GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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SPECIAL PUBLIC MEETING

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WEDNESDAY

OCTOBER 8, 2014

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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
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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P R O C E E D I N G S

(6:06 p.m.)

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

Okay. Tonight we're going to reconvene our deliberations on ZRR, which is Zoning Regulations Revision Review -- Revision Rewrite Revision. So we're located here in the Jerrily R. Kress Memorial Hearing Room. Tonight's topics will be Night Three, Subtitle C, General Rules, Parking, Bike Parking, and Loading. Colleagues, I would ask that we
probably -- the way I look at it, we may spend a little more time on Parking. So if it's okay, can we do Parking last? Okay. So we'll go to Subtitle C, General Rules, Bike Parking. And why don't we do Subtitle C, General Rules, Bike Parking, Loading, and then Parking again or --

MS. SCHELLIN: Sure.

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

MS. SCHELLIN: No, sir.

CHAIRMAN HOOD: Okay. Let's get started. Subtitle C, Subdivisions. Let's go to number one, 1A. The Record Lots Standard. Setdown, minimum lot size and width requirements retained for subdivisions to create new lots. Development on lots in existence prior to this amendment would not have to comply with minimum lot area and width standards, 401.1 -- C401.1. Some of the public comments, delete this section as duplicative of surveyor's subdivision regulations, permit
existing vacant lots to be developed to reduce blight, and Office of Planning's recommendation is minimum lot size and width requirements retained for subdivisions to create new lots; development on lots in existence prior to this amendment would not have to comply with minimum lot area and width standards.

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

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

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

COMMISSIONER MAY: Right.

MR. LAWSON: of the Zoning regulations, lot occupancy, setback, access --
COMMISSIONER MAY: Right. Okay.

Thank you.

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

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

CHAIRMAN HOOD: Okay. I know that we've had a lot of cases in BZA, especially in...
Ward 7, I believe, of this nature. And I think there's probably a lot of support for this.

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

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

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

CHAIRMAN HOOD: Okay. Can I get a second?

VICE CHAIR COHEN: Second.

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

(Chorus of ayes.)

CHAIRMAN HOOD: Any opposition?

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

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

CHAIRMAN HOOD: Okay. Next, the Tax Lot Standards, the Setdown, an existing tax lot with a building may be recorded as a record lot, regardless of the frontage, lot width, or lot area requirements. Some of the public, well, one of the public comments was, permit existing vacant lots to be developed to reduce blight. Office of Planning's recommendation,
an existing tax lot with a building may be recorded as a record lot, regardless of frontage, lot width, or lot area requirements. Any comments? If we have no comments, somebody can just key it up and let's make a motion. We can move right on through this.

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

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

(Chorus of ayes.)

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

MS. SCHELLIN: Staff records the vote five to zero to zero to approve an existing tax lot with a building may be recorded as a
record lot, regardless of frontage, lot width, or lot area requirements. Commissioner May moving, Commissioner Hood seconding, Commissioners Cohen, Miller, and Turnbull in support.

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

COMMISSIONER MILLER: Mr. Chairman, would this, would the recommendation be revised to include the additional language that we considered last night, which was alternative language, I thought, to allow alley lots, on an alley less than 24 feet wide, and I guess you were going to find -- the Office of Planning was going to look for a minimum, pursuant to Mr. May's comment, but within, with
300 feet of direct access to the street would be appropriate to make this consistent with the other, with the action that we took -- would it be appropriate to make this consistent with the action we took last night?

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

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

COMMISSIONER TURNBULL: Second.

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

(Chorus of ayes.)

CHAIRMAN HOOD: Any opposition?

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

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

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

VICE CHAIR COHEN: Question.

CHAIRMAN HOOD: Vice Chair Cohen, question?

VICE CHAIR COHEN: Thank you, Mr. Chairman. You're going to establish these standards. They're not established yet. Is that correct?
MR. LAWSON: We're asking you to establish them. They are in the draft that we gave you.

VICE CHAIR COHEN: They are in the draft.

MR. LAWSON: Including diagrams.

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

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

VICE CHAIR COHEN: Great.

COMMISSIONER TURNBULL: Is there a, is there a go-to book that explains how the Zoning Administrator reviews his case record? I'm always -- I've seen this language several
times before with current Zoning Administrator
practice, and I have no problem in one sense, but I'm always curious as to how that mindset
works, how the Zoning Administrator, what he bases that upon.

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

So we, that's why we look to him when we need to provide clarity. What is he doing now, how is he addressing it now, and if it makes sense to continue that forward if he feels that that's a good way of doing it, and in this case, he did, then codifying that in the Regulations so that it's much clearer, much more upfront so
that everybody knows what they and their neighbor can do.

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

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

COMMISSIONER TURNBULL: It is? Okay.

MS. STEINGASSER: Yes, sir.

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

MS. STEINGASSER: Yes, sir.

CHAIRMAN HOOD: Okay. I feel better now, because as we know, different Zoning Administrators do different things. And I will say Matt Le Grant has lasted a long time. One time we were changing I think every
three months, but he's lasted. So he's doing a great job, obviously. Okay. Any other comments? Somebody like to make a motion?

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

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

(Chorus of ayes.)

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

MS. SCHELLIN: Staff records the vote five to zero to zero to establish revised and more detailed standards to measuring defined lot width for interior, through, and corner lot, consistent with current Zoning
Administrator practice. Commissioner Cohen moving, Commissioner Hood seconding, Commissioners May, Miller, and Turnbull in support.

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

MS. GATES: Yes, you are.

CHAIRMAN HOOD: Okay. Okay. Continue. Okay. So if we can find a way when we turn the OP to turn the mic with us and, you know, maybe we'll get used to maybe moving -- Ms. Martin, Director, maybe we'd better get some swivel mics. But we want to make sure we stand those mics, and I can tell you, those who watch us have said to me when I've seen them out in the street, hey, look, I can't hear you all when you turn your heads and when you do that. So if we get too much doing that, could somebody
just let us know? We appreciate it. So that way, everybody's participating tonight. Thank you. Okay. Let's go to Theoretical Lot Submission Requirements. Setdown, clarify and expand submission requirements for BZA, review a theoretical lot subdivision, including a table of zoning calculations. The public comment, delete this section as duplicative of Survey's Subdivision Regulations. Office of Planning's recommendation, expand submission, expand submissions requirements for BZA review of a theoretical lot subdivision as setdown.

Okay. Any comments anyone?

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

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

COMMISSIONER TURNBULL: I mean, the recommendation says expand submission requirements. I was just curious about what
the expanded requirements would involve.

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

COMMISSIONER TURNBULL: Yeah.

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

COMMISSIONER TURNBULL: Right.

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

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

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

COMMISSIONER TURNBULL: Right.

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

COMMISSIONER TURNBULL: Okay.

MR. LAWSON: in the Regs and upfront.

COMMISSIONER TURNBULL: Thank you.

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

MR. LAWSON: I can't admit that I, or I can't say that I know the Survey's Subdivision Regulations well, but in this case,
this is really for the BZA review. This is for the special exception review in front of the BZA. So regardless of whether the Surveyor requires specific information, and probably some of it is duplicative, in which case the applicant would be able to reuse that for the subdivision of the property, it is information that's needed by the Office of Planning, by the ANC, and by the, and by the BZA to make their decision.

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

VICE CHAIR COHEN: Second.

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

(Chorus of ayes.)

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

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

CHAIRMAN HOOD: Okay.

Modifications to Theoretical Lot Subdivisions.
The Setdown is, allow expedited BZA review of a modification to a theoretical subdivision application resulting from an addition to a single dwelling unit building, and the recommendation is exactly identical. Any comments?

COMMISSIONER MAY: Yeah, I have a question for somebody. So I just had trouble understanding exactly what this means. Expedited BZA review of a modification to a theoretical subdivision application resulting
from an addition. So how does an addition to a single dwelling unit building wind up creating a modification to a theoretical subdivision?

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

We've seen other examples, for example, one where somebody wanted to add a deck onto the back of their house. It's something that was subject to a special, this process, and they had to go through a full-blown modification with a hearing, and all that kind of stuff in front of the BZA, even though in that
case there was no opposition to it. Clearly, if somebody's proposing an addition and there is opposition or if the BZA is concerned about it, they'd have the option of having the hearing as they would with any expedited case. It's just to allow that opportunity for a small change like this that technically results in the need for this.

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

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

COMMISSIONER MAY: Oh, got it. Okay.

VICE CHAIR COHEN: I have a
question, Mr. Chairman. Did we define -- I know this is going back, but did we define theoretical lot? I don't recall that.

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

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

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

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

CHAIRMAN HOOD: Okay.
VICE CHAIR COHEN: Can I have a second?

COMMISSIONER TURNBULL: Second.

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

(Chorus of ayes.)

CHAIRMAN HOOD: Any opposition?

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

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

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

COMMISSIONER MAY: Mr. Chairman.
CHAIRMAN HOOD: Yes.

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

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

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

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

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

The recommendation is as setdown.
Alternatively review as part of Zoning Commission Case 14-13, Penthouses. Okay. Have we heard 14-13? Oh, next one. Okay. We have this in front of us, and we also have an alternative to review this as part of an upcoming case, 14-13, when we deal with Penthouses.

COMMISSIONER MAY: Mr. Chairman?

CHAIRMAN HOOD: Yes.

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

And I've mentioned this before, but I think we ought to recognize that sometimes the building next door may never reach it's matter of right height because it's a historic
structure or there's some other limitation on it that's not specific to Zoning, and I think that needs to be addressed, as well. But again, I would take that up in the, in the, in case 14-13 if the rest of the Commission is agreeable.

CHAIRMAN HOOD: Okay. Vice Chair Cohen?

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

COMMISSIONER MILLER: Me, too.

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

COMMISSIONER TURNBULL: Yeah. I'm fine with it. I just wanted -- on the paper that was provided on roof structures August 30th, 2013, some of the items in there seemed to be conflicting with one another, but we can again talk about that at a later date. I just happened to notice that there's some items on this sheet that don't make sense. I mean, I'll just bring up one that says, the enclosing walls...
need not be vertical. I think a wall, by
definition, is vertical, so I'm just curious to
-- unless you're talking about a dome
structure, which is curved, but.

MR. LAWSON: That's one
possibility.

COMMISSIONER TURNBULL: Yeah.

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

COMMISSIONER TURNBULL: Yeah.

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

COMMISSIONER TURNBULL: Okay.

Well, again, I would defer until we talk about
this later.

CHAIRMAN HOOD: Okay. Since we're
making a motion, I would move that we do the
alternative review as a part of Zoning
Commission Case Number 14-13 when we deal with Penthouses, and ask for a second.

VICE CHAIR COHEN: Second.

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

(Chorus of ayes.)

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

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

CHAIRMAN HOOD: Okay.

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

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

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

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

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

CHAIRMAN HOOD: I'll second that.

It's been moved and properly seconded. Any further discussion? All those in favor?

(Chorus of ayes.)

CHAIRMAN HOOD: Any opposition?

Ms. Schellin, would you record the vote?

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

CHAIRMAN HOOD: Okay. Next, let's go to Front Build To Lines, the Front Setback/Build to Requirement in single family dwellings and row house zones. The Setdown says, require a front yard setback in the single family dwelling and row house zones, Subtitles
D and E, such that a building could not project forward of the front facade of the building on the block set closest to the front lot line, or be set back further than the front facade of the building on the block furthest from the front lot line.

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

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

MR. LAWSON: That is correct.

Yes.

CHAIRMAN HOOD: Commissioner Miller?

COMMISSIONER MILLER: Thank you,
Mr. Chairman. So if someone's building a new house on a block, say it was a vacant lot in the middle of the block, and if they were outside of the range, if they were proposing to be outside of the range, they'd have to go for a variance before the BZA?

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

COMMISSIONER MILLER: That was my question.

MR. LAWSON: Yeah.

COMMISSIONER MILLER: I just happened to know of my own house, which I didn't build, but it was built relatively recently in '86, in a neighborhood that's much older, on a vacant lot. There are only two other houses that front the street. Our house is considerably set back. It's -- I guess we could probably meet the variance test, because it's an unusual lot. It's very deep. But the fact that it was set back, actually ended up
having less impact, that new construction, on the neighbors, both the construction and the actual house.

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

CHAIRMAN HOOD: Okay. Any other comments?

VICE CHAIR COHEN: Mr. Chairman, if it's okay, I will move to accept OP recommendation as setdown, the Front Setback/Build to Requirement in single family dwelling and row house zones. We will require a front yard setback in the single family dwelling and row house zones, Subtitles D and E, such that a building could not project forward of the front façade of the building on the block set closest to the front lot line, or
be set back further than the front facade of the building on the block furthest from the front lot line. C1002.1.

CHAIRMAN HOOD: Okay. Can I get a second?

COMMISSIONER MAY: Second.

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

(Chorus of ayes.)

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

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

CHAIRMAN HOOD: Okay.
Projections into the Front Yard Setback. The Setdown and recommendation are the same. Permit specific projects to be stipulated amount within a front yard setback, including bay windows. And the recommendation is the same. Any comments, concerns, questions? I move that we accept the recommendation as setdown and ask for a second.

COMMISSIONER MILLER: Second.

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

(Chorus of ayes.)

CHAIRMAN HOOD: Any opposition?

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

MS. SCHELLIN: Staff records the vote five to zero to zero to accept the projections, or the recommendation with regard to projections into the Front Yard Setback. Commissioner Hood moving, Commissioner Miller seconding, Commissioners May, Cohen, and
Turnbull in support.

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

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

MS. VITALE: That's correct. I think that we, in going through this, noted that
the language still needed to be cleaned up. We were working with staff at DDOE --

    COMMISSIONER MAY: Okay.

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

    COMMISSIONER MAY: Okay. Great.

Then I'm all for it.

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

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

    VICE CHAIR COHEN: Second.

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

    (Chorus of ayes.)

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

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

CHAIRMAN HOOD: Okay, next. Tree Size Measurement. The Setdown, in assessing the value of moderate size trees, use tree diameter of 2.5 inches to six inches, with a 0.5 multiplier. C1702.9. The alternative says to replace tree diameter measurement with a mature tree canopy spread of 35 square feet or less. The public comment, one of the public comments that came in says, credit system should be based on tree size at maturity, not at planting. Office of Planning recommendation, replace tree diameter
measurements with a mature tree canopy spread of 35 square feet or less. Okay. Let's open it up. Any comments?

COMMISSIONER MAY: I have a question.

CHAIRMAN HOOD: Mr. May?

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

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

COMMISSIONER MAY: That seems very small.

MR. LAWSON: It is. There are two tree measurements. One is for small. It does -- to be honest, it does seem very small. We're happy to take up this number again with DDOE and see if this is a proper number and adjust that if need be. But there are these two measurements, one intended to be for very small ornamentals where the multiplier is .5, and
then the next one which is for more canopy
trees, larger trees, where the multiplier is
larger. And that's intended to encourage the
planting of larger canopy trees.

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

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

COMMISSIONER MAY: Seven or eight.

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

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

MS. VITALE: Right. No, DDOE says
that number is actually tied to criteria that's
in their 2013 Storm Water Management Manual, so
we can certainly work with them and see if
there's a different threshold that we need to
COMMISSIONER MAY: Okay. Yeah.
I mean, it just seems remarkably small.
VICE CHAIR COHEN: I recall a lot of testimony from the public, including Casey Trees, and they handed out -- I can't remember the details of it. I'm not a tree person, but I think we need to go back and look at what they had testified to, as well. And I think they gave us pretty specific information, so if you could share that with DDOE and have them react to it, that, I think, would be, give me comfort.
MS. VITALE: Certainly. We can definitely go back and look at those comments.
CHAIRMAN HOOD: Mr. Miller?
COMMISSIONER MILLER: Thank you, Mr. Chairman. So for the moderate, smaller or moderate size trees, the multiplier is .5, and then we're going to get to the, in the next item, it's just, it's .6. It would seem, if you're creating incentive, .6 is the multiplier for the larger trees, shouldn't there be a, should
there be a bigger spread? Or am I missing something between the two multipliers, if you're trying to create an incentive for the larger canopy trees? But maybe I'm missing something.

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

COMMISSIONER MILLER: Okay.

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

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

COMMISSIONER TURNBULL: Okay. Yeah. I think when we had the hearings, and we were hearing several -- I think they were
arborists or they represented different companies that had arborists. And I guess when you talk about tree canopy and -- I think when I heard the terms, I'm thinking the diameter of the spread, so I think that's maybe the misinterpretation. I mean, a 35-foot diameter is not a bad tree then, but if it's a canopy spread, which is a lot less, than I think there is a misconception then as to what we're expecting. So if we could clarify that, yeah, I would agree with that.

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

MS. VITALE: That's what we were trying to move towards, but I think the actual, the numbers are what need adjusting. But the majority of the comments that we did receive and what we were attempting to react to is this
desire to move to the credit system being more based on the canopy spread at maturity versus just the tree diameter at the time of planting, which was what was originally in the GAR Regulations.

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

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

VICE CHAIR COHEN: Second.
CHAIRMAN HOOD: Okay. It's been moved and properly seconded. Any further discussion? All those in favor?

(Chorus of ayes.)

CHAIRMAN HOOD: Any opposition?

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

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

CHAIRMAN HOOD: Okay. Let's go to Tree Size Measurement. Setdown, in assessing the value of the large trees, use tree diameter of six inches or more, calculated to 250 square feet per tree. The alternative, replace with a mature canopy spread of 35 feet or greater, calculated at a 0.6 multiplier per tree.
Public comment, replace with a mature canopy spread of 35 feet or greater, calculated at 0.6 multiplier per tree. Encourage the planting and retention of large canopy trees. And the Office of Planning's recommendation, I believe, is the alternative. Okay. Any comments on this?

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

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

CHAIRMAN HOOD: Okay. So with all that said, let's move to approve the alternative in the tee size measurement with the comments noted by both of my colleagues. And I ask for a second.
VICE CHAIR COHEN: Second.

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

All those in favor?

(Chorus of ayes.)

CHAIRMAN HOOD: Any opposition?

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

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

CHAIRMAN HOOD: Okay. Next, Vertical Green Walls Calculation. Setdown, use the square footage at the base of the wall in the green wall GAR calculation. The alternative, use the area of the green wall in the GAR calculation. The public comment,
calculation is confusing; vertical green walls would be given too much credit. And the Office of Planning's recommendation was to use the area of the green wall in the GAR calculation, which is the alternative. Any comments?

VICE CHAIR COHEN: Yes.

CHAIRMAN HOOD: Vice Chair Cohen?

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

MS. VITALE: There are certain conditions that vegetative walls have to meet. And they do propose that if you use storm water harvesting for the irrigation, that they have to provide that connection to the proposed
irrigation system. It doesn't look like that it's, it doesn't look like it requires that it be watered through a storm water harvesting system. It just requires that connection in the conditions. But we can certainly look at giving extra points, you know, extra value for --

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

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

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

MS. VITALE: The proposal, the proposal is actually that you would get credit for the area, the vertical dimension --
COMMISSIONER MAY: Okay.

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

COMMISSIONER MAY: Right.

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

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

VICE CHAIR COHEN: Second.

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

(Chorus of ayes.)
CHAIRMAN HOOD: Any opposition?

Ms. Schellin, would you record the vote?

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

CHAIRMAN HOOD: Okay. Next is -- I
think we're on Number 5, Tree Protections, 5A,
Tree Protection Measures. Setdown, include a
section on basic tree protection measures in
Subtitle C. Public comments, do not restrict
homeowner's rights to plan or remove trees;
require consultation with guidance from the UFA
before building permits are issued for
commercial or residential construction that
raise tree issues; consider tree and slope
protections throughout the city; require all
building permit plans to indicate all mature
trees on the property and adjacent property,
including public lands; apply tree protections
to both residential and commercial sites; require tree protection plan for any new development; consolidate all tree protection measures in one chapter of the Regulations.

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

MS. STEINGASSER: This is creating a template to do that, that we would be working either with the communities, if they wanted to, to go forward with a similar tree and slope protection as part of some kind of rezoning.
We would also be working with DDOE on the sustainability element, creating a tree canopy coverage plan which would start in 2015. We'll be working with them on a city-wide plan that I've already forgotten the name, but it's a tree canopy plan that's part of the sustainability efforts of the mayor. We'll be working with that.

CHAIRMAN HOOD: Okay.

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

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

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

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

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

MS. STEINGASSER: That's correct.

That's in Subtitle D and all of those
protections and purpose statements are in each of the three zones.

COMMISSIONER MAY: Right. Got it.

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

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

MS. STEINGASSER: Not this year.

We will be working with DDOE and the Urban Forestry Office on this canopy plan,
reforestation plan over the next couple years, next year, and we'll be bringing changes back. We have also proposed, that'll be coming up, you'll see that tree protection be permitted by special exception. So where somebody would be -- they want to, they want to maybe move their house closer infringe into a rear yard or a side yard because they want to protect an existing tree, that that be allowed by special exception. We've had some cases where people have removed the tree rather than go to the BZA, because there was no variance case. So we're recognizing the trees have special status to that.

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

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

MS. STEINGASSER: I believe we do. I believe in Subtitle D, in those zones, the
removal of a tree does require referral to Urban Forestry. No?

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

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

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

VICE CHAIR COHEN:  Okay.

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

VICE CHAIR COHEN: Okay. Thank you.

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

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

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

VICE CHAIR COHEN: Chain Bridge?

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

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

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

COMMISSIONER MILLER: Okay.

Thank you.

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

COMMISSIONER TURNBULL: I just had one question. I understand about Urban Forestry and trying to make a template, but the language says, incorporate tree protection measures into the zones in which the
protections apply. And you're saying that
that will allow other zones to develop. It
seems sort of like it doesn't right away. It
seems like it's only those ones that you have.
But I'm just wondering if maybe that language
could be straightened out a bit.

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

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

MS. STEINGASSER: We will. We
were uncomfortable with the separation of
having some of the regulations in 18 --

COMMISSIONER TURNBULL: Yeah.

MS. STEINGASSER: and the rest over

in -- I mean, in C, and the rest in D. And we're
going to marry them and put them somewhere.

COMMISSIONER TURNBULL: Okay.

Alright. Thank you.

CHAIRMAN HOOD: Any other

questions? Somebody like to make a motion?

COMMISSIONER TURNBULL: Mr. Chair,

I would move that we accept Number 5, Tree

Protection, with the OP recommendation,

incorporate tree protection measures into the

zones in which the protections apply, with the

comments that we've added from all of the

members of the Zoning Commission tonight.

COMMISSIONER MILLER: Second.

CHAIRMAN HOOD: Okay. It's been

moved and properly seconded. Any further

discussion? All those in favor?

(Chorus of ayes.)

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

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

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

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

CHAIRMAN HOOD: This is going to go

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

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

(Chorus of ayes.)

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

MS. SCHELLIN: Staff records the vote five to zero to zero to require a bicycle parking plan as part of the building permit plans for new construction or addition, allow Zoning Administrator to request DDOT review. Commissioner May moving, Commissioner Hood seconding, Commissioners Cohen, Miller, and Turnbull in support.
CHAIRMAN HOOD: Okay. Next, Bicycle Parking Rack Standards. Setdown, establish standards for bicycle racks to be provided, including that they may be 30 inches minimum apart and provide 12 inches minimum clearance. The alternative is, amend spacing requirements for bicycle racks to require that they be 30 inches on center from one another, 24 inches from any other obstructions, okay, provide a 48-inch minimum aisle separating racks, and provide a minimum clearance width of 12 inches for each bicycle. Public comment, support for alternate bike rack spacing. And the Office of Planning's recommendation is the alternative. Thank you. Okay. Any comments?

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

CHAIRMAN HOOD: On both legs or just one?
COMMISSIONER MAY: I think one. I might be able to ride my bike with one, one cast, but not two. Yeah, in a circle. Right. I don't know. Unless there's comments on it, I would go ahead and make a motion that we accept the recommendation --

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

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

COMMISSIONER TURNBULL: Second.

CHAIRMAN HOOD: It has been moved and properly seconded. Any further discussion? I will ask about the 24 inches from other obstructions. I think I know what
that means, but what does that mean?

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

    CHAIRMAN HOOD: Sidewalk.

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

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

    MS. VITALE: No.

    CHAIRMAN HOOD: Okay.

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

    CHAIRMAN HOOD: Okay. Okay. Alright. Thank you. Any other discussion?

    All those in favor?

    (Chorus of ayes.)

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

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

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

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

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

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

MS. VITALE: Generally, the short-term spaces would be provided at the building exterior, so those would be for visitors. Long-term spaces are generally
located interior to the building, say in a bike
storage room or something along those lines.

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

COMMISSIONER MAY: Second.

CHAIRMAN HOOD: It’s been moved and
properly seconded. Any further discussion?
All those in favor?

(Chorus of ayes.)

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

MS. SCHELLIN: Staff records the
vote five to zero to zero to approve not
requiring bike parking for one-family
dwellings or flats; require one long-term space for each three-dwelling units, and one short-term space for every 20-dwelling units for any multi-family building with eight or more residential units. Commissioner Cohen moving, Commissioner May seconding, Commissioners Hood, Miller, and Turnbull in support.

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

Let's open it for comments. Ms. Vitale, when they said eliminate bike parking requirements for places of worship, I'm almost -- I shouldn't even say this, because I'll
probably get Tweeted. Anybody in here Tweeting? I haven't seen any bicycle -- maybe I haven't. Again, I said I haven't. I didn't say anybody else hasn't, but I haven't seen. Are they starting to put bicycle racks in front of churches now? Do people ride their bikes to church?

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

CHAIRMAN HOOD: Any existing church.

MS. VITALE: existing churches.

CHAIRMAN HOOD: Okay. And I'm not saying that some of the existing ones might want it. I'm just saying, yeah. So I'm just wondering.
MS. VITALE: And certainly, an existing church, it would be well within their, you know, purview to install a rack if they, if they wanted to, but it wouldn't be triggered by any zoning requirement.

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

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

CHAIRMAN HOOD: So that's why, that's why they just park their mopeds anywhere. Trees, or wherever you can find a place downtown. Okay. That's a whole 'nother issue. Okay. And I'm not against that either. I'm just wondering again, when we're
writing this Code, are we looking at those things? I would like for this to last another
50 years, like the last one did, so I'm wondering if we're looking at those things as
we do that. Okay. Any other comments?

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

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

COMMISSIONER MAY: I love the fact
that Chairman Hood is trying to think
progressively, and I can imagine a future where
Washington is perhaps just like some European cities. Like, you know, I was just in Barcelona and, you know, the scooters are everywhere. That's how everybody gets around, and they're just lining the sidewalks. They're just everywhere. And it actually is not a great thing that they're taking up space on sidewalks and all those sorts of things, but it is a great way to get around. It's a lot more efficient.

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

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

COMMISSIONER TURNBULL: Mr. Chair, I would move that we approve Item Number 3B, All Other Uses, with the OP recommendation to require both long and short-term bicycle
parking in accordance with the requirements of C Section 2002.1.

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

(Chorus of ayes.)

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

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

CHAIRMAN HOOD: Okay. Next, let's go to Short-Term Bicycle Parking Maximum. Setdown, do not require more than 100 short-term parking spaces. The alternative, after the first 50 bicycle parking spaces are provided for a use, additional spaces are
provided at half the required amount, for both long and short-term parking. Office of Planning's recommendation, after the first 50 bicycle parking spaces are provided for a use, additional spaces are provided at half the required amount, for both long and short-term parking. Let's open it to any comments.

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

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

COMMISSIONER MAY: Not very often. No. Okay.

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

COMMISSIONER MAY: Oh, yeah. I'm
sure there are examples where it might be a possibility. Waterfront, it's kind of hard to measure, you know. Is that parking for the park or parking for all the restaurants that are there, or whatever, and it gets complicated. But I was just curious about what you were imagining it might be necessary for. I'm comfortable with reducing the minimum or sort of the, you know -- excuse me -- changing the measurement for short-term parking as recommended in the alternate. So I would make a motion that we accept the recommendation that after the first 50 bicycles spaces are provided for a use, the additional spaces are provided at half the required amount, for both long and short-term parking.

VICE CHAIR COHEN: I'll second that.

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

(Chorus of ayes.)
CHAIRMAN HOOD:  Any opposition?

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

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

CHAIRMAN HOOD:  Okay. Next, Criteria for Short-Term Bicycle Parking Spaces. The Setdown, establish criteria for the placement and design of short-term bicycle parking spaces, including that they be located within 50 feet of the building primary entrance. Alternative, amend the location requirement so that the short-term bicycle parking spaces be located within 120 feet of the building primary entrance.
The alternate -- another alternative is establish a minimum number of ten bicycle spaces that must be within 50 feet of a building, a primary building entrance and allow the minimum to be shared by multiple smaller tenants with separate entrances. Another alternative, reduce the required aisle width between rows of short-term bike parking from five feet to four feet minimums.

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

COMMISSIONER MAY: I would just say
I'm glad to see that there's a recommendation that we now provide a minimum of ten bicycle spaces within 50 feet. I think that's necessary, because without having some bike spaces within close proximity, we're going to wind up with a lot of bikes locked to parking meters, signs, and even worse, trees. So I think that's a smart way to address that issue.

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

COMMISSIONER MAY: I would make a motion that we accept the recommendation to establish criteria for the placement and design
of short-term bicycle parking spaces, including that they be located within 120 feet of the building primary entrance, provide a minimum of ten bicycle spaces are provided within 50 feet of the building primary entrance, with a four-foot minimum aisle width between rows of short-term bike parking.

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

(Chorus of ayes.)

CHAIRMAN HOOD: Any opposition?

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

MS. SCHELLIN: Staff records the vote five to zero to zero to approve establishing criteria for the placement and design of short-term bicycle parking spaces, including that they be located within 120 feet of the building primary entrance, provide a minimum of ten bicycle spaces be provided within 50 feet of the primary building entrance
with a four-feet minimum aisle width between rows of short-term bike parking. Commissioner May moving, Commissioner Hood seconding, Commissioners Cohen, Miller, and Turnbull in support.

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

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

VICE CHAIR COHEN: Second.

CHAIRMAN HOOD: Okay. It's been moved and properly seconded. Any further discussion?
COMMISSIONER MILLER: I want to just clarify. You said setdown rather than accept. I assume you meant accept the recommendation.

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

COMMISSIONER MAY: Got it. Got it.

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

(Chorus of ayes.)

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

MS. SCHELLIN: Staff records the vote five to zero to zero to establish criteria for the placement and design of long-term bicycle, as setdown. Commissioner Turnbull moving, Commissioner Cohen seconding,
Commissioners Hood, Miller, and May in support.

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

MS. VITALE: This provision --

CHAIRMAN HOOD: Don't answer that. I just was seeing if you was going to do it. I was just seeing if you were going to answer that. Don't answer that.
(Laughter.)

CHAIRMAN HOOD: Any questions or comments?

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

VICE CHAIR COHEN: And I'll second that.

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

(Chorus of ayes.)

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

MS. SCHELLIN: Staff records the vote five to zero to zero to require showers and lockers for long-term bike parking for non-residential uses or more than 25,000 square feet as setdown. Commissioner May moving,
Commissioner Cohen seconding, Commissioners Hood, Miller, and Turnbull in support.

CHAIRMAN HOOD: Okay.

Commissioners, we're going to go through Loading and then we're going to take a break if that's okay with everyone, and then we'll come back and do Vehicle Parking.

Okay. Let's go to Loading Plans.

Setdown, permit the Zoning Administrator to refer to review any loading plan to DDOT. Public comments, please -- no, I'm sorry -- do not approve the proposal for changes to the loading regulations. Recommendation, permit the Zoning Administrator to refer for review any loading plan to DDOT. Okay. Any comments or questions?

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

MR. LAWSON: This would be more for by-right developments.
CHAIRMAN HOOD: Oh.

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

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

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

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

COMMISSIONER TURNBULL: I'm assuming that now the Zoning Administrator basically is sort of reviewing it himself, or
he's not passing it on, he's basically making an interview himself?

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

COMMISSIONER TURNBULL: Yeah.

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

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

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

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COMMISSIONER MILLER: Second.

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

(Chorus of ayes.)

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

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

CHAIRMAN HOOD: Okay. Next, Loading Minimum Requirements, Entertainment, Assembly, and Performing Arts Use Loading Requirement. The Setdown, require loading based on square footage of the space, currently based on number of seats. Public comment, do not approve the proposal for changes to the loading regulations. Office of Planning's
recommendation, require the loading based on square footage of the space as setdown. Any comments? Any comments? Okay. Any questions? Alright.

COMMISSIONER MILLER: You know, I would just say that the -- it's hard to calculate what's needed for assembly, performing arts, entertainment uses, I mean, having operated a theater myself at one point in my checkered past. And so, doing it on the basis of square footage is probably as good as any measure. I think that ultimately, though, the designer of such a facility is going to be using the best sort of industry expertise to determine what's necessary, and it's probably going to be if anything more than the square footage that we have here. Because they, you know -- the last thing you want to do is have a performing arts venue and not be able to load it. And that=s, I mean, I lived that nightmare for several years, so it=s, I think this is, this is just fine.
CHAIRMAN HOOD: Okay. Any other comments?

COMMISSIONER MILLER: I just had a question.

CHAIRMAN HOOD: Commissioner Miller?

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

MS. STEINGASSER: Generally, it would be decreasing. Right now, there is a very high level, and it's based on each use within the building has to meet there, so you'll end up with, you know, an entire street wall. Parts of Ninth Street, or, yeah, Ninth Street come to mind where it's just, you know, 55-foot
berth, 55-foot berth for each use, and this
tries to make them small, to reduce that
requirement by allowing shared and allowing it
by square footage rather than use.

COMMISSIONER MILLER: Thank you.

CHAIRMAN HOOD: Somebody like to
make a motion?

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

COMMISSIONER MILLER: Second.

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

(Chorus of ayes.)

CHAIRMAN HOOD: Any opposition?

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

MS. SCHELLIN: Staff records the
vote five to zero to zero to require loading
based on square footage of the space as setdown with regard to entertainment, assembly, and performing arts uses. Commissioner Cohen moving, Commissioner Miller seconding, Commissioners Hood, May, and Turnbull in support.

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

VICE CHAIR COHEN: Second.

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

(Chorus of ayes.)

CHAIRMAN HOOD: Any opposition?

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

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

CHAIRMAN HOOD: Okay. Let's go to All Other Uses. Setdown, require loading for specified use groups with varied requirements based on the square footage of the building. Again, the public comment, do not approve the proposal for changes to the loading regulations. The recommendation, require loading for specified use groups with varied requirements based on the square footage of the
building, as setdown. Any comments?
Questions, motions?

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

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

(Chorus of ayes.)

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

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

CHAIRMAN HOOD: Okay. Next,
Loading Berth Depth. Setdown, eliminate current requirements of 55-foot deep loading berths with minimum required depth of 30 feet. DDOT comment, require a 55-foot depth loading berth for grocery and large format retail with more than 20,000 square feet gross floor area.

The recommendation is to eliminate current requirements for 55-foot deep loading berths with minimum required depth of 30 feet, with the exception of grocery and large format retail over 20,000 square feet for which a 55-foot deep loading berth would be required. Any comments?

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

I'm thinking in particular of a drugstore chain that does that all the time and,
you know, it's just like you're walking through the middle of the loading dock when their shipments arrive. And so how is that being addressed? I know it's not something that's addressed in the requirements here, but, you know, I mean, what can be done about that situation? Because I can't believe that that's something that you or DDOT would like to have happen.

MR. LAWSON: No, there's definitely -- I guess it would depend to some extent on the location. We're certainly well aware of the situation because it occurs in our building. Except what we, and I don't want this to become a discussion of what our experience is, because this regulation should be about what's going on the city, but what we have seen is that, is that the, because the building right now has both a grocery store and a drugstore, that the big trucks actually do use the loading berths because it's just too inconvenient for them to use the street.
It's the small trucks that tend to not use the loading docks, even though they're required to do so. And that frankly is an enforcement issue. The loading dock exists, it's there for them to use, it's empty most of the time, and it's less convenient, so they don't use it, which is one of the reasons why we've put in some requirements about connectivity between the loading and the uses that are using the loading, that those requirements don't exist very explicitly in the Zoning Regulations right now.

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

COMMISSIONER MAY: Okay. So what I have witnessed with some of these drugstores, it's really more of an anomaly, it's not a widespread practice, and hard to come up with the right regulation. You can't just say,
every drugstore has to have a 55-foot loading bay. That would not be practical.

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

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

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

COMMISSIONER MAY: So, I mean, does DDOT have any authority to require it if they,
you know, based on what a particular use is?

MR. LAWSON: They do not.

COMMISSIONER MAY: They do not.

And the --

MR. LAWSON: It would be what the

Zoning Regulations --

COMMISSIONER MAY: Zoning

Regulations. Okay.

VICE CHAIR COHEN: I have a

question. What is the typical size of a

pharmacy, drugstore chain?

MR. LAWSON: For the most part, and

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

VICE CHAIR COHEN: No, I'm talking

about -- I'm sorry, the size of the store.

MR. LAWSON: Oh, I'm sorry. I'm
sorry. That also varies a lot, but it certainly tends to be much smaller than a grocery store. You know, it can easily be as small as say 5,000 square feet. Typically, it would be larger than that, though, ten, 15,000 square feet, something of that nature.

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

MR. LAWSON: Typically, it would not.

VICE CHAIR COHEN: Yeah.

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

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

MS. STEINGASSER: We could say something like "when possible," but it takes a
whole lot of land for an 18-wheeler to pull in
and be able to pull out without ever backing up.
At some point, if that's what you're --

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

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

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

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

VICE CHAIR COHEN: Yeah.

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

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

So I'm confident with that, especially when we talk about new development. Because we have a bite of the apple, to make sure that the radius, and we question the turns. I know Mr. Turnbull and I and others have questioned the turns, and how they back in and how they pull back out in the street. And I know we've had that conversation about 18-wheelers blocking the street, because I'm sure we all have been blocked by vehicles when they're loading some of the stores around the city. So I think this is definitely a start, and I think we're already on top of this from
my standpoint. Any other questions or comments?

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

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

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

MS. STEINGASSER: They do indeed. They do indeed. They have more oomph when they've got the Zoning Regs behind them as opposed to a policy issue. So what the Regs
require now for a drugstore would be, say a
drugstore larger than 20,000 square feet is one
30-foot deep loading dock and one 55-foot bay.
And what we've proposed, under our Regs, it
would be, it would qualify under Retail, and it
would be two 30-foot bays with no 55-foot bay.
So we'd anticipated more the smaller trucks as
opposed to the bigger trucks.

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

COMMISSIONER MAY: I'll make a
motion.

CHAIRMAN HOOD: Sure.

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

VICE CHAIR COHEN: Second.
CHAIRMAN HOOD: Okay. It's been moved and properly seconded. Any further discussion? All those in favor?

(Chorus of ayes.)

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

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

CHAIRMAN HOOD: Okay. Next, we're going to do Sharing Loading Between Uses. The Setdown and the recommendation are the same, allow two or more uses to share loading spaces as long as internal access is provided from all
shared uses requiring loading. Any other comments or questions?

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

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

VICE CHAIR COHEN: Okay.

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

VICE CHAIR COHEN: Thank you.

CHAIRMAN HOOD: Okay. Any other questions or comments?

COMMISSIONER MAY: So, yeah. Now I have a question about that. Requiring the
accesses daily, one of the things that happens in many apartment buildings is to limit move-ins and move-outs to certain days of the week. And is this requirement going to affect a building manager from putting in their own rules?

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

COMMISSIONER MAY: Right.

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

COMMISSIONER MAY: Right.

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

COMMISSIONER MAY: Right.

MS. STEINGASSER: some of the issues we heard.

COMMISSIONER MAY: Well, I mean, I think some of them require weekends only so
that, you know, their fellow residents are not
disturbed during the week with loading
activities and things like that.

MS. STEINGASSER: Yeah.

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

MS. STEINGASSER: Okay.

MR. LAWSON: Some of the, some of
the comments also that we heard, particularly
from downtown, related to kind of short-term
loading, like getting out of a cab and, you
know, unloading, and we've passed that comment
on to DDOT and suggested that more
accommodation needs to be made for that
short-term unloading, especially for downtown
residents, many of whom don't have a car, and
would be looking for, you know, just the ability
to get out of the cab with, you know, all of
their stuff and get into the building. And so
that's part of the issue, as well. But that's not a Zoning issue, that's a DDOT issue.

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

COMMISSIONER MILLER: Second.

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

(Chorus of ayes.)

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

MS. SCHELLIN: Staff records the vote five to zero to zero to approve the shared loading between uses to allow two or more uses to share loading space as long as internal access is provided from all shared uses
requiring loading. Commissioner Cohen moving, Commissioner Miller seconding, Commissioners Hood, May, and Turnbull in support.

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

COMMISSIONER TURNBULL: Second.

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

(Chorus of ayes.)
CHAIRMAN HOOD: Any opposition?

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

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

CHAIRMAN HOOD: Okay. Next, Loading Access, Loading Access Aisle Dimensions. Setdown, establish access requirements, including a minimum width of 12 feet, a maximum width of 24 feet, compared to 25 feet in the current code, and maximum slope of twelve percent. Office of Planning's recommendation, establish loading access requirements, including access aisle dimensions as setdown. Any comments, questions, or a motion?
COMMISSIONER MAY: I move that we accept the recommendation to establish loading access requirements, including access aisle and dimension -- sorry, access aisle dimensions as setdown.

VICE CHAIR COHEN: Second.

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

(Chorus of ayes.)

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

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

CHAIRMAN HOOD: Okay. Next, Loading Access from an Alley. Setdown is to
require loading to be from the alley, where the alley is a minimum of 15 feet in width, compared to the current requirement that an alley be ten feet in width, where access to loading from the alley is proposed. Office of Planning's recommendation again is to require loading to be from the alley, where the alley is a minimum of 15 feet in width. Any comments or questions?

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

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

COMMISSIONER MILLER:  Second.

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

All those in favor?

(Chorus of ayes.)

CHAIRMAN HOOD:  Any opposition?

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

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

CHAIRMAN HOOD:  Okay.  Next, Trash Rooms.  Setdown, for buildings which require loading, require trash rooms adjacent to loading, or in a screened and covered accessory building adjacent to loading.  Public comment, rather than require separate trash room, require a designed trash area in the building,
in a loading area, or an accessory building adjacent to the loading. Again, the setdown and the recommendation for buildings which require loading, require trash rooms adjacent to loading, or in a screened and covered access building adjacent to loading as setdown. I really don't see the difference, unless I'm missing something, between the public comment and the recommendation. But that's just me.

I may --

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

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

CHAIRMAN HOOD: Okay.

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

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

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

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

COMMISSIONER MAY: It doesn't have
to be. I think the example that we saw in the
comments is that very often for large office
buildings, trash is handled through a large
compacting machine that sits in one of the loading bays, or one of the bays of a loading dock. And it doesn't need to be separately enclosed. It's just within the loading dock. And so long as the loading dock is properly ventilated and, or rather, you know --

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

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

COMMISSIONER MAY: The dock itself could be enclosed.

MS. STEINGASSER: The dock can be
enclosed.

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

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

   COMMISSIONER MAY:  Okay.

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

   COMMISSIONER MAY:  Yeah.
Mr. Chair That's more acceptable to me than being silent on it. It just gives it greater
I think enforcement or --

COMMISSIONER MAY: Right.

VICE CHAIR COHEN: makes it, you know --

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

VICE CHAIR COHEN: Yeah.

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

VICE CHAIR COHEN: And I would second that.
CHAIRMAN HOOD: Okay. It's been moved and properly seconded with some additions to what was previously set down and recommended. We've heard this discussion. Any further discussion? All those in favor?

(Chorus of ayes.)

CHAIRMAN HOOD: Any opposition?

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

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

CHAIRMAN HOOD: Okay. We're going to take a, we're going to come back at 8:05. We want to give the court reporter a chance to take
a break. Actually ourselves, but I always blame it on the court reporter. So we're going to take about, we're going to come back and start back about 8:05.

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

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

Let's go to Vehicle Parking Minimum
Requirements, Single Family Dwellings and Flats Minimum Parking Requirement. Setdown, require one space per principal building, except not required if there is no alley access. The public comments, do not require a parking space; require one space per principal building, except not required if there is no alley access; require one space per principal building; require one space per dwelling unit, including an accessory apartment. the Office of Planning's recommendation is require one space per principal building, except not required if there is no alley access. Okay. Let's open it up. Any comments, questions?

VICE CHAIR COHEN: Mr. Chairman, I think this is pretty direct, and so I would move to accept under Vehicle Parking Minimum Requirement 1A, Single Family Dwellings and Flats Minimum Parking Requirement, OP's recommendation to require one space per principal building, except not required if there is no alley access.
CHAIRMAN HOOD: Okay. It's been moved. Is there a second?

COMMISSIONER MILLER: Second.

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

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

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

CHAIRMAN HOOD: Is it germane to --

COMMISSIONER MAY: Not to our vote on this.

CHAIRMAN HOOD: Okay. Alright.

It's been moved and properly seconded. All those in favor?

(Chorus of ayes.)

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

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

CHAIRMAN HOOD: Okay. Let's go -- Commissioner May?
COMMISSIONER MAY: Yeah. So what I'm wondering is whether we have or whether we can include a provision that would prohibit parking in a garage space in the front of a row house. You know, we've had that come up in some PUDs, and we always push back against it, and sometimes we got rid of them. But, and I know that DDOT doesn't like them because all the curb cuts and things like that, but somehow these things still might get built if they're not explicitly prohibited. So I mean, is that something that we can just say, no, you can't put a garage door in the front of your townhouse?

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

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

MS. STEINGASSER: Yeah.
COMMISSIONER MAY: You know, and I, I don't like them whenever I see them.

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

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

VICE CHAIR COHEN: I agree with that.

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

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

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

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

COMMISSIONER MAY: Right.

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

COMMISSIONER MAY: Right. But I
think, you know, codifying it and, you know --
yes, it's something that the Commission could
waive in a PUD. I'd rather it be something that
comes before the Commission in a PUD that gets
waived as opposed to something that's, you
know, otherwise allowed. So I'm not saying
that we should vote now to include this
provision. I would just like to have that
investigated and see if we can come up with some
appropriate language to do it.

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

COMMISSIONER MAY: Yes.

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

COMMISSIONER MAY: Exactly. And I
mean, that's what I would suggest. I just
don't, I don't know if the entirety of the
Commission supports that, but I would at least
like that, have that considered and perhaps
language drafted up that we could consider and
vote on. I'm not trying to prevent people from having parking spaces. I'm trying to force developers to put the parking places in the right place, and I think almost every time I've seen them come before this Commission, I don't think the designers tried very hard to solve the problem. And I think we even saw one recently where we pushed back against it and they came back with a different design that avoided it.

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

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

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

MS. STEINGASSER: All the apartment zones.

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

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

COMMISSIONER MAY: No, which is already not allowed.
COMMISSIONER TURNBULL: I know, but it seems to exist.

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

COMMISSIONER TURNBULL: Yeah.

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

COMMISSIONER TURNBULL: Yeah.

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

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

COMMISSIONER MAY: Exactly.

COMMISSIONER TURNBULL: Yeah.

COMMISSIONER MAY: Yeah. But I'm not, I'm not, and it's cases where they had a garage on the front of the building, and then they decided, oh, no, I'd rather have another
room there, and they enclosed the room. And so now they have to park in the front yard space, but the front yard space is only about 12-feet deep and their car is 16-feet long.

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

CHAIRMAN HOOD: What I got out of that whole discussion, Mr. May, is that you're going to be taking a lead and customizing your area. Okay. Next, 1B, Apartments Minimum Parking Requirement. Setdown, require one space/three units greater than four units. The public comments, eliminate minimum parking requirement; require one space/three units greater than four; retain current parking requirements; retain current parking requirement in R-5-A, increase parking requirements from current. The
recommendation from the Office of Planning is require one space/three units greater than four units. Any discussion?

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

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

It is, of course, once again, a minimum requirement, meaning that it does allow builders and property owners to assess the market within their area, assess the kind of building they wish to provide, and to assess the appropriate number of parking spaces accordingly rather than set an artificial, a higher artificial amount. You know, one per
three spaces may or may not be appropriate on
any one particular property.

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

We see many developers providing
more than the required number of parking spaces
now. They tend to provide what's needed, and
they, and we feel it's not appropriate that they
provide more than is needed for all of the
reasons that have been talked about at length
throughout the process relating to impacts on
the property, physical impacts on the property
of requiring all this extra parking space, as
well as the economic impact to the, to the
residents of the building in the end.
COMMISSIONER MAY: So I seem to recall at one point in the, I think it was in the response to comments that you had, that one of the reasons why you were promoting this had to do with the ability, or making it easier to develop some difficult-to-develop properties where you can't quite meet the normal requirements.

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

COMMISSIONER MAY: Right.

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

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

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

COMMISSIONER MAY: Thank you.

CHAIRMAN HOOD: Okay. Any other
COMMISSIONER MAY: Mr. Chairman, I'm ready to make a motion that we accept the recommendation that we require one space per three units for buildings greater than four units.

COMMISSIONER MILLER: Second.

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

(Chorus of ayes.)

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

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

CHAIRMAN HOOD: Okay. Next, let's go to Places of Worship Minimum Parking.
Requirement. Setdown, 1.67 per 1,000 square feet in excess of 5,000 square feet. The alternative was to retain current parking requirement, which is one for each ten seats of occupancy capacity in the main sanctuary, provided that where the seats are not fixed, each seven square feet, 7 ft. 2, usable for seating or each 18 inches of bench, if benches are provided, shall be considered one seat.

Public comments, retain the current parking requirement. The recommendation is retain the current parking requirement for places of worship. Any comments?

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

CHAIRMAN HOOD: I second it.

VICE CHAIR COHEN: I have a comment.

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

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

And some of these expansions are occurring very, very close to Metros. So I am just wondering if this 1.67 -- I know existing congregations need their parking, because
people have moved to other neighborhoods or even other jurisdictions. But I'm just wondering, what about those who are Metro, very close to Metro, why we need to require the 1.67 per 1,000 square feet?

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

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

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

MR. LAWSON: That=s correct. That was our original proposal, not our recommended proposal.

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

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

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

COMMISSIONER MAY: Okay.
Alright.

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

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

If the church is being demolished and replaced with a new church, and we have seen
a couple of examples like that, in addition to new development, that site would have two parking, at least two parking requirements, one requirement for the church, and one requirement for the other use that's going on the property, and they'd be calculated separately. That's how it's done now, and that's how it would be done in the future.

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

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

MR. LAWSON: Thank you.

CHAIRMAN HOOD: Any further
discussion, Commissioner Miller?

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

CHAIRMAN HOOD: Any further discussion? All those in favor?
(Chorus of ayes.)

CHAIRMAN HOOD: Any opposition?

Ms. Schellin, would you record the vote?

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

CHAIRMAN HOOD: Okay. Next, Private Schools Minimum Parking Requirement. The Setdown, 1.25 per 1,000 square feet of building. The alternative is retain current parking Reqs, elementary and high schools, two for each three teachers and other employees; high school and accessory uses, two for each three teachers and other employees, plus one for each 20 classroom seats or one for each ten seats in the largest auditorium, gymnasium, or area usable for public assembly, whichever is greater. The public comments, retain the current parking requirement. The Office of
Planning's recommendation, retain the current parking requirement for private schools.

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

VICE CHAIR COHEN: Second.

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

COMMISSIONER MILLER: I just want to say, I'm very comfortable with this. I appreciate the public hearing testimony that we got on this, and I appreciate the Office of Planning changing their recommendation based...
on the comments that they received, both from the public and from my fellow Commissioners and I.

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

(Chorus of ayes.)

CHAIRMAN HOOD: Any opposition?

Ms. Schellin, would you record the vote?

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

CHAIRMAN HOOD: Okay. All Other Uses Minimum Parking Requirements. Setdown, ratios based on parking spaces square feet of buildings as described in the setdown text for various uses. the public comments, eliminate minimum parking requirement; support for setdown text; retain current parking requirements; retain current parking
requirements for PDR uses; increase parking requirements. The recommendation is ratios based on parking spaces/square feet of buildings as described in the setdown text for various uses. Commissioner May has noted that this goes to our chart that we have, and might as well dig into that at this point. So we will reference the chart. Commissioner May, you would like to get us started?

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

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

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

COMMISSIONER MAY: I mean, so -- I mean, I guess I don't have a really particular question about chanceries per se. It's just understanding that, you know, with these
proposals we're talking about reducing requirements again by admittedly relatively small numbers and anything that's below 2,000 square feet for chancery use, I mean, I don't know how frequent that is, might be helpful to understand that. And then, you know, when you get up to 6,000 square feet within the D zone, it winds up reducing the requirement from eight to two. I don't know, again, I don't know how bad the parking problems are in those areas, so.

MS. STEINGASSER: Well, again, the proposal was simply to change it to a square footage calculation and to reduce the minimum requirements. We didn't do a survey of all the chanceries. They are, as you said, spread throughout the city with a concentration in, you know, along Embassy Row and the Sheridan/Kalorama area especially, but it was the same approach -- we didn't treat it any differently than any other. We took the same approach of reducing standards, looking at the square footage and the zone piece.
COMMISSIONER MAY: You know, having sat on a few chancery cases, I remember parking relief being a fairly common theme, not so much that the parking wouldn't be accommodated but that it had to be accommodated in sort of strange ways. There's a lot of manipulation of the sites and sort of cramming things in, so it seems apparent to me that there is demand for that parking, and I would guess that, I mean, the chancery isn't going to qualify for residential parking permits, so they're going to be, they're going to have to accommodate the parking one way or another, right? In other words, does it, I mean, does it really matter what we require because they know what their needs on and they're going to have to address them, because there isn't really any alternative?

MS. STEINGASSER: That is correct, and maybe we could put back in the phrase, "or as determined by the Board of Zoning Adjustment." Since all new chanceries would
be going through the FMBZA, that would allow them to kind of establish their alternatives.

COMMISSIONER MAY: Yeah. That would make me comfortable.

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

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

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

CHAIRMAN HOOD: Let me just put a caveat. I will tell you, I'm concerned about,
on this chart, most of what I see when I see zero which is being proposed -- we can take our time and go through them, not that I'm going to mention each one that has zero parking like when we go from 40 spaces, and I'm just using it off the top of my head, we go from 40 to zero. I guess I'm trying to figure out how we arrive, especially when I'm looking downtown. But anyway, let's just go through the chart. And I'm sure some of this may be answered on this worksheet when we get back to it. But anyway, let's proceed in that fashion, but I can tell you that I have concern with zero parking, and right now I just want to put that out there for everything, so I have a concern with zero parking for everything.

COMMISSIONER MAY: So I have a procedural question where, you know, what we just discussed for chanceries, there seemed to be some interest in adding a phrase to the effect that those are the new requirements or as determined by the BZA. Is that something
that we should, you know, vote upon right now or come to consensus on and then vote a package? Because I'm not sure that we'll necessary come to consensus on all of these, and maybe we need to, we do need to vote on them one to one.

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

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

COMMISSIONER MILLER: The FMBZA.

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

VICE CHAIR COHEN: I'll second that.

CHAIRMAN HOOD: Okay. It's been moved and properly seconded, with the added addition of be "determined by the FMBZA." All
those in favor?

(Chorus of ayes.)

CHAIRMAN HOOD: Any opposition?

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

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

CHAIRMAN HOOD: Okay.

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

(Chorus of ayes.) Steingasser, let me know to -- Commissioner May, I don't know if you have any issues with the medical care clinic?
COMMISSIONER MAY: I think it's something we should discuss.

CHAIRMAN HOOD: Okay. Okay.

Well, I'll let you take the lead, see if we're on the same page.

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

MS. STEINGASSER: It is, and we're pretty much going to have the same answer for almost all of these. You know, we took a, we
took an approach that looked more at the square footage of a building. In this case, these clinics started in the R-4, which are row house zones. It was very unlikely that there would be one where people would drive to it, that we based it on a square footage and then also then lowered that ratio. And some of it is based on surveys of other jurisdictions, our experience of surveying some of the uses around the city.

VICE CHAIR COHEN: I would just like to add something to the discussion, that again, a 2,000 square foot clinic, again, it's usually within a neighborhood size clinic and people walk to it. Even though there was the seven existing and now it's now proposed to zero, I think that again most people will continue to walk to that size clinic. And just my experience all over the country when I worked, a lot of cities did use the square footage approach. Whether that's appropriate for here or not, that's up to discussion, but I just wanted you to know that's not unusual
CHAIRMAN HOOD: And I think because of the circumstances here in the city, you know, yes, some people may walk. Some people may not be able to walk. And I just think about over in my area, or in areas like mine, and we’ve heard testimony where there's certain people that cannot do certain things, so we need to make sure that at least there needs to be some allowable space for people to be able to park.

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

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

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

COMMISSIONER MAY: So I would want to make a couple of comments. First of all, an R-4 and R-5 neighborhood, you're actually, it is likely that a number of people will visit the dentist on foot or on bicycle. I know that
happens frequently in my R-4 neighborhood. And I can't speak to R-5s from personal experience.

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

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

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

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

COMMISSIONER MAY: Absolutely.

CHAIRMAN HOOD: And a lot of times --

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

CHAIRMAN HOOD: Yes, we do.

COMMISSIONER MAY: Wow.

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

COMMISSIONER MAY: No, no, no.

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

COMMISSIONER MAY: --- walk into a neighborhood.

CHAIRMAN HOOD: You're going to have to do a neighborhood tour. You want to
walk to the dentist in my neighborhood? You can leave from my house and walk to the dentist, and I'll pick you up when you get down to the bottom of the street. But again, that goes back to --

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

CHAIRMAN HOOD: Both of them or just the one?

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

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

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

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

CHAIRMAN HOOD: So again, on a serious note, I would like for us to revisit
that, and I appreciate your comments, Commissioner May, because I think that is crucial. That's all I'm asking. I just don't think it needs to be a zero.

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

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

COMMISSIONER TURNBULL: Well, are we going to revisit?

CHAIRMAN HOOD: Yeah, we can.

COMMISSIONER TURNBULL: Okay.

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

COMMISSIONER MAY: I will try to talk less. How about that? Electronic
equipment facilities. I don’t have a big problem with reductions here. These are not --
I don't know how many of them we have or how many more we're going to have, but I don't see a big reason to have huge parking requirements. So I'm all for this particular set of reductions, and I would make a motion to that effect.

VICE CHAIR COHEN: I'll second.

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

(Chorus of ayes.)

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

MS. SCHELLIN: Staff records the vote five to zero to zero approve the parking standards for the EES. Commissioner May moving, Commissioner Cohen seconding, Commissioners Hood, Miller, and Turnbull in support. And I would just make mention that there was no vote taken for the -- if you're
going to do this, there was no vote taken for
the adult treatment facility. So if you want --

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

VICE CHAIR COHEN: No problems.

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

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

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

VICE CHAIR COHEN: In the end.

Yes. Okay. That's fine. I mean, you've
already done the vote on this one, but that's
CHAIRMAN HOOD: Okay. Yeah.

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

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

VICE CHAIR COHEN: Okay.

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

COMMISSIONER MAY: I think what we're seeing here is just a demonstration of how weird the Code was before, because the only place where we had a really large requirement for parking for a fast food restaurant was when you had 4,000 square feet and in a building with a side yard, right? It just sort of triggered this balloon. So I think the fact that we could...
have it in a building without a side yard in the
exact same zone and have substantially less
parking requirement, I think makes me
comfortable with this proposal.

COMMISSIONER MILLER: I'm
comfortable with it.

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

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

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

VICE CHAIR COHEN: On food.

CHAIRMAN HOOD: Maybe my glasses
don't work as well as I think.

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

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

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

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

CHAIRMAN HOOD: Okay.

VICE CHAIR COHEN: So yeah.

CHAIRMAN HOOD: Okay. Are we all in concurrence? So we don't need to make a motion. So let's --
COMMISSIONER MAY: No. I mean, I think you're saying at least one, right?

VICE CHAIR COHEN: At least one.

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

CHAIRMAN HOOD: Okay. So --

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

CHAIRMAN HOOD: A minimum of one.

COMMISSIONER MAY: Otherwise, the changes are okay.

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

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

VICE CHAIR COHEN: Second.

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

(Chorus of ayes.)

CHAIRMAN HOOD: Any opposition?

So ordered. Staff, would you record the vote?

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

CHAIRMAN HOOD: Any issues with hotel or inn?

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

CHAIRMAN HOOD: Okay. I don't necessarily have an issue, either. Anyone else? No issues? No changes, let's move on.

Office general, including television and radio broadcast studio. Any issues? Okay.

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

MS. STEINGASSER: Because we don't have very large office buildings in the C-1, the
C-2, and the C-3 area.

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

MS. STEINGASSER: It would be, yes.

COMMISSIONER MAY: Oh.

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

COMMISSIONER MAY: Right.

MS. STEINGASSER: But yeah, they --

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

VICE CHAIR COHEN: I concur.

COMMISSIONER MILLER: I concur.

CHAIRMAN HOOD: Okay. So we're
not making any changes. Let's move on. Let's go to office medical and dental clinic, veterinarian hospital.

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

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

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

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

CHAIRMAN HOOD: Oh, you did?

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

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

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

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

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

MS. STEINGASSER: You'll be debating on the --
COMMISSIONER MAY:  A little bit later on, right, those reductions, the potential to reduce? So I'm just pointing that out now because I think it's, again, it's a personal lesson that I've had.

CHAIRMAN HOOD: Okay.

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

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

COMMISSIONER MAY: Do we need to take a vote?

CHAIRMAN HOOD: Did we change anything?

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

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

COMMISSIONER MAY: We didn't.
Okay.

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

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

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

COMMISSIONER MAY: It's just not been -- there are no examples, but there is an
old requirement and a new requirement. And I don't have any problem with the new requirement.

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

CHAIRMAN HOOD: Okay.

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

COMMISSIONER TURNBULL: And somebody works there?

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

COMMISSIONER TURNBULL: To fix whatever it is.

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

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

CHAIRMAN HOOD: Okay. Let's move
to retail and service establishments, except gasoline service stations and repair garage.
Okay. I was about to ask, but it says except gasoline service and repair garage.

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

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

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

COMMISSIONER MAY: I'm sorry, why
is it going to none? The current one is not really needed?

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

COMMISSIONER MAY: All government uses.

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

MS. STEINAGGER: Right.

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

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

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

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

VICE CHAIR COHEN: Alright.

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

MS. STEINGASSER: No, this is
local.

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

COMMISSIONER MAY: So if I may follow.

MS. STEINGASSER: Sure.

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

And one of the things that happens in the way you propose the Zoning Regulations is that you set the minimum and then you require TDM when you go a certain margin above that minimum. So in effect, by not having a minimum, you're also not establishing a maximum
that requires additional TDM measures for
government buildings. So I just put it out
there for other people to consider whether in
fact, because, you know, we are an independent
body whether we want to, and the district's
decisions in this area are subjecting to
Zoning, so is that something that we want to
actually try to institute some minimums so that
we could in fact have maximum triggers?

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

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

CHAIRMAN HOOD: I'm trying to still
comprehend it.
COMMISSIONER MILLER: I think there are certain government uses that we're going to get to that I have more concerns about, like community centers, and libraries.

COMMISSIONER MAY: Yeah. I would agree with that.

COMMISSIONER MILLER: I would rather focus on that.

COMMISSIONER MAY: Okay. I agree with that.

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

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

COMMISSIONER MAY: So for some reason, I was mentally associating hospitals
with the previous category, but it looks like hospitals aren't changing very much, and I don't think they should.

CHAIRMAN HOOD: It actually looks like it went up.

COMMISSIONER MAY: Right.

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

COMMISSIONER MAY: Yeah, I potentially have an issue here. I don't know what all police stations are like throughout the city, but, you know, the few that I do know, there are frequently issues with police vehicles or private vehicles owned by police officers being parked in the neighborhood. I also know that law enforcement, generally speaking, really do want to drive because the
hours that they work and the fact that there, you know, there are security concerns about walking to the Metro and to the bus and so on. And so I think that, I mean, yeah, we want to make sure that these decisions are made right, and we can trust that the government will make them correctly, but maybe in this circumstance we do want to require some minimums for police stations.

CHAIRMAN HOOD: Does anybody else --

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

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

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

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

(Laughter.)

COMMISSIONER MAY: To go to the dentist undoubtedly.

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

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

COMMISSIONER MAY: That would be my
inclination, to not change it.

COMMISSIONER MILLER: I'm comfortable with that.

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

COMMISSIONER TURNBULL: I'd go along with that.

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

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

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

(Chorus of ayes.)

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

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


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

CHAIRMAN HOOD: I would agree, especially since now, you know, the libraries in the city now have different uses. You've got the library, you've got the pool, you have a rec center. You have everything going on in
there, and I know this is just talking about library, but it, well, it says full-service neighborhood library. And we've kind of changed, shifted, we've made a shift on that, because now it has the recreation center. It has different uses within that library area. So I don't know if we do the same or we reduce some, but I would not like to see us go to zero.

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

CHAIRMAN HOOD: Let me just say for the record that some of the stuff we're
discussing now, when we come back and start reviewing this again, once we get things nailed down, there will be a public comment period. So if you're in the audience or you're watching, make a note so you'll be able to remember to come back and say something to us on this discussion. I just wanted to put that out there.

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

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

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

COMMISSIONER MILLER: I think that would be appropriate for all parking
reductions.

COMMISSIONER MAY: I wouldn't go that far.

COMMISSIONER MILLER: Okay.

That's what --

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

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

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

COMMISSIONER MILLER: Great idea.

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

CHAIRMAN HOOD: Okay. So we don't need to go to community public library. I think that falls right in.
VICE CHAIR COHEN: Again, I just want to say that we need ADA units, and I'm not sure that's assumed.

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

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

COMMISSIONER MILLER: Absolutely.

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

Okay. Any area armory, assembly hall, auditorium, center concert hall, convention hall, dance hall, funeral parlor, ice or rolling skating rink, public hall,
stadium, or theater.

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

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

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

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

COMMISSIONER MAY: Right.

MS. STEINGASSER: Current Regs is one to ten.

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

COMMISSIONER MAY: In excess of 5,000?

MS. VITALE: 5,000. It's basically one space per 600 square feet.
COMMISSIONER MAY: And did you do any calculations on existing versus proposed, the way you did for the other uses? You had done, you know, samples for, you know, a 10,000 square feet manufacturing facility, ten existing, seven proposed.

MR. LAWSON: Yeah. I think this is one of those examples where to determine what the existing is, is very difficult too, because it's based on seats. It's just so many permutations.

COMMISSIONER MAY: Sure.

MR. LAWSON: For a facility of 10,000 square feet, that would result in a requirement for eight parking spaces.

COMMISSIONER MAY: In the proposed.

MR. LAWSON: In the proposed, yes.

COMMISSIONER MAY: Okay. And that's, and it's -- alright. Mr. Turnbull, do you remember off the top of your head square footage per person in an assembly use with fixed
seats? It's usually based on the actual number of seats, isn't it?

COMMISSIONER TURNBULL: Yeah, no, not offhand.

COMMISSIONER MAY: Yeah. But if you put, if you put chairs in an assembly hall, it's something like ten square feet, I want to say. Standing room is seven.

COMMISSIONER TURNBULL: Could be.

COMMISSIONER MAY: Maybe ten or 20. So one for each ten seats. I mean, my back-of-a-napkin kind of estimate is that for a 10,000 square feet assembly hall, you might be able to put in, you know, 500 to 1,000 people, and that would be, under the old Regs, 50 to 100. And you're talking about ten instead. So I would put this in the revisit category, and it would just be, if for no other reason than the fact that I'm doing this on the back of a napkin so to speak.

CHAIRMAN HOOD: Okay. Are we all in favor of doing the revisit?
COMMISSIONER TURNBULL: Yeah.

CHAIRMAN HOOD: Okay. Let's do that. Boat club and marina. Any issues?

Okay. Let's go to churches.

COMMISSIONER MAY: There's no change on that, right? We already voted on that one.

CHAIRMAN HOOD: Which one, on churches? Did we vote on churches?

MS. STEINGASSER: Yes, sir. You voted as a separate item on 1B where we were going to keep the existing church --

CHAIRMAN HOOD: Oh, okay. Yeah.

Okay.

MS. STEINGASSER: Separate item.

CHAIRMAN HOOD: I just wanted to make sure this wasn't nothing different.

Okay. Thank you. Parks and Rec. Only difference is no requirement downtown. I'm going to ask a crazy question. Do we have any parks and recs in -- I don't go to them if they're downtown, but I'm just curious.
MS. STEINGASSER: We do have some parks. Not as many as we'd like, but there are some parks.

CHAIRMAN HOOD: And the reason we're proposing --

COMMISSIONER MAY: We have some parks, too. Park service, and we don't have parking at our parks. Typically, the mall has parking, but it's street parking.

MS. STEINGASSER: And this standard is actually for private recreational spaces, so it would be like the YMCA or, you know, private recreational --

CHAIRMAN HOOD: So the interpretation is that typically if it's downtown, you walk to it.

MS. STEINGASSER: That's correct.

CHAIRMAN HOOD: I can probably go more along with walking.

VICE CHAIR COHEN: The Y downtown has bike racks.

CHAIRMAN HOOD: Well, I haven't
been there in years, but I actually used to go
to that one, and I used to actually walk to it.
Okay. But again, we want to make sure the Code
is something that's going to stand the test of
time. So are there any issues with the
changes? Because it didn't change in the other
districts.

COMMISSIONER MILLER: No. I'm
comfortable with it.

COMMISSIONER MAY: I'm sorry.

What are we on now?

CHAIRMAN HOOD: I was just asking
any changes, so let's move on. Was there any
issues or any changes?

COMMISSIONER MAY: No.

CHAIRMAN HOOD: Okay. Apartment
house and multiple dwelling.

COMMISSIONER MAY: We already
voted on that.

CHAIRMAN HOOD: We did? Okay.

Well, keep moving. I must not remember what
I'm doing. Community based --
COMMISSIONER MAY: I'm sorry. We voted on the first part of it. We didn't vote on all the rest of them. No, or did -- we did. Sorry.

CHAIRMAN HOOD: Okay. Community-based residential facility. And it doesn't look like there are any changes, okay?

COMMISSIONER MAY: Slight increase in one of the examples.

CHAIRMAN HOOD: Okay. Well, I guess we need to vote on it then, because of the increase. Anybody like to make a motion?

COMMISSIONER MAY: No. If we're okay with it, we're going to vote on it in block. We're okay with the recommendation.

CHAIRMAN HOOD: Is everybody okay with it?

COMMISSIONER MAY: We could bring it back down.

CHAIRMAN HOOD: No, that's fine. Okay. Let's go to dormitory, sorority, and fraternity house, not approved as part of a CAPS
plan. Existing --

    MS. STEINGASSER: And this
standard is basically treating it like an
apartment building, so it's the same standard.

    COMMISSIONER MAY: But I mean, in
effect, what you said in the right-hand column,
it's treated as if it's a single household,
because they can't have more than six unrelated
there, and so it's essentially a household, and
it's subject to essentially residential
parking standards.

    MS. STEINGASSER: Right, depending
on the zone.

    COMMISSIONER MAY: Right.

    CHAIRMAN HOOD: Okay.

Residential flat, one-family dwelling.

    COMMISSIONER MILLER: Didn't we
deal with that in --

    CHAIRMAN HOOD: Have we?

    COMMISSIONER MILLER: In 1A?

    Yeah.

    CHAIRMAN HOOD: Okay. So let's
keep moving. Public assisting, housing reserved for the elderly and/or handicapped.

COMMISSIONER MILLER: No change.

CHAIRMAN HOOD: Okay. Rooming and boarding house. Child and elderly development center. No, actually, it's not the same. It's not the same. We went from seven to zero, and I have problems with zeros. I guess when I got so many zeros on the tests when I was in school, so I just have problems with zeros.

COMMISSIONER MILLER: So I think that needs to go in the revisit category.

CHAIRMAN HOOD: Okay. Can we revisit that? Okay. We're not voting on revisiting stuff. I'm getting tired, can't remember all of this, obviously. Okay. So what about college or other institution of higher learning, businesses, trade, or other school, and accessory use located on campus?

COMMISSIONER MILLER: We'll approve that. We'll do that as part of the campus --
CHAIRMAN HOOD: Yeah, I think that's on tomorrow. Elementary and junior high school.

MS. STEINGASSER: The Commission has voted on that, and that is to maintain the existing regulations.

CHAIRMAN HOOD: So we did the same for high school and accessory uses? Yeah.

MS. STEINGASSER: Yes, sir.

CHAIRMAN HOOD: Pre-elementary. So we've already dealt with that, too.

MS. STEINGASSER: I'm sorry. You did private schools, not public. I'm sorry.

CHAIRMAN HOOD: Oh, okay. So we need to go back to elementary and junior high school.

COMMISSIONER MAY: It's says attached school parking comparison, and if we have it, we don't have it handy. Is it --

MS. STEINGASSER: I don't have it handy, either. I'm sorry. It's one of the documents from May. We did a survey of all the
public schools.

COMMISSIONER MAY: Right.

CHAIRMAN HOOD: Okay. Can we --

COMMISSIONER MAY: So I mean --
sorry. I cut you off.

CHAIRMAN HOOD: No, go head.

COMMISSIONER MAY: I was just going
to ask, I mean, is there a substantial
difference in the new as a result of the
different calculation that's based on square
footage, or does it try to approximate the
current? Because I do know that there is
substantial need for teacher parking at high
schools or rather schools, whether they're
public or private.

MS. STEINGASSER: I really don't
remember.

COMMISSIONER MAY: Okay.

MS. STEINGASSER: We'll put that in
the revisit column and be able to give you some
more accurate --

COMMISSIONER MAY: And I think that
would apply for all of the schools then where we don't have the attached school parking. You know, unfortunately, I didn't bring my box. It might have been in my box tonight, so.

CHAIRMAN HOOD: Okay. Yeah. We'll do that. Now what about all other uses, using former public school buildings?

MS. STEINGASSER: So right now, there's a list that the Commission adopted in 2006 that allows a certain set of uses to occupy former public schools, and each of those uses has a correlating parking requirement. So whatever the Commission adopts tonight, that same correlated parking requirement would go forward, is what that --

COMMISSIONER TURNBULL: So there would be no change.

MS. STEINGASSER: There would be no change, except for the changes that the Commission adopts. So for instance, if an art gallery went in and the Commission adopted changes to the art gallery standards tonight,
those --

COMMISSIONER TURNBULL: Okay.

MS. STEINGASSER: would transfer.

COMMISSIONER TURNBULL: Alright.

I understand.

CHAIRMAN HOOD: So basically, that would conclude this page, and we need to go back to our worksheet. Okay. We need to take a vote on --

MS. STEINGASSER: On all the ones that you said you were okay with.

CHAIRMAN HOOD: I thought we did.

MS. STEINGASSER: No.

CHAIRMAN HOOD: I thought we --

MS. STEINGASSER: And over all the -- now, for the ones that you were okay with.

COMMISSIONER MAY: So we're voting on 1E right now, on the purple sheet.

MS. STEINGASSER: Yes.

COMMISSIONER MAY: Which is All Other Uses Minimum Parking Requirement.

CHAIRMAN HOOD: Oh.
COMMISSIONER MAY: So I would make a motion that we approve the recommendation ratios based on parking spaces per square foot of building as described in the text that we just reviewed, noting that several have been referred for the Office of Planning to revisit the requirements, and I think it's clear which ones need to be revisited. But all the other ones, I would move that we approve.

CHAIRMAN HOOD: Second.

COMMISSIONER MILLER: And some we changed.

COMMISSIONER TURNBULL: Some we changed.

COMMISSIONER MILLER: We actually said --

COMMISSIONER MAY: Noting that some of them were changed, correct, by individual votes.

CHAIRMAN HOOD: And I'll second that. It's been moved and properly seconded. Any further discussion? All those in favor?
(Chorus of ayes.)

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

MS. SCHELLIN: Staff records the vote five to zero to zero to approve the parking ratios based on parking spaces/square feet of building as described in the setdown text for various uses per the chart that was discussed this evening with, there were some that were pulled out and individually voted on and there were some that the Office of Planning will bring back for the Commission to revisit. Commissioner May moving, Commissioner Hood seconding, Commissioners Cohen, Miller, and Turnbull in support.

CHAIRMAN HOOD: Okay. Let's go to Downtown Minimum Parking Requirement. Or did we already do that?

MS. STEINGASSER: No.

COMMISSIONER MAY: You know, we did vote effectively on something that
encapsulated that, but it doesn't capture the latest recommendation.

CHAIRMAN HOOD: Right, the bottom here. This one that's outstanding. Okay. Well, let's just go through the whole thing. Setdown, remove minimum parking requirement for all uses in areas where downtown provisions apply. The alternative, to reinstate parking requirement for all uses within the West End, west of 20th Street Northwest. Public comments, establish a parking maximum limit in downtown, or a cap for total downtown parking; remove minimum parking requirement; retain a parking requirement for residential downtown; retain parking requirement within the West End; establish, excuse me, a parking requirement for all uses downtown, even if next to a Metro station. Office of Planning's recommendation is to remove minimum parking requirement for all uses in areas where downtown provisions apply, but include parking requirement within the West End. Any comments?
VICE CHAIR COHEN: I have a question. The West End, you know, has the Foggy Bottom Metro Station, and we have a campus plan that I don't recall because I didn't sit on it that governs parking for students. My concern is that if we include parking minimum, will that encourage students to bring their cars to campus and make it harder for residents to park?

MS. STEINGASSER: No, ma'am. The campus plan would be the overriding document relative to the university. This would just address the residential and offices.

VICE CHAIR COHEN: Okay. Thank you.

COMMISSIONER MILLER: I would -- Mr. Chairman, I would note that in addition to the Foggy Bottom Metro Station the Farragut West is within a couple blocks and the Farragut North is just a couple blocks beyond that. It's a very transit-rich area, and that is why it originally was included within downtown, and
I think it should remain within downtown for the purposes of the parking minimums.

CHAIRMAN HOOD: So you're saying retain the parking requirement for residential downtown? Maybe I missed it.

COMMISSIONER MAY: Skip the alternate, is what you're saying.

COMMISSIONER MILLER: Yes, yes.

Thank you, Commissioner, for clarifying.

CHAIRMAN HOOD: So you're saying go back to the regular recommendation --

COMMISSIONER MILLER: As setdown, yes.

CHAIRMAN HOOD: I don't support that.

COMMISSIONER MAY: I would agree --

CHAIRMAN HOOD: I think -- I'm sorry.

COMMISSIONER MAY: I would agree with you, Mr. Chairman. I like the fact that the Office of Planning has been responsive to the comments. You know, I think the thing
that's unusual about the West End is that there is still a very substantial concentration of, you know, older residential stock and people who have to rely on, if they have a car, rely on street parking, and I think that it's a very congested area. Now I will say, actually, my dentist is in Foggy Bottom, but I ride my bike there. But every once in a while, you know, you wind up having to drive, so it's not easy parking there. Everyone knows that.

CHAIRMAN HOOD: Because we're all are eventually going to be stopped and we're going to have to make sure that we're able to get to certain places.

MS. STEINGASSER: Well, my other -- I'd like to just expand a little bit on the West End. Has there been a DDOT review of all the garages and whether or not they are being utilized fully? Do you know?

MR. LAWSON: DDOT has been working on a parking utilization study, and they've got some preliminary information. They're hoping
to obtain more information. I don't have an estimated date for when that's coming forward, and it's not specific to the West End.

VICE CHAIR COHEN: No, I understand that except that I think that one of the issues with the West End is it is so heavily, heavily congested and that if you put in more parking, you, you know, sort of make it readily available to car users. And as Commissioner Miller said, that he's in favor of just retaining the parking requirement as setdown, and I made, and that would influence me had I known what's going on with the occupancy of parking garages there. So I feel that the West End may end up coming in for a special planning process. Are you aware of their intentions?

MR. LAWSON: I'm certainly not aware of any special planning process for that neighborhood. They've -- no, I'm not.

VICE CHAIR COHEN: I mean, the neighborhood is predominant on the campus and so. You know, as I said, there's so much
congestion that it's not -- I think having parking, higher parking standards for the West End may be problematic. But I think that I just now know how I'm going to vote.

COMMISSIONER MILLER: I have another question. I'm certainly aware of the West End Citizen's Association position on this. Did the ANC2A take a position on this that you recall? I'm sorry to just throw that at you.

MR. LAWSON: We'll check that right now.

VICE CHAIR COHEN: We can check it, too.

COMMISSIONER TURNBULL: I would agree with the Chair and Commissioner May on this, I think. Knowing how the West End Citizen's Association feels on Foggy Bottom, I think they've made their point, and I think OP has listened to that, and I would agree for the requirements.

CHAIRMAN HOOD: So I think that if
I put a motion, I want to make sure that Commissioner May and Turnbull -- I'm not sure where Miller and Vice Chair are, but for the most part, I move that we retain a parking requirement for residential downtown, and ask for a second.

VICE CHAIR COHEN: Wait, I'd just like -- I found the --

CHAIRMAN HOOD: I've got a motion on the table.

VICE CHAIR COHEN: I'm sorry.

COMMISSIONER MAY: I'm sorry. I'm confused by the motion. You said retain --

CHAIRMAN HOOD: That's why I wanted to make the motion, because you said you agreed with me, and that's what I said.

COMMISSIONER MAY: I'm sorry, could you just repeat it then for me?

CHAIRMAN HOOD: I said I retain --

I make a motion that we retain a parking requirement for residential downtown.

COMMISSIONER MAY: All of
residential downtown.

CHAIRMAN HOOD: Right, which would include West End.

COMMISSIONER MAY: Okay. I'm not in favor of that.

CHAIRMAN HOOD: Well, that's where I was.

(Off the record discussion.)

CHAIRMAN HOOD: Okay. Let me -- remove minimum parking requirements for all uses in areas where downtown provisions apply, but include parking requirement within the West End.

COMMISSIONER MAY: I would second that motion.

CHAIRMAN HOOD: Okay. Okay. Alright. I was trying to get there. Okay. Must be getting late.

COMMISSIONER MAY: Sorry if I made it difficult.

CHAIRMAN HOOD: No, no. I probably confused myself. Okay. It's been
moved and seconded. Any further discussion?

VICE CHAIR COHEN: I just wanted to mention that ANC2A says they want to not change the requirements for parking spaces in Foggy Bottom West End, so they concur with the proposal.

CHAIRMAN HOOD: Okay. So they concur with the motion. Right?

VICE CHAIR COHEN: Yes.

CHAIRMAN HOOD: Okay. So it's been moved and properly seconded. Any further discussion? All those in favor?

(Chorus of ayes.)

CHAIRMAN HOOD: Any opposition?

So ordered. Staff, would you record the vote?

MS. SCHELLIN: Staff records the vote five to zero to zero to remove minimum parking requirements for all uses in areas where downtown provisions apply, but include parking requirement within the West End. Commissioner Hood moving, Commissioner May seconding, Commissioners Cohen, Miller, and
Turnbull in support.

CHAIRMAN HOOD: Okay. Alright.

Capitol Gateway, Southeast Federal Center and MU-11 Minimum Parking Requirement. Setdown, remove minimum parking requirements for all uses, and Office of Planning's recommendation, remove minimum parking requirements for all uses. It's the same as the Setdown. any comments?

COMMISSIONER MAY: I just have a question. So if I understand this correctly, this is the sort of expanded downtown, but it's not connected to downtown. It's the southeast/southwest section of --

MR. LAWSON: Yeah, it's kind of fun to think of it as Buzzard Point and the area around the baseball stadium.

COMMISSIONER MAY: I see. Okay. And I guess what makes me a little bit uncomfortable about that is that it is adjacent to some relatively low-density housing to the, primarily to the west and maybe a little to the
northwest, north and west of Buzzard Point. And I'm wondering if, you know, whether you're concerned this is going to wind up with a lot of spillover parking in those lower-density neighborhoods.

MR. LAWSON: Well, one of the things we're trying to do, of course, is balance traffic and parking. And certainly the neighborhood has expressed that traffic is also a big concern. And it has been said by DDOT many times, if you build it, they will come, so there is that concern about parking.

You know, again, some of these areas have very good transit access. It's all designated for high-density development like downtown on the comprehensive plan. Other portions of it run along the waterfront where we're trying to encourage more creative ways I guess of accessing the site and creatively using, addressing parking rather than over-parking sites or flood plain issues in this area, as well.
Lots of issues that led us to believe that this was the appropriate solution, but really the main one was, these areas that, the planning that's in place for these areas right now are for these areas to serve as an extension of the downtown, to serve that same kind of a role, and so we felt that the parking proposal was appropriate for those areas, as well.

COMMISSIONER MAY: So, I mean, I can appreciate a lot of that. And again, I don't think I'm uncomfortable with the areas in southeast because of the greater proximity to Metro. I think Buzzard Point, we've faced it with some PUDs in that area where it's not really that close to Metro, and so I'm not sure that that really works the same way.

Now granted there's a streetcar line that's intended for that area, and I'm just wondering if maybe this is something where we do need to be a little bit more careful because it doesn't have -- I mean, downtown, you have
Metro, various lines, and various directions, and you're never really farther than, you know, a ten-minute walk from the Metro, and here, there are sections I think where you.

I don't know. I'm not totally -- I certainly understand part of it. I'm not sure if I'm totally there with all of it at this time, or at least all of it without maybe some protections. For example, if there are residential uses that the residential uses would not qualify for residential parking permits or something like that, because then that could really be a spillover parking issue.

VICE CHAIR COHEN: Aren't there circulator routes though also in this neighborhood?

MR. LAWSON: There is some circulator bus through the area, as well, and of course they have water taxis, too.

COMMISSIONER MAY: I don't know. I'd be interested in hearing what the rest of the Commission has to say about where you are
with this reduction.

COMMISSIONER TURNBULL: I think I have some of the same concerns you have for the same area. I think we had, especially when we were setting up the temporary parking lots for the ballpark, and we had -- oh, I'm trying to remember the Commissioner who just passed away last year. He came by, and -- no.

CHAIRMAN HOOD: You talking about in Southwest?

COMMISSIONER TURNBULL: Yeah.

CHAIRMAN HOOD: Yeah. McBee.

COMMISSIONER TURNBULL: McBee. And I just remember some very impassioned -- when we had all the discussions about the temporary parking lots, concern about the neighborhood, and over-parking, they eventually went along with it, but -- and we eventually -- I think as you were getting at, Commissioner May, a lot of those sites are going to -- that parking is going to go away, and they're going to be developed, and there's
going to be buildings there at some point.

So I guess the concern is if, and
getting to what you were saying about parking
and go into the residential neighborhood, I
think they were already worried about parking
from the baseball coming into the neighborhood
and parking. And they haven't come back and
complained about that, but I think there was a
definite concern about the development of that
and without, and over-parking from other
people, other than the residents who live
there.

VICE CHAIR COHEN: I think I agree
with that because what we were, what we did ask
for, and I don't recall under which PUD, but we
asked the baseball people to come back with a
plan for the parking, the stadium when these
different lots come online with buildings, and
I don't know if we gave them any kind of
timetable. I just remember asking for that,
knowing that it's going to exacerbate parking
in that area.
Again, I would prefer seeing, you know, mass transit in the form of different circulators and buses to that area rather than encouraging car use, because again, it just chokes up every road and makes life miserable for people who live there.

MR. LAWSON: And we agree, and we think that that's, this is one of the ways that that can help that out. And I'm not standing here saying that if there is no parking requirement that buildings won't build parking.

VICE CHAIR COHEN: No, because they won't be able to market the building to different uses if they didn't have something. But it's just a matter of I think -- again, we're trying to leave it up to the particular developer who knows that he or she must provide parking to attract tenants.

MR. LAWSON: I think what we're trying to do here is we're trying to create a new urban environment, and we're trying to
create an urban environment more like the downtown than like a suburban, you know, than Tysons Corner. And so we feel that it is appropriate, especially given some of the environmental constraints here and some of the constraints with, that are likely going to exist on some of the properties due to conditions and things, that it be dealt with, the parking be dealt with in terms of what's appropriate for that site rather than a number that may or may not have any relevance anymore.

CHAIRMAN HOOD: Okay. Mr. Turnbull, I'm actually in line with, I'm not sure who else. I'm in line with your comments on this one. Did we, did you have something you wanted to propose generally? I'm in line with your --

COMMISSIONER TURNBULL: Well, I guess it was just building on what Commissioner May explained, and maybe the Buzzard Point area or whatever that -- and I guess for a lot of this I don't have a lot of concern about, but I just
-- there's that residential area, townhouses, whatever's around there, and I'm just concerned about the impact of what we're doing there.

COMMISSIONER MAY: So I would just ask -- you were very helpful in providing the ANC's input on the West End question. I'm wondering if you have input from what is this, six --

MR. LAWSON: This would be 6D. And we'll take a look. The whole, that whole residential area is already covered by some of the most restrictive residential permit parking requirements in the city. That's one of the areas which was the test case for our RPP and expanded RPP.

COMMISSIONER MAY: Right.

MR. LAWSON: So it's already very -- that if --

COMMISSIONER MAY: Very tightly controlled.

MR. LAWSON: It's very, very tightly controlled, even compared to other
areas that also have RPP. So I think that that
gives us a lot of comfort that the parking
issues won't be as bad. And what we're trying
to address are some of the traffic issues that
the neighborhood has also raised with us. It's
going to be a fair amount of development that
happens down there when it happens, and we agree
that it should be, as strongly as possible,
encouraged to happen through the use of mass
transit rather than more cars driving to the
neighborhood.

CHAIRMAN HOOD: Well, this city
made it through the RFK days, so I'm sure that
we'll figure something out. But anyway, I
still associate it, and I think Mr. Turnbull was
piggybacking off of what Commissioner May said,
but I really appreciate the way Commissioner
Turnbull phrased it. Now how do we fix it?
I'm not too concerned, because some people
choose to drive to the game. Everybody doesn't
catch the Metro, or get the circular, or walk.
Some people will ride their bikes. I don't
know if people ride bikes to the games. I'd have to check with Commissioner May. But some people choose their ways to get to the game, so we need to make sure that we're not doing more damage by not having spaces there for people who choose to drive to a game.

COMMISSIONER MAY: They have valet parking at the National Stadium and yes, when I've gone, I've ridden my bike, just for your information.

CHAIRMAN HOOD: Okay. Thank you. I haven't, I drove my car.

COMMISSIONER MAY: Did you park in those parking garages just to the north of the stadium?

CHAIRMAN HOOD: Yes, I did. I parked actually in that building.

COMMISSIONER MAY: I understand there's a lot of room in those parking garages.

CHAIRMAN HOOD: I understand there's not, and here's -- let me just say this. We did a PUD. We always talk about
under-parking, and plenty of spaces, and parking not being utilized. Check some of the requirements. There's a development we did, and the person who's over that parking rides me every time she sees me. I can't fill up my parking lot. You can't fill up your parking lot because you restrict it, three of the floors. That's why they're empty. There's a lot more to it that goes into these equations other than what the Zoning Commission approved. If she opens up the other three floors, I guarantee you, because a lot of times -- well, anyway, I'll leave it at that.

COMMISSIONER MAY: Well, anyway, having heard the Office of Planning's further explanation, and were you able to find anything about 6D's comment on this?

MR. LAWSON: So far, we're not finding anything --

COMMISSIONER MAY: Yeah, okay. I mean, I am comforted substantially by the Office of Planning's comments on this, and I do
think we need to be forward-thinking. I'm still a little bit uneasy about it, particularly again toward the western portion of this new segment of downtown, but I think with some unease, I would support the proposal.

VICE CHAIR COHEN: I support the proposal.

COMMISSIONER MILLER: I would -- I don't want to give support yet. I would still like to revisit somehow conditionally -- I could give conditional support based upon going back and revisiting the whole Buzzard Point area, ANC6D, and getting some more positive feedback from those people over there.

COMMISSIONER MAY: I wouldn't have any problem with getting some additional feedback on this. I mean, certainly my mind is not totally made up on this. It would be by proposed, but getting more information would certainly help.

COMMISSIONER MILLER: I'm comfortable with supporting this, but -- I'm
comfortable with supporting this, Mr. Chairman, but going back to what the Vice Chair had said, it actually wasn't the developer. I think it was DDOT that I -- well, maybe you asked a developer in a case, but I asked DDOT maybe in the same case if they'd done it, but there had been a big transportation plan done before the baseball stadium was built, the surface parking spaces identified, we knew that the surface spaces were going to be developed with buildings on top of them and underground parking, and some of that underground parking was supposed to supply some of the demand for the parking that's associated with the stadium.

I had asked that it would be good, you know, seven years later, to get an update as to whether or not those buildings are, and the planned buildings and the ones that are going up are able to serve -- are the needs still the same as they were identified back then, and are the underground parking lots sufficient to prevent spillover into the residential
neighborhoods.

They do have very strict enforcement and restrictive residential parking there, and it seems to have worked all these years, but -- so I'm still comfortable with supporting it, but I think we do need more information to find out what's going on with an updated transportation plan for that whole neighborhood. And they were going to get it with the whole Buzzard's Point soccer stadium proposal. But that's going to have to be evaluated for that project's impact in that neighborhood if that goes forward.

CHAIRMAN HOOD: Okay. So what is the recommendation? Are we going to kick this back again to the Office of Planning? I think Commissioner May has -- I don't want to go down what everybody feels, but what is the --

COMMISSIONER MAY: Mr. Chairman, I would try to make a motion that we accept the recommendation to remove parking requirements for all uses, but ask the Office of Planning to
do some further investigation as to the neighborhood concerns and other transportation planning issues for that are and report back to us.

CHAIRMAN HOOD: I will second that, but I will second that if you will put the word "tentatively."

COMMISSIONER MAY: Tentatively. Okay.

CHAIRMAN HOOD: Okay. I can go with that. I think that'll cover it. I guess everybody -- Okay. So it's been moved and I seconded it. Any further discussion? All those in favor?

(Chorus of ayes.)

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

MS. SCHELLIN: Staff records the vote five to zero to zero to tentatively remove minimum parking requirements for all uses in Capitol Gateway, Southeast Federal Center, and MU-11 based and also ask OP to investigate the
transportation issues in the area and come back with maybe some alternative. Commissioner May moving, Commissioner Hood seconding, Commissioners Turnbull, Cohen, and Miller in support.

COMMISSIONER MAY: I would just correct. I didn't ask for alternative per se. I mean, if they want to do that, that's fine, but it's just further investigation and report back.

CHAIRMAN HOOD: Okay. Next, Off-Site Provisions and Required Parking. Allow off-site parking within 400 feet of the site, other than residential house or flat zones. Alternative, increase the distance to 600 feet from the site; allow a greater distance by special exception. Public comments, support allowing off-site parking; support increasing the distance to more than 400 feet; increase the distance to half mile. Office of Planning's recommendation, allow off-site parking within 600 feet of the site, other than
residential house or flat zones; allow a
greater distance by special exception. Any
comments?

COMMISSIONER MILLER: Mr. Chairman, I would move the OP recommendation
that you just last, allow off-street parking
within 600 feet of the site, other than
residential house or flat zones; allow a
greater distance by special exception, and ask
for a second, and if anybody wants to comment --

VICE CHAIR COHEN: Second.

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

(Chorus of ayes.)

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

MS. SCHELLIN: Staff records the
vote five to zero to zero to allow off-site
parking within 600 feet of the site, other than
residential house or flat zones; allow a
greater distance by special exception.

CHAIRMAN HOOD: Okay. The Setdown is the same as the recommendation in the next one, Shared Parking. Allow parking to be shared by more than one use, on the same lot or separate lots, provided the parking is not needed by both uses at the same time. The public comment, encourage sharing of parking spaces. And the recommendation is the same as the Setdown.

COMMISSIONER MAY: Mr. Chairman, I would go ahead and make a recommendation that we accept -- sorry, that we -- make a motion that we accept the recommendation to allow parking to be shared by more than one use, on the same lot or separate lots, provided the parking is not needed by both uses at the same time.

COMMISSIONER MILLER: Second.

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

(Chorus of ayes.)
CHAIRMAN HOOD: Any opposition?

Ms. Schellin, would you record the vote?

MS. SCHELLIN: Staff records the vote five to zero to zero to allow parking to be shared by more than one use, on the same lot or separate lots, provided the parking is not needed by both uses at the same time. Commissioner May moving, Commissioner Miller seconding, Commissioners Hood, Cohen, and Turnbull in support.

CHAIRMAN HOOD: Okay. Parking Standards for Non-required Parking. The Setdown, parking in excess of the required amount may be provided, but would have to meet the size and access requirements for required parking spaces. The public comments, do not apply size and access requirements to non-required parking, as this would limit ability to, for example, do tandem -- do tandem spaces. Okay.

Anyway, the Office of Planning's recommendation, do not require non-required
parking to meet the parking size or access requirements. By deleting the last clause of this provision, nothing in this section prohibits the provision of parking spaces in an amount which exceeds that required by this section, provided by that parking provided in excess of the minimum required amount shall be subject to the provisions of 1907.

COMMISSIONER MAY: Mr. Chairman, I would make a motion that we accept the recommendation that you just stated.

CHAIRMAN HOOD: You don't want to read it so I can --

COMMISSIONER MAY: No. I'm getting tired.

VICE CHAIR COHEN: And I'll second that.

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

(Chorus of ayes.)

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

MS. SCHELLIN: Staff records the vote five to zero to zero to accept the parking standards for non-required parking as recommended by the Office of Planning and read by Commissioner Hood. Commissioner May moving, Commissioner Turnbull seconding, Commissioners Hood, Cohen, and Miller in support.

CHAIRMAN HOOD: Okay. Next, Transit Related 50 Percent Minimum Parking Reduction. Setdown, permit 50 percent reduction in minimum required parking, other than for R-1 through R-4 zones, within half mile of a Metro station, half mile of Priority Bus Corridor, or half mile of a streetcar line. Alternate, permit 50 percent reduction in required parking, other than R-1 through R-4 zones, within half mile of a Metro station, or half mile of a streetcar line, but not within a quarter of a mile of the Priority Bus
Corridor.

Public comments, do not require parking adjacent to transit; permit parking reduction for proximity to Metro Station, streetcar, and Priority Bus Corridor; do not permit parking reduction for proximity to Priority Bus Corridor; if parking reduction for proximity to Priority Bus Corridor is permitted, require a zoning amendment to remove or add a new corridor; support not allowing parking reductions in R-1 through R-4 zones; do not provide a parking reduction for proximity to transit.

Office of Planning's recommendation, permit 50 percent reduction in minimum required parking, other than for R-1 through R-4 zones, within half mile of a Metro station, or half mile of a streetcar line not within a quarter of a mile of the Priority Bus Corridor.

VICE CHAIR COHEN: Mr. Chairman?

CHAIRMAN HOOD: Vice Chair.
VICE CHAIR COHEN: Thank you, Mr. Chairman. I strongly do not support omitting the Priority Bus Corridor, and I strongly believe that we should include that in our deliberations and the recommendation, that we permit reduction in minimum required parking, other than for R-1 through R-4, within half mile of a Metro station, or a quarter of a mile of a streetcar line, or a quarter of a mile of a Priority Bus Corridor.

CHAIRMAN HOOD: Okay. But the recommendation didn't omit it. That was just a comment that says, do not provide a parking reduction of proximity -- I think. I wasn't sure of your statement, because that must have been what I read in the do not permit parking reductions for proximity to Priority Bus Corridor.

VICE CHAIR COHEN: What I'm stating is I don't go along with OP's recommendation to eliminate the one-quarter mile of a Priority Bus Corridor.
CHAIRMAN HOOD: Okay. So what you just read back was what you didn't agree with? Maybe I missed something.

VICE CHAIR COHEN: I added the one-quarter -- I read the recommendation and added a one-quarter mile of a Priority Bus Corridor.

CHAIRMAN HOOD: Oh, you added. Okay. Because it says not within a quarter -- okay.

COMMISSIONER MAY: Sorry, was that a motion or you just stated what you believed? I think I heard a motion. Was there a motion?

VICE CHAIR COHEN: I will make that as a motion, yes.

COMMISSIONER MAY: Okay. The reason I'm asking is that the second, the alternative -- Office of Planning gave us two choices on this. One was to include the quarter-mile of a Priority Bus Corridor, but apply it only to currently mapped quarters and then require a Zoning text amendment to add
additional Priority Bus Corridors or --

CHAIRMAN HOOD:  Hold on, let me ask something.  Let me ask something.  Vice Chair, because we're out of sequence --

COMMISSIONER MAY:  Sorry.

CHAIRMAN HOOD:  and it's getting late.  You actually didn't make a motion. Commissioner May, I'm not going to say coerced you but, encouraged you to make that as a motion.  And the reason why, the reason why I'm saying that is because if a motion is on the table, I have to call for a second and then discussion.  Parliamentary procedures.  So what I'm saying is, that was not a motion you really made at first, was it?  You would like to make one, but that wasn't what you were doing.  You was having discussion.

VICE CHAIR COHEN:  I was having discussion.

CHAIRMAN HOOD:  Okay. That makes it cleaner. The reason -- now, Commissioner May, we can have -- Parliamentary procedures,
now we can have a discussion, because if a
motion is on the table, we've got to wait for
a second, and then we have discussion.

COMMISSIONER MAY: And I apologize
for interrupting.

CHAIRMAN HOOD: That's alright.
No, you're fine.

COMMISSIONER MAY: I was just
seeking clarity.

CHAIRMAN HOOD: I just want to keep
it clean. Okay. If you can clarify again,
Vice Chair, if you don't mind?

VICE CHAIR COHEN: Okay. Let me
clarify that actually -- shall I clarify or make
a motion? I would prefer making a motion now.
Okay. My motion is to -- if the Zoning -- is
to permit a 50 percent reduction in parking for
sites within a quarter of a mile of a Priority
Bus Zone -- I'm sorry. Let me go back and
correct myself. I guess I'm really tired.

Permit 50 percent reduction in
minimum required parking, other than for R-1
through R-4 zones, within half mile of a Metro station, or a quarter of a mile of a streetcar line, and to permit a 50 percent reduction in parking for sites within a quarter of a mile of a Priority Bus Corridor. And this will apply only to the currently mapped corridors and require a Zoning text amendment to add additional Priority Bus Corridors or to delete a Priority Bus Corridor. That is my motion.

COMMISSIONER MILLER: I would second that.

CHAIRMAN HOOD: Okay. It's been moved and properly seconded. Discussion? Commissioner May?

COMMISSIONER MAY: Yeah. So I've been thinking about this issue quite a bit and how far we need to go in reducing parking requirements along transit corridors, however they're described. And I think my concern, even from the very beginning, was a concern about spillover parking, and that if you don't require this and these are residential zones,
that we're going to wind up with, you know, under-parked apartment buildings, and then people are going to be putting their cars in the residential neighborhoods in the immediate vicinity, and I don't think that, you know, that's something we want to promote. I think the idea is to promote not having cars, and there's nothing automatic I think if residential parking permits are an option.

At the time, when this first came up, I was very concerned and tried to push the Office of Planning and DDOT in particular to try to address this issue. And DDOT is making some steps in this direction, but I don't think that they've really resolved it, even now seven years after we had our first hearings, or six years after we had our first hearings on this topic. But that doesn't mean that I'm reluctant at this point. I'm ready to go ahead, and if DDOT needs to do some catch-up work, then I'm happy to have them catch up.

I would say, though, that I think it
would be -- I would feel better about this if what we were doing is that if a building actually got a reduction in the minimum required parking, that as a condition of that reduction, there be no residential parking permits allowed for residents of that building.

Now whether that becomes, you know, because DDOT can take them off a list or because it's incorporated into leases or, you know, purchase documents, or whatever it is, just so long as they are not eligible for RPP, and I think that I would be very happy with this proposal if that were the case. So I'm not making that as a friendly motion at this point. I'm just throwing it out there for discussion.

COMMISSIONER TURNBULL: I just want to -- I have maybe a point of clarification to ask. The quarter mile of a Priority Bus Corridor, does that mean that in an R-1 through R-4 areas, that doesn't include those?

MR. LAWSON: That's correct.

COMMISSIONER TURNBULL: So if a
corridor is going through there, that doesn't affect them.

    MR. LAWSON: That's correct.

    COMMISSIONER TURNBULL: Okay. I just wanted to be sure.

    MR. LAWSON: Sorry, it doesn't affect the parking requirement.

    COMMISSIONER TURNBULL: Parking requirement.

    MR. LAWSON: Within those zones.

    COMMISSIONER TURNBULL: Within those zones. Alright.

    CHAIRMAN HOOD: Okay. I'm in line with what I heard actually from Commissioner May. I would probably follow suit, but I'm hoping Commissioner May, you're right, the alternative is not to get parking and spillover into the neighborhood. So I'm hoping at a later point maybe we can come up with an alternative motion. It may be a little more I think -- accomplish, at least the way I see it, accomplish what we're actually trying to get.
I don't know if we wanted to do that tonight or
go ahead through --

COMMISSIONER MAY: I'm not sure if
the mechanics are there to do it. I would
certainly, you know -- if the Office of
Planning, if we were to, if I were to make a
friendly motion in this regard to incorporate
the RPP exclusion, we'd have to leave it up to
the Office of Planning to figure out how best
that could be accomplished. But I'm happy to
sort of put it in their hands and see what they
come back with, and hopefully they'll come back
with a good solution for us.

CHAIRMAN HOOD: Okay. Well, we've
got a motion on the table, and we need to get
to that. If you want to make a --

COMMISSIONER MAY: So I would offer
a friendly amendment to the motion to include
an RPP exclusion for any buildings that receive
this 50 percent reduction.

VICE CHAIR COHEN: I would accept
that.
COMMISSIONER MILLER: And as to the second, I would accept that.

CHAIRMAN HOOD: Okay. Alright. It's been moved with the friendly amendment, thank you. Any further discussion? All those in favor?

(Chorus of ayes.)

CHAIRMAN HOOD: Any opposition?

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

MS. SCHELLIN: Staff records the vote five to zero to zero permit 50 percent reduction in minimum required parking, other than for R-1 through R-4 zones, within half mile of a Metro station, or a quarter of a mile of a streetcar line, or a quarter of a mile of a Priority Bus Corridor. And those are PBCs that are currently mapped, and it would take a rulemaking case to add any new PBCs and also include if a building receives a reduction, then they receive an RPP exclusion. Commissioner Cohen moving, Commissioner Miller
seconding, Commissioners Hood, May, and Turnbull in support.

CHAIRMAN HOOD: Okay. Next, Allow Additional Parking Relief by Special Exception. Setdown, allow relief from required minimum parking by special exception, subject to conditions and an approved TDM plan. Public comment, allow parking relief only by variance; tie special exception relief to the provisions of affordable housing. The recommendation, allow relief from required minimum parking by special exception, subject to conditions and an approved TDM plan. Any comments? Okay.

VICE CHAIR COHEN: I would like to put it out there just for discussion about including the relief for affordable housing, what my colleagues may feel about that.

COMMISSIONER MILLER: I would support it being a factor in the conditions that would be considered in the special exception case to give the relief. I think it's a
legitimate factor. I don't have the conditions in front -- are there prescribed conditions right now in the OP recommendation? I think there are. I don't know if there's one for affordable housing, but I think there are others.

MR. LAWSON: I'm just looking at the list right now. Oh, sorry. I'm looking at the list right now. There are right now eight conditions listed.

COMMISSIONER MILLER: What are they, factors to be considered if --- granting relief?

MR. LAWSON: Yes. They are factors such as the presence of bicycle facilities, you know, traffic congestion, nature of the use. I don't see affordable -- I don't see a tie directly to the provision of affordable housing in the list right now.

VICE CHAIR COHEN: I think that is extremely important that we include that, especially when we have noted exceptions for
bicycles. I think it's, you know -- we really need to look at how to move forward on promoting affordable housing. This may be one way of doing it.

MR. LAWSON: It can absolutely be added, and we'd be happy to do that if that's the wish of the Commission.

COMMISSIONER MILLER: I would encourage that, too, and I'd put it near the top of the list of the things to consider for special exception relief.

COMMISSIONER MAY: I don't think it's a ranked list, but I appreciate --

COMMISSIONER MILLER: Not a ranked list. I don't want it to end up at the bottom.

COMMISSIONER MAY: Yeah. I'm certainly okay with that concept, and you know, we brought this top up before and relief by special exception rather than variance, and I think I'm okay with that. Because it just sort of renders moot the police station thing.

CHAIRMAN HOOD: Any other
comments? Somebody like -- do we have a motion on the table?

VICE CHAIR COHEN: No.

CHAIRMAN HOOD: Would you like to make one, including affordability condition?

VICE CHAIR COHEN: Yes. I move to accept OP's recommendation to allow relief from required minimum parking by special exception, subject to conditions, and adding to those conditions, relief to the provision of affordable housing, and an approved TDM plan.

COMMISSIONER MILLER: Second.

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

I will just say that a lot of times when we make the changes, while it started off being the Office of Planning's recommendation, I think -- and this is a case, and I want to make it clear, because I don't want nobody to tweet and say -- and I've been watching it, but I don't want nobody to Tweet and say that all they did
was accept the Office of Planning's recommendations. Because if you listen to us, we're making changes, even though it starts off on the surface. We add, take away, subtract, or whatever you have, and I just wanted to say that for the record. I think I've said that every night so far, so I'll remember to say it tomorrow nit.

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

(Chorus of ayes.)

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

MS. SCHELLIN: Staff records the vote five to zero to zero to allow relief from required minimum parking by special exception, subject to conditions and an approved TDM plan, and adding to the conditions the affordable housing option -- as one of the conditions, rather. Commissioner Cohen moving,
Commissioner Miller seconding, Commissioners Hood, Turnbull, and May in support.

CHAIRMAN HOOD: Okay. Next, Canopy Trees. There's no Setdown. The alternative is the same as the recommendation, list presence of canopy trees as rationale for -- no, I'm sorry, they're not -- yeah, they are the same. List presence of canopy trees as a rationale for special exception relief. Any discussion?

VICE CHAIR COHEN: Mr. Chairman, I move to list presence of canopy trees as a rationale for special exception relief.

COMMISSIONER MILLER: Second.

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

COMMISSIONER MAY: Yeah. Maybe I should check the specific language, but I didn't think that there was a, that the adjectives, that the adjective healthy was in the language as proposed, and I think that is,
we should be talking about healthy -- I think mature was in there, but it's not listed in our worksheet. But mature, healthy canopy trees.

VICE CHAIR COHEN: Alright. Should I amend?

COMMISSIONER MAY: Oh, yes. I would ask that as a friendly amendment.

VICE CHAIR COHEN: Okay. And so we're amending the motion to list presence of healthy canopy trees as a rationale for special exception relief.

COMMISSIONER MILLER: Second that. I think he had the word mature in there, too?

COMMISSIONER MAY: Yeah, but I think mature is actually in the language --


CHAIRMAN HOOD: Okay. It's been moved and seconded. Also, a friendly amendment has been accepted. Any further discussion? All those in favor?

(Chorus of ayes.)
CHAIRMAN HOOD: Any opposition?

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

MS. SCHELLIN: Staff records the vote five to zero to zero to approve, list presence of healthy canopy trees as a rationale for special exception relief. Commissioner Cohen moving, Commissioner Miller seconding, Commissioners Hood, May, and Turnbull in support.

CHAIRMAN HOOD: Okay. The Setdown and the recommendation are the same. Maximum area of 100,000 square feet; larger surface lot permitted by special exception.

VICE CHAIR COHEN: Question to OP. Shouldn't we include pervious in the description? Pervious surface.

MR. LAWSON: Well, this is -- I'm not sure what you mean. This is intended to establish a maximum size for any surface parking lot, which the Zoning Regulations currently don't have. This doesn't really get
to what the surface is. There are other requirements that talk about landscaping of surface parking lots, so --

VICE CHAIR COHEN: Let me ask you. For ease of use, though, is there like, can you cross-reference, you know, so that people again can -- I mean, I don't know. I'm just trying to think of.

MR. LAWSON: Well, I think, I just want to be really fair. I think what you're not saying is that impervious surface parking lots would be unlimited, but pervious surface ones would be. I don't think that's what you're saying.

VICE CHAIR COHEN: No.

MR. LAWSON: Correct. So I guess I'm not quite sure what the link would be.

COMMISSIONER MILLER: If I can interject, Madam Vice Chair, I think you're going to get to that issue in Item 16, and you could deal with it there.

VICE CHAIR COHEN: Okay. Thank
COMMISSIONER MILLER: But I have a question, Mr. Chairman, about the 100,000. How is this -- so it's 100,000 that we're setting as a maximum for surface parking, and the rest, larger, you can get by special exception.

MR. LAWSON: Exception, yes.

COMMISSIONER MILLER: So how was the 100,000 set? Did we want it to be smaller or?

MR. LAWSON: Honestly, it is a very big number. That is a very big parking lot. I only can -- when we looked around the city, we could only find two that probably meet that requirement now, one in Fort Lincoln, and one in --

CHAIRMAN HOOD: I thought that was it.

MR. LAWSON: Well, and the other one is coming your way, too. the other one would be the Home Depot site. Those parking
lots are, you know, easily kind of that size. So it's not something that happens a lot, but we thought it was important to start to establish that maximum amount. This is somewhere around 300 to 350 parking spaces, depending on how it's designed and all that kind of stuff. And, you know, there would be the landscape requirements for it and everything, but it really is just to establish, you know, kind of an outside limit beyond which, you know, we're saying anything beyond that really needs some special attention.

COMMISSIONER MILLER: And this would only apply to newly established --

MR. LAWSON: That's correct. This would not be retroactive to those existing ones. Yeah.

COMMISSIONER MILLER: I think I'd be more comfortable with a lower number, but I'll just leave it at that.

CHAIRMAN HOOD: Okay. Do we have a motion on the table? Oh, you made the motion?
Oh. Somebody --

COMMISSIONER MAY: I'll make a
motion that we accept the recommendation to set
a maximum area of 100,000 square feet for
parking lots permitted, and larger surface
parking lots are permitted by special
exception.

COMMISSIONER TURNBULL: Second.

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

(Chorus of ayes.)

CHAIRMAN HOOD: Any opposition?

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

MS. SCHELLIN: Staff records the
vote five to zero to zero to approve maximum
area of 100,000 square feet, larger surface lot
permitted by special exception. Commissioner
May moving, Commissioner Turnbull seconding,
Commissioners Hood, Cohen, and Miller in
support.
CHAIRMAN HOOD: Okay. Next, Mitigation for Excess Parking Spaces Provided. Setdown, for parking spaces in excess of 1.5 times the required amount, require mitigation in the form of additional car share spaces, bicycle parking, trees in public space, electric car charging stations, and increased GAR, with relief from the requirement by special exception subject to the stipulated conditions.

The alternate is, increase trigger to two times the required space greater than 20 spaces, and remove the requirement for car share spaces as part of the mitigation. Public comments, remove the parking mitigation proposal; do not require mitigation for parking for places of worship; mitigation trigger as setdown is too low and should be raised; support for parking mitigation proposal.

The Office of Planning's recommendation to us is require mitigation for parking spaces in excess of two times the
required amount greater than 20 spaces in the form of additional bicycle parking, trees in public space, electric car charge stations, and increased GAR, with relief from the requirement by special exception subject to the stipulated conditions. Any questions?

COMMISSIONER TURNBULL: Doesn't this kind of tie in a little bit to what we did in 6, or is this -- this talks about mitigation, but 6 is allowing additional parking relief by special exception. Doesn't this -- aren't there overlaps here, or am I, maybe I'm just --

COMMISSIONER MAY: This goes to the penalty for having too much. You know, a lot more than the minimum parking, you have two times the minimum parking.

COMMISSIONER TURNBULL: Oh, two times. Right. Okay. Two times.

CHAIRMAN HOOD: Yeah.

COMMISSIONER TURNBULL: Okay.

Okay.

COMMISSIONER MAY: And it has to be
greater when you're than 20 spaces, so.

COMMISSIONER TURNBULL: Yeah.

COMMISSIONER MAY: I mean, you
know, the original proposal of 1.5 times the
required amount was a bit more aggressive but
--

COMMISSIONER TURNBULL: Right.

COMMISSIONER MAY: you know, I
think we've seen a few examples where it's
vitally important to the viability of a
particular project for them to have some larger
requirements.

COMMISSIONER TURNBULL: Yeah.

COMMISSIONER MAY: But I see, you
know -- I think two times the required amount
is probably a good trigger, particularly since
we're lowering the requirements --

COMMISSIONER TURNBULL: Yeah.

Yeah. Okay.

COMMISSIONER MAY: across the
board.

CHAIRMAN HOOD: Somebody like to
make a motion?

VICE CHAIR COHEN: Mr. Chair, I move to require mitigation for parking spaces in excess of two times the required amount greater than 20 spaces in the form of additional bicycle parking, trees in public space, electric car charge stations, and increased GAR, with relief from the requirement by special exception subject to the stipulated conditions.

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

(Chorus of ayes.)

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

MS. SCHELLIN: Staff records the vote five to zero to zero to require mitigation for parking spaces in excess of two times the required amount greater than 20 spaces in the form of additional bicycle parking, trees in public space, electric car charge stations, and
increased GAR, with relief from the requirement by special exception subject to the stipulated conditions. Commissioner Cohen moving, Commissioner Hood seconding, Commissioners May, Miller, and Turnbull in support.

CHAIRMAN HOOD: Car Share Requirement. Setdown, require car share spaces as part of any parking area with more than 50 spaces; allow relief by special exception. Alternate, do not require car share spaces, but allow up to two car share spaces to each count as three required parking spaces.

Public comments, do not require developers to provide car share spaces; do not require car share for religious institutions; do not count car share spaces, count parking required; support raising the car share requirement; require car share spaces in garages downtown; require car share spaces as proposed; substitution of ten parking spaces for each car share space more appropriate.
The recommendation, do not require car share spaces, but allow up to two car share spaces to each count as three required parking spaces.

I think some of this, some of the comments are lessons that we've learned. For example, require car spaces in garages downtown, and new developments we've found is there's some security issues, I believe.

MR. LAWSON: You're exactly right. That's one of the reasons why we were comfortable kind of relooking at this one and readdressing the requirement. We're very supportive of car share facilities and the provision of them. Making it a strict requirement, we understood, would create some real problems for some people.

CHAIRMAN HOOD: Okay. So are you standing behind your recommendation?

MR. LAWSON: So we are very much standing behind our alternate recommendation.

CHAIRMAN HOOD: Alternate.
MR. LAWSON: With the alternate, which is our recommendation.

CHAIRMAN HOOD: Do not require car share spaces, but allow up to two car share spaces to each count as three required parking spaces.

MR. LAWSON: That's correct. That's our recommendation.

CHAIRMAN HOOD: Okay. Any comments? Any concerns?

VICE CHAIR COHEN: No, I think that's appropriate.

CHAIRMAN HOOD: Okay. So let's move to accept the alternate recommendation for car share requirements. I'm not going to reread it. It's there.

VICE CHAIR COHEN: Second.

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

(Chorus of ayes.)

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

MS. SCHELLIN: Staff records the vote five to zero to zero to not require car share spaces, but allow up to two car share spaces to each count as three required parking spaces. Commissioner Hood moving, Commissioner Cohen seconding, Commissioners May, Miller, and Turnbull in support.

CHAIRMAN HOOD: Okay. Car Share Permissions in Low-Density Residential Zones. The Setdown, N/A. Zoning Regulations currently permit up to two car share spaces on a private lot in a low density residential zone. The alternate, establish minimum lot size requirements for provision of car share space on one-family dwelling or flat lots. Public comment, alternate text provided by a member of the public to avoid the appearance of a parking lot. I suggest and recommend a minimum lot size for the R-2.

OP recommendation, establish
minimum lot size requirements for provision of
car share spaces up to two on lots, one-family
dwelling or flat lots, 25-feet minimum lot
width for one car share space, and 35-feet
minimum for two car share spaces. Any
comments?

COMMISSIONER MAY: Yeah, I'm a
little confused or concerns about the width
requirements here. It just, it seems like
we're talking about pretty large lots when, you
know, potentially we're talking about an R-3
zone where you're not going to have too many 25,
35-foot wide lots. Am I missing something?

MR. LAWSON: You're not. You've
kind of hit the nail on the head. This was a,
this was a request that came from a member of
the public. We thought it was a really
interesting request, and the numbers may not be
quite right. What we're trying to do is to
accommodate the situation, because the car
share spaces are in addition to the --

COMMISSIONER MAY: Required
spaces.

MR. LAWSON: required parking.

COMMISSIONER MAY: Right.

MR. LAWSON: So if you looked at a situation where there's required space and a car share space, that's 18 feet, more or less, you know, give or take a few inches. So that's 18 feet, and then the intent of this, as we understood it from the resident, was that there should be some green space, as well. There should be some nonparking space left over, particularly on lots where those parking spaces would take up a lot of the rear yard in terms of depth from the house. You know, in other words lots that are particularly deep.

And so, honestly, we just came up with some relatively round numbers, 25 feet and 35 feet, which we thought would provide for some open space on the lot and still provide for the required parking space and the car share space, or for two cars, two car share spaces for those two car shared spaces.
COMMISSIONER MAY: Okay.

VICE CHAIR COHEN: So -- are you finished?

COMMISSIONER MAY: No. I was going to follow up on that. If you don't mind, the -- so it seems to me that it might make sense -- I mean, I guess this could work as a way of doing it, but it might also work that, you know, there is a proviso that in addition to the 19-foot deep parking space there is also a minimum of 15 foot of, you know, rear yard or something like that, or that the entire rear yard, including the parking space is a minimum of, you know, 35 feet. Something like that.

Because in our three neighborhoods I think it's more likely to have a long, narrow lot or a deep, you know, narrow lot than a wide one.

MR. LAWSON: Okay. We're certainly happy to take a look at alternative language for this.

COMMISSIONER TURNBULL: Yeah, I guess I would, just following up on that size
issue, I mean, figuring like, Mr. Lawson, what you're getting at, is you figure it about nine feet wide by 22 or whatever as a -- 20 feet for a car. The way you look at it now, it's like you could almost provide 35 feet of paved are. I think that's not your intent. So I think clarifying that as to green space I think is very important.

MR. LAWSON: Yeah, and you know, we had to take into account, though, you've also recently approved, you know, pervious surface requirements --

COMMISSIONER TURNBULL: Right, right.

MR. LAWSON: that are already in place. So that already I think kind of helps to address the issue that the resident, that the resident was raising in the first place.

COMMISSIONER TURNBULL: Okay.

MR. LAWSON: But we wanted to be responsive to the comment, and at least provide you the opportunity to address this.
COMMISSIONER TURNBULL: Okay.

COMMISSIONER MAY: So, Mr. Chairman, I would go ahead and make a motion that we establish minimum lot size -- I'm sorry, minimum dimensional requirements for the provision of car share spaces, up to two on lots, one-family dwelling, or flat lots, either minimum lot width dimensions of 25 feet for one car share space or 35 feet for two car share spaces, or some alternative for minimum rear yard depth that would allow both space for car share and required parking, and some green space.

COMMISSIONER TURNBULL: Second.

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

(Chorus of ayes.)

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

MS. SCHELLIN: Staff records the
vote five to zero to zero to establish minimum lot size requirements for the provision of car share spaces, up to two on lots, one-family dwelling, or flat lots, 25 minimum lot width for one car share space or 35 feet minimum for two car share spaces, or some alternative for rear yard depth that allows for a car share and green space. Commissioner May moving, Commissioner Turnbull seconding, Commissioners Hood, Cohen, and Miller in support.

CHAIRMAN HOOD: Okay. The next, 11 and 12, colleagues if you look at your sheets, I'd like to move those in block. The first one is Surface Parking Lots in Low-Density Residential Zones. The Setdown says, for any surface parking lot with more than ten spaces in a zone of Subtitle D or E, require a six-foot landscaped setback from a private line. And it's the same recommendation.

And then Number 12 is Mechan -- whatever it is Parking. Setdown, permit, but establish standards for parking. Public
comments, amend name to automated parking -- automated parking, allow automated parking systems by right. Then the Office of Planning recommendation is permit, but establish standards for automated parking. Any comments on either one of those? Okay. Maybe tomorrow I'll be able to pronounce Mechanized. Okay.

COMMISSIONER MAY: Mr. Chairman, I would move the recommendation for Mechanized Parking and for Driveway Width to a Low-Density Development as you just stated them.

VICE CHAIR COHEN: And I'll second.

CHAIRMAN HOOD: Okay. It's been --

COMMISSIONER MAY: I'm sorry, I did the wrong one, didn't I? Surface Parking Lot and Mechanized Parking.

CHAIRMAN HOOD: Somebody wants to --

COMMISSIONER MAY: He didn't read it.

CHAIRMAN HOOD: Let's just do those two. Right. Okay. So we're doing Surface --
COMMISSIONER MAY: Surface Parking Lots in Low-Density Residential Zones and Mechanized Parking.

CHAIRMAN HOOD: Mechanized Parking.

So 11 and 12. Any comments or concerns? It's been moved and properly seconded. Any further discussion? All those in favor?

(Chorus of ayes.)

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

MS. SCHELLIN: Staff records the vote five to zero to zero to approve surface parking lots in low-density residential zones as stated in Number 11, and to approve the mechanized parking as stated in Number 12, to establish standards for the automated parking.

Commissioner May moving, Commissioner Cohen seconding, Commissioners Hood, Turnbull, and Miller in support.

CHAIRMAN HOOD: Okay. Driveway Width to a Low-Density Development. The
Setdown is to change the required width for a one-way driveway from seven to eight, and ten feet maximum for a single-family dwelling or flat, and any use with no more than two parking spaces required, or if it accesses no more than three single-family dwellings or flats. The recommendation is to change the required driveway width from seven feet minimum to eight feet minimum and ten feet maximum for uses noted above. Any comments? Somebody please make a motion.

VICE CHAIR COHEN: Mr. Chairman, I move to change the required driveway width from seven feet minimum to eight feet minimum, to ten feet maximum for driveway width in a low-density development.

CHAIRMAN HOOD: Okay. It's been moved. Can I get a second?

COMMISSIONER MILLER: Second.

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

All those in favor?
(Chorus of ayes.)

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

MS. SCHELLIN: Staff records the vote five to zero to zero to accept the recommendation with regard to the driveway width to a low-density development. Commissioner Cohen moving, Commissioner Miller seconding, Commissioners Hood, Turnbull, and May in support.

CHAIRMAN HOOD: Okay. Next, the Setdown and the recommendation are the same. We'll just read it once, change the required width for a two-story driveway from 14 feet minimum to 20 minimum, and from 25 feet to 24 feet maximum. Any comments?

COMMISSIONER TURNBULL: I'm assuming that we're looking at a Department of Transportation requirement or advice here?

MR. LAWSON: Essentially we just want to make sure that the Regs are in line with
current standards and DDOT standards.


CHAIRMAN HOOD: Somebody like to make a motion?

COMMISSIONER TURNBULL: Mr. Chair, I would move that we approve Number 14, Driveway Width to Any Other Development. You put the OP recommendation, change the required width for a two-way driveway from 14-foot minimum to 20-foot minimum, and from 25-foot to 24-foot maximum.

VICE CHAIR COHEN: Second.

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

(Chorus of ayes.)

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

MS. SCHELLIN: Staff records the vote five to zero to zero to approve the
driveway width -- the recommendation for the
driveway width to any other development.
Commissioner Turnbull moving, Commissioner
Cohen seconding, Commissioners Hood, May, and
Miller in support.

CHAIRMAN HOOD: Okay. Grouping of
Compact -- oh, no, I'm sorry. Percentage of
Provided Spaces as Compact Parking Spaces.
Setdown, increase permitted percentage from 40
percent to 50 percent; eliminate the
requirement that this would apply only for
parking areas with more than 25 spaces. The
public comment says, remove limits on compact
spaces; oppose increasing the percentage of
compact spaces. Office of Planning's
recommendation is to increase the permitted
percentage from 40 percent to 50 percent;
eliminate the requirement that this would apply
only for parking areas with more than 25 spaces.
Any concerns?

COMMISSIONER MILLER: Mr.
Chairman, I move that we increase the permitted
percentage from 40 percent to 50 percent for spaces to be provided as compact spaces and eliminate the requirement that this would apply only for parking areas with more than 25 spaces, and ask for a second.

VICE CHAIR COHEN: Second.

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

(Chorus of ayes.)

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

MS. SCHELLIN: Staff records the vote five to zero to zero to accept the recommendation for the percentage of provided spaces as compact parking spaces. Commissioner Miller moving, Commissioner Cohen seconding, Commissioners Hood, May, and Turnbull in support.

CHAIRMAN HOOD: Okay. I would like to move the next two in block, Grouping of
Compact Parking Spaces. The Setdown says to remove requirement that compact spaces be in groupings of five spaces minimum. Some of the public comments, remove limits on compact spaces. Office of Planning's recommendation is still to remove requirements that compact spaces be in groupings of five spaces minimum.

15C, Dimensions for Compact Parking Spaces. The Setdown is the same as the recommendation, adjust dimensions for compact spaces based on angle of parking.

VICE CHAIR COHEN: I have a question.

CHAIRMAN HOOD: Okay. Question.

VICE CHAIR COHEN: Office of Planning, the groupings of five spaces minimum. Maybe I never really understood what the rationale was to even do the groupings, let alone eliminate.

MR. LAWSON: I have no rationale for that requirement, which is why we're recommending that it go away.

VICE CHAIR COHEN: I just thought
it may have to do with efficiency of --

MR. LAWSON: My suspicion is that it was put in at a time when compact spaces were rare --

VICE CHAIR COHEN: Okay.

MR. LAWSON: and cars were typically much bigger, and there was some concern about individual spaces. I can't really guess why.

VICE CHAIR COHEN: Therefore, Chairman, unless there are other questions --

COMMISSIONER MAY: I have a question.

VICE CHAIR COHEN: Oh.

COMMISSIONER MAY: Which is that, is there a requirement now that the compact spaces be clearly marked as such in the Zoning Regulations? Is that something that goes to a DDOT requirement or a Building Code requirement?

MR. LAWSON: Honestly, I would have to check and see.
COMMISSIONER MAY: Okay. So I think that there has to be a provision that it be clearly marked, whether it's in our Regulation or somewhere else.

MR. LAWSON: Sure.

COMMISSIONER MAY: Particularly since they're now going to be distributed, or potentially be distributed. So, I mean, I wouldn't even mind if there were like a dimension on it, but people don't know how long their car is. They just tend to think it's compact, and then, and then park their Escalade in it.

MS. STEINGASSER: It is a current requirement in the Regulations.

COMMISSIONER MAY: Oh, perfect. Thank you. Then we don't need to do anything. So you want to make a motion?

VICE CHAIR COHEN: Oh, okay. I will make a motion to remove requirement that compact spaces be in groupings of five spaces minimum, and I will also move to adjust
dimensions for compact spaces based on the angle of parking.

COMMISSIONER MILLER: Second.

CHAIRMAN HOOD: Okay. It's been moved and properly seconded. Any further discussion? Let me -- is this what's going on in other jurisdictions? Because every time I go out to Bethesda or somewhere, it always says compact cars only and no, Commissioner May, I don't pull my SUV and park there. I usually circle around, and then I go to the neighborhood -- no.

(Laughter.)

CHAIRMAN HOOD: But is this what's going on in other jurisdictions, or do we know?

MR. LAWSON: I honestly have not surveyed other jurisdictions for how they deal with compact spaces.

CHAIRMAN HOOD: Can we see if that's a trend that's going away and we can look at that?

MR. LAWSON: Sure.
CHAIRMAN HOOD: Okay. Alright.

Any further discussion? All those in favor?

(Chorus of ayes.)

CHAIRMAN HOOD: Any opposition?

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

MS. SCHELLIN: Staff records the vote five to zero to zero to approve the groupings of compact parking spaces and the dimensions for compact parking spaces. Commissioner Cohen moving, Commissioner Miller seconding, Commissioners Hood, May, and Turnbull in support.

CHAIRMAN HOOD: Last, but not least. I hope this is the last one. Surface Parking Lot Landscaping. Setdown says, provide additional clarification of parking lot landscape requirements, including areas that would not count towards landscape requirements, and require the planting or retention of canopy trees. Public comments, support additional landscaping and storm water
management for parking lots; allow only pervious surfaces for surface parking lots; require no net loss of green space or trees for new surface parking lots; do not apply new landscape standards to parking for places of worship.

Then the recommendation is to provide additional clarification, including areas that would not count toward landscape requirements and require the planting or retention of canopy trees.

COMMISSIONER MAY: Mr. Chairman, I would move the recommendation that you just stated.

CHAIRMAN HOOD: Okay.

VICE CHAIR COHEN: And I will second that motion that was stated.

COMMISSIONER TURNBULL: Second.

CHAIRMAN HOOD: Okay. It was been moved and properly seconded. This time I think Mr. Turnbull was way ahead of you on the second. So it's moved and properly seconded. Any
further discussion? All those in favor?

(Chorus of ayes.)

CHAIRMAN HOOD: Any opposition?

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

MS. SCHELLIN: Yes. Staff records the vote five to zero to zero to approve the surface parking lot landscaping as recommended. Commissioner May moving, Commissioner Turnbull seconding, Commissioners Hood, Cohen, and Miller in support.

CHAIRMAN HOOD: Okay. Ms. Schellin, do we have anything else before us?

MS. SCHELLIN: Not this evening.

CHAIRMAN HOOD: Okay. We will continue our deliberations tonight, and thank everyone for their participation. Goodnight.

(Whereupon, the above-entitled matter was concluded at 10:39 p.m.)