

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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SPECIAL PUBLIC MEETING

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THURSDAY,
JULY 28, 2005

The Special Public Meeting of the District of Columbia Zoning Commission convened in the Office of Zoning Hearing Room at 441 4th Street, Northwest, Washington, D.C. 2001, pursuant to notice at 6:30 p.m., Carol J. Mitten, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

CAROL J. MITTEN	Chairperson
ANTHONY J. HOOD	Vice-Chairperson
KEVIN HILDEBRAND	Commissioner (AOC)
GREGORY JEFFRIES	Commissioner
JOHN PARSONS	Commissioner (NPS)

OFFICE OF ZONING PRESENT:

SHARON SCHELLIN	Acting Secretary
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OFFICE OF PLANNING STAFF PRESENT:

STEPHEN MORDFIN
JENNIFER STEINGASSER

This transcript constitutes the minutes from the special public meeting held on July 28, 2005.

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I N D E X

I. Preliminary Matters (None)

II. Proposed Action

 A. Z.C. Case No. 04-24
 (Pervious Materials) 3

Adjourn11

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P R O C E E D I N G S

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6:25 P.M.

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CHAIRPERSON MITTEN: Good evening, ladies and gentlemen. This is a special public meeting of the Zoning Commission of the District of Columbia for Thursday, July 28, 2005.

7

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

11

We had a little delay getting started so we'll try to move through our public meeting agenda quickly.

14

The agenda is in the wall bin near the door if you'd like to follow along. As we did last time we're going to change the agenda a little bit.

17

The item for hearing action related to the H Street Overlay is a proposal that I was going to bring to the Commission and I'm not ready to do that, so we won't pick that up this evening.

21

We will take up the Pervious Materials case. Because we knew time would be short, we thought we wouldn't have enough time to take up the Mid-City Urban Case which is 04-34 and that will be

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on for Monday at 6 o'clock. Actually, the correspondence, to the extent that we need to address it, we can take up on Monday as well.

4 So the only case we'll be dealing with at the moment is Case No. 04-34 which is the Previous Materials Text Amendment that we had postponed from Monday.

8 So what the Commissioners have in front of us is the -- is a marked up version of the Public Hearing Notice with the recommendations from the Office of Planning for changes that they made in their first supplemental report to the Commission and we also have some correspondence about further modifications from the Zoning Advisory Committee and the Forest Hills Citizens Association.

16 So the issue -- there's a couple of issues that the ZAC wanted us to consider and the first is the use of -- rather than using the word "paved" that we use the word "surfaced." Maybe we should take up the issue of what the surfaces would be and then we can decide what the appropriate terminology should be. 22

23 The way that the proposal would read, as the office of Planning last commented on would be, for instance, in 2117.10 "all open parking spaces,

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including access aisles, driveways and ramp areas shall be paved and maintained with an all-weather surface." And the Zoning Advisory Committee was seeking some clarification from us that all weather surface would include, among other things, surfacing techniques that use porous or pervious concrete, porous asphalt and/or grass.

8 And I'd like to get some comments on the language that the ZAC is proposing to include in terms of describing all weather surface.

11 MR. PARSONS: Well, Madam Chairman, I agree with the term "surface" but certainly grass is not a surface that to me is all weather. It requires a high state of maintenance. It's not something that snow can be removed from. It simply is not something that we should imply that we concur with. We've also heard some testimony about gravel which has limited applications. So I agree with the term surface because it's what's this case is all about. Paved is not

21 And it's whether we can go to a next level of defining all weather, if we're going to use that term. I don't think defining surfaced is the way to go. But whether we could include it here tonight or it needs further analysis I'm not sure.

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1 CHAIRPERSON MITTEN: Well, of the materials
that they had suggested, porous or pervious concrete,
porous asphalt. Is grass the only one that you
specifically object to?

5 MR. PARSONS: Yes.

6 CHAIRPERSON MITTEN: We also had discussion
about gravel. I don't know how you feel about
gravel, because we could examples of what would be
included and then we could specifically exclude
certain surfaces, just to make it crystal clear.

11 MR. PARSONS: Gravel is an adequate surface
in a very limited, very limited application, a long
driveway on a private residence, but not where it's
adjacent to an alley or something, where the gravel
can become part of public space, because that's its
nature is to move, so I'm not urging gravel.

17 CHAIRPERSON MITTEN: Okay, so we could
amend to the end of what the Office of Planning had
suggested for 2117.10 that all weather surface shall
include porous or pervious concrete, porous asphalt
and perhaps other examples. All weather surface
specifically excludes grass and/or gravel, something
like that?

24 VICE CHAIR HOOD: Madam Chair, when we say
grass, are we excluding -- there are different ways,

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the way I understand, for example the grass track. Are we excluding that? Are we just saying grass or even the method of grass track. It has the reinforcement.

5 CHAIRPERSON MITTEN: Right. I think we're going to have to figure out what the generic phrase is for grass track or grass creed or whatever it is, so that we can -- I think we do want to include that.

9 MR. HILDEBRAND: Yes, would a term something like mechanically reinforced grass or something like that? It implies that it's not just the grass itself, but it's being stabilized in some way by a supporting structure.

14 CHAIRPERSON MITTEN: That sounds as good as something I could come up with. What do you guys think about that?

17 MR. HILDEBRAND: Until we come up with a better name.

19 MR. PARSONS: I know in my own experience we used the term stabilized turf. For instance, on the shoulders of our parkways, that's not what we want here. It's grass. And if it's done improperly, it's mud. I don't think we're ready here. I really don't.

25 CHAIRPERSON MITTEN: Just because we don't

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know the right term to use for the generic --

2 MR. PARSONS: Right. We could give
direction, but I don't think we're ready to come up
with a term because we know what we're talking about.
There's a product called Grass Crete. It's concrete
with grass growing in it.

7 CHAIRPERSON MITTEN: Can we do this? Can
we convey what we're looking for by citing something
like Grass Crete and then by the time we take final
action we can come up with the terminology?

11 MR. PARSONS: Yes, that's what I was
getting to. Thanks.

13 CHAIRPERSON MITTEN: Okay. So we'll --
what we would say is "all weather surface shall
include among other things surfacing techniques that
use porous or pervious concrete, porous asphalt"
and for now we'll just call it grass crete. "All
weather surface shall specifically exclude grass and
gravel."

20 MR. PARSONS: That's fine.

21 CHAIRPERSON MITTEN: Are we good with that
for now?

23 MR. HILDEBRAND: Yes.

24 CHAIRPERSON MITTEN: Okay, and I think the
same amended language would go into 2303.1 which

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relates to driveways, as relates to parking lots. This is just a different section sort of the same terminology.

4 MR. HILDEBRAND: Yes.

5 CHAIRPERSON MITTEN: And then there were some additional suggestions from the Zoning Advisory Committee about the PUD amenities and they wanted us to make a reference to the Department of Health and Environmental Health Administration. I don't know if that would be in the context of -- I don't know. I guess I'm not 100 percent clear why we would have to make a reference to DOH because the storm water management regulations are promulgated by the Department of Health and Environmental Health Administration.

16 MR. PARSONS: I didn't understand that either, Madam Chair.

18 CHAIRPERSON MITTEN: Okay. I think -- I'd be ready to proceed with just --

20 MR. PARSONS: I still have this hanging thing that I brought up at the end of the hearing, having to do with the tree and slope overlay. And I've kind of jested throughout this whole thing that everybody has had so much trouble, including myself with the term impervious and pervious, kind of

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mentally switched them. It's weird.

2 So we've gotten rid of that, if we proceed as we have tonight, but remaining in our regulations then is a definition of impervious and pervious which I guess are no longer necessary, but if we went to the tree and slope overlay, not tonight, but as a separate matter, there's a section in 1513, I believe, that deals with this issue of pervious and impervious in that circumstance.

10 So I'd like to revisit that at -- soon, to pick up the pieces, because it's very important in a tree and slope overlay -- I've lectured on that before. I won't do that again.

14 CHAIRPERSON MITTEN: All right, well, we can just make sure that we have -- that we put that on our agenda to take it up in our regular meeting in September.

18 MR. PARSONS: All right.

19 CHAIRPERSON MITTEN: So I would move that we approve Case No. 04-34 with the amended language to 2117.10 regarding what an all weather surface is and is not, as well as 2303.1 in that we substitute the word "surfaced" for "paved" in both circumstances. And I'd ask for a second.

25 MR. PARSONS: Second.

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1 CHAIRPERSON MITTEN: Is there any further
discussion?

3 All those in favor, please say aye.

4 (Ayes.)

5 Ms. Schellin, there are none opposed.

Can you record the vote for us?

7 MS. SCHELLIN: Sorry about that, Staff
would record the vote 5 to 0 to 0 to approve action
in Case No. 04-34. Commissioner Mitten moving;
Commissioner Parsons seconding; Commissioners
Jeffries, Hood and Hildebrand in favor.

12 CHAIRPERSON MITTEN: Thank you, and with
that our special public meeting is adjourned.

14 (Whereupon, at 6:37 p.m., the special
public meeting was adjourned.)

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