

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF: :  
: :  
DCMR TITLE 11 CHAPTER 6 :  
MIXED USE COMMERCIAL RESIDENTIAL : Case No. 06-20  
(CR) DISTRICT :  
: :

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Monday,  
July 24, 2006

Hearing Room 220 South  
441 4<sup>th</sup> Street, N.W.  
Washington, D.C.

The Public Hearing of Case No. 06-20 by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Office of Zoning Hearing Room at 441 4<sup>th</sup> Street, N.W., Washington, D.C., 20001, Anthony J. Hood, Vice-Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD	Vice-Chairperson
GREGORY JEFFRIES	Commissioner
JOHN PARSONS	Commissioner (NPS)
MICHAEL G. TURNBULL	Commissioner (AOC)

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN	Secretary
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OFFICE OF PLANNING STAFF PRESENT:

ELLEN McCARTHY  
JOEL LAWSON  
JENNIFER STEINGASSER

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

JACOB RITTING, ESQ.

The transcript constitutes the minutes  
from the Public Hearing held on July 24, 2006.

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

6:39 p.m.

VICE-CHAIRPERSON HOOD: Good evening, ladies and gentlemen. This is a public hearing of the Zoning Commission of the District of Columbia for Monday, July 24<sup>th</sup>, 2006. My name is Anthony J. Hood. Joining me this evening are Commissioners Gregory N. Jeffries, John G. Parsons and Michael G. Turnbull, full names this time. The subject of this evening's hearing is Zoning Commission Number 06-20.

This is a request from the Office of Planning for a text amendment to Title 11 of the District of Columbia Municipal Regulations Zoning to permit the use of a surface parking lot on Square 661, Lot 805 which is known as 98 R Street SW, by the Washington Metropolitan Transit Authority busses for a maximum period of five years. Notice of today's hearing was published in the DC Register on June 16<sup>th</sup>, 2006. Copies of today's hearing announcements are available to you and are located to my left on the table near the door.

The hearing will be conducted in accordance with the provisions of 11 DCMR 3021. The order of procedure will be as follows; preliminary matters, presentation by the Office of Planning,

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1 reports of other Government Agencies, Report of ANC  
2 6D, organizations and persons in support,  
3 organizations and persons in opposition. The  
4 following time constraints will be maintained in this  
5 hearing, organizations five minutes, individuals three  
6 minutes.

7 The Commission intends to maintain this  
8 time limit as strictly as possible in order to hear  
9 the case in a reasonable period of time. The  
10 Commission reserves the right to change the time  
11 limits for presentations, if necessary and those at  
12 not time shall be seated. All persons appearing  
13 before the Commission are to fill out two witness  
14 cards. These cards are located to my left near the  
15 door.

16 Upon coming forward to speak to the  
17 Commission, please give both cards to the Reporter  
18 sitting to my right before taking a seat at the table.  
19 Please be advised that this proceeding is being  
20 recorded by a Court Reporter and it's also web cast  
21 live. Accordingly, we must ask you to refrain from  
22 any disruptive noises or actions in the hearing room.  
23 When presenting information to the Commission, please  
24 turn on and speak into the microphone, first stating  
25 your name and home address. When you are finished

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1 speaking, please turn your microphone off so that your  
2 microphone is no longer picking up sound or background  
3 noise.

4 The decision of the Commission in this  
5 case must be based on the public record. To avoid any  
6 appearance to the contrary, the Commission requested  
7 persons present not engage the members of the  
8 Commission in conversations during a recess or at any  
9 other time. The staff will be available throughout  
10 the hearing to discuss procedural matters. Please  
11 turn off all beepers and cell phones at this time so  
12 not to disrupt these proceedings.

13 At this time the Commission will present  
14 any preliminary matters. Does the staff have any  
15 preliminary matters?

16 SECRETARY SCHELLIN: No, sir.

17 VICE-CHAIRPERSON HOOD: Okay, with that,  
18 we will turn it over to the Office of Planning, Mr.  
19 Lawson.

20 MR. LAWSON: Thank you, Mr. Hood and  
21 members of the Commission. My name is Joel Lawson  
22 with the DC Office of Planning. On behalf of the  
23 Office of Property Management, OP has proposed a text  
24 amendment to Chapter 6 of the Zoning Regulations which  
25 would allow a bus parking WMATA as a temporary use on

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1 Square 661, Lot 805. This is currently improved as a  
2 parking lot by PEPCO and it is our understanding the  
3 lot is currently not used for parking.

4 This initiative would allow relocation of  
5 an existing WMATA bus parking currently located on the  
6 future ball park site. It's associated with the WMATA  
7 bus garage located at M and Half Street SE and it  
8 would allow moving, as I said, the bus parking to the  
9 proposed site which is located at 98 R Street SW. The  
10 least would be for a period of five years only.  
11 During this time OP and WMATA are sure that then can  
12 find a more permanent solution for where the bus  
13 parking can be located.

14 This initiative will be consistent with  
15 District efforts to facilitate the construction of the  
16 new baseball stadium as well as to insure efficient  
17 WMATA operations. The new site is considered suitable  
18 for WMATA bus parking especially on a temporary basis  
19 and this parking, as I mentioned, is needed  
20 immediately to replace the current one located on the  
21 ball park stadium site. OP further recommends that  
22 WMATA insure that all busses accessing the site do so  
23 via 1<sup>st</sup> Street SE, South Capitol Street and Potomac  
24 Avenue. This is because we want to make sure that  
25 WMATA can avoid having busses pass through the

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1 existing residential neighborhood which is located  
2 generally north of Q Street and west of South Capitol  
3 Street.

4 Finally, WMATA is also encouraged to work  
5 with the District Department of Transportation to  
6 insure that this adequate access through areas that  
7 are not residential can happen as D-DOT undergoes  
8 street reconstruction in the area and this  
9 reconstruction will include portions of South Capitol  
10 Street, 1<sup>st</sup> Street SE and Potomac Avenue within the  
11 time frame that we are considering. And that's the  
12 end of my presentation, and we're available for  
13 questions. Thank you.

14 VICE-CHAIRPERSON HOOD: Okay, thank you,  
15 Mr. Lawson. Ms. Schellin, Do we need to waive our  
16 rules or was this earlier --

17 SECRETARY SCHELLIN: That was from their  
18 sit-down.

19 VICE-CHAIRPERSON HOOD: Okay.

20 SECRETARY SCHELLIN: I just included that  
21 so you'd have their last report.

22 VICE-CHAIRPERSON HOOD: All right, thank  
23 you. Commissioners, any questions? We've seen the  
24 revision of the squares and lots, I think. I don't  
25 know whether it's changed or was there a mistake or

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1 something earlier, Mr. Lawson?

2 MR. LAWSON: Yeah, my apologies, there was  
3 a mistake in the square and the lot number in the  
4 original Office of Planning report. The square and  
5 lot number in the notification was the correct one.

6 VICE-CHAIRPERSON HOOD: Okay, good, thank  
7 you. Commissioners, any questions of Mr. Lawson?

8 COMMISSIONER PARSONS: I do. Now, the bus  
9 garage, I'm looking at your Attachment 1. The bus  
10 garage is in the next square to the north, the  
11 existing garage. And that has nothing to do with --  
12 its future has nothing to do with this, correct?

13 MR. LAWSON: That's correct. And in fact,  
14 the existing bus parking on the baseball site mainly  
15 is for busses that are utilizing the WMATA bus garage.  
16 That's mostly what that -- maybe even entirely what  
17 the bus parking is for. So the proposed relocation  
18 would continue to be for the busses that are being  
19 serviced in the garage or sorry, awaiting servicing in  
20 the garage.

21 COMMISSIONER PARSONS: So they just have  
22 a longer distance to travel.

23 MR. LAWSON: They would have a longer  
24 distance to travel, that's correct.

25 COMMISSIONER PARSONS: Thank you.

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1 VICE-CHAIRPERSON HOOD: So, Mr. Lawson --  
2 any other questions, anyone else? So after the five  
3 years, then what happens?

4 MR. LAWSON: It's assumed that a new and  
5 permanent location would be found for the bus parking  
6 that could even involve a new location for the bus  
7 garage itself, because as we all know, there is a lot  
8 of development and changes happening down there. I  
9 guess they would have the option, if that permanent  
10 location hasn't been found, to come back to the Zoning  
11 Commission and ask for an extension of that approval  
12 but everybody is assuming that they'd be able to kind  
13 of resolve the situation in the meantime.

14 VICE-CHAIRPERSON HOOD: Okay.

15 MR. LAWSON: If the bus garage itself does  
16 move, obviously, the need for the parking will go away  
17 because the parking will go with the new location for  
18 the bus garage.

19 VICE-CHAIRPERSON HOOD: Okay, Mr. Lawson,  
20 are you aware of any other reports to the -- I mean,  
21 other government agency reports, because I didn't see  
22 any?

23 MR. LAWSON: We did not receive reports  
24 from any other government agency.

25 VICE-CHAIRPERSON HOOD: All right, thank

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1 you. Do we have anyone here from Advisory  
2 Neighborhood Commission 6D that would like to testify?  
3 Anyone here from Advisory Neighborhood Commission 6D  
4 and I don't think they submitted anything either.  
5 Okay. Seeing none, moving right along, do we have any  
6 organizations or persons in support that would like to  
7 testify? Any organization or persons in opposition?  
8 Okay, Mr. Lawson, would you like to make a closing  
9 remark, although we don't normally do that?

10 MR. LAWSON: I think it's all been said,  
11 thank you, Mr. Chair.

12 VICE-CHAIRPERSON HOOD: I'm sorry?

13 MR. LAWSON: I said, I think it's all been  
14 said, thank you, Mr. Chair.

15 VICE-CHAIRPERSON HOOD: All right,  
16 Commissioners? Okay, colleagues I would obtain a  
17 motion or whatever your pleasure is. Okay, since not,  
18 I would move that was approve Zoning Commission Case  
19 Number 06-20 for five years as stated, 601.7, that's  
20 temporary relocation of bus parking facility, 98 R  
21 Street SW as requested by the Office of Property  
22 Management. I so move.

23 COMMISSIONER JEFFRIES: Second.

24 VICE-CHAIRPERSON HOOD: It's moved and  
25 properly seconded. Any discussion? All those in

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1 favor?

2 (Aye)

3 VICE-CHAIRPERSON HOOD: Any opposition?

4 So orders, staff, would you record the vote?

5 SECRETARY SCHELLIN: Yes, staff will  
6 record the vote, four to zero to one to approve  
7 proposed action Zoning Commission Case Number 06-20.  
8 Commissioner Hood moving, Commissioner Jeffries  
9 seconding, Commissioners Turnbull and Parsons in  
10 favor. Commissioner Mitten not present, not voting.

11 VICE-CHAIRPERSON HOOD: All right, thank  
12 you. This hearing is now adjourned. We'll be  
13 resuming our special public meeting at 7:00 p.m.  
14 Thank you.

15 (Whereupon, at 6:47 p.m. the hearing in  
16 the above-entitled matter concluded.)

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