

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: :
 :
 PETITION OF BEULAH BAPTIST :
 CHURCH OF DEANWOOD HEIGHTS, : Case No.
 INC. TO AMEND ZONING MAP - : 08-03
 PORTIONS OF SQUARES 5228, :
 5253, 5262, 5263, 5264, AND :
 5265 :
 ----- :

Monday,
October 6, 2008

The Public Hearing of Case No. 08-03 by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Office of Zoning Hearing Room at 441 4th Street, N.W., Washington, D.C., 20001, Gregory N. Jeffries, Vice Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

GREGORY N. JEFFRIES	Vice Chairperson
MICHAEL G. TURNBULL, FAIA	Commissioner
	(OAC)
PETER MAY	Commissioner
	(NPS)

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER

ARLOVA Y. JACKSON

The transcript constitutes the minutes from the Public Hearing held on October 6, 2008.

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

(6:45 p.m.)

VICE CHAIRPERSON JEFFRIES: Good evening, ladies and gentlemen. This is a public hearing of the Zoning Commission of the District of Columbia for Monday, October 6, 2008. My name is Greg Jeffries.

Joining me this evening are Commissioners Peter May and Michael Turnbull.

We are also joined by the Office of Zoning staff, Sharon Schellin, and the Office of Planning.

This proceeding is being recorded by a court reporter and it's also webcasted live. Accordingly, we must ask you to refrain from any disruptive noises or actions in the hearing room.

The subject of this evening's hearings are Zoning Commission Case Nos. 08-03 and 08-03-1. These cases will be heard together and consist of requests by the Beulah Baptist Church of Deanwood Heights,

1 Incorporated, and the Office of Planning,
2 for map amendments for various lots in
3 Square 5228, 5253, 5254, and 5262 through
4 5265. Notice of today's hearings were
5 published in the D.C. Register on August
6 15th and September 9th, 2008, and copies of
7 this announcement are available to my left
8 on the wall near the door.

9 This joint hearing will be
10 conducted in accordance with the provisions
11 of 11 DCMR 3021 as follows.

12 One, we'll start with preliminary
13 matters. Two, presentation by the
14 Petitioners. Three, reports of other
15 government agencies, if any. Four, report
16 of the ANC 7C, organizations and persons in
17 support after that and then organizations
18 and persons in opposition.

19 The following time constraints
20 will be maintained. Organizations will be
21 five minutes. Individuals will be three
22 minutes. The Commission intends to adhere
23 to these time limits as strictly as possible

1 in order to hear the cases in a reasonable
2 period of time.

3 The Commission reserves the right
4 to change the time limits for presentations,
5 if necessary, and notes that no time shall
6 be ceded. All persons appearing before the
7 Commission are to fill out two witness
8 cards. These cards are located to my left
9 on the table near the door.

10 Upon coming forward to speak to
11 the Commission, please give both cards to
12 the reporter sitting to my right before
13 taking a seat at the table.

14 When presenting information to
15 the Commission, please turn on and speak
16 into the microphone, first stating your name
17 and home address. When you have finished
18 speaking, please turn your microphone off,
19 so that the microphone is no longer picking
20 up sound or background noise.

21 The decision of the Commission in
22 this case must be based exclusively on the
23 public record. To avoid any appearance to

1 the contrary, the Commission requests that
2 persons present not engage the members of
3 the Commission in any conversation during
4 any recess or at any time.

5 The staff will be available
6 throughout the hearing to discuss procedural
7 questions.

8 Please turn off all beepers and
9 cell phones at this time, so not to disrupt
10 these proceedings.

11 At this time the Commission will
12 consider any preliminary matters. Does the
13 staff have any?

14 MS. SCHELLIN: Just two quick
15 ones. One, the Petitioner has provided the
16 affidavit of posting and the maintenance
17 affidavit, and also the Petitioner has
18 advised that they are willing to stand on
19 the record, if there's any Commission
20 members would like for them to do that.

21 VICE CHAIRPERSON JEFFRIES: Okay.
22 Well, my colleagues, I mean, how do we feel?
23 Are we fine with allowing them to stay with

1 the record?

2 Okay. That's fine. Okay.

3 So I guess we should just start
4 with any questions that we have for the
5 Petitioner, and we can just--any case--it's
6 a joint hearing, so any case that you want
7 to comment on, we can just go right ahead.

8 Commissioner May.

9 COMMISSIONER MAY: Yes. I
10 obviously don't have a lot of questions. In
11 fact I don't really have more than one at
12 this moment, which is just that, you know, I
13 know that when this was proposed, the
14 Commission had issues with the initial
15 proposal and had made suggestions and--I
16 mean, I guess I could ask this of the Office
17 of Planning as well. But I just want to
18 make sure that what's now in effect a joint
19 proposal is acceptable to the Applicant as
20 well as to the Office of Zoning. Obviously
21 the Office of Zoning supports it. But I
22 want to make sure that the Applicant
23 supports it as well, in its current state.

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1 MR. GLASGOW: Yes, sir. For the
2 record, my name's Norman M. Glasgow, Jr. of
3 the law firm of Holland & Knight, appearing
4 on behalf of the Applicant, or co-Applicant,
5 Beulah Baptist Church, and we have agreed
6 with the modifications that the Commission
7 and the Office of Planning suggested with
8 respect to the map amendment application.

9 COMMISSIONER MAY: Okay. I'm out
10 of questions.

11 VICE CHAIRPERSON JEFFRIES: Oh,
12 wow. Okay. Commissioner?

13 COMMISSIONER TURNBULL: I really
14 don't have any questions.

15 VICE CHAIRPERSON JEFFRIES: I
16 don't either. So it looks like we're moving
17 quickly here. Let's move on. Any reports
18 of other governmental agencies? And I guess
19 we can hear from the Office of Planning.

20 MS. JACKSON: We don't have any
21 other reports from other agencies.

22 VICE CHAIRPERSON JEFFRIES: Okay.
23 Do we have anyone here--excuse

1 me? Okay. Yes. I'm sorry. I had it off.
2 ANC Commission 7C. Anyone representing ANC
3 7C? Last call.

4 [No response]

5 VICE CHAIRPERSON JEFFRIES: Okay.
6 We're moving pretty quickly. Okay. We're
7 going to move right on to organizations and
8 persons--

9 COMMISSIONER MAY: Mr. Chairman,
10 should we note for the record that we did
11 receive a letter from the ANC?

12 VICE CHAIRPERSON JEFFRIES: Yes;
13 yes. Why don't you.

14 COMMISSIONER MAY: Shall I go
15 ahead?

16 VICE CHAIRPERSON JEFFRIES: Yes.

17 COMMISSIONER MAY: I'll hit the
18 high points. On Thursday, May 8, ANC 7C had
19 a properly-noticed regular public community
20 meeting at which a quorum was present, and
21 at that meeting the ANC voted five to zero
22 to support the proposed rezoning of the Dix
23 Street corridor from R-2 and C-1 to C-2-A,

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1 as originally filed by the church. In light
2 of the foregoing, ANC 7C recommends the
3 Zoning Commission approve the application.

4 I guess what's not clear from
5 this is whether they actually are supporting
6 the Office of Planning portion of that.
7 Maybe the Office of Planning can--

8 MS. JACKSON: Actually, if you
9 read further down, it says it's their
10 understanding that the Office of Planning
11 has joined in the application to include the
12 other privately-owned lots.

13 COMMISSIONER MAY: Right. But
14 again, when they talk about what their vote
15 is, it says, you know, at the end of it, as
16 originally filed by the church. It's a
17 little bit unclear. At least to me it's
18 unclear.

19 MS. JACKSON: I took that to mean
20 they were in support of the entire proposal.

21 COMMISSIONER MAY: I think if
22 they were, if they did not support the
23 Office of Planning's portion of it, we would

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1 have heard from them. So I'll assume their
2 support. Okay.

3 VICE CHAIRPERSON JEFFRIES: Okay.

4 Anything else?

5 [No response]

6 VICE CHAIRPERSON JEFFRIES: Okay.

7 Any organizations or persons in support? If
8 you're in support of this map amendment,
9 could you please come forward.

10 [No response]

11 VICE CHAIRPERSON JEFFRIES: Okay.

12 Then how about organizations and persons in
13 opposition? No one.

14 Okay, ma'am. You can just come
15 right up. Take my word for it, lots of time
16 people come up here and they tell us they're
17 opposed. They're not really. So just--

18 MS. THOMPSON: This is my first
19 time for attending this, but I just wanted
20 to--

21 VICE CHAIRPERSON JEFFRIES:

22 Please state your name and address for the
23 record.

1 MS. THOMPSON: The name is Flora
2 Thompson and I'm located at 404 60th Street,
3 N.E., and I just wanted to find out with the
4 rezoning, does that depreciate the value of
5 your property?

6 VICE CHAIRPERSON JEFFRIES:
7 Actually, perhaps the Applicant can take
8 that one on.

9 MR. GLASGOW: Yes. The rezoning
10 for the properties is from R-2 to C-2-A, and
11 the R-2 zone permits single-family rowhouse
12 type dwellings and single-family residential
13 and semidetached, and the C-2-A zoning
14 permits commercial and residential to 2.5
15 times the lot area. So that I think that
16 most people would think that if your
17 property were being rezoned from R-2 to C-2-
18 A, that the C-2-A would be a more valuable
19 piece of property than R-2.

20 MS. THOMPSON: Okay. The C-2-A
21 would be more valuable than just the plain
22 R-2?

23 MR. GLASGOW: Correct. It

1 permits a greater flexibility of uses, has a
2 higher density that's permitted.

3 MS. THOMPSON: Okay. So what
4 you're actually saying is that is an
5 increase as far as your property value, and
6 not a decrease?

7 MR. GLASGOW: Right. But I don't
8 think your property is covered by this map
9 amendment.

10 MS. THOMPSON: No; it wouldn't
11 be. I'm not sure that it would. At least I
12 don't think it is.

13 MR. GLASGOW: No. I don't think
14 your property is covered under this map
15 amendment.

16 MS. THOMPSON: Okay.

17 MR. GLASGOW: So it will not
18 change your R-2 zoning.

19 MS. THOMPSON: Right.

20 VICE CHAIRPERSON JEFFRIES:
21 Ma'am, anything else you'd like to--

22 MS. THOMPSON: Not at this time,
23 but thank you.

1 VICE CHAIRPERSON JEFFRIES: Okay.
2 Thank you. Is there anyone else who is here
3 in opposition to the proposed map
4 amendments? Okay.

5 [Pause as Commissioners confer]

6 VICE CHAIRPERSON JEFFRIES: Okay.
7 I think we have one more question from the
8 Commission for the Office of Planning.

9 COMMISSIONER MAY: Yes. I was
10 wrong before when I said I only had one
11 question. I actually have a second one.
12 Sorry. And this is, I was reminded of this
13 looking through my notes here. But at the
14 set-down hearing, I had raised the question
15 about why we're going all the way to a C-2-
16 A, not that that's a really big jump, but
17 the answer was that it was per the new
18 Deanwood area plan, and that this is
19 anticipated to be an extension of the
20 Deanwood node, and that the Office of
21 Planning would provide that plan to the
22 Commissioners.

23 I mean, is one of the documents

1 that we have in your report based on that
2 plan, or is it simply the future land use
3 plan that reflects what's in the Deanwood
4 area plan, or what can you tell me about the
5 Deanwood area plan?

6 MS. JACKSON: Well, page four of
7 the staff report, in the analysis,
8 summarizes the Deanwood/Great Street
9 Strategic Development Plan that was adopted
10 in June of this year, and covers a larger
11 area in which the area that we're talking
12 about was included. And it talks about
13 strengthening Dix Street as a commercial
14 corridor, providing additional opportunities
15 for shopping and mixed uses. So it's a
16 supplement to the Comp Plan. It's a more
17 recent study of a smaller area. But I
18 didn't provide an entire copy of the plan.
19 I provided a summary of it in the staff
20 report.

21 COMMISSIONER MAY: Okay. I don't
22 have any further questions.

23 VICE CHAIRPERSON JEFFRIES: Okay.

1 To the Petitioner, any additional comments?
2 Any final thoughts?

3 MR. GLASGOW: Just in closing,
4 Commissioner Jeffries, we would like to get
5 a decision tonight, if we could. We've been
6 working on this for, I guess, two and a
7 half, close to three years, going out into
8 the community, working with the Office of
9 Planning during the development of the
10 Deanwood/Great Street Strategic Development
11 Plan, which was a much, much broader area
12 than just this Dix Street piece, it's just a
13 tiny little piece of it, and working with
14 everyone to take that Dix Street commercial
15 node from 57th to 63rd Street, essentially
16 out to the Maryland line, and working at
17 that, so it would be a large enough
18 commercial strip, that there could be an
19 impact and you could have the variety of
20 services and those type of things.

21 And we're ready to go. We've
22 acquired a lot of property over the last
23 couple of years to make an impact, and

1 Pastor Turner's church, and Russell Moore,
2 who's the chairman of the board of trustees,
3 are here tonight, and we're ready to go.

4 VICE CHAIRPERSON JEFFRIES: Okay.
5 Thank you. I think, counsel, that you know
6 that I'm a big supporter of economic
7 development for the District of Columbia and
8 I do have some familiarity with the Deanwood
9 plan, and so forth, and so it certainly is a
10 long time coming, and so I am, you know,
11 really, I think happy to make a motion here,
12 that we approve Case No. 08-03-1, which is a
13 supplemental map amendment for Deanwood
14 Heights, portions of Squares 5253, 5254,
15 5262, 5263, 5264, and 5265, and then also
16 the second case, Case No. 08-03, which is
17 the petition from the Beulah Baptist Church
18 of Deanwood Heights, Incorporated, to amend
19 the zoning map, portions of Square 5228,
20 5253, 5262, 5263, and then 5264 and 5265,
21 and I'd ask for a second.

22 COMMISSIONER MAY: Second.

23 VICE CHAIRPERSON JEFFRIES: Okay.

1 All those in favor say aye.

2 [Chorus of ayes]

3 VICE CHAIRPERSON JEFFRIES:

4 Opposed.

5 Ms. Schellin.

6 MS. SCHELLIN: Staff records the
7 vote three to zero to two to approve both
8 actions in Zoning Commission Case Nos. 08-03
9 and 08-031, Commissioner Jeffries moving,
10 Commissioner May seconding, Commissioner
11 Turnbull in favor. Commissioners Etherly
12 and Hood not present, not voting.

13 VICE CHAIRPERSON JEFFRIES: Thank
14 you, and I'd like to thank all of you for
15 coming out this evening and have a great
16 evening.

17 [Whereupon, at 7:01 p.m., the
18 hearing was adjourned]

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