

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

+ + + + +

ZONING COMMISSION

+ + + + +

SPECIAL PUBLIC MEETING

+ + + + +

WEDNESDAY

OCTOBER 8, 2014

+ + + + +

The Special Public Meeting of the District of Columbia Zoning Commission convened in the Jerrily R. Kress Memorial Hearing Room, Room 220 South, 441 4th Street, N.W., Washington, D.C., 20001, pursuant to notice at 6:00 p.m., Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

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

OFFICE OF ZONING STAFF PRESENT:

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

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OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Deputy Director,  
Development Review & Historic  
Preservation

JOEL LAWSON  
ELISE VITALE

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

JACOB RITTING, ESQ.

The transcript constitutes the  
minutes from the Special Public meeting held on  
October 8th, 2014.

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Adjourn

## 1 P R O C E E D I N G S

2 (6:06 p.m.)

3 CHAIRMAN HOOD: Okay. This  
4 meeting will come to order. Good evening,  
5 Ladies and Gentlemen. This is a meeting of the  
6 Zoning Commission. My name is Anthony Hood.  
7 In front of me is Vice Chair Cohen, Commissioner  
8 Miller, Commissioner May, Commissioner  
9 Turnbull. Also the office of Attorney  
10 General, Mr. Ritting, the Office of Zoning,  
11 Miss -- the Director, Ms. Bardin, Ms. Sharon  
12 Schellin, and Ms. Bushman, the Office of  
13 Planning, Ms. Steingasser, Mr. Lawson, and Ms.  
14 Vitale.

15 Okay. Tonight we're going to  
16 reconvene our deliberations on ZRR, which is  
17 Zoning Regulations Revision Review -- Revision  
18 Rewrite Revision. So we're located here in the  
19 Jerrily R. Kress Memorial Hearing Room.  
20 Tonight's topics will be Night Three, Subtitle  
21 C, General Rules, Parking, Bike Parking, and  
22 Loading. Colleagues, I would ask that we

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1 probably -- the way I look at it, we may spend  
2 a little more time on Parking. So if it's okay,  
3 can we do Parking last? Okay. So we'll go to  
4 Subtitle C, General Rules, Bike Parking. And  
5 why don't we do Subtitle C, General Rules, Bike  
6 Parking, Loading, and then Parking again or --

7 MS. SCHELLIN: Sure.

8 CHAIRMAN HOOD: however you all --  
9 okay. Let's do it that way. Okay. Ms.  
10 Schellin, do we have any preliminary matters?

11 MS. SCHELLIN: No, sir.

12 CHAIRMAN HOOD: Okay. Let's get  
13 started. Subtitle C, Subdivisions. Let's go  
14 to number one, 1A. The Record Lots Standard.  
15 Setdown, minimum lot size and width  
16 requirements retained for subdivisions to  
17 create new lots. Development on lots in  
18 existence prior to this amendment would not  
19 have to comply with minimum lot area and width  
20 standards, 401.1 -- C401.1. Some of the public  
21 comments, delete this section as duplicative of  
22 surveyor's subdivision regulations, permit

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1 existing vacant lots to be to be developed to  
2 reduce blight, and Office of Planning's  
3 recommendation is minimum lot size and width  
4 requirements retained for subdivisions to  
5 create new lots; development on lots in  
6 existence prior to this amendment would not  
7 have to comply with minimum lot area and width  
8 standards.

9 Okay. That's quite a bit. Let's  
10 open it up for comments. Anyone?

11 COMMISSIONER MAY: I had just one  
12 quick question which is, so, the lots in  
13 existence prior to this amendment that would  
14 not have to comply with minimum lot and area  
15 width standards. So in essence, they would be  
16 considered conforming?

17 MR. LAWSON: They would. And the  
18 development would have to conform to all of the  
19 other requirements --

20 COMMISSIONER MAY: Right.

21 MR. LAWSON: of the Zoning  
22 regulations, lot occupancy, setback, access --

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1                   COMMISSIONER MAY: Right. Okay.  
2 Thank you.

3                   CHAIRMAN HOOD: Okay. One of the  
4 public comments were to permit existing vacant  
5 lots to be developed to reduce blight. Mr.  
6 Lawson, we hear a lot of that, and would that  
7 be covered under the recommendation that you  
8 have -- the recommendation the Office of  
9 Planning is making?

10                  MR. LAWSON: It would. And this is  
11 something you dealt with a little bit actually  
12 last night. But this is what it's intended to  
13 get at, to allow these vacant lots that may be  
14 a few in width too narrow or some square feet  
15 too small but can still accommodate a  
16 reasonable dwelling on it, to proceed forward  
17 to development. Kind of assume they're vacant  
18 now and undevelopable without going through a  
19 BZA process. Even though they're an existing  
20 legal created lot.

21                  CHAIRMAN HOOD: Okay. I know that  
22 we've had a lot of cases in BZA, especially in

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1 Ward 7, I believe, of this nature. And I think  
2 there's probably a lot of support for this.

3 MR. LAWSON: That's where this  
4 comment actually came from, from an ANC  
5 Commissioner in Ward 7.

6 CHAIRMAN HOOD: I thought so.  
7 Okay. Any other questions? Somebody like to  
8 make a motion?

9 COMMISSIONER TURNBULL: Mr. Chair,  
10 I would move that we accept under 1 Subdivision  
11 1A Record Lot Size Standards the OP  
12 recommendation, minimize lot size and width  
13 requirements retained for subdivisions to  
14 create new lots; development on lots in  
15 existence prior to this amendment would not  
16 have to comply with minimum lot area and width  
17 standards.

18 CHAIRMAN HOOD: Okay. Can I get a  
19 second?

20 VICE CHAIR COHEN: Second.

21 CHAIRMAN HOOD: Moved and properly  
22 seconded. Any further discussion? All those

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1 in favor?

2 (Chorus of ayes.)

3 CHAIRMAN HOOD: Any opposition?  
4 Not hearing any, Ms. Schellin, would you record  
5 the vote?

6 MS. SCHELLIN: Staff records the  
7 vote five to zero to zero to accept minimum lot  
8 size and width requirements retained for  
9 subdivision to create new lots; development on  
10 lots in existence prior to this amendment would  
11 not have to comply with minimum lot area and  
12 width standards. Commissioner Turnbull  
13 moving, Commissioner Cohen seconding,  
14 Commissioners Hood, May, and Miller in support.

15 CHAIRMAN HOOD: Okay. Next, the  
16 Tax Lot Standards, the Setdown, an existing tax  
17 lot with a building may be recorded as a record  
18 lot, regardless of the frontage, lot width, or  
19 lot area requirements. Some of the public,  
20 well, one of the public comments was, permit  
21 existing vacant lots to be developed to reduce  
22 blight. Office of Planning's recommendation,

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1 an existing tax lot with a building may be  
2 recorded as a record lot, regardless of  
3 frontage, lot width, or lot area requirements.  
4 Any comments? If we have no comments, somebody  
5 can just key it up and let's make a motion. We  
6 can move right on through this.

7 COMMISSIONER MAY: I would move  
8 that we accept the recommendation that an  
9 existing tax lot with a building may be recorded  
10 as a record lot regardless of frontage, lot  
11 width, or lot area requirements.

12 CHAIRMAN HOOD: Okay. I'm going  
13 to second that. It's moved and properly  
14 seconded. Any further -- I mean, all those in  
15 favor?

16 (Chorus of ayes.)

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

20 MS. SCHELLIN: Staff records the  
21 vote five to zero to zero to approve an existing  
22 tax lot with a building may be recorded as a

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1 record lot, regardless of frontage, lot width,  
2 or lot area requirements. Commissioner May  
3 moving, Commissioner Hood seconding,  
4 Commissioners Cohen, Miller, and Turnbull in  
5 support.

6 CHAIRMAN HOOD: Okay. 1C, New  
7 Alley Lots. Setdown, require new alley lots to  
8 have frontage on an alley of 24 feet wide  
9 minimum and provide a lot area required by the  
10 zone or 1800 square feet minimum. The Office  
11 of Planning's recommendation is the same as  
12 above. The Setdown is the same as the  
13 recommendation. Any comments? Mr. Miller?

14 COMMISSIONER MILLER: Mr.  
15 Chairman, would this, would the recommendation  
16 be revised to include the additional language  
17 that we considered last night, which was  
18 alternative language, I thought, to allow alley  
19 lots, on an alley less than 24 feet wide, and  
20 I guess you were going to find -- the Office of  
21 Planning was going to look for a minimum,  
22 pursuant to Mr. May's comment, but within, with

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1 300 feet of direct access to the street would  
2 be appropriate to make this consistent with the  
3 other, with the action that we took -- would it  
4 be appropriate to make this consistent with the  
5 action we took last night?

6 MR. LAWSON: Yes. This is  
7 somewhat duplicative, again, you know, because  
8 of the way the, you know, the nights are being  
9 set aside, this is somewhat duplicative of the  
10 vote that you took last night. So we would make  
11 sure that the two are coordinated.

12 COMMISSIONER MILLER: So I would  
13 move approval of the OP recommendation on alley  
14 lots 1C consistent with the action that we took  
15 last night.

16 COMMISSIONER TURNBULL: Second.

17 CHAIRMAN HOOD: Okay. It's been  
18 moved and properly seconded. Any further  
19 discussion? All those in favor?

20 (Chorus of ayes.)

21 CHAIRMAN HOOD: Any opposition?  
22 So ordered. Ms. Schellin, would you record the

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1 vote?

2 MS. SCHELLIN: Staff records the  
3 vote five to zero to zero to approve the  
4 recommendation with regard to the new alley  
5 lots and also so that it's consistent with the  
6 action taken last night. Commissioner Miller  
7 moving, Commissioner Turnbull seconding,  
8 Commissioners Hood, Cohen, and May in support.

9 CHAIRMAN HOOD: Okay. Lot Width  
10 Measurement. Setdown, establish revised and  
11 more detailed standards for measuring defined  
12 lot width for interior, through, and corner  
13 lot, consistent with current Zoning  
14 Administrator practices. Yeah, and the  
15 Setdown is the same as the recommendation.

16 VICE CHAIR COHEN: Question.

17 CHAIRMAN HOOD: Vice Chair Cohen,  
18 question?

19 VICE CHAIR COHEN: Thank you, Mr.  
20 Chairman. You're going to establish these  
21 standards. They're not established yet. Is  
22 that correct?

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1 MR. LAWSON: We're asking you to  
2 establish them. They are in the draft that we  
3 gave you.

4 VICE CHAIR COHEN: They are in the  
5 draft.

6 MR. LAWSON: Including diagrams.

7 VICE CHAIR COHEN: Good. Okay.  
8 As long as there are diagrams. That was going  
9 to be my question.

10 MR. LAWSON: Yeah. We found that  
11 we had to. We worked a lot with the Zoning  
12 Administrator on basically translating his  
13 interpretation, his current interpretations  
14 into text and into diagrammatic form. So it is  
15 definitely more detailed than is currently the  
16 case, but we think it's much clearer and the  
17 diagrams certainly help with that, so.

18 VICE CHAIR COHEN: Great.

19 COMMISSIONER TURNBULL: Is there  
20 a, is there a go-to book that explains how the  
21 Zoning Administrator reviews his case record?  
22 I'm always -- I've seen this language several

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1 times before with current Zoning Administrator  
2 practice, and I have no problem in one sense,  
3 but I'm always curious as to how that mindset  
4 works, how the Zoning Administrator, what he  
5 bases that upon.

6 MR. LAWSON: Well, the Zoning  
7 Administrator is that book, I guess. He bases  
8 it on obviously his experience and his reading  
9 of the Zoning Regulations. He does often put  
10 his interpretations down in writing so that he  
11 can keep track of what those are, but it is  
12 certainly part of his job to take Zoning  
13 Regulations that are sometimes difficult to  
14 understand and difficult to interpret, and to  
15 understand and then interpret them.

16 So we, that's why we look to him when  
17 we need to provide clarity. What is he doing  
18 now, how is he addressing it now, and if it makes  
19 sense to continue that forward if he feels that  
20 that's a good way of doing it, and in this case,  
21 he did, then codifying that in the Regulations  
22 so that it's much clearer, much more upfront so

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1 that everybody knows what they and their  
2 neighbor can do.

3 COMMISSIONER TURNBULL: Okay. I  
4 guess I'm just wondering, when people go to him,  
5 is there any kind of a -- does he keep an active  
6 record that people would realize, this is how  
7 he --

8 MS. STEINGASSER: He does. Yes,  
9 sir. And they post it on the DCRA web site, as  
10 well.

11 COMMISSIONER TURNBULL: It is?  
12 Okay.

13 MS. STEINGASSER: Yes, sir.

14 CHAIRMAN HOOD: So there is a  
15 record. So when the Zoning Administrator  
16 changes, there's a record there.

17 MS. STEINGASSER: Yes, sir.

18 CHAIRMAN HOOD: Okay. I feel  
19 better now, because as we know, different  
20 Zoning Administrators do different things.  
21 And I will say Matt Le Grant has lasted a long  
22 time. One time we were changing I think every

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1 three months, but he's lasted. So he's doing  
2 a great job, obviously. Okay. Any other  
3 comments? Somebody like to make a motion?

4 VICE CHAIR COHEN: Mr. Chairman, I  
5 move to accept OP recommendation for lot width  
6 measurement, establish revised and more  
7 detailed standards to measuring defined lot  
8 width for interior, through, and corner lot,  
9 consistent with current Zoning Administrator  
10 practice, and ask for a second.

11 CHAIRMAN HOOD: I'll second. It's  
12 been moved and properly seconded. Any further  
13 discussion? All those in favor?

14 (Chorus of ayes.)

15 CHAIRMAN HOOD: Any opposition?  
16 Not hearing any, Ms. Schellin, would you record  
17 the vote?

18 MS. SCHELLIN: Staff records the  
19 vote five to zero to zero to establish revised  
20 and more detailed standards to measuring  
21 defined lot width for interior, through, and  
22 corner lot, consistent with current Zoning

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1 Administrator practice. Commissioner Cohen  
2 moving, Commissioner Hood seconding,  
3 Commissioners May, Miller, and Turnbull in  
4 support.

5 CHAIRMAN HOOD: Mr. and Mrs. Gates,  
6 are you all hearing us well? Because I have had  
7 some complaints in the past for those who watch  
8 us on the webcast live that there are issues  
9 with being able to hear us, and I want to make  
10 sure I'm talking clearly.

11 MS. GATES: Yes, you are.

12 CHAIRMAN HOOD: Okay. Okay.  
13 Continue. Okay. So if we can find a way when  
14 we turn the OP to turn the mic with us and, you  
15 know, maybe we'll get used to maybe moving --  
16 Ms. Martin, Director, maybe we'd better get  
17 some swivel mics. But we want to make sure we  
18 stand those mics, and I can tell you, those who  
19 watch us have said to me when I've seen them out  
20 in the street, hey, look, I can't hear you all  
21 when you turn your heads and when you do that.  
22 So if we get too much doing that, could somebody

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1 just let us know? We appreciate it. So that  
2 way, everybody's participating tonight.  
3 Thank you. Okay. Let's go to Theoretical Lot  
4 Submission Requirements. Setdown, clarify  
5 and expand submission requirements for BZA,  
6 review a theoretical lot subdivision,  
7 including a table of zoning calculations. The  
8 public comment, delete this section as  
9 duplicative of Survey's Subdivision  
10 Regulations. Office of Planning's  
11 recommendation, expand submission, expand  
12 submissions requirements for BZA review of a  
13 theoretical lot subdivision as setdown.

14 Okay. Any comments anyone?

15 COMMISSIONER TURNBULL: What would  
16 the submission requirements be? What would  
17 the expanded ones involve?

18 MR. LAWSON: I'm sorry, were you  
19 asking what the current --

20 COMMISSIONER TURNBULL: I mean,  
21 the recommendation says expand submission  
22 requirements. I was just curious about what

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1 the expanded requirements would involve.

2 MR. LAWSON: Sure. Well, the  
3 current requirements are pretty minimal.

4 COMMISSIONER TURNBULL: Yeah.

5 MR. LAWSON: There's not much you  
6 need to provide, although certainly the BZA can  
7 ask for more information, because this is a BZA  
8 process.

9 COMMISSIONER TURNBULL: Right.

10 MR. LAWSON: But it really gets  
11 more to providing more information on the  
12 nature of the development, proper site plans,  
13 proper plat plans, landscaping, and proposed  
14 landscaping plans, which currently aren't  
15 explicitly required. And one of the big ones  
16 was providing a tabulation of zoning, which the  
17 current requirements don't provide, although,  
18 again, we always require it through the  
19 process, but it's not explicitly stated in the  
20 Regs. So, you know, what the lots are, what the  
21 zoning would be, what the zoning requirements  
22 would be so that everybody understands that.

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1 That's probably the big ones.

2 COMMISSIONER TURNBULL: So it's a  
3 more comprehensive checklist of items to  
4 include.

5 MR. LAWSON: Exactly. And again,  
6 it basically reflects current practice.

7 COMMISSIONER TURNBULL: Right.

8 MR. LAWSON: The kind of things  
9 that we have people provide, and so now it would  
10 be just --

11 COMMISSIONER TURNBULL: Okay.

12 MR. LAWSON: in the Regs and  
13 upfront.

14 COMMISSIONER TURNBULL: Thank you.

15 CHAIRMAN HOOD: One of the  
16 comments, well, the one comment we have in front  
17 of us says, delete this section as duplicative  
18 of Survey's Subdivision Regulations. Is that  
19 true?

20 MR. LAWSON: I can't admit that I,  
21 or I can't say that I know the Survey's  
22 Subdivision Regulations well, but in this case,

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1 this is really for the BZA review. This is for  
2 the special exception review in front of the  
3 BZA. So regardless of whether the Surveyor  
4 requires specific information, and probably  
5 some of it is duplicative, in which case the  
6 applicant would be able to reuse that for the  
7 subdivision of the property, it is information  
8 that's needed by the Office of Planning, by the  
9 ANC, and by the, and by the BZA to make their  
10 decision.

11 CHAIRMAN HOOD: Okay. Thank you.  
12 Any other questions? I will move that we  
13 expand the subdivision requirements for BZA  
14 review of a theoretical lot subdivision as  
15 setdown by the Office of Planning's  
16 recommendation. Ask for a second?

17 VICE CHAIR COHEN: Second.

18 CHAIRMAN HOOD: It's been moved and  
19 properly seconded. Any further discussion?  
20 All those in favor?

21 (Chorus of ayes.)

22 CHAIRMAN HOOD: Not hearing any --

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1 well, any opposition? Not hearing any, Ms.  
2 Schellin, would you record the vote?

3 MS. SCHELLIN: Staff records the  
4 vote five to zero to zero to expand submission  
5 requirements for BZA review of a theoretical  
6 lot subdivision as setdown. Commissioner Hood  
7 moving, Commissioner Cohen seconding,  
8 Commissioners May, Miller, and Turnbull in  
9 support.

10 CHAIRMAN HOOD: Okay.  
11 Modifications to Theoretical Lot Subdivisions.  
12 The Setdown is, allow expedited BZA review of  
13 a modification to a theoretical subdivision  
14 application resulting from an addition to a  
15 single dwelling unit building, and the  
16 recommendation is exactly identical. Any  
17 comments?

18 COMMISSIONER MAY: Yeah, I have a  
19 question for somebody. So I just had trouble  
20 understanding exactly what this means.  
21 Expedited BZA review of a modification to a  
22 theoretical subdivision application resulting

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1 from an addition. So how does an addition to  
2 a single dwelling unit building wind up  
3 creating a modification to a theoretical  
4 subdivision?

5 MR. LAWSON: The theoretical lot  
6 subdivision is a BZA approval. There's an  
7 Order attached to it. So if somebody's  
8 proposing something which is in addition to or  
9 inconsistent with that Order, some kind of  
10 modification of that would be required. And we  
11 have seen some cases of this, and some cases are  
12 quite big, like the addition of a whole new  
13 house, because that would be not an addition,  
14 that would require the full special exception  
15 process.

16 We've seen other examples, for  
17 example, one where somebody wanted to add a deck  
18 onto the back of their house. It's something  
19 that was subject to a special, this process, and  
20 they had to go through a full-blown  
21 modification with a hearing, and all that kind  
22 of stuff in front of the BZA, even though in that

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1 case there was no opposition to it. Clearly,  
2 if somebody's proposing an addition and there  
3 is opposition or if the BZA is concerned about  
4 it, they'd have the option of having the hearing  
5 as they would with any expedited case. It's  
6 just to allow that opportunity for a small  
7 change like this that technically results in  
8 the need for this.

9 COMMISSIONER MILLER: Okay. So in  
10 -- and I get that. That's the part of it that  
11 I could understand. It's the, what is, you  
12 know, how can adding a deck require  
13 modification of a theoretical lot?

14 MS. STEINGASSER: A theoretical  
15 lot subdivision requires the showing of the  
16 building footprint and typical floor plans so  
17 you have an approved structure. And so if you  
18 modify that structure at all to any kind of  
19 addition, it would have to be reapproved.

20 COMMISSIONER MAY: Oh, got it.  
21 Okay.

22 VICE CHAIR COHEN: I have a

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1 question, Mr. Chairman. Did we define -- I  
2 know this is going back, but did we define  
3 theoretical lot? I don't recall that.

4 MS. STEINGASSER: I don't -- we may  
5 not have. It is a term of art. We also refer  
6 to it as Section 25.16, so it may have evolved  
7 through, but it's, we can make sure that we do  
8 get a definition for it.

9 VICE CHAIR COHEN: Yeah. I think  
10 that would be helpful for people who are just  
11 coming into this process.

12 CHAIRMAN HOOD: Okay. Any other  
13 comments? Somebody like to make a motion?  
14 Vice Chair Cohen?

15 VICE CHAIR COHEN: Mr. Chairman, I  
16 move to accept the OP recommendation from  
17 Setdown to allow expected BZA review of a  
18 modification to a theoretical subdivision  
19 application resulting from an addition to a  
20 single dwelling unit building, and that's 1F  
21 under Subdivision Rules.

22 CHAIRMAN HOOD: Okay.

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1 VICE CHAIR COHEN: Can I have a  
2 second?

3 COMMISSIONER TURNBULL: Second.

4 CHAIRMAN HOOD: Okay. It's been  
5 moved and properly seconded. Any further  
6 discussion? All those in favor?

7 (Chorus of ayes.)

8 CHAIRMAN HOOD: Any opposition?  
9 Not hearing any, Ms. Schellin, would you record  
10 the vote?

11 MS. SCHELLIN: Staff records the  
12 vote five to zero to zero to allow expedited BZA  
13 review of a modification to a theoretical  
14 subdivision application resulting from an  
15 addition to a single dwelling unit building.  
16 Commissioner Cohen moving, Commissioner  
17 Turnbull seconding, Commissioners Hood, May,  
18 and Miller in support.

19 CHAIRMAN HOOD: Okay. Let's go to  
20 Number 2 of the worksheet, Roof Structures.  
21 Setback --

22 COMMISSIONER MAY: Mr. Chairman.

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1 CHAIRMAN HOOD: Yes.

2 COMMISSIONER MAY: I'm sorry to  
3 interrupt, but there was one question I had  
4 about some of the additional information we  
5 received as part of this General Rules  
6 discussion, which was the guidance that had  
7 been provided on subdivision. And I just  
8 wanted to confirm what had been done with that  
9 first recommendation on subdivision, which is  
10 that for FAR calculations when -- clarify that  
11 the land area of private rights-of-way may not  
12 be used in FAR calculations. And that is  
13 something that we agreed upon, and I just want  
14 to make sure that that's incorporated into the  
15 Regulations.

16 MS. STEINGASSER: That did get  
17 incorporated into the Regulations. It got  
18 removed from universities and private schools.

19 COMMISSIONER MAY: Right. And I  
20 think I was aware of that one. Okay. Thank  
21 you.

22 CHAIRMAN HOOD: Okay. Any other

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1 questions? Okay. Let's go to Number 2A,  
2 Setback. The Setdown said, clarify consistent  
3 with Zoning Administrator practice, that the  
4 required 1:1 setback is measured from any wall  
5 facing a public street or alley; any wall facing  
6 a courtyard open to a public street; any wall  
7 that is set back from the lot line; or any wall  
8 along a lot line where the building penthouse  
9 would be taller than the adjacent building is  
10 or could be.

11 Some of the public comments,  
12 requirement for a setback from a side lot line  
13 in some instances is not consistent with the  
14 current practice; roof structures for the  
15 recreation in R-1 through R-3 zones should only  
16 be permitted by special exception; allow  
17 pergolas and establishments in the corners of  
18 pergolas -- I'm sorry -- and establishments at  
19 the corners of buildings; allow 20-foot tall  
20 roof structures; eliminate requirement that  
21 penthouse walls be equal height.

22 The recommendation is as setdown.

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1           Alternatively review as part of Zoning  
2           Commission Case 14-13, Penthouses.    Okay.  
3           Have we heard 14-13?  Oh, next one.  Okay.  We  
4           have this in front of us, and we also have an  
5           alternative to review this as part of an  
6           upcoming case, 14-13, when we deal with  
7           Penthouses.

8                           COMMISSIONER MAY:  Mr. Chairman?

9                           CHAIRMAN HOOD:  Yes.

10                          COMMISSIONER MAY:  I think that  
11           most of what's here is fairly straightforward,  
12           but it does seem to kind of make sense that we  
13           consider it all as part of the Penthouse case.  
14           And so I, you know, I guess I'm inclined to move  
15           in that direction.  I would note that I am  
16           interested in the issue of setback from a lot  
17           line where the building would be taller than the  
18           adjacent building is or could be.

19                          And I've mentioned this before, but  
20           I think we ought to recognize that sometimes the  
21           building next door may never reach it's matter  
22           of right height because it's a historic

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1 structure or there's some other limitation on  
2 it that's not specific to Zoning, and I think  
3 that needs to be addressed, as well. But  
4 again, I would take that up in the, in the, in  
5 case 14-13 if the rest of the Commission is  
6 agreeable.

7 CHAIRMAN HOOD: Okay. Vice Chair  
8 Cohen?

9 VICE CHAIR COHEN: Yes. I would  
10 concur with Commissioner May's recommendation.

11 COMMISSIONER MILLER: Me, too.

12 CHAIRMAN HOOD: Okay. Mr.  
13 Turnbull, we fine with that?

14 COMMISSIONER TURNBULL: Yeah.  
15 I'm fine with it. I just wanted -- on the paper  
16 that was provided on roof structures August  
17 30<sup>th</sup>, 2013, some of the items in there seemed  
18 to be conflicting with one another, but we can  
19 again talk about that at a later date. I just  
20 happened to notice that there's some items on  
21 this sheet that don't make sense. I mean, I'll  
22 just bring up one that says, the enclosing walls

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1 need not be vertical. I think a wall, by  
2 definition, is vertical, so I'm just curious to  
3 -- unless you're talking about a dome  
4 structure, which is curved, but.

5 MR. LAWSON: That's one  
6 possibility.

7 COMMISSIONER TURNBULL: Yeah.

8 MR. LAWSON: The other one that we  
9 have seen, and I know the Zoning Administrator  
10 struggles with what to call things, are walls,  
11 whether it's a penthouse or not, where they're  
12 not at 90 degrees --

13 COMMISSIONER TURNBULL: Yeah.

14 MR. LAWSON: to the floor, which is  
15 not uncommon. And so, how we deal with that  
16 kind of a situation.

17 COMMISSIONER TURNBULL: Okay.  
18 Well, again, I would defer until we talk about  
19 this later.

20 CHAIRMAN HOOD: Okay. Since we're  
21 making a motion, I would move that we do the  
22 alternative review as a part of Zoning

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1 Commission Case Number 14-13 when we deal with  
2 Penthouses, and ask for a second.

3 VICE CHAIR COHEN: Second.

4 CHAIRMAN HOOD: Okay. It's been  
5 moved and properly seconded. Any further  
6 discussion? All those in favor?

7 (Chorus of ayes.)

8 CHAIRMAN HOOD: Not hearing -- any  
9 opposition? Not hearing any opposition, Ms.  
10 Schellin, would you record the vote?

11 MS. SCHELLIN: Yes. Staff records  
12 the vote five to zero to zero to, with regard  
13 to the setback for roof structures, to review  
14 that as part of Zoning Commission Case Number  
15 14-13, Penthouses. Commissioner Hood moving,  
16 Commissioner Cohen seconding, Commissioners  
17 May, Miller, and Turnbull in support.

18 CHAIRMAN HOOD: Okay.

19 MS. SCHELLIN: I'm sorry,  
20 rerecording that vote. Commissioner Hood  
21 moving, Commissioner Miller seconding,  
22 Commissioners Cohen, May, and Turnbull in

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1 support.

2 CHAIRMAN HOOD: Did you get all of  
3 them simultaneously second? That's the only  
4 time they all seconded anything. Okay. Let's  
5 go to 2B, Area. Setdown, limit -- the Setdown  
6 was, limit the area of the penthouse to 40  
7 percent of the building, total footprint an  
8 increase from 37 percent. And the  
9 recommendation is the -- well, the  
10 recommendation is not the same. It says, limit  
11 the area of penthouse to 40 percent of the  
12 building's total footprint; to alternatively  
13 review as part of Zoning Commission Case 14-13,  
14 the Penthouse. Let me open it up for any  
15 comments.

16 COMMISSIONER TURNBULL: I would  
17 just roll, I would just roll that into what we  
18 talked about previously.

19 CHAIRMAN HOOD: Okay. You want to  
20 make a motion to that effect? I think we have  
21 to make a motion on all these.

22 COMMISSIONER TURNBULL: Oh, okay.

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1        Alright.  Mr. Chair, I would move that we take  
2        item 2B, Area, and move that to talk about it  
3        during Zoning Case Number 14-13, Penthouses.

4                    CHAIRMAN HOOD:  I'll second that.  
5        It's been moved and properly seconded.  Any  
6        further discussion?  All those in favor?

7                    (Chorus of ayes.)

8                    CHAIRMAN HOOD:  Any opposition?  
9        Ms. Schellin, would you record the vote?

10                   MS. SCHELLIN:  Staff records the  
11        vote five to zero to zero with regard to the Area  
12        to take that up as part of Zoning Commission  
13        Case Number 14-13, Penthouses.  Commissioner  
14        Turnbull moving, Commissioner Hood seconding,  
15        Commissioners May, Cohen, and Miller in  
16        support.

17                   CHAIRMAN HOOD:  Okay.  Next, let's  
18        go to Front Build To Lines, the Front  
19        Setback/Build to Requirement in single family  
20        dwellings and row house zones.  The Setdown  
21        says, require a front yard setback in the single  
22        family dwelling and row house zones, Subtitles

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1 D and E, such that a building could not project  
2 forward of the front facade of the building on  
3 the block set closest to the front lot line, or  
4 be set back further than the front facade of the  
5 building on the block furthest from the front  
6 lot line.

7 Some of the public comments said,  
8 support for front setback regulations; narrow  
9 the permitted range, predominant setback on the  
10 street or consistent with the immediate  
11 neighbors. Office of Planning's  
12 recommendation is what we read earlier as  
13 setdown. Any comments or remarks? Vice Chair  
14 Cohen?

15 VICE CHAIR COHEN: My recollection  
16 is that this will be demonstrated with a  
17 drawing. Is that a correct understanding?

18 MR. LAWSON: That is correct.  
19 Yes.

20 CHAIRMAN HOOD: Commissioner  
21 Miller?

22 COMMISSIONER MILLER: Thank you,

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1 Mr. Chairman. So if someone's building a new  
2 house on a block, say it was a vacant lot in the  
3 middle of the block, and if they were outside  
4 of the range, if they were proposing to be  
5 outside of the range, they'd have to go for a  
6 variance before the BZA?

7 MR. LAWSON: I believe that we  
8 established that as a special exception relief,  
9 but we can certainly --

10 COMMISSIONER MILLER: That was my  
11 question.

12 MR. LAWSON: Yeah.

13 COMMISSIONER MILLER: I just  
14 happened to know of my own house, which I didn't  
15 build, but it was built relatively recently in  
16 '86, in a neighborhood that's much older, on a  
17 vacant lot. There are only two other houses  
18 that front the street. Our house is  
19 considerably set back. It's -- I guess we  
20 could probably meet the variance test, because  
21 it's an unusual lot. It's very deep. But the  
22 fact that it was set back, actually ended up

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1 having less impact, that new construction, on  
2 the neighbors, both the construction and the  
3 actual house.

4 So if it is a special exception,  
5 that's what I was trying to get at. It could  
6 be in certain conditions, maybe if it's a small  
7 block, or if it's generally that way. I think  
8 -- uniformity I think is generally good, but  
9 flexibility to accommodate whatever is needed  
10 in that particular block is also good.

11 CHAIRMAN HOOD: Okay. Any other  
12 comments?

13 VICE CHAIR COHEN: Mr. Chairman, if  
14 it's okay, I will move to accept OP  
15 recommendation as setdown, the Front  
16 Setback/Build to Requirement in single family  
17 dwelling and row house zones. We will require  
18 a front yard setback in the single family  
19 dwelling and row house zones, Subtitles D and  
20 E, such that a building could not project  
21 forward of the front façade of the building on  
22 the block set closest to the front lot line, or

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1 be set back further than the front facade of the  
2 building on the block furthest from the front  
3 lot line. C1002.1.

4 CHAIRMAN HOOD: Okay. Can I get a  
5 second?

6 COMMISSIONER MAY: Second.

7 CHAIRMAN HOOD: Moved and properly  
8 seconded. Any further discussion? All those  
9 in favor?

10 (Chorus of ayes.)

11 CHAIRMAN HOOD: Not hearing any  
12 opposition -- well, any opposition? Not  
13 hearing any, Ms. Schellin, would you record the  
14 vote?

15 MS. SCHELLIN: Staff records the  
16 vote five to zero to zero to improve the Front  
17 Setback/Build to Requirement in single family  
18 dwelling and row house zones as setdown.  
19 Commissioner Cohen moving, Commissioner May  
20 seconding, Commissioners Hood, Miller, and  
21 Turnbull in support.

22 CHAIRMAN HOOD: Okay.

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1 Projections into the Front Yard Setback. The  
2 Setdown and recommendation are the same.  
3 Permit specific projects to be stipulated  
4 amount within a front yard setback, including  
5 bay windows. And the recommendation is the  
6 same. Any comments, concerns, questions? I  
7 move that we accept the recommendation as  
8 setdown and ask for a second.

9 COMMISSIONER MILLER: Second.

10 CHAIRMAN HOOD: It's been moved and  
11 properly seconded. Any further discussion?  
12 All those in favor?

13 (Chorus of ayes.)

14 CHAIRMAN HOOD: Any opposition?  
15 So ordered. Ms. Schellin, would you record the  
16 vote?

17 MS. SCHELLIN: Staff records the  
18 vote five to zero to zero to accept the  
19 projections, or the recommendation with regard  
20 to projections into the Front Yard Setback.  
21 Commissioner Hood moving, Commissioner Miller  
22 seconding, Commissioners May, Cohen, and

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1 Turnbull in support.

2 CHAIRMAN HOOD: Okay. Next, Green  
3 Area Ratio. Vertical Green Walls Calculation.  
4 The Setdown, for vegetative walls, use the  
5 vertical square footage of the portion of the  
6 wall covered by vegetation. The alternative,  
7 clarify language for vegetative walls, the area  
8 calculated is the height and width of the area  
9 to be covered by vegetation. Some of the,  
10 well, one of the public comments said,  
11 regulations requires clarification. The  
12 recommendation, Office of Planning's  
13 recommendation, for vegetative walls, the area  
14 calculated is the height and width of the area  
15 to be covered by vegetation. Any comments?

16 COMMISSIONER MAY: I still need  
17 clarification. So an area is not calculated as  
18 a height and width. It would be a height times  
19 the width, but not a height and width. So I  
20 assume that's what you mean.

21 MS. VITALE: That=s correct. I  
22 think that we, in going through this, noted that

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1 the language still needed to be cleaned up. We  
2 were working with staff at DDOE --

3 COMMISSIONER MAY: Okay.

4 MS. VITALE: to modify this, so  
5 when you see the new text in November, it will  
6 be revised.

7 COMMISSIONER MAY: Okay. Great.  
8 Then I'm all for it.

9 CHAIRMAN HOOD: Okay. Any other  
10 questions? Commissioner May, would you like  
11 to make a motion since you all --

12 COMMISSIONER MAY: I would move  
13 that we accept the recommendation that for  
14 vegetative walls, the area calculated is the  
15 height times the width of the area, of the area  
16 to be covered by vegetation.

17 VICE CHAIR COHEN: Second.

18 CHAIRMAN HOOD: It's been moved and  
19 properly seconded. Any further discussion?  
20 All those in favor?

21 (Chorus of ayes.)

22 CHAIRMAN HOOD: Any opposition?

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1 Not hearing any, Ms. Schellin, would you record  
2 the vote?

3 MS. SCHELLIN: Staff records the  
4 vote five to zero to zero to, for vegetative  
5 walls, the area calculated is the height times  
6 the width of the area to be covered by  
7 vegetation. Commissioner May moving,  
8 Commissioner Turnbull seconding,  
9 Commissioners Hood, Miller, and Cohen in  
10 support.

11 CHAIRMAN HOOD: Okay, next. Tree  
12 Size Measurement. The Setdown, in assessing  
13 the value of moderate size trees, use tree  
14 diameter of 2.5 inches to six inches, with a 0.5  
15 multiplier. C1702.9. The alternative says  
16 to replace tree diameter measurement with a  
17 mature tree canopy spread of 35 square feet or  
18 less. The public comment, one of the public  
19 comments that came in says, credit system  
20 should be based on tree size at maturity, not  
21 at planting. Office of Planning  
22 recommendation, replace tree diameter

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1 measurements with a mature tree canopy spread  
2 of 35 square feet or less. Okay. Let's open  
3 it up. Any comments?

4 COMMISSIONER MAY: I have a  
5 question.

6 CHAIRMAN HOOD: Mr. May?

7 COMMISSIONER MAY: So mature  
8 canopy tree spread of 35 square feet, so when  
9 it's mature, the entire square footage of the  
10 canopy is 35 feet?

11 MS. VITALE: I believe that's  
12 correct. Yes.

13 COMMISSIONER MAY: That seems very  
14 small.

15 MR. LAWSON: It is. There are two  
16 tree measurements. One is for small. It does  
17 -- to be honest, it does seem very small. We're  
18 happy to take up this number again with DDOE and  
19 see if this is a proper number and adjust that  
20 if need be. But there are these two  
21 measurements, one intended to be for very small  
22 ornamentals where the multiplier is .5, and

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1 then the next one which is for more canopy  
2 trees, larger trees, where the multiplier is  
3 larger. And that's intended to encourage the  
4 planting of larger canopy trees.

5 COMMISSIONER MAY: Okay. Because  
6 35 square feet is like three or four feet in  
7 radius.

8 MR. LAWSON: Yeah. It's kind of  
9 like a big bush.

10 COMMISSIONER MAY: Seven or eight.

11 MR. LAWSON: Yeah. That's one  
12 thing -- I'm happy to take this, the number up  
13 with DDOE and see if maybe we've got a  
14 transcribing issue or something.

15 COMMISSIONER MAY: Yeah. I mean,  
16 when I first read it, I thought you were talking  
17 about the diameter of 35 feet.

18 MS. VITALE: Right. No, DDOE says  
19 that number is actually tied to criteria that's  
20 in their 2013 Storm Water Management Manual, so  
21 we can certainly work with them and see if  
22 there's a different threshold that we need to

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1 look at.

2 COMMISSIONER MAY: Okay. Yeah.  
3 I mean, it just seems remarkably small.

4 VICE CHAIR COHEN: I recall a lot of  
5 testimony from the public, including Casey  
6 Trees, and they handed out -- I can't remember  
7 the details of it. I'm not a tree person, but  
8 I think we need to go back and look at what they  
9 had testified to, as well. And I think they  
10 gave us pretty specific information, so if you  
11 could share that with DDOE and have them react  
12 to it, that, I think, would be, give me comfort.

13 MS. VITALE: Certainly. We can  
14 definitely go back and look at those comments.

15 CHAIRMAN HOOD: Mr. Miller?

16 COMMISSIONER MILLER: Thank you,  
17 Mr. Chairman. So for the moderate, smaller or  
18 moderate size trees, the multiplier is .5, and  
19 then we're going to get to the, in the next item,  
20 it's just, it's .6. It would seem, if you're  
21 creating incentive, .6 is the multiplier for  
22 the larger trees, shouldn't there be a, should

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1       there be a bigger spread? Or am I missing  
2       something between the two multipliers, if  
3       you're trying to create an incentive for the  
4       larger canopy trees? But maybe I'm missing  
5       something.

6               MS. VITALE: I think this just  
7       needs to be revisited.

8               COMMISSIONER MILLER: Okay.

9               MS. VITALE: We'll take a second  
10      look.

11              COMMISSIONER MILLER: And then  
12      just as a technical point, the -- when you come  
13      back with the numbers, the one side should be  
14      less than the number than you're dealing with  
15      and the other one should be the number plus.  
16      Because right now, it's -- the 35 square feet  
17      is in both, is in both the smaller and the  
18      larger, so one just has to be less than. It  
19      just has to be technically adjusted.

20              COMMISSIONER TURNBULL: Okay.  
21      Yeah. I think when we had the hearings, and we  
22      were hearing several -- I think they were

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1 arborists or they represented different  
2 companies that had arborists. And I guess when  
3 you talk about tree canopy and -- I think when  
4 I heard the terms, I'm thinking the diameter of  
5 the spread, so I think that's maybe the  
6 misinterpretation. I mean, a 35-foot diameter  
7 is not a bad tree then, but if it's a canopy  
8 spread, which is a lot less, than I think there  
9 is a misconception then as to what we're  
10 expecting. So if we could clarify that, yeah,  
11 I would agree with that.

12 CHAIRMAN HOOD: Did we -- Ms.  
13 Vitale, did we make a shift? I know Ms. Bushong  
14 -- I think Dolores Bushong of Ward 5 mentioned  
15 this comment, credit system should be based on  
16 tree size at maturity, not planted. Did we  
17 capture that? Because that's --

18 MS. VITALE: That's what we were  
19 trying to move towards, but I think the actual,  
20 the numbers are what need adjusting. But the  
21 majority of the comments that we did receive and  
22 what we were attempting to react to is this

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1       desire to move to the credit system being more  
2       based on the canopy spread at maturity versus  
3       just the tree diameter at the time of planting,  
4       which was what was originally in the GAR  
5       Regulations.

6                   CHAIRMAN HOOD:   Okay.   I'm still  
7       trying to figure out why we don't call it GAR.  
8       There was a reason we didn't call it GAR.   I  
9       wasn't the one who started GAR, but I heard it  
10      some years ago, GAR.   But anyway.   Guess I'll  
11      figure it out.   Maybe I'll go back and revisit  
12      some of the tapes.   Okay.   Somebody like to  
13      make a motion?

14                   COMMISSIONER   MILLER:        Mr.  
15      Chairman, I would move that on tree size  
16      measurement that we replace the tree diameter  
17      measurement with mature tree canopy spread of  
18      a number that is going to be technically  
19      adjusted and provided to us with the text that  
20      makes sense, as opposed to the planting,  
21      planting number.

22                   VICE CHAIR COHEN:   Second.

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1                   CHAIRMAN HOOD:   Okay.  It's been  
2 moved and properly seconded.  Any further  
3 discussion?  All those in favor?

4                   (Chorus of ayes.)

5                   CHAIRMAN HOOD:   Any opposition?  
6 Not hearing any, Ms. Schellin, would you record  
7 the vote?

8                   MS. SCHELLIN:   Staff records the  
9 vote five to zero to zero to replace tree  
10 diameter measurement with the mature tree  
11 canopy spread with a number that will be  
12 adjusted with revised text that will be  
13 provided.       Commissioner Miller moving,  
14 Commissioner Cohen seconding, Commissioners  
15 Hood, May, and Turnbull in support.

16                  CHAIRMAN HOOD:   Okay.  Let's go to  
17 Tree Size Measurement.  Setdown, in assessing  
18 the value of the large trees, use tree diameter  
19 of six inches or more, calculated to 250 square  
20 feet per tree.  The alternative, replace with  
21 a mature canopy spread of 35 feet or greater,  
22 calculated at a 0.6 multiplier per tree.

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1 Public comment, replace with a mature canopy  
2 spread of 35 feet or greater, calculated at 0.6  
3 multiplier per tree. Encourage the planting  
4 and retention of large canopy trees. And the  
5 Office of Planning's recommendation, I  
6 believe, is the alternative. Okay. Any  
7 comments on this?

8 COMMISSIONER MAY: Well, I mean, I  
9 agree moving to a mature canopy spread as the,  
10 as the point of measurement makes more sense.  
11 But obviously, the number has to be fixed here,  
12 as well.

13 COMMISSIONER MILLER: And also the  
14 Office of Planning, so they would look at the  
15 multiplier, whether there needed to be a  
16 greater spread in order to have an incentive for  
17 the larger trees.

18 CHAIRMAN HOOD: Okay. So with all  
19 that said, let's move to approve the  
20 alternative in the tree size measurement with  
21 the comments noted by both of my colleagues.  
22 And I ask for a second.

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1 VICE CHAIR COHEN: Second.

2 CHAIRMAN HOOD: It's been moved and  
3 properly seconded. Any further discussion?  
4 All those in favor?

5 (Chorus of ayes.)

6 CHAIRMAN HOOD: Any opposition?  
7 Not hearing any, Ms. Schellin, would you record  
8 the vote?

9 MS. SCHELLIN: Staff records the  
10 vote five to zero to zero to replace the mature  
11 canopy spread with regard to tree size  
12 measurement with revised numbers to be provided  
13 by the Office of Planning. Commissioner Hood  
14 moving, Commissioner Cohen seconding,  
15 Commissioners May, Miller, and Turnbull in  
16 support.

17 CHAIRMAN HOOD: Okay. Next,  
18 Vertical Green Walls Calculation. Setdown,  
19 use the square footage at the base of the wall  
20 in the green wall GAR calculation. The  
21 alternative, use the area of the green wall in  
22 the GAR calculation. The public comment,

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1 calculation is confusing; vertical green walls  
2 would be given too much credit. And the Office  
3 of Planning's recommendation was to use the  
4 area of the green wall in the GAR calculation,  
5 which is the alternative. Any comments?

6 VICE CHAIR COHEN: Yes.

7 CHAIRMAN HOOD: Vice Chair Cohen?

8 VICE CHAIR COHEN: Thank you, Mr.  
9 Chairman. I have a question with regard to the  
10 green walls. Do you take into account the  
11 original water system that is going to be  
12 feeding this green wall as part of the  
13 calculations and credit, or do you just say  
14 there's a green wall? So like if it's a green  
15 wall using recycled water or storm, you know,  
16 recycled storm water, it should be given  
17 greater credit.

18 MS. VITALE: There are certain  
19 conditions that vegetative walls have to meet.  
20 And they do propose that if you use storm water  
21 harvesting for the irrigation, that they have  
22 to provide that connection to the proposed

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1 irrigation system. It doesn't look like that  
2 it's, it doesn't look like it requires that it  
3 be watered through a storm water harvesting  
4 system. It just requires that connection in  
5 the conditions. But we can certainly look at  
6 giving extra points, you know, extra value for  
7 --

8 MS. VITALE: I think that's very  
9 valuable to do.

10 CHAIRMAN HOOD: Okay. Any other  
11 comments? Somebody like to make a --

12 COMMISSIONER MAY: Actually, I  
13 just have another question, which is that -- so  
14 in a green wall that might be, I don't know, six  
15 inches or a foot in depth, and it's 20 feet long.  
16 Say it's a foot deep, and it's 20 feet long, and  
17 it's 40 feet high, they're going to get credit  
18 for 20 feet by one foot, because that's the area  
19 that it occupies on the ground?

20 MS. VITALE: The proposal, the  
21 proposal is actually that you would get credit  
22 for the area, the vertical dimension --

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1 COMMISSIONER MAY: Okay.

2 MS. VITALE: that's covered. It's  
3 not just -- I think as it's written now, it was  
4 providing credit just for that horizontal --

5 COMMISSIONER MAY: Right.

6 MS. VITALE: coverage, and I think  
7 the proposal is to give more credit and then  
8 factor in -- you would be getting credit for the  
9 vertical area.

10 COMMISSIONER MAY: Got it. okay.  
11 So it's the alternate is what, the area of the  
12 green wall. Got it. Now I understand.  
13 Alright. Yes. I'm okay with using the area of  
14 the green walls, which is the alternate. So I  
15 would make a motion that we accept the  
16 recommendation to use the area of the green wall  
17 in the GAR calculation.

18 VICE CHAIR COHEN: Second.

19 CHAIRMAN HOOD: Okay. It's been  
20 moved and properly seconded. Any further  
21 discussion? All those in favor?

22 (Chorus of ayes.)

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1                   CHAIRMAN HOOD:    Any opposition?  
2                   Ms. Schellin, would you record the vote?

3                   MS. SCHELLIN:   Staff records the  
4                   vote five to zero to zero to use the area of the  
5                   green wall in the GAR calculation.  
6                   Commissioner May moving, Commissioner Cohen  
7                   seconding, Commissioners Hood, Miller, and  
8                   Turnbull in support.

9                   CHAIRMAN HOOD:   Okay.  Next is -- I  
10                  think we're on Number 5, Tree Protections, 5A,  
11                  Tree Protection Measures.  Setdown, include a  
12                  section on basic tree protection measures in  
13                  Subtitle C.  Public comments, do not restrict  
14                  homeowner's rights to plan or remove trees;  
15                  require consultation with guidance from the UFA  
16                  before building permits are issued for  
17                  commercial or residential construction that  
18                  raise tree issues; consider tree and slope  
19                  protections throughout the city; require all  
20                  building permit plans to indicate all mature  
21                  trees on the property and adjacent property,  
22                  including public lands; apply tree protections

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1 to both residential and commercial sites;  
2 require tree protection plan for any new  
3 development; consolidate all tree protection  
4 measures in one chapter of the Regulations.

5 Office of Planning's  
6 recommendation incorporates tree protection  
7 measures into the zones in which the  
8 protections apply. I'm not sure, Ms. Vitale,  
9 Ms. Steingasser. Is this another one like when  
10 we did the tree and slope overlay? Is this one  
11 that we're talking about like we were doing with  
12 the -- laying an overlay? We will put this in  
13 those zones where we need it so it's going to  
14 apply across the city? And I think that's what  
15 we heard from others as opposed to just in one  
16 section of the city. Is there we're getting  
17 here? Is this where we're --

18 MS. STEINGASSER: This is creating  
19 a template to do that, that we would be working  
20 either with the communities, if they wanted to,  
21 to go forward with a similar tree and slope  
22 protection as part of some kind of rezoning.

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1 We would also be working with DDOE on the  
2 sustainability element, creating a tree canopy  
3 coverage plan which would start in 2015. We'll  
4 be working with them on a city-wide plan that  
5 I've already forgotten the name, but it's a tree  
6 canopy plan that's part of the sustainability  
7 efforts of the mayor. We'll be working with  
8 that.

9 CHAIRMAN HOOD: Okay.

10 MS. STEINGASSER: But I do want to  
11 point out again for Ms. Gates' benefit, there  
12 was originally a penalty of seven years if you  
13 removed trees in violation of this overlay at  
14 the time. We had proposed to take that out,  
15 because the penalty was just simply, you had to  
16 go to the BZA. And the one case we had, the guy  
17 waited it out. And so for seven years, the site  
18 sat denuded, with no activity. Seven years and  
19 one week, he came in and got his building permit  
20 and move forward. So we found it to be  
21 counterproductive.

22 There was a lot of concern that that

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1       might not be the right interpretation, that  
2       maybe the fact that others didn't do it was  
3       because they'd have to wait for seven years.  
4       So we've put that penalty back in at five years,  
5       and if you do violate the, or remove protected  
6       trees under this regulation, you would have to  
7       either go to the BZA or wait five years to  
8       develop the land.

9                COMMISSIONER MAY:     Aren't there  
10       other penalties for removal of trees?

11               MS. STEINGASSER:    There are under  
12       the Urban Forestry Act that applies city-wide.  
13       This applies only to those areas covered by the  
14       tree, tree and slope overlay.

15               COMMISSIONER MAY:     And would  
16       these, the protections that are in Chapter 18  
17       of Subtitle C, I mean, these read as general --  
18       this is not the full tree and slope overlay.  
19       That would be in the custom zone, the specific  
20       zones --

21               MS. STEINGASSER:    That=s correct.  
22       That's in Subtitle D and all of those

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1       protections and purpose statements are in each  
2       of the three zones.

3                   COMMISSIONER MAY:   Right.   Got it.  
4       So I do have -- I'm sorry, if I can keep asking  
5       a couple of questions.   The -- we received  
6       comments from the store, Mass Ave, ANC 2D, ANC  
7       3C, and at least one other ANC that were  
8       specific to tree protections and, you know,  
9       deal with a whole range of issues.

10                   I won't go into all the particulars,  
11       but the response to comments that were in our  
12       package that you all have provided basically  
13       said that you would make some effort to address  
14       all those comments when it comes to things like  
15       existing tree sizes and locations, trees on the  
16       property or adjacent land, as well.   And I'm  
17       wondering, does that mean that we're going to  
18       see significant new language in this section to  
19       address those comments?

20                   MS. STEINGASSER:   Not this year.  
21       We will be working with DDOE and the Urban  
22       Forestry   Office   on   this   canopy   plan,

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1 reforestation plan over the next couple years,  
2 next year, and we'll be bringing changes back.  
3 We have also proposed, that'll be coming up,  
4 you'll see that tree protection be permitted by  
5 special exception. So where somebody would be  
6 -- they want to, they want to maybe move their  
7 house closer infringe into a rear yard or a side  
8 yard because they want to protect an existing  
9 tree, that that be allowed by special  
10 exception. We've had some cases where people  
11 have removed the tree rather than go to the BZA,  
12 because there was no variance case. So we're  
13 recognizing the trees have special status to  
14 that.

15 COMMISSIONER MAY: Okay. Yeah.  
16 I did see that in another section in here  
17 somewhere. Alright. Thank you.

18 VICE CHAIR COHEN: Do we ever  
19 reference the Urban Forestry Administration as  
20 a go-to place for protection and...?

21 MS. STEINGASSER: I believe we do.  
22 I believe in Subtitle D, in those zones, the

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1 removal of a tree does require referral to Urban  
2 Forestry. No?

3 COMMISSIONER MAY: It may. I just  
4 noticed that in Chapter 18, there's actually a  
5 reference that whatever's in here doesn't  
6 supersede what the Urban Forestry  
7 Administration requirements would be, as well.  
8 And that's in Section 1800.2. I can read it out  
9 if you'd like me to. Okay.

10 VICE CHAIR COHEN: I think --  
11 shouldn't you have it, wherever there's a tree  
12 protection language so that it's not confusing  
13 going back and forth?

14 MR. LAWSON: Sure. Well, this  
15 would be the main tree protection language.

16 VICE CHAIR COHEN: Okay.

17 MR. LAWSON: Even -- you know, this  
18 is where the reference would be back to. We can  
19 certainly take a look at it. I think it's a  
20 good suggestion to make sure it's really clear  
21 that those other requirements and enforcement  
22 processes do exist. And it's a good

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1 suggestion. We'll look into that.

2 VICE CHAIR COHEN: Okay. Thank  
3 you.

4 CHAIRMAN HOOD: Any other  
5 comments, questions? Commissioner Miller?

6 COMMISSIONER MILLER: Thank you,  
7 Mr. Chairman. Yeah. I just -- could you  
8 remind me which overlay, which zones the tree  
9 and slope overlay protection provisions  
10 currently apply? I mean, I think I know a  
11 couple of them, but --

12 MS. STEINGASSER: There's the  
13 Forest Hills tree and slope overlay, there's  
14 the Naval Observatory and tree and slope  
15 protection, and there was University Terrace.  
16 Chambered Road. University Terrace has also  
17 some reference to it. And then I've got, let's  
18 see, 12.

19 VICE CHAIR COHEN: Chain Bridge?

20 MS. STEINGASSER: Well, they have  
21 environmental elements within them, but they  
22 don't have the TSP as part of their overlay

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1 directly.

2 COMMISSIONER MILLER: But the  
3 purpose of this provision is to create a  
4 template so that other neighborhoods can easily  
5 apply for -- it would have to be through a text  
6 amendment.

7 MS. STEINGASSER: Well, it would be  
8 a map and a text amendment, both. Yes, sir.

9 COMMISSIONER MILLER: Okay.  
10 Thank you.

11 CHAIRMAN HOOD: So, Mr. Lawson, we  
12 can add that to that list when we go out to those  
13 neighborhoods of that road map that we were  
14 talking about I think last night. Those are  
15 the kind of things, example of what I was  
16 mentioning. Okay. Anything else? Mr.  
17 Turnbull?

18 COMMISSIONER TURNBULL: I just had  
19 one question. I understand about Urban  
20 Forestry and trying to make a template, but the  
21 language says, incorporate tree protection  
22 measures into the zones in which the

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1       protections apply. And you're saying that  
2       that will allow other zones to develop. It  
3       seems sort of like it doesn't right away. It  
4       seems like it's only those ones that you have.  
5       But I'm just wondering if maybe that language  
6       could be straightened out a bit.

7                   MS. STEINGASSER: I think you're  
8       right. As we reorganize the Code, we're going  
9       to have to look at how Subtitle C works to create  
10      that template and whether it should be as we  
11      originally expected, just within the zones, or  
12      whether it should be taken out and created as  
13      more of a true template.

14                   COMMISSIONER TURNBULL: Okay.  
15      Yeah. I think the goal is great. I think it  
16      makes a lot of sense. I just think that the way  
17      it's written, or the way I understand it right  
18      now, it's a little -- it could read a little  
19      easier and maybe be a little, you could clarify  
20      that a bit better.

21                   MS. STEINGASSER: We will. We  
22      were uncomfortable with the separation of

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1 having some of the regulations in 18 --

2 COMMISSIONER TURNBULL: Yeah.

3 MS. STEINGASSER: and the rest over  
4 in -- I mean, in C, and the rest in D. And we're  
5 going to marry them and put them somewhere.

6 COMMISSIONER TURNBULL: Okay.  
7 Alright. Thank you.

8 CHAIRMAN HOOD: Any other  
9 questions? Somebody like to make a motion?

10 COMMISSIONER TURNBULL: Mr. Chair,  
11 I would move that we accept Number 5, Tree  
12 Protection, with the OP recommendation,  
13 incorporate tree protection measures into the  
14 zones in which the protections apply, with the  
15 comments that we've added from all of the  
16 members of the Zoning Commission tonight.

17 COMMISSIONER MILLER: Second.

18 CHAIRMAN HOOD: Okay. It's been  
19 moved and properly seconded. Any further  
20 discussion? All those in favor?

21 (Chorus of ayes.)

22 CHAIRMAN HOOD: Any opposition?

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1 Ms. Schellin, would you record the vote?

2 MS. SCHELLIN: Staff records the  
3 vote five to zero to zero to incorporate tree  
4 protection measures into the zones in which the  
5 protections apply as discussed this evening by  
6 the Commission. Commissioner Turnbull  
7 moving, Commissioner Miller seconding,  
8 Commissioners Hood, May, and Cohen in support.

9 CHAIRMAN HOOD: Okay. I was going  
10 to let Commissioner May do this next part, but  
11 I think I'll just go ahead and do it. Okay.  
12 You ready for Bicycle Parking? Okay. Bicycle  
13 Plan Requirement. The Setdown, require a  
14 bicycle parking plan as part of the building  
15 permit plans for new construction or addition;  
16 allow Zoning Administrator to request DDOT  
17 review. The Office of Planning's  
18 recommendation is the same as the Setdown.  
19 Let's open it up for comments. Mr. May?

20 COMMISSIONER MAY: I was just going  
21 to go ahead and make a motion.

22 CHAIRMAN HOOD: This is going to go

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1 fast. Okay. Go ahead.

2 COMMISSIONER MAY: I make a motion  
3 that we accept the recommendation to require a  
4 bicycle parking plan as part of the building  
5 permit plans for new construction or addition  
6 and allow Zoning Administrator to request DDOT  
7 review.

8 CHAIRMAN HOOD: I'll second it.  
9 It's been moved and properly seconded. Any  
10 further discussion? All those in favor?

11 (Chorus of ayes.)

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

15 MS. SCHELLIN: Staff records the  
16 vote five to zero to zero to require a bicycle  
17 parking plan as part of the building permit  
18 plans for new construction or addition, allow  
19 Zoning Administrator to request DDOT review.  
20 Commissioner May moving, Commissioner Hood  
21 seconding, Commissioners Cohen, Miller, and  
22 Turnbull in support.

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1                   CHAIRMAN HOOD:     Okay.     Next,  
2     Bicycle Parking Rack Standards.     Setdown,  
3     establish standards for bicycle racks to be  
4     provided, including that they may be 30 inches  
5     minimum apart and provide 12 inches minimum  
6     clearance.     The alternative is, amend spacing  
7     requirements for bicycle racks to require that  
8     they be 30 inches on center from one another,  
9     24 inches from any other obstructions, okay,  
10    provide a 48-inch minimum aisle separating  
11    racks, and provide a minimum clearance width of  
12    12 inches for each bicycle.     Public comment,  
13    support for alternate bike rack spacing.     And  
14    the Office of Planning's recommendation is the  
15    alternative.     Thank you.     Okay.     Any  
16    comments?

17                   COMMISSIONER MAY:   Mr. Chairman, I  
18    want to know what accommodation this allows for  
19    bicycle riders with casts on their legs.     No,  
20    I --

21                   CHAIRMAN HOOD:     On both legs or  
22    just one?

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1                   COMMISSIONER MAY: I think one. I  
2 might be able to ride my bike with one, one cast,  
3 but not two. Yeah, in a circle. Right. I  
4 don't know. Unless there's comments on it, I  
5 would go ahead and make a motion that we accept  
6 the recommendation --

7                   CHAIRMAN HOOD: I do want to ask a  
8 question, but make the motion.

9                   COMMISSIONER MAY: Okay. Accept  
10 the recommendation, the alternate  
11 recommendation, which is establish standards  
12 for bicycle racks to be provided, including  
13 that they be 30 inches on center from another,  
14 24 inches from other obstructions, and provide  
15 a 48-inch minimum aisle separating racks, and  
16 finally, a minimum clearance width of 12 inches  
17 for each bicycle.

18                   COMMISSIONER TURNBULL: Second.

19                   CHAIRMAN HOOD: It has been moved  
20 and properly seconded. Any further  
21 discussion? I will ask about the 24 inches  
22 from other obstructions. I think I know what

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1 that means, but what does that mean?

2 MS. VITALE: That's basically  
3 intended to ensure it's not too close to a  
4 building or a column, a trash can, some other  
5 --

6 CHAIRMAN HOOD: Sidewalk.

7 MS. VITALE: piece of a building or  
8 street furniture that would block the ability  
9 --

10 CHAIRMAN HOOD: Okay. I'm more  
11 concerned about a walkway. I mean, I wouldn't  
12 think that they would put it in a walkway.

13 MS. VITALE: No.

14 CHAIRMAN HOOD: Okay.

15 MS. VITALE: This shouldn't be,  
16 this wouldn't be located, you know, in a  
17 pedestrian path, in a walkway.

18 CHAIRMAN HOOD: Okay. Okay.  
19 Alright. Thank you. Any other discussion?  
20 All those in favor?

21 (Chorus of ayes.)

22 CHAIRMAN HOOD: Any opposition?

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1 Not hearing any, Ms. Schellin, would you record  
2 the vote?

3 MS. SCHELLIN: Staff records the  
4 vote five to zero to zero to establish standards  
5 for bicycle racks to be provided, including  
6 that they be 30 inches on center from another,  
7 24 inches from any other obstructions, provide  
8 48-inch minimum aisle separating racks, and  
9 provide a minimum clearance width of 12 inches  
10 for each bicycle. Commissioner May moving,  
11 Commissioner Turnbull seconding,  
12 Commissioners Hood, Cohen, and Miller in  
13 support.

14 CHAIRMAN HOOD: Okay. Next,  
15 Bicycle Parking Minimum Requirements,  
16 Residential Bicycle Parking. The Setdown, do  
17 not require bike parking for one-family  
18 dwellings or flats; require one long-term space  
19 for each three-dwelling units, and one  
20 short-term space for every 20-dwelling units  
21 for any multi-family building with ten or more  
22 residential units. The alternative is to

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1 require bicycle parking for any multi-family  
2 building with more than eight dwelling units.

3 Public comments, support the  
4 proposed bike parking regulations; support the  
5 alternative language. Office of Planning's  
6 recommendation, do not require bike parking for  
7 one-family dwellings or flats; require one  
8 long-term space for each three-dwelling units,  
9 and one short-term space for every 20-dwelling  
10 units for a multi-family building with eight or  
11 more residential units.

12 Miss -- oh, I'm sorry. I was about  
13 to say Ms. Schellin. I'm thinking we're at a  
14 meeting. Okay. Any comments?

15 VICE CHAIR COHEN: Yeah. I have a  
16 question, actually. How do you differentiate  
17 a short-term versus a long-term space on  
18 bicycle racks?

19 MS. VITALE: Generally, the  
20 short-term spaces would be provided at the  
21 building exterior, so those would be for  
22 visitors. Long-term spaces are generally

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1 located interior to the building, say in a bike  
2 storage room or something along those lines.

3 VICE CHAIR COHEN: Thank you.  
4 Shall I make a motion? Alright then. I move  
5 to approve residential bicycle parking, the OP  
6 recommendation, do not require bike parking for  
7 one-family dwellings or flats; require one  
8 long-term space for each three-dwelling units,  
9 and one short-term space for every 20-dwelling  
10 units for any multi-family building with eight  
11 or more residential units.

12 COMMISSIONER MAY: Second.

13 CHAIRMAN HOOD: It's been moved and  
14 properly seconded. Any further discussion?  
15 All those in favor?

16 (Chorus of ayes.)

17 CHAIRMAN HOOD: Any opposition?  
18 Not hearing any, Ms. Schellin, would you record  
19 the vote?

20 MS. SCHELLIN: Staff records the  
21 vote five to zero to zero to approve not  
22 requiring bike parking for one-family

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1 dwellings or flats; require one long-term space  
2 for each three-dwelling units, and one  
3 short-term space for every 20-dwelling units  
4 for any multi-family building with eight or  
5 more residential units. Commissioner Cohen  
6 moving, Commissioner May seconding,  
7 Commissioners Hood, Miller, and Turnbull in  
8 support.

9 CHAIRMAN HOOD: Okay. Next, 3B,  
10 All Other Uses. The Setdown says, require both  
11 long and short-term bicycle parking in  
12 accordance with the requirements of C2001 --  
13 I'm sorry, 2002.1. Public comments, eliminate  
14 bike parking requirements for places of  
15 worship. Office of Planning's  
16 recommendation, require both long and  
17 short-term bicycle parking in accordance with  
18 the requirements.

19 Let's open it for comments. Ms.  
20 Vitale, when they said eliminate bike parking  
21 requirements for places of worship, I'm almost  
22 -- I shouldn't even say this, because I'll

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1 probably get Tweeted. Anybody in here  
2 Tweeting? I haven't seen any bicycle -- maybe  
3 I haven't. Again, I said I haven't. I didn't  
4 say anybody else hasn't, but I haven't seen.  
5 Are they starting to put bicycle racks in front  
6 of churches now? Do people ride their bikes to  
7 church?

8 MS. VITALE: I think we heard  
9 testimony the other evening that, from a  
10 resident who did ride her bike to her church.  
11 I don't know that churches are placing racks in  
12 front of their spaces now, and it's important  
13 to note that this requirement would only be for  
14 a new construction of a church going forward.  
15 This wouldn't apply to any --

16 CHAIRMAN HOOD: Any existing  
17 church.

18 MS. VITALE: existing churches.

19 CHAIRMAN HOOD: Okay. And I'm not  
20 saying that some of the existing ones might want  
21 it. I'm just saying, yeah. So I'm just  
22 wondering.

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1 MS. VITALE: And certainly, an  
2 existing church, it would be well within their,  
3 you know, purview to install a rack if they, if  
4 they wanted to, but it wouldn't be triggered by  
5 any zoning requirement.

6 CHAIRMAN HOOD: Okay. Now let me  
7 ask, these regulations that we're doing for  
8 bicycles now, and again, one of the things I  
9 mentioned early on in my opening comments, this  
10 title, or the new regulation standing the test  
11 of time, will this also include mopeds, or do  
12 we already regulations on mopeds somewhere  
13 else? Like motorized.

14 MS. VITALE: This wouldn't apply to  
15 those. I'm certain they are regulated  
16 elsewhere. I can't say where.

17 CHAIRMAN HOOD: So that's why,  
18 that's why they just park their mopeds  
19 anywhere. Trees, or wherever you can find a  
20 place downtown. Okay. That's a whole 'nother  
21 issue. Okay. And I'm not against that  
22 either. I'm just wondering again, when we're

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1 writing this Code, are we looking at those  
2 things? I would like for this to last another  
3 50 years, like the last one did, so I'm  
4 wondering if we're looking at those things as  
5 we do that. Okay. Any other comments?

6 COMMISSIONER MAY: Mr. Chairman,  
7 you actually raise a good point. I think one  
8 of the things that we asked early on, I don't  
9 remember if this was ever, whether we took it  
10 very far, but I do remember having some  
11 discussion of scooter parking, because, you  
12 know, you park one scooter in a bike rack and  
13 it takes up, you know, a lot of extra space, and  
14 it's something that probably does need to be  
15 locked to something, at least here.

16 MS. VITALE: We could look at that,  
17 certainly, if that's something that you're  
18 interested in us bringing something back to  
19 you.

20 COMMISSIONER MAY: I love the fact  
21 that Chairman Hood is trying to think  
22 progressively, and I can imagine a future where

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1 Washington is perhaps just like some European  
2 cities. Like, you know, I was just in  
3 Barcelona and, you know, the scooters are  
4 everywhere. That's how everybody gets around,  
5 and they're just lining the sidewalks.  
6 They're just everywhere. And it actually is  
7 not a great thing that they're taking up space  
8 on sidewalks and all those sorts of things, but  
9 it is a great way to get around. It's a lot more  
10 efficient.

11 VICE CHAIR COHEN: Well, also in  
12 some places, there, you know, the Department of  
13 Transportation allows for parking of  
14 motorcycles, and mopeds, and everything. So  
15 that's something I think we should take up with  
16 DDOT.

17 CHAIRMAN HOOD: Any other  
18 comments? Would someone like to make a motion?

19 COMMISSIONER TURNBULL: Mr. Chair,  
20 I would move that we approve Item Number 3B, All  
21 Other Uses, with the OP recommendation to  
22 require both long and short-term bicycle

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1 parking in accordance with the requirements of  
2 C Section 2002.1.

3 CHAIRMAN HOOD: I'll second it.  
4 It's been moved and properly seconded. Any  
5 further discussion? All those in favor?

6 (Chorus of ayes.)

7 CHAIRMAN HOOD: Any objections?  
8 So ordered. Ms. Schellin, would you record the  
9 vote?

10 MS. SCHELLIN: Staff records the  
11 vote five to zero to zero to require both long  
12 and short-term bicycle parking in accordance  
13 with the requirements of C Section 2002.1.  
14 Commissioner Turnbull moving, Commissioner  
15 Hood seconding, Commissioners May, Cohen, and  
16 Miller in support.

17 CHAIRMAN HOOD: Okay. Next, let's  
18 go to Short-Term Bicycle Parking Maximum.  
19 Setdown, do not require more than 100  
20 short-term parking spaces. The alternative,  
21 after the first 50 bicycle parking spaces are  
22 provided for a use, additional spaces are

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1 provided at half the required amount, for both  
2 long and short-term parking. Office of  
3 Planning's recommendation, after the first 50  
4 bicycle parking spaces are provided for a use,  
5 additional spaces are provided at half the  
6 required amount, for both long and short-term  
7 parking. Let's open it to any comments.

8 COMMISSIONER MAY: I have a  
9 question. How big does something have to be to  
10 require that many short-term bicycle --  
11 because, I mean, I can think of things like the,  
12 you know, baseball stadium and such where they  
13 have a huge parking facility for bicycles. But  
14 are there many where we're going to run into  
15 those kinds of numbers?

16 MS. VITALE: No. It's not likely  
17 that this is a situation we'll end up --

18 COMMISSIONER MAY: Not very often.  
19 No. Okay.

20 VICE CHAIR COHEN: I think the  
21 waterfront might be a possibility.

22 COMMISSIONER MAY: Oh, yeah. I'm

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1       sure there are examples where it might be a  
2       possibility.  Waterfront, it's kind of hard to  
3       measure, you know.  Is that parking for the  
4       park or parking for all the restaurants that are  
5       there, or whatever, and it gets complicated.  
6       But I was just curious about what you were  
7       imagining it might be necessary for.  I'm  
8       comfortable with reducing the minimum or sort  
9       of the, you know -- excuse me -- changing the  
10      measurement for short-term parking as  
11      recommended in the alternate.  So I would make  
12      a motion that we accept the recommendation that  
13      after the first 50 bicycles spaces are provided  
14      for a use, the additional spaces are provided  
15      at half the required amount, for both long and  
16      short-term parking.

17                   VICE CHAIR COHEN:  I'll second  
18      that.

19                   CHAIRMAN HOOD:  It's been moved and  
20      properly seconded.  Any further discussion?  
21      All those in favor?

22                   (Chorus of ayes.)

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1                   CHAIRMAN HOOD:    Any opposition?  
2                   Not hearing any, Ms. Schellin, would you record  
3                   the vote?

4                   MS. SCHELLIN:   Staff records the  
5                   vote five to zero to zero to approve, after the  
6                   first 50 bicycle parking spaces are provided  
7                   for a use, additional spaces are provided at  
8                   half the required amount, for both long and  
9                   short-term bike parking.   Commissioner May  
10                  moving,   Commissioner   Cohen   seconding,  
11                  Commissioners Hood, Miller, and Turnbull in  
12                  support.

13                  CHAIRMAN HOOD:    Okay.    Next,  
14                  Criteria for Short-Term Bicycle Parking  
15                  Spaces.  The Setdown, establish criteria for  
16                  the placement and design of short-term bicycle  
17                  parking spaces, including that they be located  
18                  within 50 feet of the building primary  
19                  entrance.  Alternative, amend the location  
20                  requirement so that the short-term bicycle  
21                  parking spaces be located within 120 feet of the  
22                  building primary entrance.

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1                   The       alternate       --       another  
2       alternative is establish a minimum number of  
3       ten bicycle spaces that must be within 50 feet  
4       of a building, a primary building entrance and  
5       allow the minimum to be shared by multiple  
6       smaller tenants with separate entrances.  
7       Another alternative, reduce the required aisle  
8       width between rows of short-term bike parking  
9       from five feet to four feet minimums.

10                   Public comments, support for the  
11       alternate proposal. The Office of Planning's  
12       recommendation says to establish for the  
13       placement and design of short-term bicycle  
14       parking spaces, including that they be located  
15       within 120 feet of the building primary  
16       entrance, provide a minimum of ten bicycle  
17       spaces to be provided within 50 feet of the  
18       building primary entrance with a four-feet  
19       minimum aisle width between rows of short-term  
20       bike parking. Any comments or questions?  
21       Commissioner May?

22                   COMMISSIONER MAY: I would just say

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1 I'm glad to see that there's a recommendation  
2 that we now provide a minimum of ten bicycle  
3 spaces within 50 feet. I think that's  
4 necessary, because without having some bike  
5 spaces within close proximity, we're going to  
6 wind up with a lot of bikes locked to parking  
7 meters, signs, and even worse, trees. So I  
8 think that's a smart way to address that issue.

9 CHAIRMAN HOOD: I actually would  
10 agree, because I know of one instance when I was  
11 Head of Facilities at UK when somebody -- you  
12 know those moving gates? Somebody locked  
13 their bike with the moving gates, so when they  
14 came to pick the gates up, they took the bike  
15 with them, and there was an issue about getting  
16 all that back. So I agree with that one, and  
17 believe me, that took more time than ever to get  
18 that bike back. Any other comments? Okay.  
19 Somebody like to make a motion?

20 COMMISSIONER MAY: I would make a  
21 motion that we accept the recommendation to  
22 establish criteria for the placement and design

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1 of short-term bicycle parking spaces,  
2 including that they be located within 120 feet  
3 of the building primary entrance, provide a  
4 minimum of ten bicycle spaces are provided  
5 within 50 feet of the building primary  
6 entrance, with a four-foot minimum aisle width  
7 between rows of short-term bike parking.

8 CHAIRMAN HOOD: I'll second it.  
9 It's been moved and properly seconded. Any  
10 further discussion? All those in favor?

11 (Chorus of ayes.)

12 CHAIRMAN HOOD: Any opposition?  
13 Not hearing any, Ms. Schellin, would you record  
14 the vote?

15 MS. SCHELLIN: Staff records the  
16 vote five to zero to zero to approve  
17 establishing criteria for the placement and  
18 design of short-term bicycle parking spaces,  
19 including that they be located within 120 feet  
20 of the building primary entrance, provide a  
21 minimum of ten bicycle spaces be provided  
22 within 50 feet of the primary building entrance

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1 with a four-foot minimum aisle width between  
2 rows of short-term bike parking. Commissioner  
3 May moving, Commissioner Hood seconding,  
4 Commissioners Cohen, Miller, and Turnbull in  
5 support.

6 CHAIRMAN HOOD: Okay. Criteria  
7 for Long-Term Bicycle Parking Spaces.  
8 Setdown, establish criteria for the placement  
9 and design of long-term bicycle parking spaces,  
10 and the recommendation is the same. Any  
11 comments or questions? If not, we can jump  
12 right into a motion.

13 COMMISSIONER TURNBULL: Mr. Chair,  
14 I would move that we setdown Item Number 6,  
15 Criteria for Long-Term Bicycle Parking Spaces,  
16 with the OP recommendation to establish  
17 criteria for the placement and design of  
18 long-term bicycle, as setdown.

19 VICE CHAIR COHEN: Second.

20 CHAIRMAN HOOD: Okay. It's been  
21 moved and properly seconded. Any further  
22 discussion?

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1                   COMMISSIONER MILLER: I want to  
2 just clarify. You said setdown rather than  
3 accept. I assume you meant accept the  
4 recommendation.

5                   COMMISSIONER TURNBULL: I meant --  
6 I said accept in the beginning, and then I said,  
7 I repeated that they said setdown.

8                   COMMISSIONER MAY: Got it. Got  
9 it.

10                  CHAIRMAN HOOD: Okay. Making sure  
11 it gets passed, right, Commissioner May?  
12 Okay. So moved and properly seconded. Any  
13 further discussion? All those in favor?

14                                 (Chorus of ayes.)

15                  CHAIRMAN HOOD: Any opposition?  
16 Not hearing any, Ms. Schellin, would you record  
17 the vote?

18                  MS. SCHELLIN: Staff records the  
19 vote five to zero to zero to establish criteria  
20 for the placement and design of long-term  
21 bicycle, as setdown. Commissioner Turnbull  
22 moving, Commissioner Cohen seconding,

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1 Commissioners Hood, Miller, and May in support.

2 CHAIRMAN HOOD: Okay. Showers and  
3 Change Facilities. Setdown says, require  
4 showers and lockers for long-term bike parking  
5 for non-residential uses or more than 25,000  
6 square feet, two showers minimum, to a maximum  
7 of six required, and .6 lockers per required  
8 long-term bike space minimum. Public  
9 comments, support the provision of these  
10 facilities but only for the major use within the  
11 building, not for all uses in a mixed-use  
12 building. Office of Planning's  
13 recommendation, require showers and lockers  
14 for long-term bike parking for non-residential  
15 users, uses or more than 25,000 square feet, as  
16 setdown. Ms. Vitale, can you tell me, why do  
17 we need showers?

18 MS. VITALE: This provision --

19 CHAIRMAN HOOD: Don't answer that.  
20 I just was seeing if you was going to do it. I  
21 was just seeing if you were going to answer  
22 that. Don't answer that.

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1 (Laughter.)

2 CHAIRMAN HOOD: Any questions or  
3 comments?

4 COMMISSIONER MAY: I would make a  
5 motion that we accept the recommendation to  
6 require showers and lockers for long-term bike  
7 parking for non-residential uses or more than  
8 25,000 square feet as setdown.

9 VICE CHAIR COHEN: And I'll second  
10 that.

11 CHAIRMAN HOOD: Okay. It's been  
12 moved and properly seconded. Any further  
13 discussion? All those in favor?

14 (Chorus of ayes.)

15 CHAIRMAN HOOD: Any opposition?  
16 Not hearing any, Ms. Schellin, would you record  
17 the vote?

18 MS. SCHELLIN: Staff records the  
19 vote five to zero to zero to require showers and  
20 lockers for long-term bike parking for  
21 non-residential uses or more than 25,000 square  
22 feet as setdown. Commissioner May moving,

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1 Commissioner Cohen seconding, Commissioners  
2 Hood, Miller, and Turnbull in support.

3 CHAIRMAN HOOD: Okay.  
4 Commissioners, we're going to go through  
5 Loading and then we're going to take a break if  
6 that's okay with everyone, and then we'll come  
7 back and do Vehicle Parking.

8 Okay. Let's go to Loading Plans.  
9 Setdown, permit the Zoning Administrator to  
10 refer to review any loading plan to DDOT.  
11 Public comments, please -- no, I'm sorry -- do  
12 not approve the proposal for changes to the  
13 loading regulations. Recommendation, permit  
14 the Zoning Administrator to refer for review  
15 any loading plan to DDOT. Okay. Any comments  
16 or questions?

17 Let me ask this, what do we do now?  
18 I'm trying to figure out where the difference  
19 is. What do we do now? Because when we get --  
20 there's a plan, it's reviewed by DDOT.

21 MR. LAWSON: This would be more for  
22 by-right developments.

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1 CHAIRMAN HOOD: Oh.

2 MR. LAWSON: It just provides the  
3 Zoning Administrator with that authority if and  
4 when he, or in the future she, wishes, you know,  
5 wishes to have it. So.

6 CHAIRMAN HOOD: So right now, we  
7 don't have a mechanism where the Zoning  
8 Administrator -- I guess DDOT still does  
9 by-right developments, right? The loading  
10 plans.

11 MR. LAWSON: They do review parking  
12 plans, or they can review parking plans.  
13 Again, we just wanted to make it really  
14 explicit. He prefers having it really clear  
15 what his permissions, what his levels of  
16 permissions are. And he doesn't have to do it,  
17 but it allows him to do it.

18 CHAIRMAN HOOD: Okay. Well, we  
19 would like for him to do it. So, okay.

20 COMMISSIONER TURNBULL: I'm  
21 assuming that now the Zoning Administrator  
22 basically is sort of reviewing it himself, or

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1 he's not passing it on, he's basically making  
2 an interview himself?

3 MS. STEINGASSER: He is. And this  
4 comes from the culmination of the  
5 recommendations that followed that allow for  
6 shared loading --

7 COMMISSIONER TURNBULL: Yeah.

8 MS. STEINGASSER: and different  
9 types of flexibility. And we wanted to make,  
10 he wanted to be sure that if he was  
11 uncomfortable with what someone proposed under  
12 that flexibility, he could refer it to the  
13 appropriate --

14 COMMISSIONER TURNBULL: I think it  
15 makes sense. I think it's another tool for him  
16 to use to review anything that comes before him.

17 CHAIRMAN HOOD: Okay. Any other  
18 comments or questions? I move that we permit  
19 the, we accept the Loading Plan and take the  
20 recommendation, permit the Zoning  
21 Administrator to refer for review any loading  
22 plan to DDOT, and ask for a second.

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1 COMMISSIONER MILLER: Second.

2 CHAIRMAN HOOD: It's been moved and  
3 properly seconded. Any further discussion?  
4 All those in favor?

5 (Chorus of ayes.)

6 CHAIRMAN HOOD: Any opposition?  
7 So ordered. Ms. Schellin, would you record the  
8 vote?

9 MS. SCHELLIN: Staff records the  
10 vote five to zero to zero to permit the Zoning  
11 Administrator to refer for review any loading  
12 plan to DDOT. Commissioner Hood moving,  
13 Commissioner Miller seconding, Commissioners  
14 May, Cohen, and Turnbull in support.

15 CHAIRMAN HOOD: Okay. Next,  
16 Loading Minimum Requirements, Entertainment,  
17 Assembly, and Performing Arts Use Loading  
18 Requirement. The Setdown, require loading  
19 based on square footage of the space, currently  
20 based on number of seats. Public comment, do  
21 not approve the proposal for changes to the  
22 loading regulations. Office of Planning's

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1 recommendation, require the loading based on  
2 square footage of the space as setdown. Any  
3 comments? Any comments? Okay. Any  
4 questions? Alright.

5 COMMISSIONER MILLER: You know, I  
6 would just say that the -- it's hard to  
7 calculate what's needed for assembly,  
8 performing arts, entertainment uses, I mean,  
9 having operated a theater myself at one point  
10 in my checkered past. And so, doing it on the  
11 basis of square footage is probably as good as  
12 any measure. I think that ultimately, though,  
13 the designer of such a facility is going to be  
14 using the best sort of industry expertise to  
15 determine what's necessary, and it's probably  
16 going to be if anything more than the square  
17 footage that we have here. Because they, you  
18 know -- the last thing you want to do is have  
19 a performing arts venue and not be able to load  
20 it. And that=s, I mean, I lived that nightmare  
21 for several years, so it's, I think this is,  
22 this is just fine.

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1                   CHAIRMAN HOOD:    Okay.    Any other  
2                   comments?

3                   COMMISSIONER MILLER:    I just had a  
4                   question.

5                   CHAIRMAN    HOOD:            Commissioner  
6                   Miller?

7                   COMMISSIONER MILLER:    We don't  
8                   have a, well, I didn't have a table in front of  
9                   me, which I'd had in the parking changes that  
10                  we're coming to.    When we're going to square  
11                  footage, from square footage to, from seats to  
12                  square footage, is it generally increasing the  
13                  loading requirement or reducing the loading  
14                  requirement?    Do you know?    Because I don't  
15                  know.

16                  MS. STEINGASSER:    Generally, it  
17                  would be decreasing.    Right now, there is a  
18                  very high level, and it's based on each use  
19                  within the building has to meet there, so you'll  
20                  end up with, you know, an entire street wall.  
21                  Parts of Ninth Street, or, yeah, Ninth Street  
22                  come to mind where it's just, you know, 55-foot

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1 berth, 55-foot berth for each use, and this  
2 tries to make them small, to reduce that  
3 requirement by allowing shared and allowing it  
4 by square footage rather than use.

5 COMMISSIONER MILLER: Thank you.

6 CHAIRMAN HOOD: Somebody like to  
7 make a motion?

8 VICE CHAIR COHEN: Mr. Chairman, I  
9 move to accept Loading Minimum Requirements 2A  
10 for Entertainment, Assembly and Performing  
11 Arts Use, require loading based on square  
12 footage of the space, as setdown.

13 COMMISSIONER MILLER: Second.

14 CHAIRMAN HOOD: Okay. It's been  
15 moved and properly seconded. Any further  
16 discussion? All those in favor?

17 (Chorus of ayes.)

18 CHAIRMAN HOOD: Any opposition?  
19 So ordered. Ms. Schellin, would you record the  
20 vote?

21 MS. SCHELLIN: Staff records the  
22 vote five to zero to zero to require loading

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1 based on square footage of the space as setdown  
2 with regard to entertainment, assembly, and  
3 performing arts uses. Commissioner Cohen  
4 moving, Commissioner Miller seconding,  
5 Commissioners Hood, May, and Turnbull in  
6 support.

7 CHAIRMAN HOOD: Okay. Let's go to  
8 Loading Use Requirement. Require loading  
9 based on square footage of the building,  
10 currently based partly on guest rooms and  
11 partly on the square footage. Public comments  
12 said, do not approve the proposal for changes  
13 to the loading regulations. It's the same  
14 comment we had previously. The recommendation  
15 is to require loading based on square footage  
16 of the building as setdown. Any comments?  
17 Okay. I would move that we require loading  
18 based on square footage of the building as  
19 setdown, and ask for a second.

20 VICE CHAIR COHEN: Second.

21 CHAIRMAN HOOD: Moved and properly  
22 seconded. Any further discussion? All those

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1 in favor?

2 (Chorus of ayes.)

3 CHAIRMAN HOOD: Any opposition?

4 So ordered. Ms. Schellin, would you record the  
5 vote?

6 MS. SCHELLIN: Staff records the  
7 vote five to zero to zero to approve the, to  
8 require loading based on square footage of the  
9 building as setdown with regard to lodging use  
10 -- I'm sorry, with regard to lodging.  
11 Commissioner Hood moving, Commissioner Cohen  
12 seconding, Commissioners May, Miller, and  
13 Turnbull in support.

14 CHAIRMAN HOOD: Okay. Let's go to  
15 All Other Uses. Setdown, require loading for  
16 specified use groups with varied requirements  
17 based on the square footage of the building.  
18 Again, the public comment, do not approve the  
19 proposal for changes to the loading  
20 regulations. The recommendation, require  
21 loading for specified use groups with varied  
22 requirements based on the square footage of the

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1 building, as setdown. Any comments?  
2 Questions, motions?

3 VICE CHAIR COHEN: Mr. Chairman, I  
4 will move to approve 2C, All Other Uses, the OP  
5 recommendation, require loading for specified  
6 use groups with varied requirements based on  
7 the square footage of the building, as setdown.

8 CHAIRMAN HOOD: Okay. It's been  
9 moved and seconded. Any further discussion?  
10 All those in favor?

11 (Chorus of ayes.)

12 CHAIRMAN HOOD: Any hearing any  
13 opposition, Ms. Schellin, would you record the  
14 vote?

15 MS. SCHELLIN: Staff records the  
16 vote five to zero to zero with regard to All  
17 Other Uses to require loading for specified use  
18 groups with varied requirements based on the  
19 square footage of the building. Commissioner  
20 Cohen moving, Commissioner Turnbull seconding,  
21 Commissioners Hood, May, and Miller in support.

22 CHAIRMAN HOOD: Okay. Next,

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1 Loading Berth Depth. Setdown, eliminate  
2 current requirements of 55-foot deep loading  
3 berths with minimum required depth of 30 feet.  
4 DDOT comment, require a 55-foot depth loading  
5 berth for grocery and large format retail with  
6 more than 20,000 square feet gross floor area.  
7 The recommendation is to eliminate current  
8 requirements for 55-foot deep loading berths  
9 with minimum required depth of 30 feet, with the  
10 exception of grocery and large format retail  
11 over 20,000 square feet for which a 55-foot deep  
12 loading berth would be required. Any  
13 comments?

14 COMMISSIONER MAY: I have a  
15 question. I mean, this is not a new question.  
16 It was something that I raised in the earliest  
17 discussions of Loading, which is, you know,  
18 what about those businesses that do receive  
19 their deliveries in 55-foot trucks and they  
20 just park on the street?

21 I'm thinking in particular of a  
22 drugstore chain that does that all the time and,

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1 you know, it's just like you're walking through  
2 the middle of the loading dock when their  
3 shipments arrive. And so how is that being  
4 addressed? I know it's not something that's  
5 addressed in the requirements here, but, you  
6 know, I mean, what can be done about that  
7 situation? Because I can't believe that  
8 that's something that you or DDOT would like to  
9 have happen.

10 MR. LAWSON: No, there's  
11 definitely -- I guess it would depend to some  
12 extent on the location. We're certainly well  
13 aware of the situation because it occurs in our  
14 building. Except what we, and I don't want  
15 this to become a discussion of what our  
16 experience is, because this regulation should  
17 be about what's going on the city, but what we  
18 have seen is that, is that the, because the  
19 building right now has both a grocery store and  
20 a drugstore, that the big trucks actually do use  
21 the loading berths because it's just too  
22 inconvenient for them to use the street.

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1           It's the small trucks that tend to  
2 not use the loading docks, even though they're  
3 required to do so. And that frankly is an  
4 enforcement issue. The loading dock exists,  
5 it's there for them to use, it's empty most of  
6 the time, and it's less convenient, so they  
7 don't use it, which is one of the reasons why  
8 we've put in some requirements about  
9 connectivity between the loading and the uses  
10 that are using the loading, that those  
11 requirements don't exist very explicitly in the  
12 Zoning Regulations right now.

13           So to be honest with you, the  
14 55-foot truck is not an issue that DDOT has  
15 raised to us as being a significant issue.  
16 It's the smaller trucks that tend to be more of  
17 an issue.

18           COMMISSIONER MAY: Okay. So what  
19 I have witnessed with some of these drugstores,  
20 it's really more of an anomaly, it's not a  
21 widespread practice, and hard to come up with  
22 the right regulation. You can't just say,

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1 every drugstore has to have a 55-foot loading  
2 bay. That would not be practical.

3 MR. LAWSON: If you instruct us to  
4 require that, we would. But that's not  
5 something that would --

6 COMMISSIONER MAY: We want to do  
7 something that's practical and addresses the  
8 real issues and not something that just is based  
9 on, you know, my own anecdotal experience.

10 MR. LAWSON: I'm certainly happy to  
11 go back and talk to DDOT about this. You know,  
12 particularly in the situations where it is part  
13 of a much larger development, it may make sense.  
14 Whether there's a 20,000 foot grocery store or  
15 not, it may make sense to have some provision  
16 for this for the larger, for the larger loading  
17 dock. We can certainly take that back to DDOT  
18 and see if they feel there are other instances  
19 where this would, this would be appropriate in  
20 the city, and we can add that to the Regs.

21 COMMISSIONER MAY: So, I mean, does  
22 DDOT have any authority to require it if they,

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1 you know, based on what a particular use is?

2 MR. LAWSON: They do not.

3 COMMISSIONER MAY: They do not.

4 And the --

5 MR. LAWSON: It would be what the  
6 Zoning Regulations --

7 COMMISSIONER MAY: Zoning  
8 Regulations. Okay.

9 VICE CHAIR COHEN: I have a  
10 question. What is the typical size of a  
11 pharmacy, drugstore chain?

12 MR. LAWSON: For the most part, and  
13 I know somebody's going to correct me on this,  
14 because I'm no expert on this, and again, we can  
15 certainly bring this up with DDOT and get more  
16 information. But my understanding is for the  
17 most part, drugstores don't have their own  
18 trucks. They have deliveries from, from, you  
19 know, the, from their suppliers.

20 VICE CHAIR COHEN: No, I'm talking  
21 about -- I'm sorry, the size of the store.

22 MR. LAWSON: Oh, I'm sorry. I'm

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1       sorry.     That also varies a lot, but it  
2       certainly tends to be much smaller than a  
3       grocery store.  You know, it can easily be as  
4       small as say 5,000 square feet.  Typically, it  
5       would be larger than that, though, ten, 15,000  
6       square feet, something of that nature.

7                   VICE CHAIR COHEN:  Alright.  So  
8       that's not going to be covered by the 20,000  
9       square feet.  That'll --

10                   MR. LAWSON:  Typically, it would  
11       not.

12                   VICE CHAIR COHEN:  Yeah.

13                   MR. LAWSON:  Sorry.  Typically, it  
14       would not.

15                   VICE CHAIR COHEN:  I just have  
16       another question with regard to front loading  
17       and back loading of a truck, you know, backing  
18       in.  We prefer under the PUDs requiring front.  
19       Is there any way to write that into one of these  
20       Loading issues or items?

21                   MS. STEINGASSER:  We could say  
22       something like "when possible," but it takes a

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1 whole lot of land for an 18-wheeler to pull in  
2 and be able to pull out without ever backing up.  
3 At some point, if that's what you're --

4 VICE CHAIR COHEN: No, I think, my  
5 concern is how they -- it takes them a long time  
6 to get in, no matter what, whether it's front  
7 or back. But it takes even longer to back in  
8 to something.

9 MS. STEINGASSER: Once they pull  
10 in, they either have to back out or they have  
11 to be able to drive through. And we don't see,  
12 we see --

13 VICE CHAIR COHEN: Don't see  
14 drive-throughs.

15 MS. STEINGASSER: We don't see that  
16 many cases where somebody can actually drive  
17 all the way through.

18 VICE CHAIR COHEN: Yeah.

19 MS. STEINGASSER: That's why when  
20 we do see it, we kind of get all excited doing  
21 a PUD.

22 CHAIRMAN HOOD: I think, even with

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1 that discussion, I think even as we hear new  
2 cases in front of the Zoning Commission, I think  
3 DDOT and Office of Planning, we're already  
4 dealing with those issues about -- that's why  
5 we talk about the radius, and we look at the  
6 screen, because I think we're already trying --  
7 that operation of trying to correct some of the  
8 wrongs that are going on now in this city I think  
9 have already started.

10 So I'm confident with that,  
11 especially when we talk about new development.  
12 Because we have a bite of the apple, to make sure  
13 that the radius, and we question the turns. I  
14 know Mr. Turnbull and I and others have  
15 questioned the turns, and how they back in and  
16 how they pull back out in the street. And I  
17 know we've had that conversation about  
18 18-wheelers blocking the street, because I'm  
19 sure we all have been blocked by vehicles when  
20 they're loading some of the stores around the  
21 city. So I think this is definitely a start,  
22 and I think we're already on top of this from

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1 my standpoint. Any other questions or  
2 comments?

3 COMMISSIONER MAY: Yeah. I just  
4 want to say, we're on top of it when it's a PUD,  
5 but when it's a matter of right, we're not, and  
6 I think --

7 CHAIRMAN HOOD: That's what I'm  
8 saying, when they need Zoning relief.

9 COMMISSIONER MAY: Right. Right.  
10 Well, and, I mean, maybe, I assume that with  
11 sort of predevelopment reviews that occur on  
12 major projects that whoever gets involved in  
13 those reviews would -- I don't know if DDOT is  
14 involved in doing predevelopment review with  
15 bigger projects, but I'm sure they're out there  
16 encouraging loading off alleys, you know, not  
17 having to back in across sidewalks, those sorts  
18 of things. Right?

19 MS. STEINGASSER: They do indeed.  
20 They do indeed. They have more oomph when  
21 they've got the Zoning Regs behind them as  
22 opposed to a policy issue. So what the Regs

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1 require now for a drugstore would be, say a  
2 drugstore larger than 20,000 square feet is one  
3 30-foot deep loading dock and one 55-foot bay.  
4 And what we've proposed, under our Regs, it  
5 would be, it would qualify under Retail, and it  
6 would be two 30-foot bays with no 55-foot bay.  
7 So we'd anticipated more the smaller trucks as  
8 opposed to the bigger trucks.

9 CHAIRMAN HOOD: Okay. Any other  
10 questions or comments? Okay.

11 COMMISSIONER MAY: I'll make a  
12 motion.

13 CHAIRMAN HOOD: Sure.

14 COMMISSIONER MAY: I make a motion  
15 that we recommend eliminating the current  
16 requirement for 55-foot deep loading berths  
17 with minimum required depth of 30 feet, with the  
18 exception of grocery -- I'm sorry, exception of  
19 grocery and large format retail over 20,000  
20 square feet for which a 55-foot deep loading  
21 berth would be required.

22 VICE CHAIR COHEN: Second.

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1                   CHAIRMAN HOOD:   Okay.  It's been  
2                   moved and properly seconded.  Any further  
3                   discussion?  All those in favor?

4                   (Chorus of ayes.)

5                   CHAIRMAN HOOD:   Any opposition?  
6                   Not hearing any, Ms. Schellin, would you record  
7                   the vote?

8                   MS. SCHELLIN:   Staff records the  
9                   vote five to zero to zero to approve eliminating  
10                  current requirements of 55-foot deep loading  
11                  berths with minimum required depth of 30 feet,  
12                  with the exception of grocery and large format  
13                  retail over 20,000 square feet for which a  
14                  55-foot deep loading berth would be required.  
15                  Commissioner May moving, Commissioner Cohen  
16                  seconding, Commissioners Hood, Miller, and  
17                  Turnbull in support.

18                  CHAIRMAN HOOD:   Okay.  Next, we're  
19                  going to do Sharing Loading Between Uses.  The  
20                  Setdown and the recommendation are the same,  
21                  allow two or more uses to share loading spaces  
22                  as long as internal access is provided from all

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1 shared uses requiring loading. Any other  
2 comments or questions?

3 VICE CHAIR COHEN: We had heard  
4 some concerns from the sharing with  
5 commercial-residential that the residential  
6 units are not getting their "fair share  
7 access." Is there any way to address that or  
8 -- it's a management issue, but I just wanted  
9 to --

10 MS. STEINGASSER: It is, and what  
11 we've proposed is to put a sentence in there  
12 saying that, you know, it must be available to  
13 the residents, you know, daily.

14 VICE CHAIR COHEN: Okay.

15 MS. STEINGASSER: And we thought  
16 about, you know, putting a couple hours on it,  
17 but we ended up with just the word "daily."

18 VICE CHAIR COHEN: Thank you.

19 CHAIRMAN HOOD: Okay. Any other  
20 questions or comments?

21 COMMISSIONER MAY: So, yeah. Now  
22 I have a question about that. Requiring the

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1 accesses daily, one of the things that happens  
2 in many apartment buildings is to limit  
3 move-ins and move-outs to certain days of the  
4 week. And is this requirement going to affect  
5 a building manager from putting in their own  
6 rules?

7 MS. STEINGASSER: It's not  
8 intended, it's not intended to. It's intended  
9 only to recognize the comments that we heard  
10 were --

11 COMMISSIONER MAY: Right.

12 MS. STEINGASSER: they were shut  
13 out all the time.

14 COMMISSIONER MAY: Right.

15 MS. STEINGASSER: And by daily, we  
16 meant, you know, whether it's a couple hours a  
17 day, if they need to come home after work or --

18 COMMISSIONER MAY: Right.

19 MS. STEINGASSER: some of the  
20 issues we heard.

21 COMMISSIONER MAY: Well, I mean, I  
22 think some of them require weekends only so

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1 that, you know, their fellow residents are not  
2 disturbed during the week with loading  
3 activities and things like that.

4 MS. STEINGASSER: Yeah.

5 COMMISSIONER MAY: But I don't  
6 know. It's a complication. I don't have any  
7 problem with moving ahead with what you've  
8 described, but it's a complication that may,  
9 you may need to finesse in the language.

10 MS. STEINGASSER: Okay.

11 MR. LAWSON: Some of the, some of  
12 the comments also that we heard, particularly  
13 from downtown, related to kind of short-term  
14 loading, like getting out of a cab and, you  
15 know, unloading, and we've passed that comment  
16 on to DDOT and suggested that more  
17 accommodation needs to be made for that  
18 short-term unloading, especially for downtown  
19 residents, many of whom don't have a car, and  
20 would be looking for, you know, just the ability  
21 to get out of the cab with, you know, all of  
22 their stuff and get into the building. And so

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1 that's part of the issue, as well. But that's  
2 not a Zoning issue, that's a DDOT issue.

3 VICE CHAIR COHEN: Mr. Chairman,  
4 I'd like to make a motion on sharing loading  
5 between uses, Number 4, to approve the OP  
6 recommendation, allow two or more uses to share  
7 loading spaces as long as internal access is  
8 provided from all shared uses requiring  
9 loading.

10 COMMISSIONER MILLER: Second.

11 CHAIRMAN HOOD: Okay. It's been  
12 moved and properly seconded. Any further  
13 discussion? All those in favor?

14 (Chorus of ayes.)

15 CHAIRMAN HOOD: Any opposition?  
16 Not hearing any, Ms. Schellin, would you record  
17 the vote?

18 MS. SCHELLIN: Staff records the  
19 vote five to zero to zero to approve the shared  
20 loading between uses to allow two or more uses  
21 to share loading space as long as internal  
22 access is provided from all shared uses

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1 requiring loading. Commissioner Cohen  
2 moving, Commissioner Miller seconding,  
3 Commissioners Hood, May, and Turnbull in  
4 support.

5 CHAIRMAN HOOD: Okay. Next,  
6 Connection between Loading and Uses in the  
7 Building. The Setdown, require all uses in the  
8 building to have direct access to required  
9 loading platforms, or access through a common  
10 interior space or corridor. Public comments,  
11 remove this section, do not require direct  
12 connection. And the recommendation is exactly  
13 as what was setdown. Any comments? I think  
14 this is pretty straightforward. I would agree  
15 with this recommendation, and I would move that  
16 we accept the recommendation as read, what I  
17 read previously, and ask for a second.

18 COMMISSIONER TURNBULL: Second.

19 CHAIRMAN HOOD: Okay. It's been  
20 moved and properly seconded. Any further  
21 discussion? All those in favor?

22 (Chorus of ayes.)

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1                   CHAIRMAN HOOD:    Any opposition?  
2   Not hearing any, Ms. Schellin, would you record  
3   the vote?

4                   MS. SCHELLIN:   Staff records the  
5   vote five to zero to zero to require all uses  
6   in the building to have direct access to  
7   required loading platforms, or access through  
8   a common interior space or corridor.  
9   Commissioner Hood moving, Commissioner  
10   Turnbull seconding, Commissioners May, Cohen,  
11   and Miller in support.

12                  CHAIRMAN HOOD:    Okay.    Next,  
13   Loading Access, Loading Access Aisle  
14   Dimensions.    Setdown, establish access  
15   requirements, including a minimum width of 12  
16   feet, a maximum width of 24 feet, compared to  
17   25 feet in the current code, and maximum slope  
18   of twelve percent.   Office of Planning's  
19   recommendation, establish loading access  
20   requirements, including access aisle  
21   dimensions as setdown.   Any comments,  
22   questions, or a motion?

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1                   COMMISSIONER MAY: I move that we  
2 accept the recommendation to establish loading  
3 access requirements, including access aisle  
4 and dimension -- sorry, access aisle dimensions  
5 as setdown.

6                   VICE CHAIR COHEN: Second.

7                   CHAIRMAN HOOD: It's been moved and  
8 properly seconded. Any further discussion?  
9 All those in favor?

10                   (Chorus of ayes.)

11                   CHAIRMAN HOOD: Any opposition?  
12 Not hearing any, Ms. Schellin, would you record  
13 the vote?

14                   MS. SCHELLIN: Staff records the  
15 vote five to zero to zero to establish loading  
16 access requirements, including access aisle  
17 dimensions as setdown. Commissioner May  
18 moving, Commissioner Cohen seconding,  
19 Commissioners Hood, Miller, and Turnbull in  
20 support.

21                   CHAIRMAN HOOD: Okay. Next,  
22 Loading Access from an Alley. Setdown is to

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1 require loading to be from the alley, where the  
2 alley is a minimum of 15 feet in width, compared  
3 to the current requirement that an alley be ten  
4 feet in width, where access to loading from the  
5 alley is proposed. Office of Planning's  
6 recommendation again is to require loading to  
7 be from the alley, where the alley is a minimum  
8 of 15 feet in width. Any comments or  
9 questions?

10 COMMISSIONER TURNBULL: I think  
11 we've had enough PUD cases and, where we've had  
12 trucks backing into alleys that have been very  
13 complicated. And as you said previously, when  
14 we get the diagrams from their, from their  
15 consultants that show it, I think 15 feet is a  
16 minimum. I think a ten-foot alley with a truck  
17 trying to back up and maneuver into a loading  
18 dock is very difficult.

19 CHAIRMAN HOOD: Okay. Any further  
20 discussion? I move that we accept the  
21 recommendation presented to us by the Office of  
22 Planning with the 15 feet in width, and ask for

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1 a second.

2 COMMISSIONER MILLER: Second.

3 CHAIRMAN HOOD: It's been moved and  
4 properly seconded. Any further discussion?  
5 All those in favor?

6 (Chorus of ayes.)

7 CHAIRMAN HOOD: Any opposition?  
8 So ordered. Ms. Schellin, would you record the  
9 vote?

10 MS. SCHELLIN: Staff records the  
11 vote five to zero to zero to require loading to  
12 be from the alley, where the alley is a minimum  
13 of 15 feet in width. Commissioner Hood moving,  
14 Commissioner Miller seconding, Commissioners  
15 May, Cohen, and Turnbull in support.

16 CHAIRMAN HOOD: Okay. Next, Trash  
17 Rooms. Setdown, for buildings which require  
18 loading, require trash rooms adjacent to  
19 loading, or in a screened and covered accessory  
20 building adjacent to loading. Public comment,  
21 rather than require separate trash room,  
22 require a designed trash area in the building,

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1 in a loading area, or an accessory building  
2 adjacent to the loading. Again, the setdown  
3 and the recommendation for buildings which  
4 require loading, require trash rooms adjacent  
5 to loading, or in a screened and covered access  
6 building adjacent to loading as setdown. I  
7 really don't see the difference, unless I'm  
8 missing something, between the public comment  
9 and the recommendation. But that's just me.  
10 I may --

11 COMMISSIONER TURNBULL: Well, I  
12 think the trash area can be an open area in a  
13 loading dock. I'm assuming that it could  
14 simply be dumpster or something in an open  
15 loading dock area. Maybe the OP can clarify  
16 that.

17 MS. STEINGASSER: You're correct.  
18 What the recommendation is trying to do is  
19 incorporate the public comment. We thought it  
20 was a good, valid public comment and we were  
21 trying to incorporate it into our proposal. So  
22 that's why -- if you're saying that you don't

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1 see the difference, that's why.

2 CHAIRMAN HOOD: Okay.

3 MS. STEINGASSER: So we'd set down a  
4 screened room. They then suggested that there  
5 also be allowed a trash area if it's already  
6 within a building or screened area, and we  
7 thought that was a legitimate proposal.

8 CHAIRMAN HOOD: Okay. So the  
9 public comment was incorporated. Okay.

10 COMMISSIONER MAY: But the way it  
11 reads, it's not. The way the recommendation  
12 reads, it doesn't say anything about a  
13 designated trash area in the loading area,  
14 within the loading area.

15 VICE CHAIR COHEN: And then my  
16 problem is, it doesn't say it's enclosed. And  
17 so I think that trash area should be separate  
18 and enclosed.

19 COMMISSIONER MAY: It doesn't have  
20 to be. I think the example that we saw in the  
21 comments is that very often for large office  
22 buildings, trash is handled through a large

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1 compacting machine that sits in one of the  
2 loading bays, or one of the bays of a loading  
3 dock. And it doesn't need to be separately  
4 enclosed. It's just within the loading dock.  
5 And so long as the loading dock is properly  
6 ventilated and, or rather, you know --

7 VICE CHAIR COHEN: Yeah, but if I  
8 could interpret it as, you know -- I understand  
9 what you're saying, but some trash seems to be  
10 -- I've seen loading docks where the trash is  
11 all over the place, not enclosed. It's sloppy,  
12 it's dangerous, it's a health hazard. So  
13 that's why I was concerned about not being  
14 specific in the Zoning Code.

15 MS. STEINGASSER: We were trying to  
16 get to the public comment, and we can make sure  
17 that it only be permitted in a designated trash  
18 area when that loading dock has the ability to  
19 be enclosed. You know, most --

20 COMMISSIONER MAY: The dock itself  
21 could be enclosed.

22 MS. STEINGASSER: The dock can be

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1 enclosed.

2 COMMISSIONER MAY: Right. I mean,  
3 I don=t have any problem with the trash area  
4 being just part of a loading area. You know,  
5 if it's not well maintained, you know, I mean,  
6 that's really a management issue for the  
7 operator of the building, and if it gets bad  
8 enough, it becomes a Health Department issue.  
9 But I don't think it's really our issue. I  
10 think our issue is just that the trash be at a  
11 place that's away from the public and, you know,  
12 that it's contained and that it's not, you know,  
13 not out in a dumpster in the back yard or  
14 something like that.

15 VICE CHAIR COHEN: I like the term  
16 "contained."

17 COMMISSIONER MAY: Okay.

18 COMMISSIONER TURNBULL: Well, do  
19 we need to add anything about either contained  
20 receptacles or enclosed receptacles within the  
21 trash area?

22 COMMISSIONER MAY: Yeah.

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1 Mr. Chair That's more acceptable to me than  
2 being silent on it. It just gives it greater  
3 I think enforcement or --

4 COMMISSIONER MAY: Right.

5 VICE CHAIR COHEN: makes it, you  
6 know --

7 COMMISSIONER MAY: So in an  
8 enclosed receptacle within a designated trash  
9 area.

10 VICE CHAIR COHEN: Yeah.

11 COMMISSIONER MAY: I think that  
12 would capture the compactor comment. So I  
13 would make a motion that we accept the  
14 recommendation for buildings which require  
15 loading, to require trash rooms adjacent to  
16 loading, or in a screened and covered accessory  
17 building adjacent to loading area, or in an  
18 enclosed receptacle within a designated trash  
19 area in the loading area, in addition to what  
20 was setdown.

21 VICE CHAIR COHEN: And I would  
22 second that.

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1                   CHAIRMAN HOOD:   Okay.   It's been  
2 moved and properly seconded with some additions  
3 to what was previously setdown and recommended.  
4 We've heard this discussion.   Any further  
5 discussion?   All those in favor?

6                   (Chorus of ayes.)

7                   CHAIRMAN HOOD:   Any opposition?  
8 So ordered.   Ms. Schellin, would you record the  
9 vote?

10                  MS. SCHELLIN:   Staff records the  
11 vote five to zero to zero to approve with regard  
12 to trash rooms for buildings which require  
13 loading, require trash rooms adjacent to  
14 loading, or in a screened and covered accessory  
15 building adjacent to loading, or in an enclosed  
16 receptacle in a designated trash area.  
17 Commissioner May moving, Commissioner Cohen  
18 seconding, Commissioners Hood, Miller, and  
19 Turnbull in support.

20                  CHAIRMAN HOOD:   Okay.   We're going  
21 to take a, we're going to come back at 8:05.   We  
22 want to give the court reporter a chance to take

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1 a break. Actually ourselves, but I always  
2 blame it on the court reporter. So we're going  
3 to take about, we're going to come back and  
4 start back about 8:05.

5 (Whereupon, the above-entitled  
6 matter went off the record at 7:55 p.m. and  
7 resumed at 8:06 p.m.)

8 CHAIRMAN HOOD: Okay. We're going  
9 to go back on the record. Next we're going to  
10 do Vehicle Parking, and one of the things that's  
11 been recommended is that we're going to go  
12 through the worksheet as well as the table.  
13 And we have a table in our packet which talks  
14 about what's existing and what's being proposed  
15 in parking spaces and standards, the current  
16 use and the parking standards. So that's, I  
17 think it's 12 pages, and it's in our packet, and  
18 we're going to be using that. Right after we  
19 go through our worksheet, we're going to talk  
20 about that sheet. Okay? In that order.  
21 Anything else? Okay.

22 Let's go to Vehicle Parking Minimum

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1 Requirements, Single Family Dwellings and  
2 Flats Minimum Parking Requirement. Setdown,  
3 require one space per principal building,  
4 except not required if there is no alley access.  
5 The public comments, do not require a parking  
6 space; require one space per principal  
7 building, except not required if there is no  
8 alley access; require one space per principal  
9 building; require one space per dwelling unit,  
10 including an accessory apartment. the Office  
11 of Planning's recommendation is require one  
12 space per principal building, except not  
13 required if there is no alley access. Okay.  
14 Let's open it up. Any comments, questions?

15 VICE CHAIR COHEN: Mr. Chairman, I  
16 think this is pretty direct, and so I would move  
17 to accept under Vehicle Parking Minimum  
18 Requirement 1A, Single Family Dwellings and  
19 Flats Minimum Parking Requirement, OP's  
20 recommendation to require one space per  
21 principal building, except not required if  
22 there is no alley access.

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1                   CHAIRMAN HOOD:   Okay.  It's been  
2 moved.  Is there a second?

3                   COMMISSIONER MILLER:  Second.

4                   CHAIRMAN HOOD:  Okay.  It's been  
5 moved and properly seconded.  Discussion.  I  
6 do want to bring up a point.  I was more in tune  
7 of looking at require one space per dwelling  
8 unit, including an accessory apartment, which  
9 I think we kind of alluded to that last night.  
10 Maybe it was in a different context.  Because  
11 I think that's critical.

12                   While I can, I could go with the  
13 recommendation, but I just think that there's  
14 some cases, some neighborhoods where we need to  
15 make sure we're providing, and I know that whole  
16 argument, we need to make sure we're providing  
17 the parking for the dwelling unit as well as for  
18 an apartment.  I think that came up in  
19 discussion yesterday.  I don't know if anyone  
20 else is interested in trying to incorporate  
21 that into the recommendation or if there are any  
22 other comments?  Okay.  We got a motion on the

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1 table. Any other discussion?

2 COMMISSIONER MAY: Mr. Chairman, I  
3 wanted to raise a related issue, but I can take  
4 it up after we vote on this.

5 CHAIRMAN HOOD: Is it germane to --

6 COMMISSIONER MAY: Not to our vote  
7 on this.

8 CHAIRMAN HOOD: Okay. Alright.  
9 It's been moved and properly seconded. All  
10 those in favor?

11 (Chorus of ayes.)

12 CHAIRMAN HOOD: Any opposed? Ms.  
13 Schellin, would you record the vote?

14 MS. SCHELLIN: Staff records the  
15 vote four to one to zero to require one space  
16 per principal building, except not required if  
17 there is no alley access. Commissioner Cohen  
18 moving, Commissioner Miller seconding,  
19 Commissioners May and Turnbull in support,  
20 Commissioner Hood opposed.

21 CHAIRMAN HOOD: Okay. Let's go --  
22 Commissioner May?

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1                   COMMISSIONER MAY: Yeah. So what  
2 I'm wondering is whether we have or whether we  
3 can include a provision that would prohibit  
4 parking in a garage space in the front of a row  
5 house. You know, we've had that come up in some  
6 PUDs, and we always push back against it, and  
7 sometimes we got rid of them. But, and I know  
8 that DDOT doesn't like them because all the curb  
9 cuts and things like that, but somehow these  
10 things still might get built if they're not  
11 explicitly prohibited. So I mean, is that  
12 something that we can just say, no, you can't  
13 put a garage door in the front of your  
14 townhouse?

15                   MS. STEINGASSER: Certainly say  
16 it. It's hard to anticipate the  
17 ramifications. I don't know how many of these  
18 are out there. I can't think of any.

19                   COMMISSIONER MAY: I mean, most of  
20 the ones I'm aware of were parts of, were parts  
21 of PUDs.

22                   MS. STEINGASSER: Yeah.

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1                   COMMISSIONER MAY: You know, and I,  
2 I don't like them whenever I see them.

3                   VICE CHAIR COHEN: I'm sorry, can  
4 you explain this a little bit?

5                   COMMISSIONER MAY: You know, when  
6 you have row houses, but you have essentially,  
7 what you see in the front is a door, a front  
8 door, and then you have a garage door right on  
9 the sidewalk or right on the front of the  
10 building. And so you have a curb cut and all  
11 that sort of stuff. I mean, I understand  
12 sometimes why they might be very practical or  
13 maybe even necessary, depending on the  
14 constraints of a given lot, but I also think  
15 there are other ways to solve that problem of  
16 parking, and we ought not encourage something  
17 that's so pedestrian-unfriendly.

18                   VICE CHAIR COHEN: I agree with  
19 that.

20                   COMMISSIONER MILLER: Is that  
21 where, is that being, do you see that  
22 configuration when they don't have alley access

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1 or --

2 COMMISSIONER MAY: You know,  
3 sometimes it's a lack of alley access, or at  
4 least that's what's blamed for it. You know,  
5 I can think of a particular PUD on McArthur  
6 Boulevard where I think we allowed a few of them  
7 because of the way the site was laid out. But  
8 I don=t think the site was really laid out in  
9 optimal fashion.

10 I also recall that there's a PUD  
11 that may be under consideration now where the  
12 original proposal included some things like  
13 this. I think there are also some out, all the  
14 way out East Capitol, Capitol Gateway.

15 MS. STEINGASSER: We were just  
16 talking about Fort Lincoln has some also, but  
17 those also went through a theoretical lot  
18 subdivision or a PUD, so they did go through --

19 COMMISSIONER MAY: Right.

20 MS. STEINGASSER: some type of  
21 public review and approval.

22 COMMISSIONER MAY: Right. But I

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1 think, you know, codifying it and, you know --  
2 yes, it's something that the Commission could  
3 waive in a PUD. I'd rather it be something that  
4 comes before the Commission in a PUD that gets  
5 waived as opposed to something that=s, you  
6 know, otherwise allowed. So I'm not saying  
7 that we should vote now to include this  
8 provision. I would just like to have that  
9 investigated and see if we can come up with some  
10 appropriate language to do it.

11 MS. STEINGASSER: And are you  
12 looking for this to be a condition, not a review  
13 criteria? So it would be a regulation, you --

14 COMMISSIONER MAY: Yes.

15 MS. STEINGASSER: shall not have  
16 this, so they would have to get flexibility.

17 COMMISSIONER MAY: Exactly. And I  
18 mean, that's what I would suggest. I just  
19 don't, I don't know if the entirety of the  
20 Commission supports that, but I would at least  
21 like that, have that considered and perhaps  
22 language drafted up that we could consider and

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1 vote on. I'm not trying to prevent people from  
2 having parking spaces. I'm trying to force  
3 developers to put the parking places in the  
4 right place, and I think almost every time I've  
5 seen them come before this Commission, I don't  
6 think the designers tried very hard to solve the  
7 problem. And I think we even saw one recently  
8 where we pushed back against it and they came  
9 back with a different design that avoided it.

10 VICE CHAIR COHEN: Yeah. No, I  
11 actually concur with that, because I think that  
12 it really just makes the streetscape not very,  
13 as you said, user friendly. And visually, I  
14 think it's not very appropriate, and provides  
15 any type of desire to make a neighborhood warm  
16 and contextual. I would support that.

17 COMMISSIONER MILLER: The first  
18 time people have an opportunity to comment if  
19 this got folded in would be on some kind of  
20 proposed rulemaking, because this concept  
21 really hasn't been advertised or, unless you  
22 fold it into the OP recommended R4. You

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1 talking about the R4 neighborhood?

2 COMMISSIONER MAY: Well, it would  
3 have to be where row houses are allowed, so that  
4 would be R-3, and RF-1, 2, and 3, and --

5 MS. STEINGASSER: All the  
6 apartment zones.

7 COMMISSIONER MAY: And all above,  
8 right. You know, there is another opportunity  
9 for public comment when the Regs are published.  
10 I mean, I would like to go even further and say  
11 that we can't have those townhouses with the  
12 parking spaces in the back and no parking -- no  
13 yard, just an alley in the back. But I know I'm  
14 not going to get that, so. I think there'd be  
15 a bit of a problem with that.

16 COMMISSIONER TURNBULL:  
17 Commissioner May, I thought you were going to,  
18 when you started off, I thought you were going  
19 to start talking about parking in the front  
20 yard.

21 COMMISSIONER MAY: No, which is  
22 already not allowed.

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1                   COMMISSIONER TURNBULL: I know,  
2 but it seems to exist.

3                   COMMISSIONER MAY: Well, there are  
4 places where it exists by, I don't know if it's  
5 grandfathered or something.

6                   COMMISSIONER TURNBULL: Yeah.

7                   COMMISSIONER MAY: Places where it  
8 exists, where it's not done legally.

9                   COMMISSIONER TURNBULL: Yeah.

10                  COMMISSIONER MAY: Right. There  
11 are a number, I mean, right on my street, there  
12 are a number of houses where they're parking in  
13 the front yard, and about four feet into the  
14 sidewalk because they --

15                  COMMISSIONER TURNBULL: So you  
16 can't get by on the sidewalk.

17                  COMMISSIONER MAY: Exactly.

18                  COMMISSIONER TURNBULL: Yeah.

19                  COMMISSIONER MAY: Yeah. But I'm  
20 not, I'm not, and it's cases where they had a  
21 garage on the front of the building, and then  
22 they decided, oh, no, I'd rather have another

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1 room there, and they enclosed the room. And so  
2 now they have to park in the front yard space,  
3 but the front yard space is only about 12-feet  
4 deep and their car is 16-feet long.

5 But that's not what I'm talking  
6 about. I'm just talking about not having all  
7 the curb cuts and all the garage doors on the  
8 street. And again, I'm not anti-parking. I  
9 am pro parking. I'm pro parking in the right  
10 place.

11 CHAIRMAN HOOD: What I got out of  
12 that whole discussion, Mr. May, is that you're  
13 going to be taking a lead and customizing your  
14 area. Okay. Next, 1B, Apartments Minimum  
15 Parking Requirement. Setdown, require one  
16 space/three units greater than four units.  
17 The public comments, eliminate minimum parking  
18 requirement; require one space/three units  
19 greater than four; retain current parking  
20 requirements; retain current parking  
21 requirement in R-5-A, increase parking  
22 requirements from current. The

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1 recommendation from the Office of Planning is  
2 require one space/three units greater than four  
3 units. Any discussion?

4 COMMISSIONER MAY: I'd like the  
5 Office to explain again why they think that this  
6 is necessary. I mean, I think I have it, but  
7 it would help me.

8 MR. LAWSON: Well, we think it's  
9 appropriate. We think that it does a number of  
10 things. First of all, it provides some sense  
11 of certainty in the Zoning Regulations. We  
12 think it's an appropriate number based on  
13 current trends within the city and current  
14 practice within the city.

15 It is, of course, once again, a  
16 minimum requirement, meaning that it does allow  
17 builders and property owners to assess the  
18 market within their area, assess the kind of  
19 building they wish to provide, and to assess the  
20 appropriate number of parking spaces  
21 accordingly rather than set an artificial, a  
22 higher artificial amount. You know, one per

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1 three spaces may or may not be appropriate on  
2 any one particular property.

3 In other words, that may be too high  
4 on some properties, as well, but we think this  
5 is getting closer to where the market has  
6 already gone in the district in terms of  
7 providing parking. It doesn't prevent  
8 developers or builders from providing, as I  
9 said, from providing more, if that's what the  
10 market in their area seems to, seems to warrant.  
11 And that's certainly what we see now.

12 We see many developers providing  
13 more than the required number of parking spaces  
14 now. They tend to provide what's needed, and  
15 they, and we feel it's not appropriate that they  
16 provide more than is needed for all of the  
17 reasons that have been talked about at length  
18 throughout the process relating to impacts on  
19 the property, physical impacts on the property  
20 of requiring all this extra parking space, as  
21 well as the economic impact to the, to the  
22 residents of the building in the end.

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1                   COMMISSIONER MAY:    So I seem to  
2                   recall at one point in the, I think it was in  
3                   the response to comments that you had, that one  
4                   of the reasons why you were promoting this had  
5                   to do with the ability, or making it easier to  
6                   develop some difficult-to-develop properties  
7                   where you can't quite meet the normal  
8                   requirements.

9                   MR. LAWSON:    That's particularly  
10                  the four-unit minimum.

11                  COMMISSIONER MAY:    Right.

12                  MR. LAWSON:    We certainly see that  
13                  a lot, particularly on a smaller, some of the  
14                  smaller mixed-use properties where it is just,  
15                  it is just not possible to get parking  
16                  underground, and we would rather not see the  
17                  ground floor devoted to parking, which is  
18                  really kind of their other option.  And you  
19                  have to remember, we're looking at these  
20                  regulations very much in concert with all of  
21                  them.  We're not looking at these regulations  
22                  in isolation of everything else that's

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1 happening within the Zoning Regulations.

2 So tied with this is a lower minimum  
3 parking, you know, tied with this, you know,  
4 minimum parking requirement are also  
5 provisions you'll be dealing with shortly which  
6 relate to opportunities to better utilize the  
7 space when you do provide parking, allowing for  
8 shared parking, allowing for more compact  
9 parking spaces so that space that is provided  
10 can be utilized more fully, providing for  
11 off-site parking spaces when that makes sense.  
12 In other words, just providing more  
13 opportunities and options to people for  
14 providing the parking that is appropriate for  
15 where that is.

16 But yeah, sorry. Very long answer  
17 to a very short question. We are seeing that  
18 parking can be an impediment on these smaller  
19 lots to their even coming, being considered for  
20 development.

21 COMMISSIONER MAY: Thank you.

22 CHAIRMAN HOOD: Okay. Any other

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1 comments?

2 COMMISSIONER MAY: Mr. Chairman,  
3 I'm ready to make a motion that we accept the  
4 recommendation that we require one space per  
5 three units for buildings greater than four  
6 units.

7 COMMISSIONER MILLER: Second.

8 CHAIRMAN HOOD: Okay. It's been  
9 moved and properly seconded. Any further  
10 discussion? All those in favor?

11 (Chorus of ayes.)

12 CHAIRMAN HOOD: Any opposition?  
13 Not hearing any, Ms. Schellin, would you record  
14 the vote?

15 MS. SCHELLIN: Staff records the  
16 vote five to zero to zero to require one space  
17 per three units greater than four units.  
18 Commissioner May moving, Commissioner Miller  
19 seconding, Commissioners Hood, Cohen, and  
20 Turnbull in support.

21 CHAIRMAN HOOD: Okay. Next, let's  
22 go to Places of Worship Minimum Parking

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1 Requirement. Setdown, 1.67 per 1,000 square  
2 feet in excess of 5,000 square feet. The  
3 alternative was to retain current parking  
4 requirement, which is one for each ten seats of  
5 occupancy capacity in the main sanctuary,  
6 provided that where the seats are not fixed,  
7 each seven square feet, 7 ft. 2, usable for  
8 seating or each 18 inches of bench, if benches  
9 are provided, shall be considered one seat.  
10 Public comments, retain the current parking  
11 requirement. The recommendation is retain the  
12 current parking requirement for places of  
13 worship. Any comments?

14 COMMISSIONER TURNBULL: Mr. Chair,  
15 I think we heard a lot of comments at the  
16 hearings regarding this, and I think, I thought  
17 it was kind of overwhelming for keeping the  
18 current standards. I think a lot of people  
19 were very concerned about this, and I think the  
20 OP has recognized that. And so if anybody  
21 doesn't have any other comments, I would move  
22 that we accept 1C, the OP recommendation to

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1 retain the current parking requirement for  
2 places of worship.

3 CHAIRMAN HOOD: I second it.

4 VICE CHAIR COHEN: I have a  
5 comment.

6 CHAIRMAN HOOD: CHAIRMAN  
7 HOOD: Okay. It's been moved and properly  
8 seconded. Any further discussion? Vice  
9 Chair Cohen?

10 VICE CHAIR COHEN: Thank you.  
11 There are a number of churches in very dense  
12 areas that have to either renovate and expand  
13 with other multi-uses, and they have to,  
14 because they either lost some of their  
15 congregation or they actually are trying to  
16 expand because their congregation expanded,  
17 but they can't afford it without having some  
18 multi-uses to support their capital campaign.

19 And some of these expansions are  
20 occurring very, very close to Metros. So I am  
21 just wondering if this 1.67 -- I know existing  
22 congregations need their parking, because

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1 people have moved to other neighborhoods or  
2 even other jurisdictions. But I'm just  
3 wondering, what about those who are Metro, very  
4 close to Metro, why we need to require the 1.67  
5 per 1,000 square feet?

6 COMMISSIONER MAY: That's not what  
7 proposed. I'm not proposing 1.67 per 1,000.

8 VICE CHAIR COHEN: I thought it was  
9 keep current requirement for places of worship.

10 COMMISSIONER MAY: Right. That's  
11 not 1.67, right?

12 MR. LAWSON: That's correct. That  
13 was our original proposal, not our recommended  
14 proposal.

15 COMMISSIONER MAY: Right. So the  
16 current requirement is one for every ten seats  
17 of occupancy in the main sanctuary and so on.

18 VICE CHAIR COHEN: No, I'm just  
19 asking him generally --

20 CHAIRMAN HOOD: Why not go to the  
21 1.67 is where she is.

22 COMMISSIONER MAY: Okay.

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1        Alright.

2                   VICE CHAIR COHEN:        No, no.  
3        Actually, my question is, because again, I  
4        don't know how that relates to 1.67. I  
5        understand now the alternative. But again,  
6        how will that impact those churches near Metros  
7        that are now going through multi-use -- I think  
8        you're going to have over-parking. That's  
9        what I'm saying.

10                   MR. LAWSON: I'll try to answer  
11        that. I'm not sure I understand where you're  
12        coming from on this, but if I do, then certainly  
13        if there are other uses being constructed on the  
14        site, like an office building or a residential  
15        building, that building would be subject to the  
16        parking requirement for that use. And if the  
17        church is being retained, then the church is  
18        being retained, so whatever their parking  
19        requirement is now for the existing situation  
20        would remain.

21                   If the church is being demolished  
22        and replaced with a new church, and we have seen

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1 a couple of examples like that, in addition to  
2 new development, that site would have two  
3 parking, at least two parking requirements, one  
4 requirement for the church, and one requirement  
5 for the other use that's going on the property,  
6 and they'd be calculated separately. That's  
7 how it's done now, and that's how it would be  
8 done in the future.

9           Again, some of the things that we're  
10 proposing may allow for some more flexibility  
11 than exists right now. It may allow, for  
12 example, for some sharing of parking spaces  
13 that are provided, which I think may help in  
14 that situation. Or of course, as is the case  
15 right now, there is the relief process that  
16 would be available if for some reason those  
17 parking requirements did not make sense anymore  
18 on that property.

19           VICE CHAIR COHEN:       Now that  
20 explanation satisfies. Thank you.

21           MR. LAWSON: Thank you.

22           CHAIRMAN HOOD:       Any further

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1 discussion, Commissioner Miller?

2 COMMISSIONER MILLER: Mr.  
3 Chairman, I'm very comfortable also with  
4 retaining the current requirement. I think  
5 the table that OP provided which showed a few  
6 examples, a 270-seat sanctuary in a 4,700  
7 square foot space would go from, would have gone  
8 from the 27 parking spaces required under the  
9 existing to zero required under the original  
10 proposal, and a 500-seat sanctuary with 7,200  
11 square feet would have required 50 spaces,  
12 requires 50 spaces under the existing  
13 requirement, which we're retaining, but it  
14 would have gone down to four. So it would have  
15 been like less than one percent of the people  
16 who are coming to the congregation. So I  
17 think, at least in those two examples, it made  
18 sense to keep the current requirement, which I  
19 don=t think -- based on these examples doesn't  
20 show an over-parking situation going on.

21 CHAIRMAN HOOD: Any further  
22 discussion? All those in favor?

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1 (Chorus of ayes.)

2 CHAIRMAN HOOD: Any opposition?  
3 Ms. Schellin, would you record the vote?

4 MS. SCHELLIN: Staff records the  
5 vote five to zero to zero to retain current  
6 parking requirements for places of worship.  
7 Commissioner Turnbull moving, Commissioner  
8 Hood seconding, Commissioners May, Cohen, and  
9 Miller in support.

10 CHAIRMAN HOOD: Okay. Next,  
11 Private Schools Minimum Parking Requirement.  
12 The Setdown, 1.25 per 1,000 square feet of  
13 building. The alternative is retain current  
14 parking Reqs, elementary and high schools, two  
15 for each three teachers and other employees;  
16 high school and accessory uses, two for each  
17 three teachers and other employees, plus one  
18 for each 20 classroom seats or one for each ten  
19 seats in the largest auditorium, gymnasium, or  
20 area usable for public assembly, whichever is  
21 greater. The public comments, retain the  
22 current parking requirement. The Office of

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1 Planning's recommendation, retain the current  
2 parking requirement for private schools.

3 And this goes along again with what  
4 Mr. Turnbull said. We had a lot of public input  
5 to basically keep the requirement as it is and  
6 not go to the square footage model. And I think  
7 the record will reflect and the testimony from  
8 the residents of the city reflect to keep this  
9 model that we already have. Any further  
10 questions? Okay. I would move that we accept  
11 the Office of Planning's recommendation,  
12 retain current parking requirements for  
13 private schools, and ask for a second.

14 VICE CHAIR COHEN: Second.

15 CHAIRMAN HOOD: Okay. It's been  
16 moved and properly seconded. Any further  
17 discussion? Mr. Miller?

18 COMMISSIONER MILLER: I just want  
19 to say, I'm very comfortable with this. I  
20 appreciate the public hearing testimony that we  
21 got on this, and I appreciate the Office of  
22 Planning changing their recommendation based

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1 on the comments that they received, both from  
2 the public and from my fellow Commissioners and  
3 I.

4 CHAIRMAN HOOD: Okay. Any further  
5 discussion? All those in favor?

6 (Chorus of ayes.)

7 CHAIRMAN HOOD: Any opposition?  
8 Ms. Schellin, would you record the vote?

9 MS. SCHELLIN: Staff records the  
10 vote five to zero to zero to retain current  
11 parking requirement for private schools.  
12 Commissioner Hood moving, Commissioner Cohen  
13 seconding, Commissioners May, Miller, and  
14 Turnbull in support.

15 CHAIRMAN HOOD: Okay. All Other  
16 Uses Minimum Parking Requirements. Setdown,  
17 ratios based on parking spaces square feet of  
18 buildings as described in the setdown text for  
19 various uses. the public comments, eliminate  
20 minimum parking requirement; support for  
21 setdown text; retain current parking  
22 requirements; retain current parking

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1 requirements for PDR uses; increase parking  
2 requirements. The recommendation is ratios  
3 based on parking spaces/square feet of  
4 buildings as described in the setdown text for  
5 various uses. Commissioner May has noted that  
6 this goes to our chart that we have, and might  
7 as well dig into that at this point. So we will  
8 reference the chart. Commissioner May, you  
9 would like to get us started?

10 COMMISSIONER MAY: Sure. You  
11 know, this is a chart that goes on for, what,  
12 11 pages, 12 pages, and I just think we should  
13 go through the uses one at a time and see if  
14 anybody has any questions about them. There  
15 are a few that I think I would like to have the  
16 Office of Planning explain a little bit about  
17 what their rationale was, make sure that we're  
18 all completely comfortable with these numbers,  
19 because I don't think that we've gone through  
20 the chart in this fashion previously.

21 So I don't have any comments about  
22 adult day treatment facility or, I mean, art

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1 galleries, I don't really have a lot of comments  
2 on that, because I just don't know that we're  
3 going to have many that are so large that the  
4 requirement is going to be significantly lower.  
5 I mean, I think the first one where I have a  
6 concern is chanceries. And not so much because  
7 the reductions are so big, but just to  
8 understand what the Office of Planning  
9 conceives as the scope of the issue and whether  
10 in fact we're hitting the right set of  
11 requirements. Because I know some chanceries  
12 are located in neighborhoods where there isn't  
13 a lot of parking, so. But I'm happy to, if  
14 anybody else wants to talk about art galleries  
15 or adult day treatment facilities --

16 CHAIRMAN HOOD: I'm not seeing  
17 anybody. Let's go right on to chanceries. Do  
18 you want to --

19 COMMISSIONER MAY: I mean, so -- I  
20 mean, I guess I don't have a really particular  
21 question about chanceries per se. It's just  
22 understanding that, you know, with these

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1 proposals we're talking about reducing  
2 requirements again by admittedly relatively  
3 small numbers and anything that's below 2,000  
4 square feet for chancery use, I mean, I don't  
5 know how frequent that is, might be helpful to  
6 understand that. And then, you know, when you  
7 get up to 6,000 square feet within the D zone,  
8 it winds up reducing the requirement from eight  
9 to two. I don't know, again, I don't know how  
10 bad the parking problems are in those areas, so.

11 MS. STEINGASSER: Well, again, the  
12 proposal was simply to change it to a square  
13 footage calculation and to reduce the minimum  
14 requirements. We didn't do a survey of all the  
15 chanceries. They are, as you said, spread  
16 throughout the city with a concentration in,  
17 you know, along Embassy Row and the  
18 Sheridan/Kalorama area especially, but it was  
19 the same approach -- we didn't treat it any  
20 differently than any other. We took the same  
21 approach of reducing standards, looking at the  
22 square footage and the zone piece.

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1                   COMMISSIONER MAY:       You know,  
2                   having sat on a few chancery cases, I remember  
3                   parking relief being a fairly common theme, not  
4                   so much that the parking wouldn't be  
5                   accommodated but that it had to be accommodated  
6                   in sort of strange ways. There's a lot of  
7                   manipulation of the sites and sort of cramming  
8                   things in, so it seems apparent to me that there  
9                   is demand for that parking, and I would guess  
10                  that, I mean, the chancery isn't going to  
11                  qualify for residential parking permits, so  
12                  they're going to be, they're going to have to  
13                  accommodate the parking one way or another,  
14                  right? In other words, does it, I mean, does  
15                  it really matter what we require because they  
16                  know what their needs on and they're going to  
17                  have to address them, because there isn't  
18                  really any alternative?

19                  MS. STEINGASSER: That is correct,  
20                  and maybe we could put back in the phrase, "or  
21                  as determined by the Board of Zoning  
22                  Adjustment." Since all new chanceries would

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1 be going through the FMBZA, that would allow  
2 them to kind of establish their alternatives.

3 COMMISSIONER MAY: Yeah. That  
4 would make me comfortable.

5 COMMISSIONER MILLER: I think that  
6 makes a lot of sense.

7 COMMISSIONER TURNBULL: I would be  
8 uncomfortable, mainly because you've got a  
9 foreign government coming here and trying to  
10 work with us in developing their chancery, and  
11 I think some flexibility is warranted in a case  
12 like this.

13 COMMISSIONER MAY: Okay. But just  
14 to be clear, what you're suggesting is that it  
15 would be the new recommendation, and it would  
16 say or as determined by BZA, so it's possible  
17 BZA may require more parking than is required  
18 here or they may approve something as proposed  
19 that incorporates greater parking in essence,  
20 or rather not disapprove. That works for me.

21 CHAIRMAN HOOD: Let me just put a  
22 caveat. I will tell you, I'm concerned about,

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1 on this chart, most of what I see when I see zero  
2 which is being proposed -- we can take our time  
3 and go through them, not that I'm going to  
4 mention each one that has zero parking like when  
5 we go from 40 spaces, and I'm just using it off  
6 the top of my head, we go from 40 to zero. I  
7 guess I'm trying to figure out how we arrive,  
8 especially when I'm looking downtown. But  
9 anyway, let's just go through the chart. And  
10 I'm sure some of this may be answered on this  
11 worksheet when we get back to it. But anyway,  
12 let's proceed in that fashion, but I can tell  
13 you that I have concern with zero parking, and  
14 right now I just want to put that out there for  
15 everything, so I have a concern with zero  
16 parking for everything.

17 COMMISSIONER MAY: So I have a  
18 procedural question where, you know, what we  
19 just discussed for chanceries, there seemed to  
20 be some interest in adding a phrase to the  
21 effect that those are the new requirements or  
22 as determined by the BZA. Is that something

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1 that we should, you know, vote upon right now  
2 or come to consensus on and then vote a package?  
3 Because I'm not sure that we'll necessary come  
4 to consensus on all of these, and maybe we need  
5 to, we do need to vote on them one to one.

6 CHAIRMAN HOOD: Yeah. We can do  
7 that. Do you want to put a motion up?

8 COMMISSIONER MAY: Yeah, I would  
9 make a motion that we modify the requirements  
10 for parking for chanceries to include language  
11 to the effect that the requirements would be in  
12 excess of 3,000 square feet per -- I'm sorry,  
13 .5 per 1,000 square feet or as determined by the  
14 BZA.

15 COMMISSIONER MILLER: The FMBZA.

16 COMMISSIONER MAY: I'm sorry, by  
17 the FMBZA.

18 VICE CHAIR COHEN: I'll second  
19 that.

20 CHAIRMAN HOOD: Okay. It's been  
21 moved and properly seconded, with the added  
22 addition of be "determined by the FMBZA." All

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1 those in favor?

2 (Chorus of ayes.)

3 CHAIRMAN HOOD: Any opposition?

4 So ordered. Ms. Schellin, would you record the  
5 vote? And this is on chanceries.

6 MS. SCHELLIN: Yes. Staff records  
7 the vote five to zero to zero to modify the  
8 language with regard to parking for chanceries  
9 to be in excess of 3,000 square feet, .5 per  
10 1,000 square feet, to modify that to add "or as  
11 determined by the FMBZA." Commissioner May  
12 moving, Commissioner Cohen seconding,  
13 Commissioners Hood, Miller, and Turnbull in  
14 support.

15 CHAIRMAN HOOD: Okay.

16 CHAIRMAN HOOD: Okay. It's been moved  
17 and properly seconded. Any further  
18 discussion? All those in favor?

19 (Chorus of ayes.) Steingasser, let  
20 me know to -- Commissioner May, I don't know if  
21 you have any issues with the medical care  
22 clinic?

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1                   COMMISSIONER MAY:    I think it's  
2 something we should discuss.

3                   CHAIRMAN HOOD:       Okay.     Okay.  
4 Well, I'll let you take the lead, see if we're  
5 on the same page.

6                   COMMISSIONER MAY:    So again, I want  
7 to understand this.  You know, I think one of  
8 the things that we've heard regularly is that  
9 medical       offices       typically       have  
10 higher-than-normal parking requirements, and  
11 here we're suggesting for clinics which, you  
12 know, can be similar to a medical office.  
13 Maybe it's not, maybe they're serving clientele  
14 that doesn't normally drive.  I don't know.  
15 I'm just curious as to why we're suggesting that  
16 the requirement for a small one go from seven  
17 to zero or for the medium one, I don't know,  
18 6,000 square feet, go from 20 to three.  It  
19 seems like it's a pretty drastic reduction.

20                   MS. STEINGASSER:  It is, and we're  
21 pretty much going to have the same answer for  
22 almost all of these.  You know, we took a, we

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1 took an approach that looked more at the square  
2 footage of a building. In this case, these  
3 clinics started in the R-4, which are row house  
4 zones. It was very unlikely that there would  
5 be one where people would drive to it, that we  
6 based it on a square footage and then also then  
7 lowered that ratio. And some of it is based on  
8 surveys of other jurisdictions, our experience  
9 of surveying some of the uses around the city.

10 VICE CHAIR COHEN: I would just  
11 like to add something to the discussion, that  
12 again, a 2,000 square foot clinic, again, it's  
13 usually within a neighborhood size clinic and  
14 people walk to it. Even though there was the  
15 seven existing and now it's now proposed to  
16 zero, I think that again most people will  
17 continue to walk to that size clinic. And just  
18 my experience all over the country when I  
19 worked, a lot of cities did use the square  
20 footage approach. Whether that's appropriate  
21 for here or not, that's up to discussion, but  
22 I just wanted you to know that's not unusual

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1 anywhere.

2 CHAIRMAN HOOD: And I think because  
3 of the circumstances here in the city, you know,  
4 yes, some people may walk. Some people may not  
5 be able to walk. And I just think about over  
6 in my area, or in areas like mine, and we've  
7 heard testimony where there's certain people  
8 that cannot do certain things, so we need to  
9 make sure that at least there needs to be some  
10 allowable space for people to be able to park.

11 I just know, you know, my father  
12 used to tell me, just keep living, Anthony. If  
13 you just keep living -- I know you all don't want  
14 to probably hear this story, but just keep  
15 living. There are people who are not able to  
16 ride a bicycle or walk to the doctor. We've got  
17 to be considerate and make a Code that's going  
18 to stand the test of time, and to say zero  
19 parking spaces -- I would ask the Office of  
20 Planning to revisit this, especially in this  
21 case. Yes, 2,000 square feet.

22 There's a dentist that's in my

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1 neighborhood, and I'm just saying dentist, I'm  
2 just using an example. I don't see nobody  
3 walking to him. I see them driving. And I  
4 guess maybe it's because of the area I live in.  
5 We don't have the luxury of walking out the  
6 front door, and walking a few feet, and going  
7 into a store. No, I have to walk quite a few  
8 feet to get to the store. And the same thing,  
9 we need to take into consideration for our  
10 seniors. A lot of them need these spaces. A  
11 lot of them need places to park. Those are my  
12 comments, and I would ask Office of Planning,  
13 let's revisit this and let's try to do away with  
14 some of these zeros.

15 VICE CHAIR COHEN: I'd just like to  
16 add, though, handicapped parking you need to  
17 consider.

18 COMMISSIONER MAY: So I would want  
19 to make a couple of comments. First of all, an  
20 R-4 and R-5 neighborhood, you're actually, it  
21 is likely that a number of people will visit the  
22 dentist on foot or on bicycle. I know that

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1 happens frequently in my R-4 neighborhood.  
2 And I can't speak to R-5s from personal  
3 experience.

4 I would also say that previously we  
5 had a square footage formula. It was one per  
6 300 square feet in terms of parking spaces. So  
7 basing it on square footage I think is a  
8 perfectly reasonable approach. It's a  
9 question of whether what we have is the right  
10 number.

11 And I would agree with the Chairman  
12 that we need to have some revisiting of this,  
13 but again, we are in R-4 and R-5 neighborhoods,  
14 which are going to be a bit more walkable and  
15 more likely probably to be closer to transit.  
16 So I don't, I mean, I personally think that  
17 going to zero or going from, you know, 20 down  
18 to three might be a bit much, but I think going  
19 down is the right thing to do.

20 CHAIRMAN HOOD: I don't have a  
21 problem with going down, but I will tell you,  
22 I do live in R-4.

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1 COMMISSIONER MAY: You do live in  
2 R-4.

3 CHAIRMAN HOOD: So that's what I'm  
4 saying. We've got to write a Code that works  
5 for all of us.

6 COMMISSIONER MAY: Absolutely.

7 CHAIRMAN HOOD: And a lot of times  
8 --

9 COMMISSIONER MAY: Nobody in your  
10 R-4 walks to the dentist? Do you have a dentist  
11 in the neighborhood?

12 CHAIRMAN HOOD: Yes, we do.

13 COMMISSIONER MAY: Wow.

14 CHAIRMAN HOOD: Yeah. Would you  
15 like to know anything else?

16 COMMISSIONER MAY: No, no, no.

17 CHAIRMAN HOOD: Why don't you and I  
18 do a neighborhood tour?

19 COMMISSIONER MAY: --- walk into a  
20 neighborhood.

21 CHAIRMAN HOOD: You're going to  
22 have to do a neighborhood tour. You want to

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1 walk to the dentist in my neighborhood? You  
2 can leave from my house and walk to the dentist,  
3 and I'll pick you up when you get down to the  
4 bottom of the street. But again, that goes  
5 back to --

6 COMMISSIONER MAY: I could walk to  
7 my dentist now and it would, with my cast.

8 CHAIRMAN HOOD: Both of them or  
9 just the one?

10 COMMISSIONER MAY: Maybe both by  
11 the end of the night.

12 COMMISSIONER MILLER: We're not  
13 going to get to the end of the night.

14 CHAIRMAN HOOD: It's nice to have a  
15 little camaraderie, Commissioner Miller. Let  
16 us have a little -- let us lighten up a little  
17 bit. Let us have a little fun. We don't  
18 usually have any. So anyway, so again --

19 VICE CHAIR COHEN: I have fun  
20 coming here every Monday and Thursday.

21 CHAIRMAN HOOD: So again, on a  
22 serious note, I would like for us to revisit

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1 that, and I appreciate your comments,  
2 Commissioner May, because I think that is  
3 crucial. That's all I'm asking. I just don't  
4 think it needs to be a zero.

5 COMMISSIONER MILLER: I would  
6 associate myself with your remarks, Mr.  
7 Chairman, and Commissioner May. But  
8 recognizing what Vice Chair said, these are  
9 neighborhood clinics, but it doesn't work  
10 everywhere.

11 CHAIRMAN HOOD: Okay. Do we need  
12 to take a vote on that or just keep going?

13 COMMISSIONER TURNBULL: Well, are  
14 we going to revisit?

15 CHAIRMAN HOOD: Yeah, we can.

16 COMMISSIONER TURNBULL: Okay.

17 CHAIRMAN HOOD: With that  
18 understanding. Okay. Thank you. Mr. May,  
19 since this was your fantastic idea, do you want  
20 to keep us going?

21 COMMISSIONER MAY: I will try to  
22 talk less. How about that? Electronic

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1 equipment facilities. I don't have a big  
2 problem with reductions here. These are not --  
3 I don't know how many of them we have or how many  
4 more we're going to have, but I don't see a big  
5 reason to have huge parking requirements. So  
6 I'm all for this particular set of reductions,  
7 and I would make a motion to that effect.

8 VICE CHAIR COHEN: I'll second.

9 CHAIRMAN HOOD: Okay. It's been  
10 moved and properly seconded. Any further  
11 discussion? All those in favor?

12 (Chorus of ayes.)

13 CHAIRMAN HOOD: Any opposition?  
14 Not hearing any, Ms. Schellin, would you record  
15 the vote?

16 MS. SCHELLIN: Staff records the  
17 vote five to zero to zero approve the parking  
18 standards for the EES. Commissioner May  
19 moving, Commissioner Cohen seconding,  
20 Commissioners Hood, Miller, and Turnbull in  
21 support. And I would just make mention that  
22 there was no vote taken for the -- if you're

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1 going to do this, there was no vote taken for  
2 the adult treatment facility. So if you want  
3 --

4 CHAIRMAN HOOD: Well, I think the  
5 ones that we didn't have any comment, I think  
6 --

7 VICE CHAIR COHEN: No problems.

8 CHAIRMAN HOOD: Hold on. Let me  
9 back up before I --

10 VICE CHAIR COHEN: Right. Because  
11 there were no problems with this one, so I  
12 thought you were going to just do an overall  
13 vote on the ones you had no issue with, but then  
14 he made a motion, so it kind of threw me off.

15 COMMISSIONER MAY: Oh, sorry. I  
16 didn't mean to do that. I would agree that we  
17 should just -- anything we don't have a problem  
18 with, we wait, and we vote on them in bulk back  
19 on our purple sheet.

20 VICE CHAIR COHEN: In the end.  
21 Yes. Okay. That's fine. I mean, you've  
22 already done the vote on this one, but that's

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1 fine.

2 CHAIRMAN HOOD: Okay. Yeah.

3 VICE CHAIR COHEN: I thought you'd  
4 do it at the end.

5 CHAIRMAN HOOD: Yeah, those other  
6 ones I'm looking at, I don't have an issue with  
7 those.

8 VICE CHAIR COHEN: Okay.

9 CHAIRMAN HOOD: Okay. Yeah, the  
10 ones that we don't have a problem, silence,  
11 let's just keep moving. Okay. What's the  
12 next one? Oh, fast food restaurants, eating  
13 and drinking establishment. Any comments?  
14 You see what's existing and what's proposed.

15 COMMISSIONER MAY: I think what  
16 we're seeing here is just a demonstration of how  
17 weird the Code was before, because the only  
18 place where we had a really large requirement  
19 for parking for a fast food restaurant was when  
20 you had 4,000 square feet and in a building with  
21 a side yard, right? It just sort of triggered  
22 this balloon. So I think the fact that we could

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1 have it in a building without a side yard in the  
2 exact same zone and have substantially less  
3 parking requirement, I think makes me  
4 comfortable with this proposal.

5 COMMISSIONER MILLER: I'm  
6 comfortable with it.

7 CHAIRMAN HOOD: Okay. Anybody  
8 else? I just -- when I see zero, it means it's  
9 complete. Nothing.

10 COMMISSIONER MILLER: There's  
11 zeros in existing ones, too.

12 CHAIRMAN HOOD: Right. I see that.  
13 My glasses work very well, even at ten minutes  
14 to nine. Okay. But for example, we're going  
15 from 25 existing down to one, but I think I could  
16 buy the argument from Commissioner May. So,  
17 okay. Somebody like to make a motion -- oh, not  
18 make a motion. Keep moving. Okay. Alright.  
19 That's alright. Hotel or Inn. Oh, did I miss  
20 one? Okay.

21 VICE CHAIR COHEN: On food.

22 CHAIRMAN HOOD: Maybe my glasses

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1 don't work as well as I think.

2 VICE CHAIR COHEN: On food delivery  
3 service, there's always a delivery truck or  
4 car, and so on the proposed, I really believe  
5 we should have accommodations for that one  
6 vehicle, because it is a delivery vehicle, and  
7 it's going to have to be somewhere.

8 COMMISSIONER MAY: Yeah, I would  
9 agree. I mean, I think it should be a minimum  
10 of one. I don't have any problem with the rest  
11 of it.

12 CHAIRMAN HOOD: Are you talking  
13 about both, all the zones, Vice Chair Cohen,  
14 even the one on the other side, page three?

15 VICE CHAIR COHEN: If it's a  
16 delivery area, again, I think there should be  
17 a space, a parking space for that car or truck.

18 CHAIRMAN HOOD: Okay.

19 VICE CHAIR COHEN: So yeah.

20 CHAIRMAN HOOD: Okay. Are we all  
21 in concurrence? So we don't need to make a  
22 motion. So let's --

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1                   COMMISSIONER MAY: No. I mean, I  
2 think you're saying at least one, right?

3                   VICE CHAIR COHEN: At least one.

4                   COMMISSIONER MAY: Right. So that  
5 would be a change. So the proposed would be --

6                   CHAIRMAN HOOD: Okay. So --

7                   COMMISSIONER MAY: a minimum of  
8 one, no matter what.

9                   CHAIRMAN HOOD: A minimum of one.

10                  COMMISSIONER MAY: Otherwise, the  
11 changes are okay.

12                  CHAIRMAN HOOD: Okay. Somebody  
13 like to make a motion?

14                  COMMISSIONER MAY: I would make the  
15 motion that we accept the Office of Planning's  
16 recommendation for treatment of parking for  
17 food delivery services in the specified zones  
18 with the exception that there shall be minimum  
19 of one parking space no matter what for a food  
20 delivery service.

21                  VICE CHAIR COHEN: Second.

22                  CHAIRMAN HOOD: Okay. It's been

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1 moved and properly seconded. Any further  
2 discussion? All those in favor?

3 (Chorus of ayes.)

4 CHAIRMAN HOOD: Any opposition?  
5 So ordered. Staff, would you record the vote?

6 MS. SCHELLIN: Staff records the  
7 vote five to zero to zero that for all food  
8 delivery services that there be a minimum of one  
9 parking space. Commissioner May moving,  
10 Commissioner Cohen seconding, Commissioners  
11 Hood, Miller, and Turnbull in support.

12 CHAIRMAN HOOD: Any issues with  
13 hotel or inn?

14 COMMISSIONER MAY: Mr. Chairman, I  
15 do not have a problem with this, because I think  
16 frankly what's going to determine the parking  
17 requirements for a hotel or inn is the hotel or  
18 inn. They're going to know what their clients  
19 will need or want more than anything else, and  
20 I'm comfortable reducing the minimums, because  
21 I think almost every time it's going to be more  
22 than this, except perhaps in some very, very

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1 transit-friendly locations.

2 CHAIRMAN HOOD: Okay. I don't  
3 necessarily have an issue, either. Anyone  
4 else? No issues? No changes, let's move on.  
5 Office general, including television and radio  
6 broadcast studio. Any issues? Okay.

7 COMMISSIONER MAY: So the  
8 television radio broadcast studio kind of  
9 throws you off. I mean, this is just office,  
10 is really the category, and we are talking about  
11 significant reductions when we talk about a  
12 very large office building. I mean, even  
13 100,000 square foot office building goes  
14 through a significant change in some of the  
15 lower-density zones, but I just don't know how  
16 many 100,000 square foot office buildings we  
17 have in a C-1, C-2A or C-3A. So maybe the  
18 Office of Planning might enlighten us about why  
19 it's okay to reduce it by two-thirds in those  
20 zones effectively.

21 MS. STEINGASSER: Because we don't  
22 have very large office buildings in the C-1, the

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1 C-2, and the C-3 area.

2 COMMISSIONER MAY: Right. I mean,  
3 my sense is that 100,000 square foot building  
4 in those zones is really a total anomaly.

5 MS. STEINGASSER: It would be, yes.

6 COMMISSIONER MAY: Oh.

7 MS. STEINGASSER: And these  
8 examples we gave were just to provide a  
9 consistent point of reference.

10 COMMISSIONER MAY: Right.

11 MS. STEINGASSER: But yeah, they --

12 COMMISSIONER MAY: But I mean, they  
13 point out very interesting things, I think, so  
14 it's helpful to see that. So with that being  
15 said, given that for most of the zones where  
16 we're likely to see larger office buildings,  
17 the rates are staying pretty consistent, and of  
18 course, this is excepting for downtown, but I'm  
19 comfortable with this the way it is.

20 VICE CHAIR COHEN: I concur.

21 COMMISSIONER MILLER: I concur.

22 CHAIRMAN HOOD: Okay. So we're

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1 not making any changes. Let's move on. Let's  
2 go to office medical and dental clinic,  
3 veterinarian hospital.

4 COMMISSIONER MILLER: I think this  
5 has maybe some of the same concerns as the  
6 previous clinic. These uses generate, there's  
7 substantial reductions here, and these uses  
8 generate more parking than I think these  
9 numbers, these minimum numbers reflect.

10 CHAIRMAN HOOD: I would agree with  
11 you, Commissioner Miller, so maybe we can ask,  
12 put this in the same category or the same  
13 parking lot with what we talked about  
14 previously.

15 COMMISSIONER MILLER: I think we  
16 can probably find a middle ground, still using  
17 the square footage formula.

18 COMMISSIONER MAY: I would agree  
19 with this wholeheartedly taking a second look,  
20 having had much more experience with hospitals  
21 of late than I have in a long time and not being  
22 able to drive there. So I have to drive there,

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1 I have to be driven there.

2 CHAIRMAN HOOD: Oh, you did?

3 COMMISSIONER MAY: And there's  
4 parking issues and all that sort of stuff. I  
5 will say, however though, that given my  
6 particular circumstance, that if I were being  
7 treated at say GW Hospital instead of  
8 Washington Hospital Center, the situation  
9 would be quite different. So I think proximity  
10 to Metro is a big factor in whether, you know,  
11 these measures are appropriate. So --

12 COMMISSIONER MILLER: That's  
13 probably the case with all of these.

14 COMMISSIONER MAY: Right. Right.  
15 Well, and it just sort --

16 COMMISSIONER MILLER: I don't know  
17 how it will complicate the formula, but --

18 COMMISSIONER MAY: Well, no. I  
19 mean, I think that's already addressed in the  
20 reductions that would come --

21 MS. STEINGASSER: You'll be  
22 debating on the --

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1                   COMMISSIONER MAY:    A little bit  
2                   later on, right, those reductions, the  
3                   potential to reduce? So I'm just pointing that  
4                   out now because I think it's, again, it's a  
5                   personal lesson that I've had.

6                   CHAIRMAN HOOD:    Okay.

7                   COMMISSIONER TURNBULL:    I would  
8                   agree with the Chair -- Commissioner Miller  
9                   that we look at the square footage and revisit  
10                  this for the actual car counts.

11                  CHAIRMAN HOOD:    Okay. I think the  
12                  next one is -- let me know if I miss one.

13                  COMMISSIONER MAY:    Do we need to  
14                  take a vote?

15                  CHAIRMAN HOOD:    Did we change  
16                  anything?

17                  COMMISSIONER MAY:    Well, we're  
18                  asking that the numbers be revisited. I forget  
19                  whether we took a vote on the last one.

20                  CHAIRMAN HOOD:    Well, no, we didn't  
21                  take a vote on the other one, so --

22                  COMMISSIONER MAY:    We didn't.

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1 Okay.

2 CHAIRMAN HOOD: We want to try,  
3 yeah. Okay. Let me know if I'm missing  
4 anything. I think the next one is optical  
5 transmission nodes. Is that the next one? I  
6 didn't want to ask that question, but what is  
7 that?

8 MS. STEINGASSER: I'm not even sure  
9 it's technology that's still in use. When  
10 cable first started having interactive cable,  
11 you would go through an optical transmission  
12 node that was centrally located in a place. It  
13 had no people. Every now and again, a service  
14 technician might show up, but other than that,  
15 it had no permanent occupancy. But, you know,  
16 this was 14 years ago when we wrote this, and  
17 I'm not sure if the technology even exists.

18 CHAIRMAN HOOD: Okay. Should we  
19 just skip it? Because there's nothing down  
20 there anyway, so --

21 COMMISSIONER MAY: It's just not  
22 been -- there are no examples, but there is an

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1 old requirement and a new requirement. And I  
2 don=t have any problem with the new  
3 requirement.

4 MS. STEINGASSER: The ones that we  
5 know of in the district that we permitted are  
6 all under 1,800 square feet.

7 CHAIRMAN HOOD: Okay.

8 MS. STEINGASSER: Basements or  
9 they look like a little house.

10 COMMISSIONER TURNBULL: And  
11 somebody works there?

12 MS. STEINGASSER: No one works  
13 there. A service technician will show up to  
14 fix the --

15 COMMISSIONER TURNBULL: To fix  
16 whatever it is.

17 MS. STEINGASSER: whatever is  
18 going on in there, but there's no daytime  
19 occupancy or anything like that.

20 COMMISSIONER MAY: And he'll be  
21 coming on a bicycle.

22 CHAIRMAN HOOD: Okay. Let's move

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1 to retail and service establishments, except  
2 gasoline service stations and repair garage.  
3 Okay. I was about to ask, but it says except  
4 gasoline service and repair garage.

5 COMMISSIONER MILLER: I'm  
6 comfortable with these, with the proposal.

7 COMMISSIONER MAY: I am, too. I  
8 mean, I think there are some reductions, but I  
9 think that we're talking about relatively small  
10 retailers and, you know, the parking  
11 requirements are -- I think it's the sort of  
12 thing where we often wind up allowing  
13 reductions of those parking requirements and  
14 PUDs because of other circumstances, so I am  
15 comfortable with this.

16 CHAIRMAN HOOD: Okay. Next, let's  
17 go to gasoline station. I don't have an issue  
18 with what I see here and what's being proposed.  
19 Anyone else? Any issues? Repair garage?  
20 Okay. And what is this, the driver's license  
21 road test facility. Fire stations --

22 COMMISSIONER MAY: I'm sorry, why

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1 is it going to none? The current one is not  
2 really needed?

3 MS. STEINGASSER: Our proposal was  
4 to remove the requirement for all government  
5 uses, assuming that the DC government would not  
6 over-park or pay for more than they actually  
7 needed. So we did remove that from almost all  
8 government uses.

9 COMMISSIONER MAY: All government  
10 uses.

11 VICE CHAIR COHEN: I have a  
12 question, actually. You're talking about  
13 specific government buildings as opposed to how  
14 they have leased office space in different  
15 buildings. You're making a distinction.  
16 That goes under office, correct? The  
17 government has a lot of leases in private  
18 buildings.

19 MS. STEINGASSER: Right.

20 VICE CHAIR COHEN: So I'm assuming  
21 that's, you know, the differentiation is just  
22 government buildings versus a regular office

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1 building.

2 MS. STEINGASSER: Well, we're  
3 saying government uses. So if a government, if  
4 DCPL rented a commercial building for its  
5 library and it didn't want to pay tax dollars  
6 to rent parking spaces in a below garage, they  
7 wouldn't have that requirement for that use.  
8 Whereas if it was a commercial activity, they  
9 would then be required to meet a parking --

10 VICE CHAIR COHEN: Did you check  
11 this with GSA, because I think they do pay.

12 MS. STEINGASSER: We're not saying  
13 they can't pay. We're just saying the  
14 requirement should be left up to the government  
15 to determine what's needed. Since it all goes  
16 through some kind of public contracting, it's  
17 all mostly determined that way.

18 VICE CHAIR COHEN: Alright.

19 COMMISSIONER MILLER: Madam Vice  
20 Chair, I don't think this affects the federal  
21 government at all. It can't.

22 MS. STEINGASSER: No, this is

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1 local.

2 VICE CHAIR COHEN: Yeah, I'm  
3 talking about local.

4 COMMISSIONER MAY: So if I may  
5 follow.

6 MS. STEINGASSER: Sure.

7 COMMISSIONER MAY: So, you know, I  
8 think in principal, this might make sense. Of  
9 course, having worked in the district  
10 government and been involved in some decisions  
11 related to parking, my total faith in the  
12 government's ability to make right decisions  
13 about parking requirements aren't necessarily  
14 there. But not that the government might  
15 under-park a facility, but that they might  
16 over-park a facility.

17 And one of the things that happens  
18 in the way you propose the Zoning Regulations  
19 is that you set the minimum and then you require  
20 TDM when you go a certain margin above that  
21 minimum. So in effect, by not having a  
22 minimum, you're also not establishing a maximum

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1 that requires additional TDM measures for  
2 government buildings. So I just put it out  
3 there for other people to consider whether in  
4 fact, because, you know, we are an independent  
5 body whether we want to, and the district's  
6 decisions in this area are subjecting to  
7 Zoning, so is that something that we want to  
8 actually try to institute some minimums so that  
9 we could in fact have maximum triggers?

10 VICE CHAIR COHEN: I think that's  
11 what I was alluding to, although I wasn't very  
12 articulate and I used the wrong government name  
13 for local. Yeah. Department of whatever it  
14 is, DGS. So I think I was going in that  
15 direction, concerned about the local  
16 government making decisions that involve  
17 over-parking.

18 COMMISSIONER MAY: I'm not hearing  
19 a lot of sympathy for this concern, so I mean,  
20 I'm ready to move on.

21 CHAIRMAN HOOD: I'm trying to still  
22 comprehend it.

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1                   COMMISSIONER MILLER:     I think  
2                   there are certain government uses that we're  
3                   going to get to that I have more concerns about,  
4                   like community centers, and libraries.

5                   COMMISSIONER MAY:    Yeah.  I would  
6                   agree with that.

7                   COMMISSIONER MILLER:     I would  
8                   rather focus on that.

9                   COMMISSIONER MAY:    Okay.  I agree  
10                  with that.

11                  VICE CHAIR COHEN:    I'm fine with  
12                  moving on with that.  I think I was thinking the  
13                  whole universe, knowing some specific issues in  
14                  the past.

15                  CHAIRMAN HOOD:    Okay.  Where are  
16                  we, fire stations?    Fire stations, fire  
17                  department training facility.  See what's  
18                  proposed.  There's no requirement now as  
19                  stated by Ms. Steingasser.  Okay.  Hospital,  
20                  medical care.

21                  COMMISSIONER MAY:    So for some  
22                  reason, I was mentally associating hospitals

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1 with the previous category, but it looks like  
2 hospitals aren't changing very much, and I  
3 don=t think they should.

4 CHAIRMAN HOOD: It actually looks  
5 like it went up.

6 COMMISSIONER MAY: Right.

7 CHAIRMAN HOOD: Yeah. So that's  
8 right down my alley. Okay. I don=t have any  
9 problems with this one. Let's keep moving.  
10 Okay. Police department, general facility or  
11 local facility. Local government again as  
12 stated, Ms. Steingasser's previous comments.  
13 Any issues?

14 COMMISSIONER MAY: Yeah, I  
15 potentially have an issue here. I don't know  
16 what all police stations are like throughout  
17 the city, but, you know, the few that I do know,  
18 there are frequently issues with police  
19 vehicles or private vehicles owned by police  
20 officers being parked in the neighborhood. I  
21 also know that law enforcement, generally  
22 speaking, really do want to drive because the

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1 hours that they work and the fact that there,  
2 you know, there are security concerns about  
3 walking to the Metro and to the bus and so on.  
4 And so I think that, I mean, yeah, we want to  
5 make sure that these decisions are made right,  
6 and we can trust that the government will make  
7 them correctly, but maybe in this circumstance  
8 we do want to require some minimums for police  
9 stations.

10 CHAIRMAN HOOD: Does anybody else  
11 --

12 COMMISSIONER MILLER: Well, the  
13 existing requirements aren't very, are very  
14 low. But I think, based on our own anecdotal  
15 experiences, we know that they mostly have  
16 surface parking spaces that are in excess of  
17 what the existing requirements are.

18 COMMISSIONER MAY: Maybe in your  
19 neighborhood, but not in my neighborhood.

20 CHAIRMAN HOOD: And see, that's the  
21 balancing act.

22 COMMISSIONER MAY: Right. Yeah, I

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1 know.

2 CHAIRMAN HOOD: Yeah, but I'm  
3 saying, that's the balancing act, because of  
4 the majority of them, and we need to make  
5 parking, because the majority of our officers,  
6 we have some that live in the city and most, I  
7 think, live outside. So, you know, it's just  
8 how we balance it. But then again, there's  
9 some neighborhoods, I know my neighborhood, my  
10 street, I would love to see an officer, whether  
11 he's in his car or a cruiser, come down and park  
12 in my area because he's --

13 (Laughter.)

14 COMMISSIONER MAY: To go to the  
15 dentist undoubtedly.

16 CHAIRMAN HOOD: Well, so again, I  
17 would love to have an officer in my neighborhood  
18 come down and do that, so I don't know. I don't  
19 know how we fix that.

20 VICE CHAIR COHEN: Should we just  
21 keep the existing requirement for police?

22 COMMISSIONER MAY: That would be my

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1 inclination, to not change it.

2 COMMISSIONER MILLER: I'm  
3 comfortable with that.

4 CHAIRMAN HOOD: Existing. Thank  
5 you, Ms. Steingasser because we would have been  
6 here all day talking about it.

7 COMMISSIONER TURNBULL: I'd go  
8 along with that.

9 CHAIRMAN HOOD: Anything you can  
10 help us speed along, we appreciate it. I think  
11 that's fine. Okay. Let's go to the --

12 COMMISSIONER MAY: We need to vote  
13 on that one. I would make a motion that we  
14 retain the existing parking requirements for  
15 police department, general facility, or local  
16 facility.

17 CHAIRMAN HOOD: Second. Or Mr.  
18 Turnbull seconded. It's been moved and  
19 properly seconded. Any further discussion?  
20 All those in favor?

21 (Chorus of ayes.)

22 CHAIRMAN HOOD: Any opposition?

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1 So ordered. Ms. Schellin, would you record the  
2 vote?

3 MS. SCHELLIN: Staff records the  
4 vote five to zero to zero to keep the existing  
5 parking requirements for police department,  
6 general facility, or local facility.  
7 Commissioner May moving, Commissioner Turnbull  
8 seconding, Commissioners Hood, Miller, and  
9 Cohen in support.

10 CHAIRMAN HOOD: Okay. Public  
11 library. Any issues? Commissioner Miller?

12 COMMISSIONER MILLER: I did have a  
13 concern with going to zero on both the, well for  
14 the full-service neighborhood public library.  
15 I don't know if the existing requirement is the  
16 right requirement, but I'm more comfortable  
17 with that than nothing.

18 CHAIRMAN HOOD: I would agree,  
19 especially since now, you know, the libraries  
20 in the city now have different uses. You've  
21 got the library, you've got the pool, you have  
22 a rec center. You have everything going on in

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1       there, and I know this is just talking about  
2       library, but it, well, it says full-service  
3       neighborhood library.    And we've kind of  
4       changed, shifted, we've made a shift on that,  
5       because now it has the recreation center.   It  
6       has different uses within that library area.  
7       So I don't know if we do the same or we reduce  
8       some, but I would not like to see us go to zero.

9                   COMMISSIONER MAY:    And I would  
10       agree with that.   You know, some reduction is  
11       good.   I also think that when there is not  
12       sufficient land to incorporate parking, that it  
13       should be easier than a variance.   Because I  
14       encountered that on a BZA case for one of the  
15       libraries, and I think that, you know, having  
16       a special exception requirement for reduction  
17       of parking for community libraries would be a  
18       reasonable way to allow for reductions when  
19       there simply isn't space and there happens to  
20       be ample street parking.

21                   CHAIRMAN HOOD:   Let me just say for  
22       the record that some of the stuff we're

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1 discussing now, when we come back and start  
2 reviewing this again, once we get things nailed  
3 down, there will be a public comment period.  
4 So if you're in the audience or you're watching,  
5 make a note so you'll be able to remember to come  
6 back and say something to us on this discussion.  
7 I just wanted to put that out there.

8 MS. STEINGASSER: We can't get Alma  
9 to go home.

10 CHAIRMAN HOOD: I wasn't going to  
11 call anybody's name. Okay. Any other  
12 comments on this?

13 COMMISSIONER MAY: So I don't know  
14 that we know enough to say exactly what the  
15 reduction should be. So I think we put it in  
16 the revisit category, and I would also, if the  
17 rest of the Commission agrees, would ask that  
18 the Office of Planning to look at whether a  
19 special exception would be more appropriate for  
20 further reductions.

21 COMMISSIONER MILLER: I think that  
22 would be appropriate for all parking

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1 reductions.

2 COMMISSIONER MAY: I wouldn't go  
3 that far.

4 COMMISSIONER MILLER: Okay.  
5 That's what --

6 CHAIRMAN HOOD: I actually would.  
7 I think, I like that. You know, I'm an  
8 exception guy. I like that.

9 VICE CHAIR COHEN: I actually think  
10 that that is an appropriate compromise.

11 COMMISSIONER MAY: Oh, my God. I  
12 opened Pandora's box.

13 COMMISSIONER MILLER: Great idea.

14 COMMISSIONER MAY: Oh, yeah.  
15 Well, I think we should come back to that one  
16 after we've gotten through more of the parking  
17 discussion. But I think that in this  
18 circumstance certainly a special exception  
19 would be appropriate to consider.

20 CHAIRMAN HOOD: Okay. So we don't  
21 need to go to community public library. I  
22 think that falls right in.

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1                   VICE CHAIR COHEN: Again, I just  
2 want to say that we need ADA units, and I'm not  
3 sure that's assumed.

4                   MR. LAWSON: It's actually more  
5 than assumed. It's actually required under  
6 the building code.

7                   CHAIRMAN HOOD: And I actually  
8 think, I don't know if my colleagues -- public  
9 recreation and community center use, I think  
10 that falls in line with what we just spoke  
11 about.

12                  COMMISSIONER MILLER: Absolutely.

13                  CHAIRMAN HOOD: I don't know if we  
14 need to belabor that anymore. Manufacturing,  
15 industrial, and wholesale establishments,  
16 PDRs. I don't have an issue. Personally, I  
17 don't have an issue with this, but the key was  
18 it didn't go to zero for me.

19                  Okay. Any area armory, assembly  
20 hall, auditorium, center concert hall,  
21 convention hall, dance hall, funeral parlor,  
22 ice or rolling skating rink, public hall,

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1 stadium, or theater.

2 COMMISSIONER MAY: I'm confused  
3 about what the recommendation is, because it's  
4 blank.

5 CHAIRMAN HOOD: I think it stays  
6 the same. Does it stay the same? One for each  
7 ten seats. It's the same, right?

8 COMMISSIONER MAY: My copy of this  
9 is blank. I mean, I guess I can look it up in  
10 my handy dandy copy of the Regs.

11 MS. STEINGASSER: In the C-4 and  
12 C-5, there's currently no requirement.

13 COMMISSIONER MAY: Right.

14 MS. STEINGASSER: Current Regs is  
15 one to ten.

16 MS. VITALE: So proposal would be  
17 1.67 per 1,000 square feet in excess of 5,000  
18 square feet. I can repeat that if --

19 COMMISSIONER MAY: In excess of  
20 5,000?

21 MS. VITALE: 5,000. It's  
22 basically one space per 600 square feet.

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1                   COMMISSIONER MAY: And did you do  
2 any calculations on existing versus proposed,  
3 the way you did for the other uses? You had  
4 done, you know, samples for, you know, a 10,000  
5 square feet manufacturing facility, ten  
6 existing, seven proposed.

7                   MR. LAWSON: Yeah. I think this is  
8 one of those examples where to determine what  
9 the existing is, is very difficult too, because  
10 it's based on seats. It's just so many  
11 permutations.

12                   COMMISSIONER MAY: Sure.

13                   MR. LAWSON: For a facility of  
14 10,000 square feet, that would result in a  
15 requirement for eight parking spaces.

16                   COMMISSIONER MAY: In the  
17 proposed.

18                   MR. LAWSON: In the proposed, yes.

19                   COMMISSIONER MAY: Okay. And  
20 that's, and it's -- alright. Mr. Turnbull, do  
21 you remember off the top of your head square  
22 footage per person in an assembly use with fixed

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1 seats? It's usually based on the actual number  
2 of seats, isn't it?

3 COMMISSIONER TURNBULL: Yeah, no,  
4 not offhand.

5 COMMISSIONER MAY: Yeah. But if  
6 you put, if you put chairs in an assembly hall,  
7 it's something like ten square feet, I want to  
8 say. Standing room is seven.

9 COMMISSIONER TURNBULL: Could be.

10 COMMISSIONER MAY: Maybe ten or 20.  
11 So one for each ten seats. I mean, my  
12 back-of-a-napkin kind of estimate is that for  
13 a 10,000 square feet assembly hall, you might  
14 be able to put in, you know, 500 to 1,000 people,  
15 and that would be, under the old Regs, 50 to 100.  
16 And you're talking about ten instead. So I  
17 would put this in the revisit category, and it  
18 would just be, if for no other reason than the  
19 fact that I'm doing this on the back of a napkin  
20 so to speak.

21 CHAIRMAN HOOD: Okay. Are we all  
22 in favor of doing the revisit?

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1 COMMISSIONER TURNBULL: Yeah.

2 CHAIRMAN HOOD: Okay. Let's do  
3 that. Boat club and marina. Any issues?  
4 Okay. Let's go to churches.

5 COMMISSIONER MAY: There's no  
6 change on that, right? We already voted on  
7 that one.

8 CHAIRMAN HOOD: Which one, on  
9 churches? Did we vote on churches?

10 MS. STEINGASSER: Yes, sir. You  
11 voted as a separate item on 1B where we were  
12 going to keep the existing church --

13 CHAIRMAN HOOD: Oh, okay. Yeah.  
14 Okay.

15 MS. STEINGASSER: Separate item.

16 CHAIRMAN HOOD: I just wanted to  
17 make sure this wasn't nothing different.  
18 Okay. Thank you. Parks and Rec. Only  
19 difference is no requirement downtown. I'm  
20 going to ask a crazy question. Do we have any  
21 parks and recs in -- I don't go to them if  
22 they're downtown, but I'm just curious.

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1 MS. STEINGASSER: We do have some  
2 parks. Not as many as we'd like, but there are  
3 some parks.

4 CHAIRMAN HOOD: And the reason  
5 we're proposing --

6 COMMISSIONER MAY: We have some  
7 parks, too. Park service, and we don't have  
8 parking at our parks. Typically, the mall has  
9 parking, but it's street parking.

10 MS. STEINGASSER: And this  
11 standard is actually for private recreational  
12 spaces, so it would be like the YMCA or, you  
13 know, private recreational --

14 CHAIRMAN HOOD: So the  
15 interpretation is that typically if it's  
16 downtown, you walk to it.

17 MS. STEINGASSER: That's correct.

18 CHAIRMAN HOOD: I can probably go  
19 more along with walking.

20 VICE CHAIR COHEN: The Y downtown  
21 has bike racks.

22 CHAIRMAN HOOD: Well, I haven't

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1       been there in years, but I actually used to go  
2       to that one, and I used to actually walk to it.  
3       Okay. But again, we want to make sure the Code  
4       is something that's going to stand the test of  
5       time. So are there any issues with the  
6       changes? Because it didn't change in the other  
7       districts.

8                   COMMISSIONER MILLER:     No.     I'm  
9       comfortable with it.

10                   COMMISSIONER MAY:       I'm sorry.  
11       What are we on now?

12                   CHAIRMAN HOOD:     I was just asking  
13       any changes, so let's move on. Was there any  
14       issues or any changes?

15                   COMMISSIONER MAY:     No.

16                   CHAIRMAN HOOD:     Okay. Apartment  
17       house and multiple dwelling.

18                   COMMISSIONER MAY:     We already  
19       voted on that.

20                   CHAIRMAN HOOD:     We did?     Okay.  
21       Well, keep moving. I must not remember what  
22       I'm doing. Community based --

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1                   COMMISSIONER MAY: I'm sorry. We  
2 voted on the first part of it. We didn't vote  
3 on all the rest of them. No, or did -- we did.  
4 Sorry.

5                   CHAIRMAN       HOOD:            Okay.  
6 Community-based residential facility. And it  
7 doesn't look like there are any changes, okay?

8                   COMMISSIONER MAY: Slight increase  
9 in one of the examples.

10                  CHAIRMAN HOOD:    Okay. Well, I  
11 guess we need to vote on it then, because of the  
12 increase. Anybody like to make a motion?

13                  COMMISSIONER MAY: No. If we're  
14 okay with it, we're going to vote on it in block.  
15 We're okay with the recommendation.

16                  CHAIRMAN HOOD: Is everybody okay  
17 with it?

18                  COMMISSIONER MAY: We could bring  
19 it back down.

20                  CHAIRMAN HOOD: No, that's fine.  
21 Okay. Let's go to dormitory, sorority, and  
22 fraternity house, not approved as part of a CAPS

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1 plan. Existing --

2 MS. STEINGASSER: And this  
3 standard is basically treating it like an  
4 apartment building, so it's the same standard.

5 COMMISSIONER MAY: But I mean, in  
6 effect, what you said in the right-hand column,  
7 it's treated as if it's a single household,  
8 because they can't have more than six unrelated  
9 there, and so it's essentially a household, and  
10 it's subject to essentially residential  
11 parking standards.

12 MS. STEINGASSER: Right, depending  
13 on the zone.

14 COMMISSIONER MAY: Right.

15 CHAIRMAN HOOD: Okay.  
16 Residential flat, one-family dwelling.

17 COMMISSIONER MILLER: Didn't we  
18 deal with that in --

19 CHAIRMAN HOOD: Have we?

20 COMMISSIONER MILLER: In 1A?  
21 Yeah.

22 CHAIRMAN HOOD: Okay. So let's

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1 keep moving. Public assisting, housing  
2 reserved for the elderly and/or handicapped.

3 COMMISSIONER MILLER: No change.

4 CHAIRMAN HOOD: Okay. Rooming and  
5 boarding house. Child and elderly development  
6 center. No, actually, it's not the same.  
7 It's not the same. We went from seven to zero,  
8 and I have problems with zeros. I guess when  
9 I got so many zeros on the tests when I was in  
10 school, so I just have problems with zeros.

11 COMMISSIONER MILLER: So I think  
12 that needs to go in the revisit category.

13 CHAIRMAN HOOD: Okay. Can we  
14 revisit that? Okay. We're not voting on  
15 revisiting stuff. I'm getting tired, can't  
16 remember all of this, obviously. Okay. So  
17 what about college or other institution of  
18 higher learning, businesses, trade, or other  
19 school, and accessory use located on campus?

20 COMMISSIONER MILLER: We'll  
21 approve that. We'll do that as part of the  
22 campus --

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1                   CHAIRMAN HOOD:     Yeah, I think  
2                   that's on tomorrow.   Elementary and junior  
3                   high school.

4                   MS. STEINGASSER:   The Commission  
5                   has voted on that, and that is to maintain the  
6                   existing regulations.

7                   CHAIRMAN HOOD:    So we did the same  
8                   for high school and accessory uses?   Yeah.

9                   MS. STEINGASSER:   Yes, sir.

10                  CHAIRMAN HOOD:    Pre-elementary.  
11                  So we've already dealt with that, too.

12                  MS. STEINGASSER:   I'm sorry.   You  
13                  did private schools, not public.   I'm sorry.

14                  CHAIRMAN HOOD:    Oh, okay.   So we  
15                  need to go back to elementary and junior high  
16                  school.

17                  COMMISSIONER   MAY:        It's says  
18                  attached school parking comparison, and if we  
19                  have it, we don't have it handy.   Is it --

20                  MS. STEINGASSER:   I don=t have it  
21                  handy, either.   I'm sorry.   It's one of the  
22                  documents from May.   We did a survey of all the

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1 public schools.

2 COMMISSIONER MAY: Right.

3 CHAIRMAN HOOD: Okay. Can we --

4 COMMISSIONER MAY: So I mean --  
5 sorry. I cut you off.

6 CHAIRMAN HOOD: No, go head.

7 COMMISSIONER MAY: I was just going  
8 to ask, I mean, is there a substantial  
9 difference in the new as a result of the  
10 different calculation that's based on square  
11 footage, or does it try to approximate the  
12 current? Because I do know that there is  
13 substantial need for teacher parking at high  
14 schools or rather schools, whether they're  
15 public or private.

16 MS. STEINGASSER: I really don't  
17 remember.

18 COMMISSIONER MAY: Okay.

19 MS. STEINGASSER: We'll put that in  
20 the revisit column and be able to give you some  
21 more accurate --

22 COMMISSIONER MAY: And I think that

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1 would apply for all of the schools then where  
2 we don't have the attached school parking. You  
3 know, unfortunately, I didn't bring my box. It  
4 might have been in my box tonight, so.

5 CHAIRMAN HOOD: Okay. Yeah.  
6 We'll do that. Now what about all other uses,  
7 using former public school buildings?

8 MS. STEINGASSER: So right now,  
9 there's a list that the Commission adopted in  
10 2006 that allows a certain set of uses to occupy  
11 former public schools, and each of those uses  
12 has a correlating parking requirement. So  
13 whatever the Commission adopts tonight, that  
14 same correlated parking requirement would go  
15 forward, is what that --

16 COMMISSIONER TURNBULL: So there  
17 would be no change.

18 MS. STEINGASSER: There would be no  
19 change, except for the changes that the  
20 Commission adopts. So for instance, if an art  
21 gallery went in and the Commission adopted  
22 changes to the art gallery standards tonight,

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1 those --

2 COMMISSIONER TURNBULL: Okay.

3 MS. STEINGASSER: would transfer.

4 COMMISSIONER TURNBULL: Alright.

5 I understand.

6 CHAIRMAN HOOD: So basically, that  
7 would conclude this page, and we need to go back  
8 to our worksheet. Okay. We need to take a  
9 vote on --

10 MS. STEINGASSER: On all the ones  
11 that you said you were okay with.

12 CHAIRMAN HOOD: I thought we did.

13 MS. STEINGASSER: No.

14 CHAIRMAN HOOD: I thought we --

15 MS. STEINGASSER: And over all the  
16 -- now, for the ones that you were okay with.

17 COMMISSIONER MAY: So we're voting  
18 on 1E right now, on the purple sheet.

19 MS. STEINGASSER: Yes.

20 COMMISSIONER MAY: Which is All  
21 Other Uses Minimum Parking Requirement.

22 CHAIRMAN HOOD: Oh.

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1                   COMMISSIONER MAY: So I would make  
2 a motion that we approve the recommendation  
3 ratios based on parking spaces per square foot  
4 of building as described in the text that we  
5 just reviewed, noting that several have been  
6 referred for the Office of Planning to revisit  
7 the requirements, and I think it's clear which  
8 ones need to be revisited. But all the other  
9 ones, I would move that we approve.

10                   CHAIRMAN HOOD: Second.

11                   COMMISSIONER MILLER: And some we  
12 changed.

13                   COMMISSIONER TURNBULL: Some we  
14 changed.

15                   COMMISSIONER MILLER: We actually  
16 said --

17                   COMMISSIONER MAY: Noting that  
18 some of them were changed, correct, by  
19 individual votes.

20                   CHAIRMAN HOOD: And I'll second  
21 that. It's been moved and properly seconded.  
22 Any further discussion? All those in favor?

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1 (Chorus of ayes.)

2 CHAIRMAN HOOD: Any opposition?  
3 Not hearing any, Ms. Schellin, would you record  
4 the vote?

5 MS. SCHELLIN: Staff records the  
6 vote five to zero to zero to approve the parking  
7 ratios based on parking spaces/square feet of  
8 building as described in the setdown text for  
9 various uses per the chart that was discussed  
10 this evening with, there were some that were  
11 pulled out and individually voted on and there  
12 were some that the Office of Planning will bring  
13 back for the Commission to revisit.  
14 Commissioner May moving, Commissioner Hood  
15 seconding, Commissioners Cohen, Miller, and  
16 Turnbull in support.

17 CHAIRMAN HOOD: Okay. Let's go to  
18 Downtown Minimum Parking Requirement. Or did  
19 we already do that?

20 MS. STEINGASSER: No.

21 COMMISSIONER MAY: You know, we did  
22 vote effectively on something that

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1 encapsulated that, but it doesn't capture the  
2 latest recommendation.

3 CHAIRMAN HOOD: Right, the bottom  
4 here. This one that's outstanding. Okay.  
5 Well, let's just go through the whole thing.  
6 Setdown, remove minimum parking requirement  
7 for all uses in areas where downtown provisions  
8 apply. The alternative, to reinstate parking  
9 requirement for all uses within the West End,  
10 west of 20<sup>th</sup> Street Northwest. Public  
11 comments, establish a parking maximum limit in  
12 downtown, or a cap for total downtown parking;  
13 remove minimum parking requirement; retain a  
14 parking requirement for residential downtown;  
15 retain parking requirement within the West End;  
16 establish, excuse me, a parking requirement for  
17 all uses downtown, even if next to a Metro  
18 station. Office of Planning's recommendation  
19 is to remove minimum parking requirement for  
20 all uses in areas where downtown provisions  
21 apply, but include parking requirement within  
22 the West End. Any comments?

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1                   VICE CHAIR COHEN:     I have a  
2 question.   The West End, you know, has the  
3 Foggy Bottom Metro Station, and we have a campus  
4 plan that I don't recall because I didn't sit  
5 on it that governs parking for students. My  
6 concern is that if we include parking minimum,  
7 will that encourage students to bring their  
8 cars to campus and make it harder for residents  
9 to park?

10                  MS. STEINGASSER:   No, ma'am. The  
11 campus plan would be the overriding document  
12 relative to the university. This would just  
13 address the residential and offices.

14                  VICE CHAIR COHEN:   Okay. Thank  
15 you.

16                  COMMISSIONER MILLER:   I would --  
17 Mr. Chairman, I would note that in addition to  
18 the Foggy Bottom Metro Station the Farragut  
19 West is within a couple blocks and the Farragut  
20 North is just a couple blocks beyond that.  
21 It's a very transit-rich area, and that is why  
22 it originally was included within downtown, and

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1 I think it should remain within downtown for the  
2 purposes of the parking minimums.

3 CHAIRMAN HOOD: So you're saying  
4 retain the parking requirement for residential  
5 downtown? Maybe I missed it.

6 COMMISSIONER MAY: Skip the  
7 alternate, is what you're saying.

8 COMMISSIONER MILLER: Yes, yes.  
9 Thank you, Commissioner, for clarifying.

10 CHAIRMAN HOOD: So you're saying go  
11 back to the regular recommendation --

12 COMMISSIONER MILLER: As setdown,  
13 yes.

14 CHAIRMAN HOOD: I don't support  
15 that.

16 COMMISSIONER MAY: I would agree --

17 CHAIRMAN HOOD: I think -- I'm  
18 sorry.

19 COMMISSIONER MAY: I would agree  
20 with you, Mr. Chairman. I like the fact that  
21 the Office of Planning has been responsive to  
22 the comments. You know, I think the thing

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1 that's unusual about the West End is that there  
2 is still a very substantial concentration of,  
3 you know, older residential stock and people  
4 who have to rely on, if they have a car, rely  
5 on street parking, and I think that it's a very  
6 congested area. Now I will say, actually, my  
7 dentist is in Foggy Bottom, but I ride my bike  
8 there. But every once in a while, you know, you  
9 wind up having to drive, so it's not easy  
10 parking there. Everyone knows that.

11 CHAIRMAN HOOD: Because we're all  
12 are eventually going to be stopped and we're  
13 going to have to make sure that we're able to  
14 get to certain places.

15 MS. STEINGASSER: Well, my other --  
16 I'd like to just expand a little bit on the West  
17 End. Has there been a DDOT review of all the  
18 garages and whether or not they are being  
19 utilized fully? Do you know?

20 MR. LAWSON: DDOT has been working  
21 on a parking utilization study, and they've got  
22 some preliminary information. They're hoping

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1 to obtain more information. I don=t have an  
2 estimated date for when that's coming forward,  
3 and it's not specific to the West End.

4 VICE CHAIR COHEN: No, I understand  
5 that except that I think that one of the issues  
6 with the West End is it is so heavily, heavily  
7 congested and that if you put in more parking,  
8 you, you know, sort of make it readily available  
9 to car users. And as Commissioner Miller said,  
10 that he's in favor of just retaining the parking  
11 requirement as setdown, and I made, and that  
12 would influence me had I known what's going on  
13 with the occupancy of parking garages there.  
14 So I feel that the West End may end up coming  
15 in for a special planning process. Are you  
16 aware of their intentions?

17 MR. LAWSON: I'm certainly not  
18 aware of any special planning process for that  
19 neighborhood. They've -- no, I'm not.

20 VICE CHAIR COHEN: I mean, the  
21 neighborhood is predominant on the campus and  
22 so. You know, as I said, there's so much

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1 congestion that it's not -- I think having  
2 parking, higher parking standards for the West  
3 End may be problematic. But I think that I just  
4 now know how I'm going to vote.

5 COMMISSIONER MILLER: I have  
6 another question. I'm certainly aware of the  
7 West End Citizen's Association position on  
8 this. Did the ANC2A take a position on this  
9 that you recall? I'm sorry to just throw that  
10 at you.

11 MR. LAWSON: We'll check that right  
12 now.

13 VICE CHAIR COHEN: We can check it,  
14 too.

15 COMMISSIONER TURNBULL: I would  
16 agree with the Chair and Commissioner May on  
17 this, I think. Knowing how the West End  
18 Citizen's Association feels on Foggy Bottom, I  
19 think they've made their point, and I think OP  
20 has listened to that, and I would agree for the  
21 requirements.

22 CHAIRMAN HOOD: So I think that if

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1 I put a motion, I want to make sure that  
2 Commissioner May and Turnbull -- I'm not sure  
3 where Miller and Vice Chair are, but for the  
4 most part, I move that we retain a parking  
5 requirement for residential downtown, and ask  
6 for a second.

7 VICE CHAIR COHEN: Wait, I'd just  
8 like -- I found the --

9 CHAIRMAN HOOD: I've got a motion  
10 on the table.

11 VICE CHAIR COHEN: I'm sorry.

12 COMMISSIONER MAY: I'm sorry. I'm  
13 confused by the motion. You said retain --

14 CHAIRMAN HOOD: That's why I wanted  
15 to make the motion, because you said you agreed  
16 with me, and that's what I said.

17 COMMISSIONER MAY: I'm sorry,  
18 could you just repeat it then for me?

19 CHAIRMAN HOOD: I said I retain --  
20 I make a motion that we retain a parking  
21 requirement for residential downtown.

22 COMMISSIONER MAY: All of

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1 residential downtown.

2 CHAIRMAN HOOD: Right, which would  
3 include West End.

4 COMMISSIONER MAY: Okay. I'm not  
5 in favor of that.

6 CHAIRMAN HOOD: Well, that's where  
7 I was.

8 (Off the record discussion.)

9 CHAIRMAN HOOD: Okay. Let me --  
10 remove minimum parking requirements for all  
11 uses in areas where downtown provisions apply,  
12 but include parking requirement within the West  
13 End.

14 COMMISSIONER MAY: I would second  
15 that motion.

16 CHAIRMAN HOOD: Okay. Okay.  
17 Alright. I was trying to get there. Okay.  
18 Must be getting late.

19 COMMISSIONER MAY: Sorry if I made  
20 it difficult.

21 CHAIRMAN HOOD: No, no. I  
22 probably confused myself. Okay. It's been

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1 moved and seconded. Any further discussion?

2 VICE CHAIR COHEN: I just wanted to  
3 mention that ANC2A says they want to not change  
4 the requirements for parking spaces in Foggy  
5 Bottom West End, so they concur with the  
6 proposal.

7 CHAIRMAN HOOD: Okay. So they  
8 concur with the motion. Right?

9 VICE CHAIR COHEN: Yes.

10 CHAIRMAN HOOD: Okay. So it's  
11 been moved and properly seconded. Any further  
12 discussion? All those in favor?

13 (Chorus of ayes.)

14 CHAIRMAN HOOD: Any opposition?  
15 So ordered. Staff, would you record the vote?

16 MS. SCHELLIN: Staff records the  
17 vote five to zero to zero to remove minimum  
18 parking requirements for all uses in areas  
19 where downtown provisions apply, but include  
20 parking requirement within the West End.  
21 Commissioner Hood moving, Commissioner May  
22 seconding, Commissioners Cohen, Miller, and

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1 Turnbull in support.

2 CHAIRMAN HOOD: Okay. Alright.  
3 Capitol Gateway, Southeast Federal Center and  
4 MU-11 Minimum Parking Requirement. Setdown,  
5 remove minimum parking requirements for all  
6 uses, and Office of Planning's recommendation,  
7 remove minimum parking requirements for all  
8 uses. It's the same as the Setdown. any  
9 comments?

10 COMMISSIONER MAY: I just have a  
11 question. So if I understand this correctly,  
12 this is the sort of expanded downtown, but it's  
13 not connected to downtown. It's the  
14 southeast/southwest section of --

15 MR. LAWSON: Yeah, it's kind of fun  
16 to think of it as Buzzard Point and the area  
17 around the baseball stadium.

18 COMMISSIONER MAY: I see. Okay.  
19 And I guess what makes me a little bit  
20 uncomfortable about that is that it is adjacent  
21 to some relatively low-density housing to the,  
22 primarily to the west and maybe a little to the

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1 northwest, north and west of Buzzard Point.  
2 And I'm wondering if, you know, whether you're  
3 concerned this is going to wind up with a lot  
4 of spillover parking in those lower-density  
5 neighborhoods.

6 MR. LAWSON: Well, one of the  
7 things we're trying to do, of course, is balance  
8 traffic and parking. And certainly the  
9 neighborhood has expressed that traffic is also  
10 a big concern. And it has been said by DDOT  
11 many times, if you build it, they will come, so  
12 there is that concern about parking.

13 You know, again, some of these areas  
14 have very good transit access. It's all  
15 designated for high-density development like  
16 downtown on the comprehensive plan. Other  
17 portions of it run along the waterfront where  
18 we're trying to encourage more creative ways I  
19 guess of accessing the site and creatively  
20 using, addressing parking rather than  
21 over-parking sites or flood plain issues in  
22 this area, as well.

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1           Lots of issues that led us to  
2 believe that this was the appropriate solution,  
3 but really the main one was, these areas that,  
4 the planning that's in place for these areas  
5 right now are for these areas to serve as an  
6 extension of the downtown, to serve that same  
7 kind of a role, and so we felt that the parking  
8 proposal was appropriate for those areas, as  
9 well.

10           COMMISSIONER MAY: So, I mean, I  
11 can appreciate a lot of that. And again, I don=t  
12 think I'm uncomfortable with the areas in  
13 southeast because of the greater proximity to  
14 Metro. I think Buzzard Point, we've faced it  
15 with some PUDs in that area where it's not  
16 really that close to Metro, and so I'm not sure  
17 that that really works the same way.

18           Now granted there's a streetcar  
19 line that's intended for that area, and I'm just  
20 wondering if maybe this is something where we  
21 do need to be a little bit more careful because  
22 it doesn't have -- I mean, downtown, you have

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1 Metro, various lines, and various directions,  
2 and you're never really farther than, you know,  
3 a ten-minute walk from the Metro, and here,  
4 there are sections I think where you.

5 I don't know. I'm not totally -- I  
6 certainly understand part of it. I'm not sure  
7 if I'm totally there with all of it at this time,  
8 or at least all of it without maybe some  
9 protections. For example, if there are  
10 residential uses that the residential uses  
11 would not qualify for residential parking  
12 permits or something like that, because then  
13 that could really be a spillover parking issue.

14 VICE CHAIR COHEN: Aren't there  
15 circulator routes though also in this  
16 neighborhood?

17 MR. LAWSON: There is some  
18 circulator bus through the area, as well, and  
19 of course they have water taxis, too.

20 COMMISSIONER MAY: I don't know.  
21 I'd be interested in hearing what the rest of  
22 the Commission has to say about where you are

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1 with this reduction.

2 COMMISSIONER TURNBULL: I think I  
3 have some of the same concerns you have for the  
4 same area. I think we had, especially when we  
5 were setting up the temporary parking lots for  
6 the ballpark, and we had -- oh, I'm trying to  
7 remember the Commissioner who just passed away  
8 last year. He came by, and -- no.

9 CHAIRMAN HOOD: You talking about  
10 in Southwest?

11 COMMISSIONER TURNBULL: Yeah.

12 CHAIRMAN HOOD: Yeah. McBee.

13 COMMISSIONER TURNBULL: McBee.  
14 And I just remember some very impassioned --  
15 when we had all the discussions about the  
16 temporary parking lots, concern about the  
17 neighborhood, and over-parking, they  
18 eventually went along with it, but -- and we  
19 eventually -- I think as you were getting at,  
20 Commissioner May, a lot of those sites are going  
21 to -- that parking is going to go away, and  
22 they're going to be developed, and there's

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1 going to be buildings there at some point.

2 So I guess the concern is if, and  
3 getting to what you were saying about parking  
4 and go into the residential neighborhood, I  
5 think they were already worried about parking  
6 from the baseball coming into the neighborhood  
7 and parking. And they haven't come back and  
8 complained about that, but I think there was a  
9 definite concern about the development of that  
10 and without, and over-parking from other  
11 people, other than the residents who live  
12 there.

13 VICE CHAIR COHEN: I think I agree  
14 with that because what we were, what we did ask  
15 for, and I don't recall under which PUD, but we  
16 asked the baseball people to come back with a  
17 plan for the parking, the stadium when these  
18 different lots come online with buildings, and  
19 I don't know if we gave them any kind of  
20 timetable. I just remember asking for that,  
21 knowing that it's going to exacerbate parking  
22 in that area.

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1           Again, I would prefer seeing, you  
2 know, mass transit in the form of different  
3 circulators and buses to that area rather than  
4 encouraging car use, because again, it just  
5 chokes up every road and makes life miserable  
6 for people who live there.

7           MR. LAWSON: And we agree, and we  
8 think that that's, this is one of the ways that  
9 that can help that out. And I'm not standing  
10 here saying that if there is no parking  
11 requirement that buildings won't build  
12 parking.

13           VICE CHAIR COHEN: No, because they  
14 won't be able to market the building to  
15 different uses if they didn't have something.  
16 But it's just a matter of I think -- again, we're  
17 trying to leave it up to the particular  
18 developer who knows that he or she must provide  
19 parking to attract tenants.

20           MR. LAWSON: I think what we're  
21 trying to do here is we're trying to create a  
22 new urban environment, and we're trying to

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1 create an urban environment more like the  
2 downtown than like a suburban, you know, than  
3 Tysons Corner. And so we feel that it is  
4 appropriate, especially given some of the  
5 environmental constraints here and some of the  
6 constraints with, that are likely going to  
7 exist on some of the properties due to  
8 conditions and things, that it be dealt with,  
9 the parking be dealt with in terms of what's  
10 appropriate for that site rather than a number  
11 that may or may not have any relevance anymore.

12 CHAIRMAN HOOD: Okay. Mr.  
13 Turnbull, I'm actually in line with, I'm not  
14 sure who else. I'm in line with your comments  
15 on this one. Did we, did you have something you  
16 wanted to propose generally? I'm in line with  
17 your --

18 COMMISSIONER TURNBULL: Well, I  
19 guess it was just building on what Commissioner  
20 May explained, and maybe the Buzzard Point area  
21 or whatever that -- and I guess for a lot of this  
22 I don't have a lot of concern about, but I just

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1 -- there's that residential area, townhouses,  
2 whatever's around there, and I'm just concerned  
3 about the impact of what we're doing there.

4 COMMISSIONER MAY: So I would just  
5 ask -- you were very helpful in providing the  
6 ANC's input on the West End question. I'm  
7 wondering if you have input from what is this,  
8 six --

9 MR. LAWSON: This would be 6D. And  
10 we'll take a look. The whole, that whole  
11 residential area is already covered by some of  
12 the most restrictive residential permit  
13 parking requirements in the city. That's one  
14 of the areas which was the test case for our RPP  
15 and expanded RPP.

16 COMMISSIONER MAY: Right.

17 MR. LAWSON: So it's already very  
18 -- that if --

19 COMMISSIONER MAY: Very tightly  
20 controlled.

21 MR. LAWSON: It's very, very  
22 tightly controlled, even compared to other

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1 areas that also have RPP. So I think that that  
2 gives us a lot of comfort that the parking  
3 issues won't be as bad. And what we're trying  
4 to address are some of the traffic issues that  
5 the neighborhood has also raised with us. It's  
6 going to be a fair amount of development that  
7 happens down there when it happens, and we agree  
8 that it should be, as strongly as possible,  
9 encouraged to happen through the use of mass  
10 transit rather than more cars driving to the  
11 neighborhood.

12 CHAIRMAN HOOD: Well, this city  
13 made it through the RFK days, so I'm sure that  
14 we'll figure something out. But anyway, I  
15 still associate it, and I think Mr. Turnbull was  
16 piggybacking off of what Commissioner May said,  
17 but I really appreciate the way Commissioner  
18 Turnbull phrased it. Now how do we fix it?  
19 I'm not too concerned, because some people  
20 choose to drive to the game. Everybody doesn't  
21 catch the Metro, or get the circular, or walk.  
22 Some people will ride their bikes. I don't

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1 know if people ride bikes to the games. I'd  
2 have to check with Commissioner May. But some  
3 people choose their ways to get to the game, so  
4 we need to make sure that we're not doing more  
5 damage by not having spaces there for people who  
6 choose to drive to a game.

7 COMMISSIONER MAY: They have valet  
8 parking at the National Stadium and yes, when  
9 I've gone, I've ridden my bike, just for your  
10 information.

11 CHAIRMAN HOOD: Okay. Thank you.  
12 I haven't, I drove my car.

13 COMMISSIONER MAY: Did you park in  
14 those parking garages just to the north of the  
15 stadium?

16 CHAIRMAN HOOD: Yes, I did. I  
17 parked actually in that building.

18 COMMISSIONER MAY: I understand  
19 there's a lot of room in those parking garages.

20 CHAIRMAN HOOD: I understand  
21 there's not, and here's -- let me just say this.  
22 We did a PUD. We always talk about

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1 under-parking, and plenty of spaces, and  
2 parking not being utilized. Check some of the  
3 requirements. There's a development we did,  
4 and the person who's over that parking rides me  
5 every time she sees me. I can't fill up my  
6 parking lot. You can't fill up your parking  
7 lot because you restrict it, three of the  
8 floors. That's why they're empty. There's a  
9 lot more to it that goes into these equations  
10 other than what the Zoning Commission approved.  
11 If she opens up the other three floors, I  
12 guarantee you, because a lot of times -- well,  
13 anyway, I'll leave it at that.

14 COMMISSIONER MAY: Well, anyway,  
15 having heard the Office of Planning's further  
16 explanation, and were you able to find anything  
17 about 6D's comment on this?

18 MR. LAWSON: So far, we're not  
19 finding anything --

20 COMMISSIONER MAY: Yeah, okay. I  
21 mean, I am comforted substantially by the  
22 Office of Planning's comments on this, and I do

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1 think we need to be forward-thinking. I'm  
2 still a little bit uneasy about it,  
3 particularly again toward the western portion  
4 of this new segment of downtown, but I think  
5 with some unease, I would support the proposal.

6 VICE CHAIR COHEN: I support the  
7 proposal.

8 COMMISSIONER MILLER: I would -- I  
9 don't want to give support yet. I would still  
10 like to revisit somehow conditionally -- I  
11 could give conditional support based upon going  
12 back and revisiting the whole Buzzard Point  
13 area, ANC6D, and getting some more positive  
14 feedback from those people over there.

15 COMMISSIONER MAY: I wouldn't have  
16 any problem with getting some additional  
17 feedback on this. I mean, certainly my mind is  
18 not totally made up on this. It would be by  
19 proposed, but getting more information would  
20 certainly help.

21 COMMISSIONER MILLER: I'm  
22 comfortable with supporting this, but -- I'm

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1 comfortable with supporting this, Mr.  
2 Chairman, but going back to what the Vice Chair  
3 had said, it actually wasn't the developer. I  
4 think it was DDOT that I -- well, maybe you asked  
5 a developer in a case, but I asked DDOT maybe  
6 in the same case if they'd done it, but there  
7 had been a big transportation plan done before  
8 the baseball stadium was built, the surface  
9 parking spaces identified, we knew that the  
10 surface spaces were going to be developed with  
11 buildings on top of them and underground  
12 parking, and some of that underground parking  
13 was supposed to supply some of the demand for  
14 the parking that's associated with the stadium.

15 I had asked that it would be good,  
16 you know, seven years later, to get an update  
17 as to whether or not those buildings are, and  
18 the planned buildings and the ones that are  
19 going up are able to serve -- are the needs still  
20 the same as they were identified back then, and  
21 are the underground parking lots sufficient to  
22 prevent spillover into the residential

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1 neighborhoods.

2           They do have very strict  
3 enforcement and restrictive residential  
4 parking there, and it seems to have worked all  
5 these years, but -- so I'm still comfortable  
6 with supporting it, but I think we do need more  
7 information to find out what's going on with an  
8 updated transportation plan for that whole  
9 neighborhood. And they were going to get it  
10 with the whole Buzzard's Point soccer stadium  
11 proposal. But that's going to have to be  
12 evaluated for that project's impact in that  
13 neighborhood if that goes forward.

14           CHAIRMAN HOOD: Okay. So what is  
15 the recommendation? Are we going to kick this  
16 back again to the Office of Planning? I think  
17 Commissioner May has -- I don't want to go down  
18 what everybody feels, but what is the --

19           COMMISSIONER MAY: Mr. Chairman, I  
20 would try to make a motion that we accept the  
21 recommendation to remove parking requirements  
22 for all uses, but ask the Office of Planning to

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1 do some further investigation as to the  
2 neighborhood concerns and other transportation  
3 planning issues for that are and report back to  
4 us.

5 CHAIRMAN HOOD: I will second that,  
6 but I will second that if you will put the word  
7 "tentatively."

8 COMMISSIONER MAY: Tentatively.  
9 Okay.

10 CHAIRMAN HOOD: Okay. I can go  
11 with that. I think that'll cover it. I guess  
12 everybody -- Okay. So it's been moved and I  
13 seconded it. Any further discussion? All  
14 those in favor?

15 (Chorus of ayes.)

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

18 MS. SCHELLIN: Staff records the  
19 vote five to zero to zero to tentatively remove  
20 minimum parking requirements for all uses in  
21 Capitol Gateway, Southeast Federal Center, and  
22 MU-11 based and also ask OP to investigate the

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1 transportation issues in the area and come back  
2 with maybe some alternative. Commissioner May  
3 moving, Commissioner Hood seconding,  
4 Commissioners Turnbull, Cohen, and Miller in  
5 support.

6 COMMISSIONER MAY: I would just  
7 correct. I didn't ask for alternative per se.  
8 I mean, if they want to do that, that's fine,  
9 but it's just further investigation and report  
10 back.

11 CHAIRMAN HOOD: Okay. Next,  
12 Off-Site Provisions and Required Parking.  
13 Allow off-site parking within 400 feet of the  
14 site, other than residential house or flat  
15 zones. Alternative, increase the distance to  
16 600 feet from the site; allow a greater distance  
17 by special exception. Public comments,  
18 support allowing off-site parking; support  
19 increasing the distance to more than 400 feet;  
20 increase the distance to half mile. Office of  
21 Planning's recommendation, allow off-site  
22 parking within 600 feet of the site, other than

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1 residential house or flat zones; allow a  
2 greater distance by special exception. Any  
3 comments?

4 COMMISSIONER MILLER: Mr.  
5 Chairman, I would move the OP recommendation  
6 that you just last, allow off-street parking  
7 within 600 feet of the site, other than  
8 residential house or flat zones; allow a  
9 greater distance by special exception, and ask  
10 for a second, and if anybody wants to comment  
11 --

12 VICE CHAIR COHEN: Second.

13 CHAIRMAN HOOD: Moved and properly  
14 seconded. Any further discussion? All those  
15 in favor?

16 (Chorus of ayes.)

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

19 MS. SCHELLIN: Staff records the  
20 vote five to zero to zero to allow off-site  
21 parking within 600 feet of the site, other than  
22 residential house or flat zones; allow a

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1 greater distance by special exception.

2 CHAIRMAN HOOD: Okay. The Setdown  
3 is the same as the recommendation in the next  
4 one, Shared Parking. Allow parking to be  
5 shared by more than one use, on the same lot or  
6 separate lots, provided the parking is not  
7 needed by both uses at the same time. The  
8 public comment, encourage sharing of parking  
9 spaces. And the recommendation is the same as  
10 the Setdown.

11 COMMISSIONER MAY: Mr. Chairman, I  
12 would go ahead and make a recommendation that  
13 we accept -- sorry, that we -- make a motion that  
14 we accept the recommendation to allow parking  
15 to be shared by more than one use, on the same  
16 lot or separate lots, provided the parking is  
17 not needed by both uses at the same time.

18 COMMISSIONER MILLER: Second.

19 CHAIRMAN HOOD: Okay. It's been  
20 moved and properly seconded. Any further  
21 discussion? All those in favor?

22 (Chorus of ayes.)

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1                   CHAIRMAN HOOD:    Any opposition?  
2                   Ms. Schellin, would you record the vote?

3                   MS. SCHELLIN:   Staff records the  
4                   vote five to zero to zero to allow parking to  
5                   be shared by more than one use, on the same lot  
6                   or separate lots, provided the parking is not  
7                   needed by both uses at the same time.  
8                   Commissioner May moving, Commissioner Miller  
9                   seconding, Commissioners Hood, Cohen, and  
10                  Turnbull in support.

11                  CHAIRMAN HOOD:    Okay.    Parking  
12                  Standards for Non-required Parking.    The  
13                  Setdown, parking in excess of the required  
14                  amount may be provided, but would have to meet  
15                  the size and access requirements for required  
16                  parking spaces.    The public comments, do not  
17                  apply size and access requirements to  
18                  non-required parking, as this would limit  
19                  ability to, for example, don tandem -- do tandem  
20                  spaces.    Okay.

21                  Anyway, the Office of Planning's  
22                  recommendation, do not require non-required

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1 parking to meet the parking size or access  
2 requirements. By deleting the last clause of  
3 this provision, nothing in this section  
4 prohibits the provision of parking spaces in an  
5 amount which exceeds that required by this  
6 section, provided by that parking provided in  
7 excess of the minimum required amount shall be  
8 subject to the provisions of 1907.

9 COMMISSIONER MAY: Mr. Chairman, I  
10 would make a motion that we accept the  
11 recommendation that you just stated.

12 CHAIRMAN HOOD: You don't want to  
13 read it so I can --

14 COMMISSIONER MAY: No. I'm  
15 getting tired.

16 VICE CHAIR COHEN: And I'll second  
17 that.

18 CHAIRMAN HOOD: It's moved and  
19 properly seconded. Any further discussion?  
20 All those in favor?

21 (Chorus of ayes.)

22 CHAIRMAN HOOD: Any opposition?

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1 So ordered. Ms. Schellin, would you record the  
2 vote?

3 MS. SCHELLIN: Staff records the  
4 vote five to zero to zero to accept the parking  
5 standards for non-required parking as  
6 recommended by the Office of Planning and read  
7 by Commissioner Hood. Commissioner May  
8 moving, Commissioner Turnbull seconding,  
9 Commissioners Hood, Cohen, and Miller in  
10 support.

11 CHAIRMAN HOOD: Okay. Next,  
12 Transit Related 50 Percent Minimum Parking  
13 Reduction. Setdown, permit 50 percent  
14 reduction in minimum required parking, other  
15 than for R-1 through R-4 zones, within half mile  
16 of a Metro station, half mile of Priority Bus  
17 Corridor, or half mile of a streetcar line.  
18 Alternate, permit 50 percent reduction in  
19 required parking, other than R-1 through R-4  
20 zones, within half mile of a Metro station, or  
21 half mile of a streetcar line, but not within  
22 a quarter of a mile of the Priority Bus

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1 Corridor.

2 Public comments, do not require  
3 parking adjacent to transit; permit parking  
4 reduction for proximity to Metro Station,  
5 streetcar, and Priority Bus Corridor; do not  
6 permit parking reduction for proximity to  
7 Priority Bus Corridor; if parking reduction for  
8 proximity to Priority Bus Corridor is  
9 permitted, require a zoning amendment to remove  
10 or add a new corridor; support not allowing  
11 parking reductions in R-1 through R-4 zones; do  
12 not provide a parking reduction for proximity  
13 to transit.

14 Office of Planning's  
15 recommendation, permit 50 percent reduction in  
16 minimum required parking, other than for R-1  
17 through R-4 zones, within half mile of a Metro  
18 station, or half mile of a streetcar line not  
19 within a quarter of a mile of the Priority Bus  
20 Corridor.

21 VICE CHAIR COHEN: Mr. Chairman?

22 CHAIRMAN HOOD: Vice Chair.

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1                   VICE CHAIR COHEN: Thank you, Mr.  
2 Chairman. I strongly do not support omitting  
3 the Priority Bus Corridor, and I strongly  
4 believe that we should include that in our  
5 deliberations and the recommendation, that we  
6 permit reduction in minimum required parking,  
7 other than for R-1 through R-4, within half mile  
8 of a Metro station, or a quarter of a mile of  
9 a streetcar line, or a quarter of a mile of a  
10 Priority Bus Corridor.

11                   CHAIRMAN HOOD: Okay. But the  
12 recommendation didn't omit it. That was just  
13 a comment that says, do not provide a parking  
14 reduction of proximity -- I think. I wasn't  
15 sure of your statement, because that must have  
16 been what I read in the do not permit parking  
17 reductions for proximity to Priority Bus  
18 Corridor.

19                   VICE CHAIR COHEN: What I'm stating  
20 is I don't go along with OP's recommendation to  
21 eliminate the one-quarter mile of a Priority  
22 Bus Corridor.

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1                   CHAIRMAN HOOD:   Okay.   So what you  
2                   just read back was what you didn't agree with?  
3                   Maybe I missed something.

4                   VICE CHAIR COHEN:   I added the  
5                   one-quarter -- I read the recommendation and  
6                   added a one-quarter mile of a Priority Bus  
7                   Corridor.

8                   CHAIRMAN HOOD:   Oh, you added.  
9                   Okay.   Because it says not within a quarter --  
10                  okay.

11                  COMMISSIONER MAY:   Sorry, was that  
12                  a motion or you just stated what you believed?  
13                  I think I heard a motion.   Was there a motion?

14                  VICE CHAIR COHEN:   I will make that  
15                  as a motion, yes.

16                  COMMISSIONER MAY:   Okay.   The  
17                  reason I'm asking is that the second, the  
18                  alternative -- Office of Planning gave us two  
19                  choices on this.   One was to include the  
20                  quarter-mile of a Priority Bus Corridor, but  
21                  apply it only to currently mapped quarters and  
22                  then require a Zoning text amendment to add

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1 additional Priority Bus Corridors or --

2 CHAIRMAN HOOD: Hold on, let me ask  
3 something. Let me ask something. Vice Chair,  
4 because we're out of sequence --

5 COMMISSIONER MAY: Sorry.

6 CHAIRMAN HOOD: and it's getting  
7 late. You actually didn't make a motion.  
8 Commissioner May, I'm not going to say coerced  
9 you but, encouraged you to make that as a  
10 motion. And the reason why, the reason why I'm  
11 saying that is because if a motion is on the  
12 table, I have to call for a second and then  
13 discussion. Parliamentary procedures. So  
14 what I'm saying is, that was not a motion you  
15 really made at first, was it? You would like  
16 to make one, but that wasn't what you were  
17 doing. You was having discussion.

18 VICE CHAIR COHEN: I was having  
19 discussion.

20 CHAIRMAN HOOD: Okay. That makes  
21 it cleaner. The reason -- now, Commissioner  
22 May, we can have -- Parliamentary procedures,

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1 now we can have a discussion, because if a  
2 motion is on the table, we've got to wait for  
3 a second, and then we have discussion.

4 COMMISSIONER MAY: And I apologize  
5 for interrupting.

6 CHAIRMAN HOOD: That's alright.  
7 No, you're fine.

8 COMMISSIONER MAY: I was just  
9 seeking clarity.

10 CHAIRMAN HOOD: I just want to keep  
11 it clean. Okay. If you can clarify again,  
12 Vice Chair, if you don't mind?

13 VICE CHAIR COHEN: Okay. Let me  
14 clarify that actually -- shall I clarify or make  
15 a motion? I would prefer making a motion now.  
16 Okay. My motion is to -- if the Zoning -- is  
17 to permit a 50 percent reduction in parking for  
18 sites within a quarter of a mile of a Priority  
19 Bus Zone -- I'm sorry. Let me go back and  
20 correct myself. I guess I'm really tired.

21 Permit 50 percent reduction in  
22 minimum required parking, other than for R-1

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1 through R-4 zones, within half mile of a Metro  
2 station, or a quarter of a mile of a streetcar  
3 line, and to permit a 50 percent reduction in  
4 parking for sites within a quarter of a mile of  
5 a Priority Bus Corridor. And this will apply  
6 only to the currently mapped corridors and  
7 require a Zoning text amendment to add  
8 additional Priority Bus Corridors or to delete  
9 a Priority Bus Corridor. That is my motion.

10 COMMISSIONER MILLER: I would  
11 second that.

12 CHAIRMAN HOOD: Okay. It's been  
13 moved and properly seconded. Discussion?  
14 Commissioner May?

15 COMMISSIONER MAY: Yeah. So I've  
16 been thinking about this issue quite a bit and  
17 how far we need to go in reducing parking  
18 requirements along transit corridors, however  
19 they're described. And I think my concern,  
20 even from the very beginning, was a concern  
21 about spillover parking, and that if you don't  
22 require this and these are residential zones,

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1 that we're going to wind up with, you know,  
2 under-parked apartment buildings, and then  
3 people are going to be putting their cars in the  
4 residential neighborhoods in the immediate  
5 vicinity, and I don't think that, you know,  
6 that's something we want to promote. I think  
7 the idea is to promote not having cars, and  
8 there's nothing automatic I think if  
9 residential parking permits are an option.

10 At the time, when this first came  
11 up, I was very concerned and tried to push the  
12 Office of Planning and DDOT in particular to try  
13 to address this issue. And DDOT is making some  
14 steps in this direction, but I don't think that  
15 they've really resolved it, even now seven  
16 years after we had our first hearings, or six  
17 years after we had our first hearings on this  
18 topic. But that doesn't mean that I'm  
19 reluctant at this point. I'm ready to go  
20 ahead, and if DDOT needs to do some catch-up  
21 work, then I'm happy to have them catch up.

22 I would say, though, that I think it

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1 would be -- I would feel better about this if  
2 what we were doing is that if a building  
3 actually got a reduction in the minimum  
4 required parking, that as a condition of that  
5 reduction, there be no residential parking  
6 permits allowed for residents of that building.

7 Now whether that becomes, you know,  
8 because DDOT can take them off a list or because  
9 it's incorporated into leases or, you know,  
10 purchase documents, or whatever it is, just so  
11 long as they are not eligible for RPP, and I  
12 think that I would be very happy with this  
13 proposal if that were the case. So I'm not  
14 making that as a friendly motion at this point.  
15 I'm just throwing it out there for discussion.

16 COMMISSIONER TURNBULL: I just  
17 want to -- I have maybe a point of clarification  
18 to ask. The quarter mile of a Priority Bus  
19 Corridor, does that mean that in an R-1 through  
20 R-4 areas, that doesn't include those?

21 MR. LAWSON: That's correct.

22 COMMISSIONER TURNBULL: So if a

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1 corridor is going through there, that doesn't  
2 affect them.

3 MR. LAWSON: That's correct.

4 COMMISSIONER TURNBULL: Okay. I  
5 just wanted to be sure.

6 MR. LAWSON: Sorry, it doesn't  
7 affect the parking requirement.

8 COMMISSIONER TURNBULL: Parking  
9 requirement.

10 MR. LAWSON: Within those zones.

11 COMMISSIONER TURNBULL: Within  
12 those zones. Alright.

13 CHAIRMAN HOOD: Okay. I'm in line  
14 with what I heard actually from Commissioner  
15 May. I would probably follow suit, but I'm  
16 hoping Commissioner May, you're right, the  
17 alternative is not to get parking and spillover  
18 into the neighborhood. So I'm hoping at a  
19 later point maybe we can come up with an  
20 alternative motion. It may be a little more I  
21 think -- accomplish, at least the way I see it,  
22 accomplish what we're actually trying to get.

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1 I don't know if we wanted to do that tonight or  
2 go ahead through --

3 COMMISSIONER MAY: I'm not sure if  
4 the mechanics are there to do it. I would  
5 certainly, you know -- if the Office of  
6 Planning, if we were to, if I were to make a  
7 friendly motion in this regard to incorporate  
8 the RPP exclusion, we'd have to leave it up to  
9 the Office of Planning to figure out how best  
10 that could be accomplished. But I'm happy to  
11 sort of put it in their hands and see what they  
12 come back with, and hopefully they'll come back  
13 with a good solution for us.

14 CHAIRMAN HOOD: Okay. Well, we've  
15 got a motion on the table, and we need to get  
16 to that. If you want to make a --

17 COMMISSIONER MAY: So I would offer  
18 a friendly amendment to the motion to include  
19 an RPP exclusion for any buildings that receive  
20 this 50 percent reduction.

21 VICE CHAIR COHEN: I would accept  
22 that.

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1                   COMMISSIONER MILLER: And as to the  
2 second, I would accept that.

3                   CHAIRMAN HOOD: Okay. Alright.  
4 It's been moved with the friendly amendment,  
5 thank you. Any further discussion? All those  
6 in favor?

7                   (Chorus of ayes.)

8                   CHAIRMAN HOOD: Any opposition?  
9 So ordered. Ms. Schellin, would you record the  
10 vote?

11                  MS. SCHELLIN: Staff records the  
12 vote five to zero to zero permit 50 percent  
13 reduction in minimum required parking, other  
14 than for R-1 through R-4 zones, within half mile  
15 of a Metro station, or a quarter of a mile of  
16 a streetcar line, or a quarter of a mile of a  
17 Priority Bus Corridor. And those are PBCs that  
18 are currently mapped, and it would take a  
19 rulemaking case to add any new PBCs and also  
20 include if a building receives a reduction,  
21 then they receive an RPP exclusion.  
22 Commissioner Cohen moving, Commissioner Miller

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1 seconding, Commissioners Hood, May, and  
2 Turnbull in support.

3 CHAIRMAN HOOD: Okay. Next, Allow  
4 Additional Parking Relief by Special  
5 Exception. Setdown, allow relief from  
6 required minimum parking by special exception,  
7 subject to  
8 conditions and an approved TDM plan. Public  
9 comment, allow parking relief only by variance;  
10 tie special exception relief to the provisions  
11 of affordable housing. The recommendation,  
12 allow relief from required minimum parking by  
13 special exception, subject to conditions and an  
14 approved TDM plan. Any comments? Okay.

15 VICE CHAIR COHEN: I would like to  
16 put it out there just for discussion about  
17 including the relief for affordable housing,  
18 what my colleagues may feel about that.

19 COMMISSIONER MILLER: I would  
20 support it being a factor in the conditions that  
21 would be considered in the special exception  
22 case to give the relief. I think it's a

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1 legitimate factor. I don't have the  
2 conditions in front -- are there prescribed  
3 conditions right now in the OP recommendation?  
4 I think there are. I don't know if there's one  
5 for affordable housing, but I think there are  
6 others.

7 MR. LAWSON: I'm just looking at  
8 the list right now. Oh, sorry. I'm looking at  
9 the list right now. There are right now eight  
10 conditions listed.

11 COMMISSIONER MILLER: What are  
12 they, factors to be considered if --- granting  
13 relief?

14 MR. LAWSON: Yes. They are  
15 factors such as the presence of bicycle  
16 facilities, you know, traffic congestion,  
17 nature of the use. I don't see affordable --  
18 I don't see a tie directly to the provision of  
19 affordable housing in the list right now.

20 VICE CHAIR COHEN: I think that is  
21 extremely important that we include that,  
22 especially when we have noted exceptions for

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1 bicycles. I think it's, you know -- we really  
2 need to look at how to move forward on promoting  
3 affordable housing. This may be one way of  
4 doing it.

5 MR. LAWSON: It can absolutely be  
6 added, and we'd be happy to do that if that's  
7 the wish of the Commission.

8 COMMISSIONER MILLER: I would  
9 encourage that, too, and I'd put it near the top  
10 of the list of the things to consider for  
11 special exception relief.

12 COMMISSIONER MAY: I don't think  
13 it's a ranked list, but I appreciate --

14 COMMISSIONER MILLER: Not a ranked  
15 list. I don't want it to end up at the bottom.

16 COMMISSIONER MAY: Yeah. I'm  
17 certainly okay with that concept, and you know,  
18 we brought this top up before and relief by  
19 special exception rather than variance, and I  
20 think I'm okay with that. Because it just sort  
21 of renders moot the police station thing.

22 CHAIRMAN HOOD: Any other

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1 comments? Somebody like -- do we have a motion  
2 on the table?

3 VICE CHAIR COHEN: No.

4 CHAIRMAN HOOD: Would you like to  
5 make one, including affordability condition?

6 VICE CHAIR COHEN: Yes. I move to  
7 accept OP's recommendation to allow relief from  
8 required minimum parking by special exception,  
9 subject to conditions, and adding to those  
10 conditions, relief to the provision of  
11 affordable housing, and an approved TDM plan.

12 COMMISSIONER MILLER: Second.

13 CHAIRMAN HOOD: Okay. It's been  
14 moved and properly seconded. Any further  
15 discussion?

16 I will just say that a lot of times  
17 when we make the changes, while it started off  
18 being the Office of Planning's recommendation,  
19 I think -- and this is a case, and I want to make  
20 it clear, because I don't want nobody to tweet  
21 and say -- and I've been watching it, but I don't  
22 want nobody to Tweet and say that all they did

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1 was accept the Office of Planning's  
2 recommendations. Because if you listen to us,  
3 we're making changes, even though it starts off  
4 on the surface. We add, take away, subtract,  
5 or whatever you have, and I just wanted to say  
6 that for the record. I think I've said that  
7 every night so far, so I'll remember to say it  
8 tomorrow nit.

9 CHAIRMAN HOOD: Okay. It's been  
10 moved and properly seconded. Any further  
11 discussion? All those in favor?

12 (Chorus of ayes.)

13 CHAIRMAN HOOD: Any opposition?  
14 So ordered. Ms. Schellin, would you record the  
15 vote?

16 MS. SCHELLIN: Staff records the  
17 vote five to zero to zero to allow relief from  
18 required minimum parking by special exception,  
19 subject to conditions and an approved TDM plan,  
20 and adding to the conditions the affordable  
21 housing option -- as one of the conditions,  
22 rather. Commissioner Cohen moving,

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1 Commissioner Miller seconding, Commissioners  
2 Hood, Turnbull, and May in support.

3 CHAIRMAN HOOD: Okay. Next,  
4 Canopy Trees. There's no Setdown. The  
5 alternative is the same as the recommendation,  
6 list presence of canopy trees as rationale for  
7 -- no, I'm sorry, they're not -- yeah, they are  
8 the same. List presence of canopy trees as a  
9 rationale for special exception relief. Any  
10 discussion?

11 VICE CHAIR COHEN: Mr. Chairman, I  
12 move to list presence of canopy trees as a  
13 rationale for special exception relief.

14 COMMISSIONER MILLER: Second.

15 CHAIRMAN HOOD: Okay. It's been  
16 moved and properly seconded. Any further  
17 discussion?

18 COMMISSIONER MAY: Yeah. Maybe I  
19 should check the specific language, but I  
20 didn't think that there was a, that the  
21 adjectives, that the adjective healthy was in  
22 the language as proposed, and I think that is,

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1 we should be talking about healthy -- I think  
2 mature was in there, but it's not listed in our  
3 worksheet. But mature, healthy canopy trees.

4 VICE CHAIR COHEN: Alright.  
5 Should I amend?

6 COMMISSIONER MAY: Oh, yes. I  
7 would ask that as a friendly amendment.

8 VICE CHAIR COHEN: Okay. And so  
9 we're amending the motion to list presence of  
10 healthy canopy trees as a rationale for special  
11 exception relief.

12 COMMISSIONER MILLER: Second that.  
13 I think he had the word mature in there, too?

14 COMMISSIONER MAY: Yeah, but I  
15 think mature is actually in the language --

16 COMMISSIONER MILLER: Okay. I  
17 see. Okay. Second.

18 CHAIRMAN HOOD: Okay. It's been  
19 moved and seconded. Also, a friendly  
20 amendment has been accepted. Any further  
21 discussion? All those in favor?

22 (Chorus of ayes.)

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1                   CHAIRMAN HOOD:    Any opposition?  
2                   Not hearing any, Ms. Schellin, would you record  
3                   the vote?

4                   MS. SCHELLIN:   Staff records the  
5                   vote five to zero to zero to approve, list  
6                   presence of healthy canopy trees as a rationale  
7                   for special exception relief.  Commissioner  
8                   Cohen moving, Commissioner Miller seconding,  
9                   Commissioners Hood, May, and Turnbull in  
10                  support.

11                  CHAIRMAN HOOD:   Okay.  The Setdown  
12                  and the recommendation are the same.  Maximum  
13                  area of 100,000 square feet; larger surface lot  
14                  permitted by special exception.

15                  VICE CHAIR COHEN:   Question to OP.  
16                  Shouldn't we include pervious in the  
17                  description?  Pervious surface.

18                  MR. LAWSON:   Well, this is -- I'm  
19                  not sure what you mean.  This is intended to  
20                  establish a maximum size for any surface  
21                  parking lot, which the Zoning Regulations  
22                  currently don't have.  This doesn't really get

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1 to what the surface is. There are other  
2 requirements that talk about landscaping of  
3 surface parking lots, so --

4 VICE CHAIR COHEN: Let me ask you.  
5 For ease of use, though, is there like, can you  
6 cross-reference, you know, so that people again  
7 can -- I mean, I don't know. I'm just trying  
8 to think of.

9 MR. LAWSON: Well, I think, I just  
10 want to be really fair. I think what you're not  
11 saying is that impervious surface parking lots  
12 would be unlimited, but pervious surface ones  
13 would be. I don't think that's what you're  
14 saying.

15 VICE CHAIR COHEN: No.

16 MR. LAWSON: Correct. So I guess  
17 I'm not quite sure what the link would be.

18 COMMISSIONER MILLER: If I can  
19 interject, Madam Vice Chair, I think you're  
20 going to get to that issue in Item 16, and you  
21 could deal with it there.

22 VICE CHAIR COHEN: Okay. Thank

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1 you.

2 COMMISSIONER MILLER: But I have a  
3 question, Mr. Chairman, about the 100,000.  
4 How is this -- so it's 100,000 that we're  
5 setting as a maximum for surface parking, and  
6 the rest, larger, you can get by special  
7 exception.

8 MR. LAWSON: Exception, yes.

9 COMMISSIONER MILLER: So how was  
10 the 100,000 set? Did we want it to be smaller  
11 or?

12 MR. LAWSON: Honestly, it is a very  
13 big number. That is a very big parking lot. I  
14 only can -- when we looked around the city, we  
15 could only find two that probably meet that  
16 requirement now, one in Fort Lincoln, and one  
17 in --

18 CHAIRMAN HOOD: I thought that was  
19 it.

20 MR. LAWSON: Well, and the other  
21 one is coming your way, too. the other one  
22 would be the Home Depot site. Those parking

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1       lots are, you know, easily kind of that size.  
2       So it's not something that happens a lot, but  
3       we thought it was important to start to  
4       establish that maximum amount.     This is  
5       somewhere around 300 to 350 parking spaces,  
6       depending on how it's designed and all that kind  
7       of stuff.   And, you know, there would be the  
8       landscape requirements for it and everything,  
9       but it really is just to establish, you know,  
10      kind of an outside limit beyond which, you know,  
11      we're saying anything beyond that really needs  
12      some special attention.

13                   COMMISSIONER MILLER:     And this  
14      would only apply to newly established --

15                   MR. LAWSON:     That's correct.   This  
16      would not be retroactive to those existing  
17      ones.   Yeah.

18                   COMMISSIONER MILLER:    I think I'd  
19      be more comfortable with a lower number, but  
20      I'll just leave it at that.

21                   CHAIRMAN HOOD:     Okay.   Do we have a  
22      motion on the table?   Oh, you made the motion?

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1 Oh. Somebody --

2 COMMISSIONER MAY: I'll make a  
3 motion that we accept the recommendation to set  
4 a maximum area of 100,000 square feet for  
5 parking lots permitted, and larger surface  
6 parking lots are permitted by special  
7 exception.

8 COMMISSIONER TURNBULL: Second.

9 CHAIRMAN HOOD: Okay. It's been  
10 moved and properly seconded. Any further  
11 discussion? All those in favor?

12 (Chorus of ayes.)

13 CHAIRMAN HOOD: Any opposition?  
14 Not hearing any, Ms. Schellin, would you record  
15 the vote?

16 MS. SCHELLIN: Staff records the  
17 vote five to zero to zero to approve maximum  
18 area of 100,000 square feet, larger surface lot  
19 permitted by special exception. Commissioner  
20 May moving, Commissioner Turnbull seconding,  
21 Commissioners Hood, Cohen, and Miller in  
22 support.

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1                   CHAIRMAN HOOD:     Okay.     Next,  
2     Mitigation for Excess Parking Spaces Provided.  
3     Setdown, for parking spaces in excess of 1.5  
4     times the required amount, require mitigation  
5     in the form of additional car share spaces,  
6     bicycle parking, trees in public space,  
7     electric car charging stations, and increased  
8     GAR, with relief from the requirement by  
9     special exception  
10    subject to the stipulated conditions.

11                   The alternate is, increase trigger  
12    to two times the required space greater than 20  
13    spaces, and remove the requirement for car  
14    share spaces as part of the mitigation. Public  
15    comments, remove the parking mitigation  
16    proposal; do not require mitigation for parking  
17    for places of worship; mitigation trigger as  
18    setdown is too low and should be raised; support  
19    for parking mitigation proposal.

20                   The Office of Planning's  
21    recommendation to us is require mitigation for  
22    parking spaces in excess of two times the

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1 required amount greater than 20 spaces in the  
2 form of additional bicycle parking, trees in  
3 public space, electric car charge stations, and  
4 increased GAR, with relief from the requirement  
5 by special exception subject to the stipulated  
6 conditions. Any questions?

7 COMMISSIONER TURNBULL: Doesn't  
8 this kind of tie in a little bit to what we did  
9 in 6, or is this -- this talks about mitigation,  
10 but 6 is allowing additional parking relief by  
11 special exception. Doesn't this -- aren't  
12 there overlaps here, or am I, maybe I'm just --

13 COMMISSIONER MAY: This goes to the  
14 penalty for having too much. You know, a lot  
15 more than the minimum parking, you have two  
16 times the minimum parking.

17 COMMISSIONER TURNBULL: Oh, two  
18 times. Right. Okay. Two times.

19 CHAIRMAN HOOD: Yeah.

20 COMMISSIONER TURNBULL: Okay.  
21 Okay.

22 COMMISSIONER MAY: And it has to be

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1 greater when you're than 20 spaces, so.

2 COMMISSIONER TURNBULL: Yeah.

3 COMMISSIONER MAY: I mean, you  
4 know, the original proposal of 1.5 times the  
5 required amount was a bit more aggressive but  
6 --

7 COMMISSIONER TURNBULL: Right.

8 COMMISSIONER MAY: you know, I  
9 think we've seen a few examples where it's  
10 vitally important to the viability of a  
11 particular project for them to have some larger  
12 requirements.

13 COMMISSIONER TURNBULL: Yeah.

14 COMMISSIONER MAY: But I see, you  
15 know -- I think two times the required amount  
16 is probably a good trigger, particularly since  
17 we're lowering the requirements --

18 COMMISSIONER TURNBULL: Yeah.  
19 Yeah. Okay.

20 COMMISSIONER MAY: across the  
21 board.

22 CHAIRMAN HOOD: Somebody like to

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1 make a motion?

2 VICE CHAIR COHEN: Mr. Chair, I  
3 move to require mitigation for parking spaces  
4 in excess of two times the required amount  
5 greater than 20 spaces in the form of additional  
6 bicycle parking, trees in public space,  
7 electric car charge stations, and increased  
8 GAR, with relief from the requirement by  
9 special exception subject to the stipulated  
10 conditions.

11 CHAIRMAN HOOD: I'll second it.  
12 It's been moved and properly seconded. Any  
13 further discussion? All those in favor?

14 (Chorus of ayes.)

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

17 MS. SCHELLIN: Staff records the  
18 vote five to zero to zero to require mitigation  
19 for parking spaces in excess of two times the  
20 required amount greater than 20 spaces in the  
21 form of additional bicycle parking, trees in  
22 public space, electric car charge stations, and

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1 increased GAR, with relief from the requirement  
2 by special exception subject to the stipulated  
3 conditions. Commissioner Cohen moving,  
4 Commissioner Hood seconding, Commissioners  
5 May, Miller, and Turnbull in support.

6 CHAIRMAN HOOD: Car Share  
7 Requirement. Setdown, require car share  
8 spaces as part of any parking area with more  
9 than 50 spaces; allow relief by special  
10 exception. Alternate, do not require car  
11 share spaces, but allow up to two car share  
12 spaces to each count as three required parking  
13 spaces.

14 Public comments, do not require  
15 developers to provide car share spaces; do not  
16 require car share for religious institutions;  
17 do not count car share spaces, count parking  
18 required; support raising the car share  
19 requirement; require car share spaces in  
20 garages downtown; require car share spaces as  
21 proposed; substitution of ten parking spaces  
22 for each car share space more appropriate.

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1           The recommendation, do not require  
2 car share spaces, but allow up to two car share  
3 spaces to each count as three required parking  
4 spaces.

5           I think some of this, some of the  
6 comments are lessons that we've learned. For  
7 example, require car spaces in garages  
8 downtown, and new developments we've found is  
9 there's some security issues, I believe.

10           MR. LAWSON: You're exactly right.  
11 That's one of the reasons why we were  
12 comfortable kind of relooking at this one and  
13 readdressing the requirement. We're very  
14 supportive of car share facilities and the  
15 provision of them. Making it a strict  
16 requirement, we understood, would create some  
17 real problems for some people.

18           CHAIRMAN HOOD: Okay. So are you  
19 standing behind your recommendation?

20           MR. LAWSON: So we are very much  
21 standing behind our alternate recommendation.

22           CHAIRMAN HOOD: Alternate.

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1 MR. LAWSON: With the alternate,  
2 which is our recommendation.

3 CHAIRMAN HOOD: Do not require car  
4 share spaces, but allow up to two car share  
5 spaces to each count as three required parking  
6 spaces.

7 MR. LAWSON: That's correct.  
8 That's our recommendation.

9 CHAIRMAN HOOD: Okay. Any  
10 comments? Any concerns?

11 VICE CHAIR COHEN: No, I think  
12 that's appropriate.

13 CHAIRMAN HOOD: Okay. So let's  
14 move to accept the alternate recommendation for  
15 car share requirements. I'm not going to  
16 reread it. It's there.

17 VICE CHAIR COHEN: Second.

18 CHAIRMAN HOOD: Moved and properly  
19 seconded. Any further discussion? All those  
20 in favor?

21 (Chorus of ayes.)

22 CHAIRMAN HOOD: Not hearing any,

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1 Ms. Schellin, would you record the vote?

2 MS. SCHELLIN: Staff records the  
3 vote five to zero to zero to not require car  
4 share spaces, but allow up to two car share  
5 spaces to each count as three required parking  
6 spaces. Commissioner Hood moving,  
7 Commissioner Cohen seconding, Commissioners  
8 May, Miller, and Turnbull in support.

9 CHAIRMAN HOOD: Okay. Car Share  
10 Permissions in Low-Density Residential Zones.  
11 The Setdown, N/A. Zoning Regulations  
12 currently permit up to two car share spaces on  
13 a  
14 private lot in a low density residential zone.  
15 The alternate, establish minimum lot size  
16 requirements for provision of car share space  
17 on one-family dwelling or flat lots. Public  
18 comment, alternate text provided by a member of  
19 the public to avoid the appearance of a parking  
20 lot. I suggest and recommend a minimum lot  
21 size for the R-2.

22 OP recommendation, establish

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1 minimum lot size requirements for provision of  
2 car share spaces up to two on lots, one-family  
3 dwelling or flat lots, 25-foot minimum lot  
4 width for one car share space, and 35-foot  
5 minimum for two car share spaces. Any  
6 comments?

7 COMMISSIONER MAY: Yeah, I'm a  
8 little confused or concerns about the width  
9 requirements here. It just, it seems like  
10 we're talking about pretty large lots when, you  
11 know, potentially we're talking about an R-3  
12 zone where you're not going to have too many 25,  
13 35-foot wide lots. Am I missing something?

14 MR. LAWSON: You're not. You've  
15 kind of hit the nail on the head. This was a,  
16 this was a request that came from a member of  
17 the public. We thought it was a really  
18 interesting request, and the numbers may not be  
19 quite right. What we're trying to do is to  
20 accommodate the situation, because the car  
21 share spaces are in addition to the --

22 COMMISSIONER MAY: Required

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1 spaces.

2 MR. LAWSON: required parking.

3 COMMISSIONER MAY: Right.

4 MR. LAWSON: So if you looked at a  
5 situation where there's required space and a  
6 car share space, that's 18 feet, more or less,  
7 you know, give or take a few inches. So that's  
8 18 feet, and then the intent of this, as we  
9 understood it from the resident, was that there  
10 should be some green space, as well. There  
11 should be some nonparking space left over,  
12 particularly on lots where those parking spaces  
13 would take up a lot of the rear yard in terms  
14 of depth from the house. You know, in other  
15 words lots that are particularly deep.

16 And so, honestly, we just came up  
17 with some relatively round numbers, 25 feet and  
18 35 feet, which we thought would provide for some  
19 open space on the lot and still provide for the  
20 required parking space and the car share space,  
21 or for two cars, two car share spaces for those  
22 two car shared spaces.

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1 COMMISSIONER MAY: Okay.

2 VICE CHAIR COHEN: So -- are you  
3 finished?

4 COMMISSIONER MAY: No. I was  
5 going to follow up on that. If you don't mind,  
6 the -- so it seems to me that it might make sense  
7 -- I mean, I guess this could work as a way of  
8 doing it, but it might also work that, you know,  
9 there is a proviso that in addition to the  
10 19-foot deep parking space there is also a  
11 minimum of 15 foot of, you know, rear yard or  
12 something like that, or that the entire rear  
13 yard, including the parking space is a minimum  
14 of, you know, 35 feet. Something like that.  
15 Because in our three neighborhoods I think it's  
16 more likely to have a long, narrow lot or a deep,  
17 you know, narrow lot than a wide one.

18 MR. LAWSON: Okay. We're  
19 certainly happy to take a look at alternative  
20 language for this.

21 COMMISSIONER TURNBULL: Yeah, I  
22 guess I would, just following up on that size

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1 issue, I mean, figuring like, Mr. Lawson, what  
2 you're getting at, is you figure it about nine  
3 feet wide by 22 or whatever as a -- 20 feet for  
4 a car. The way you look at it now, it's like  
5 you could almost provide 35 feet of paved are.  
6 I think that's not your intent. So I think  
7 clarifying that as to green space I think is  
8 very important.

9 MR. LAWSON: Yeah, and you know, we  
10 had to take into account, though, you've also  
11 recently approved, you know, pervious surface  
12 requirements --

13 COMMISSIONER TURNBULL: Right,  
14 right.

15 MR. LAWSON: that are already in  
16 place. So that already I think kind of helps  
17 to address the issue that the resident, that the  
18 resident was raising in the first place.

19 COMMISSIONER TURNBULL: Okay.

20 MR. LAWSON: But we wanted to be  
21 responsive to the comment, and at least provide  
22 you the opportunity to address this.

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1 COMMISSIONER TURNBULL: Okay.

2 COMMISSIONER MAY: So, Mr.  
3 Chairman, I would go ahead and make a motion  
4 that we establish minimum lot size -- I'm sorry,  
5 minimum dimensional requirements for the  
6 provision of car share spaces, up to two on  
7 lots, one-family dwelling, or flat lots, either  
8 minimum lot width dimensions of 25 feet for one  
9 car share space or 35 feet for two car share  
10 spaces, or some alternative for minimum rear  
11 yard depth that would allow both space for car  
12 share and required parking, and some green  
13 space.

14 COMMISSIONER TURNBULL: Second.

15 CHAIRMAN HOOD: Okay. It's been  
16 moved and properly seconded. Any further  
17 discussion? All those in favor?

18 (Chorus of ayes.)

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

22 MS. SCHELLIN: Staff records the

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1 vote five to zero to zero to establish minimum  
2 lot size requirements for the provision of car  
3 share spaces, up to two on lots, one-family  
4 dwelling, or flat lots, 25 minimum lot width for  
5 one car share space or 35 feet minimum for two  
6 car share spaces, or some alternative for rear  
7 yard depth that allows for a car share and green  
8 space. Commissioner May moving, Commissioner  
9 Turnbull seconding, Commissioners Hood, Cohen,  
10 and Miller in support.

11 CHAIRMAN HOOD: Okay. The next,  
12 11 and 12, colleagues if you look at your  
13 sheets, I'd like to move those in block. The  
14 first one is Surface Parking Lots in  
15 Low-Density Residential Zones. The Setdown  
16 says, for any surface parking lot with more than  
17 ten spaces in a zone of Subtitle D or E, require  
18 a six-foot landscaped setback from a private  
19 line. And it's the same recommendation.

20 And then Number 12 is Mechan --  
21 whatever it is Parking. Setdown, permit, but  
22 establish standards for parking. Public

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1        comments, amend name to automized parking --  
2        automated parking, allow automated parking  
3        systems by right. Then the Office of Planning  
4        recommendation is permit, but establish  
5        standards for automated parking. Any comments  
6        on either one of those? Okay. Maybe tomorrow  
7        I'll be able to pronounce Mechanized. Okay.

8                    COMMISSIONER MAY: Mr. Chairman, I  
9        would move the recommendation for Mechanized  
10       Parking and for Driveway Width to a Low-Density  
11       Development as you just stated them.

12                   VICE CHAIR COHEN: And I'll second.

13                   CHAIRMAN HOOD: Okay. It's been --

14                   COMMISSIONER MAY: I'm sorry, I did  
15       the wrong one, didn't I? Surface Parking Lot  
16       and Mechanized Parking.

17                   CHAIRMAN HOOD: Somebody wants to  
18       --

19                   COMMISSIONER MAY: He didn't read  
20       it.

21                   CHAIRMAN HOOD: Let's just do those  
22       two. Right. Okay. So we're doing Surface --

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1                   COMMISSIONER MAY: Surface Parking  
2                   Lots in Low-Density Residential Zones and  
3                   Mechanized Parking.

4                   CHAIRMAN HOOD: Mechanized Parking.  
5                   So 11 and 12. Any comments or concerns? It's  
6                   been moved and properly seconded. Any further  
7                   discussion? All those in favor?

8                   (Chorus of ayes.)

9                   CHAIRMAN HOOD: Any opposition? So  
10                  ordered. Ms. Schellin, would you record the  
11                  vote?

12                 MS. SCHELLIN: Staff records the  
13                 vote five to zero to zero to approve surface  
14                 parking lots in low-density residential zones  
15                 as stated in Number 11, and to approve the  
16                 mechanized parking as stated in Number 12, to  
17                 establish standards for the automated parking.  
18                 Commissioner May moving, Commissioner Cohen  
19                 seconding, Commissioners Hood, Turnbull, and  
20                 Miller in support.

21                 CHAIRMAN HOOD: Okay. Driveway  
22                 Width to a Low-Density Development. The

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1 Setdown is to change the required width for a  
2 one-way driveway from seven to eight, and ten  
3 feet maximum for a single-family dwelling or  
4 flat, and any use with no more than two parking  
5 spaces required, or if it accesses no more than  
6 three single-family dwellings or flats. The  
7 recommendation is to change the required  
8 driveway width from seven feet minimum to eight  
9 feet minimum and ten feet maximum for uses noted  
10 above. Any comments? Somebody please make a  
11 motion.

12 VICE CHAIR COHEN: Mr. Chairman, I  
13 move to change the required driveway width from  
14 seven feet minimum to eight feet minimum, to ten  
15 feet maximum for driveway width in a  
16 low-density development.

17 CHAIRMAN HOOD: Okay. It's been  
18 moved. Can I get a second?

19 COMMISSIONER MILLER: Second.

20 CHAIRMAN HOOD: It's been moved and  
21 properly seconded. Any further discussion?  
22 All those in favor?

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1 (Chorus of ayes.)

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

5 MS. SCHELLIN: Staff records the  
6 vote five to zero to zero to accept the  
7 recommendation with regard to the driveway  
8 width to a low-density development.  
9 Commissioner Cohen moving, Commissioner Miller  
10 seconding, Commissioners Hood, Turnbull, and  
11 May in support.

12 CHAIRMAN HOOD: Okay. Next, the  
13 Setdown and the recommendation are the same.  
14 We'll just read it once, change the required  
15 width for a two-story driveway from 14 feet  
16 minimum to 20 minimum, and from 25 feet to 24  
17 feet maximum. Any comments?

18 COMMISSIONER TURNBULL: I'm  
19 assuming that we're looking at a Department of  
20 Transportation requirement or advice here?

21 MR. LAWSON: Essentially we just  
22 want to make sure that the Regs are in line with

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1 current standards and DDOT standards.

2 COMMISSIONER TURNBULL: Current  
3 standards. Okay.

4 CHAIRMAN HOOD: Somebody like to  
5 make a motion?

6 COMMISSIONER TURNBULL: Mr. Chair,  
7 I would move that we approve Number 14, Driveway  
8 Width to Any Other Development. You put the OP  
9 recommendation, change the required width for  
10 a two-way driveway from 14-foot minimum to  
11 20-foot minimum, and from 25-foot to 24-foot  
12 maximum.

13 VICE CHAIR COHEN: Second.

14 CHAIRMAN HOOD: Moved and properly  
15 seconded. Any further discussion? All those  
16 in favor?

17 (Chorus of ayes.)

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

21 MS. SCHELLIN: Staff records the  
22 vote five to zero to zero to approve the

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1 driveway width -- the recommendation for the  
2 driveway width to any other development.  
3 Commissioner Turnbull moving, Commissioner  
4 Cohen seconding, Commissioners Hood, May, and  
5 Miller in support.

6 CHAIRMAN HOOD: Okay. Grouping of  
7 Compact -- oh, no, I'm sorry. Percentage of  
8 Provided Spaces as Compact Parking Spaces.  
9 Setdown, increase permitted percentage from 40  
10 percent to 50 percent; eliminate the  
11 requirement that this would apply only for  
12 parking areas with more than 25 spaces. The  
13 public comment says, remove limits on compact  
14 spaces; oppose increasing the percentage of  
15 compact spaces. Office of Planning's  
16 recommendation is to increase the permitted  
17 percentage from 40 percent to 50 percent;  
18 eliminate the requirement that this would apply  
19 only for parking areas with more than 25 spaces.  
20 Any concerns?

21 COMMISSIONER MILLER: Mr.  
22 Chairman, I move that we increase the permitted

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1 percentage from 40 percent to 50 percent for  
2 spaces to be provided as compact spaces and  
3 eliminate the requirement that this would apply  
4 only for parking areas with more than 25 spaces,  
5 and ask for a second.

6 VICE CHAIR COHEN: Second.

7 CHAIRMAN HOOD: Okay. It's been  
8 moved and properly seconded. Any further  
9 discussion? All those in favor?

10 (Chorus of ayes.)

11 CHAIRMAN HOOD: Not hearing any  
12 opposition. Any opposition? Ms. Schellin,  
13 would you record the vote?

14 MS. SCHELLIN: Staff records the  
15 vote five to zero to zero to accept the  
16 recommendation for the percentage of provided  
17 spaces as compact parking spaces.  
18 Commissioner Miller moving, Commissioner Cohen  
19 seconding, Commissioners Hood, May, and  
20 Turnbull in support.

21 CHAIRMAN HOOD: Okay. I would  
22 like to move the next two in block, Grouping of

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1 Compact Parking Spaces. The Setdown says to  
2 remove requirement that compact spaces be in  
3 groupings of five spaces minimum. Some of the  
4 public comments, remove limits on compact  
5 spaces. Office of Planning's recommendation  
6 is still to remove requirements that compact  
7 spaces be in groupings of five spaces minimum.

8 15C, Dimensions for Compact Parking  
9 Spaces. The Setdown is the same as the  
10 recommendation, adjust dimensions for compact  
11 spaces based on angle of parking.

12 VICE CHAIR COHEN: I have a question.

13 CHAIRMAN HOOD: Okay. Question.

14 VICE CHAIR COHEN: Office of  
15 Planning, the groupings of five spaces minimum.  
16 Maybe I never really understood what the  
17 rationale was to even do the groupings, let  
18 alone eliminate.

19 MR. LAWSON: I have no rationale  
20 for that requirement, which is why we're  
21 recommending that it go away.

22 VICE CHAIR COHEN: I just thought

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1 it may have to do with efficiency of --

2 MR. LAWSON: My suspicion is that  
3 it was put in at a time when compact spaces were  
4 rare --

5 VICE CHAIR COHEN: Okay.

6 MR. LAWSON: and cars were  
7 typically much bigger, and there was some  
8 concern about individual spaces. I can't  
9 really guess why.

10 VICE CHAIR COHEN: Therefore,  
11 Chairman, unless there are other questions --

12 COMMISSIONER MAY: I have a  
13 question.

14 VICE CHAIR COHEN: Oh.

15 COMMISSIONER MAY: Which is that,  
16 is there a requirement now that the compact  
17 spaces be clearly marked as such in the Zoning  
18 Regulations? Is that something that goes to a  
19 DDOT requirement or a Building Code  
20 requirement?

21 MR. LAWSON: Honestly, I would have  
22 to check and see.

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1                   COMMISSIONER MAY:    Okay.    So I  
2                   think that there has to be a provision that it  
3                   be clearly marked, whether it's in our  
4                   Regulation or somewhere else.

5                   MR. LAWSON:    Sure.

6                   COMMISSIONER MAY:    Particularly  
7                   since they're now going to be distributed, or  
8                   potentially be distributed.    So, I mean, I  
9                   wouldn't even mind if there were like a  
10                  dimension on it, but people don't know how long  
11                  their car is.    They just tend to think it's  
12                  compact, and then, and then park their Escalade  
13                  in it.

14                  MS. STEINGASSER:   It is a current  
15                  requirement in the Regulations.

16                  COMMISSIONER MAY:    Oh, perfect.  
17                  Thank you.    Then we don't need to do anything.  
18                  So you want to make a motion?

19                  VICE CHAIR COHEN:    Oh, okay.    I  
20                  will make a motion to remove requirement that  
21                  compact spaces be in groupings of five spaces  
22                  minimum, and I will also move to adjust

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1 dimensions for compact spaces based on the  
2 angle of parking.

3 COMMISSIONER MILLER: Second.

4 CHAIRMAN HOOD: Okay. It's been  
5 moved and properly seconded. Any further  
6 discussion? Let me -- is this what's going on  
7 in other jurisdictions? Because every time I  
8 go out to Bethesda or somewhere, it always says  
9 compact cars only and no, Commissioner May, I  
10 don't pull my SUV and park there. I usually  
11 circle around, and then I go to the neighborhood  
12 -- no.

13 (Laughter.)

14 CHAIRMAN HOOD: But is this what's  
15 going on in other jurisdictions, or do we know?

16 MR. LAWSON: I honestly have not  
17 surveyed other jurisdictions for how they deal  
18 with compact spaces.

19 CHAIRMAN HOOD: Can we see if  
20 that's a trend that's going away and we can look  
21 at that?

22 MR. LAWSON: Sure.

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1 CHAIRMAN HOOD: Okay. Alright.

2 Any further discussion? All those in favor?

3 (Chorus of ayes.)

4 CHAIRMAN HOOD: Any opposition?

5 Not hearing any, Ms. Schellin, would you record

6 the vote?

7 MS. SCHELLIN: Staff records the

8 vote five to zero to zero to approve the

9 groupings of compact parking spaces and the

10 dimensions for compact parking spaces.

11 Commissioner Cohen moving, Commissioner Miller

12 seconding, Commissioners Hood, May, and

13 Turnbull in support.

14 CHAIRMAN HOOD: Last, but not least.

15 I hope this is the last one. Surface Parking

16 Lot Landscaping. Setdown says, provide

17 additional clarification of parking lot

18 landscape requirements, including areas that

19 would not count towards landscape

20 requirements, and require the planting or

21 retention of canopy trees. Public comments,

22 support additional landscaping and storm water

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1 management for parking lots; allow only  
2 pervious surfaces for surface parking lots;  
3 require no net loss of green space or trees for  
4 new surface parking lots; do not apply new  
5 landscape standards to parking for places of  
6 worship.

7 Then the recommendation is to  
8 provide additional clarification, including  
9 areas that would not count toward landscape  
10 requirements and require the planting or  
11 retention of canopy trees.

12 COMMISSIONER MAY: Mr. Chairman, I  
13 would move the recommendation that you just  
14 stated.

15 CHAIRMAN HOOD: Okay.

16 VICE CHAIR COHEN: And I will  
17 second that motion that was stated.

18 COMMISSIONER TURNBULL: Second.

19 CHAIRMAN HOOD: Okay. It was been  
20 moved and properly seconded. This time I think  
21 Mr. Turnbull was way ahead of you on the second.  
22 So it's moved and properly seconded. Any

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1 further discussion? All those in favor?

2 (Chorus of ayes.)

3 CHAIRMAN HOOD: Any opposition?

4 So ordered. Ms. Schellin, would you record the  
5 vote?

6 MS. SCHELLIN: Yes. Staff records  
7 the vote five to zero to zero to approve the  
8 surface parking lot landscaping as  
9 recommended. Commissioner May moving,  
10 Commissioner Turnbull seconding,  
11 Commissioners Hood, Cohen, and Miller in  
12 support.

13 CHAIRMAN HOOD: Okay. Ms.  
14 Schellin, do we have anything else before us?

15 MS. SCHELLIN: Not this evening.

16 CHAIRMAN HOOD: Okay. We will  
17 continue our deliberations tonight, and thank  
18 everyone for their participation. Goodnight.

19 (Whereupon, the above-entitled  
20 matter was concluded at 10:39 p.m.)

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