely without conflicts of
interests. And the same for the Office of
Planning.

CHAIRMAN HOOD: Okay.

MR. McCARTHY: And that didn=t happen here.

CHAIRMAN HOOD: I think you=ve answered my question. But I just wanted to make
sure that everyone leaves away. First of all,
I=m not frustrated. Second of all, I think the
Commission, Office of Planning and Office of
Zoning and most citizens want it done right and
even our elected officials. I heard you
mention our mayors and elected officials.

I think at the end of the day the way
I see it we want to get as much input as possible.
We want it done right. Nobody is rushing.
Nobody is going fast. Nobody is going slow.

But I think from the way I see it and
I=m just talking about me at the end of the day
I want it done right. When I come off the
I=ve got to endure what we do and going to the
grocery store and either get a handshake or get
hit, either one. So that=s why we want to make
sure we do it right. That=s the way we are.

MR. McCARTHY: I draw much comfort
from that.

CHAIRMAN HOOD: Okay. That=s
where I am.

Vice Chair.

VICE CHAIR COHEN: Thank you, Mr.
Chairman. I have a question. Mr. McCarthy, you’re very articulate. So I’ll direct it to you.

Can you tell me? About 1200 people come into our city on a monthly basis. And we don’t have enough housing to house them. And we don’t have enough parking available if they bring a car.

So one of the objectives of the rewrite is to attempt to encourage alternative parking options. My question would be because there isn’t much land available to build a parking garage let’s say in Adams Morgan or in Dupont Circle and they’re not really quite attractive anyway. They built one in Adams Morgan on 18th Street not too long ago. Maybe five years. Six years. What would you suggest to do with all these cars that are coming in and displacing residents because they’re going to the restaurants that you had mentioned earlier?

MR. McCARTHY: I’m not sure I understand the question.
VICE CHAIR COHEN: What should we do with all the cars that may be part of households moving into our city? Does that help?

MR. McCARTHY: Yes. I think we require minimum parking arrangements for developers of new buildings for these in-fills and whatnot.

Just to give you an example. At the house next door, a single family house, has just been converted to five units. And the cars are parking on the sidewalks, all over the sidewalks. And I cannot get Public Space to even return phone calls.

VICE CHAIR COHEN: Sounds like Rome.

MR. McCARTHY: Yes. And just 180 feet up the other direction another single family house is being converted to five units, more cars. So I ride my bike. I just donated my car.

So I am striving to be that smart growth person. But I do know that I=m probably
the only person on my block that really does that. And the demand for parking is already so far outpacing the available supply that you really screw the voters, the existing residents, by just saying AWe’ll just make it even harder and we’ll take away the parking minimums.@

Am I answering your question?

VICE CHAIR COHEN: Yes. I mean I just wanted to elicit some feedback on that issue.

MR. McCARTHY: I get something through my mailbox, you know, handwritten notes, probably at least once a month from people desperately seeking out garage spaces already. And then the suggestion to delete minimum parking provision, that just makes no sense to me.

Let the people that came here tonight encourage their neighbors to bike more, to get rid of their cars, if that suits them. But it sure doesn’t suit a whole lot of people
especially families.

VICE CHAIR COHEN: Let me just kind of give the other argument about parking. It costs at least $40,000 to provide a parking space in a building. So there are 60,000 households who live in D.C. now who cannot afford their housing costs. And there are 7,000 homeless people.

So I just wanted to share with you the other side.

MR. McCARTHY: You know I’m aware. I’m aware. I appreciate that there’s going to have to be increased density. I appreciate that this is a growing city. I understand that.

But we’ve got a lot of different tensions here. And we already have a crisis in my neighborhood, maybe not in others. But in my neighborhood, we’ve had a crisis for as long as I’ve lived there.

CHAIRMAN HOOD: Any other questions of this panel, Commissioners?

(No verbal response.)
I will tell you that it will be very helpful if you continue to help us to make sure you pass the word on what=s going on. That would help us a lot.

MR. McCARTHY: I have been. And I know many of us are.

CHAIRMAN HOOD: Okay. I would just implore all of us and I say this at all the ward meetings that if you continue to help us. We=re going to have a last hearing to hear from everybody at the end that we haven=t heard from. And also if you could look at the websites or call either the Office of Zoning or the Office of Planning and find out what our next steps are and see when those office hours are going to be with the Office of Planning.

I made the announcements earlier. But look at the websites. Stay engaged. Stay informed. Let your neighbors know what=s going on.

MR. McCARTHY: I will do that and I beg you to just slow this down a little bit so
that that can happen.

    CHAIRMAN HOOD:  All right. Thank
this panel. We appreciate it.

    (Chorus of thank yous.)

    Okay. I think that=s all we have.
I want to thank our Staff. I want to thank the
Office of Planning. I want to thank my
colleagues and also again the Housing Finance
Agency for allowing us to be able to have this
meeting. And with that this meeting --
Anything else, Ms. Schellin?

    MS. SCHELLIN:  No.

    CHAIRMAN HOOD:  Okay. This
meeting is adjourned.

    (Whereupon, at 6:52 p.m., the above
entitled matter was concluded.)