

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING
CASE 05-09

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THURSDAY
June 16, 2005

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The Public Hearing of the District of Columbia Zoning Commission convened at 6:30 p.m. in the Office of Zoning Hearing Room at 441 4th Street, Northwest, Washington, D.C., Carol J. Mitten, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

CAROL J. MITTEN	Chairperson
ANTHONY J. HOOD	Vice Chairman
GREGORY JEFFRIES	Commissioner
KEVIN HILDEBRAND	Commissioner
JOHN PARSONS	Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN	Zoning Specialist
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OFFICE OF PLANNING STAFF PRESENT:

STEPHEN MORDFIN	Office of Planning
TRAVIS PARKER	Office of Planning

D.C. ATTORNEY GENERAL'S OFFICE:

JACOB RITTING, ESQ.

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This transcript constitutes the complete minutes of the Public Hearing held on Thursday, June 16, 2005.

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

6:36 p.m.

CHAIRPERSON MITTEN: Good evening, ladies and gentlemen, this is a public hearing of the Zoning Commission of the District of Columbia for Thursday, June 16th, 20005.

My name is Carol Mitten, and joining me this evening are Vice Chairman Anthony Hood and Commissioners Kevin Hildebrand, John Parsons and Greg Jeffries.

We will actually be hearing two cases this evening. The first case is Case No. 05-09, this is a request by the Office of Planning for a Map Amendment to zone the property known as Parcel or Lot 2 in Parcel 239, and Lot 2 in Parcel 234, from unzoned to the C-M-1 District.

Notice of this hearing was published in the D.C. Register on April 8th, 20005, and the subject of the second hearing, or the second case, is Case Number 04-34.

This is a request by the Zoning Advisory Committee, and it's technically the Office of Planning as the Petitioner, for a Text Amendment to provide for, but not mandate, the use of pervious

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1 paving for certain parking and related facilities in
2 the zoning regulations. Notice of this hearing was
3 published in the D.C. Register on April 22nd, 2005.

4 Copies of both hearing announcements are
5 available to you in the wall bin by the door. Both
6 of these cases will be heard using the procedures
7 found in 11 DCMR, Section 3021, and the order of
8 procedure for each case will be as follows.

9 We'll start with any preliminary matters
10 and then we'll have the presentation by the Office of
11 Planning, as the Petitioner, reports of any other
12 government agencies, reports of any ANCs,
13 organizations and persons in support, and
14 organizations and persons in opposition.

15 The following time constraints will be
16 maintained in the hearing. Organizations will have
17 five minutes and individuals will have three minutes.

18 The Commission intends to adhere to these time
19 limits, as strictly as possible, in order to hear
20 each case in a reasonable period of time.

21 The Commission reserves the right to
22 change the time limits for presentations, if
23 necessary, and notes that no time shall be seated.
24 All persons appearing before the Commission are to

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1 fill out two witness cards.

2 The cards are on the table by the door.
3 Upon coming forward to speak to the Commission,
4 please give both cards to the Reporter who is sitting
5 to our right.

6 Please be advised that this proceeding is
7 being recorded by the Court Reporter, and is also
8 being webcast live. Accordingly, we ask you to
9 refrain from making any disruptive noises in the
10 hearing room.

11 And when presenting information to the
12 Commission, please turn on and speak into the
13 microphone, on the table in front of us, and begin my
14 stating your name and home address.

15 When you're finished speaking, please
16 turn the microphone off so it doesn't pick up any
17 background noise. The decisions of the Commission in
18 each case must be based on the public record.

19 To avoid any appearance to the contrary,
20 the Commission asks that persons present not engage
21 the members of the Commission in conversation during
22 a recess or at any other time.

23 Staff will be available throughout the
24 hearing to discuss any procedural issues with you,

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1 and you can direct those to Mrs. Schellin.

2 Please turn off all beepers and cell
3 phones at this time, so as not to disrupt the
4 hearing. We'll begin now with any preliminary
5 matters in the first case, which is the WMATA Light
6 Rail. Mrs. Schellin?

7 MS. SCHELLIN: The staff has no
8 preliminary matters.

9 CHAIRPERSON MITTEN: All right, then we
10 will move to the presentation by the Office of
11 Planning. Mr. Parker?

12 MR. PARKER: Thank you, Chairman Mitten,
13 members of the Commission. My name is Travis Parker,
14 with the Office of Planning, and I will keep my
15 presentation brief.

16 This is a one-acre property, just off
17 South Capitol Street and partly under Interstate 295.

18 It's currently un-zoned and it is proposed to be
19 used for a Metro Rail maintenance facility, including
20 a train maintenance garage and accessory parking.

21 OP feels that the appropriate zoning for
22 this use is C-M-1, and that that zoning is consistent
23 with the surrounding area and uses.

24 We also feel that the proposal is not

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1 inconsistent with the Comprehensive Plan, and we
2 recommend approval of said re-zoning.

3 CHAIRPERSON MITTEN: Thank you. Any
4 questions for Mr. Parker? Any questions?

5 VICE CHAIRPERSON HOOD: Mr. Parker, yes.
6 Yes, Madame Chair. Mr. Parker, how many feet away is
7 it from the site to the R-5? I know it's across the
8 tracks, how many feet away is that?

9 MR. PARKER: I believe, from my
10 calculations, it was four to five hundred feet to the
11 nearest building, not to the zone itself, but four
12 to five hundred feet to the nearest residential
13 building.

14 I don't have a number between the zone
15 and the property.

16 VICE CHAIRPERSON HOOD: So not from
17 property line to property line?

18 MR. PARKER: No, I don't have that number,
19 I'm afraid.

20 VICE CHAIRPERSON HOOD: Okay. If this
21 site, which I don't foresee it happening, but if it
22 was to go away and re-zoned to C-M-1, say for some
23 reason this didn't happen?

24 MR. PARKER: Umm hmm.

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1 VICE CHAIRPERSON HOOD: And we changed the
2 zoning to C-M-1, was the neighborhood aware of what
3 else could take its place?

4 MR. PARKER: I don't think the
5 neighborhood has necessarily discussed that
6 possibility. They are aware of this project.
7 They're very supportive of the rail and the rail
8 facility, but that's a good question. I don't know
9 that they have directly discussed other potential
10 options for C-M-1 development.

11 VICE CHAIRPERSON HOOD: I know that they
12 are going to still be in the, I don't know if we're
13 doing a business decision, that is a concern of mine
14 for someone who lives by a situation similar.

15 And sometimes that causes problems.
16 While I know it's no objections to the maintenance
17 facility, but other uses can go in there that may
18 cause a problem. I just want to at least put that on
19 the record.

20 I don't know if those discussions have
21 taken place.

22 MR. PARKER: One thing to keep in mind is
23 the site is only about one acre in size. So it would
24 be unuseable for a lot of larger, not more noxious

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1 uses in a C-M-1 Zone. It would be very difficult to
2 put much of anything on here.

3 VICE CHAIRPERSON HOOD: Oh, okay.

4 CHAIRPERSON MITTEN: I don't know if this
5 is helpful at all, but if you look at the map on Page
6 2 of the OP report, the C-M-1 Zone is actually, this
7 is not going to be any more proximate to our 5-A
8 zoning than a lot of the C-M-1 zoning that already
9 exists on Firth Sterling.

10 Not to say that that doesn't mean that
11 your concerns aren't valid, but it's a condition that
12 the neighbors are not unused to.

13 VICE CHAIRPERSON HOOD: Okay. All right,
14 I just wanted to put that on the record. Thank you,
15 Mr. Parker.

16 MR. PARKER: You're welcome.

17 CHAIRPERSON MITTEN: Any other questions
18 for Mr. Parker?

19 (No response.)

20 CHAIRPERSON MITTEN: All right. I don't
21 think there are any reports of other government
22 agencies. Is there any one, I'll just make a generic
23 call for anyone who is here to testify about the Case
24 Number 05-09, which is the re-zoning for the WMATA

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1 Light Rail facility?

2 (No response.)

3 CHAIRPERSON MITTEN: All right, then I
4 think we're done with the first case, and I don't
5 think this is controversial at all, and it's fairly
6 straightforward, so I would move approval of Case
7 Number 05-09.

8 COMMISSIONER PARSONS: Second.

9 CHAIRPERSON MITTEN: All right, is there
10 any discussion?

11 (No response.)

12 CHAIRPERSON MITTEN: All those in favor,
13 please say aye?

14 (Chorus of ayes.)

15 CHAIRPERSON MITTEN: There's none opposed,
16 Mrs. Schellin. Would you record the vote.

17 MS. SCHELLIN: Staff will record the vote
18 five to zero to zero to approve Case Number 05-09 for
19 proposed action. Commission Mitten moving,
20 Commissioner Hood seconding, Commissioners Parsons,
21 Jeffries and Hildebrand in favor.

22 CHAIRPERSON MITTEN: Okay, I think it was
23 actually Mr. Parsons who seconded, but, it was, Mr.
24 Hood and Mr. Parsons often compete for these things,

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1 so you can just record it as you have it, that's
2 fine.

3 (Laughter.)

4 CHAIRPERSON MITTEN: Thank you.

5 (Off the record.)
6
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8
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