

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Zoning Commission

Public Hearing

Case No. 16-08 [Text Amendments to Current Version of  
11 DCMR (Zoning) Chapter 3 and to the Adopted but not  
yet Effective Replacement Version of 11 DCMR (Zoning)  
Subtitle V, Chapter 3 - Continuation of Conforming  
Status of Certain Multiple Dwellings in Squares 2580,  
2581, 2582, 2583, 2584, 2586W, 2578, and 2589.]

6:30 p.m. to 6:35 p.m.  
Monday, July 18, 2016

Jerrily R. Kress Memorial Hearing Room  
441 4th Street, N.W., Suite 220 South  
Washington, D.C. 20001

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1 Board Members:

2 ANTHONY HOOD, Chairman

3 MARCIE COHEN, Vice Chair

4 ROBERT MILLER, Commissioner

5 MICHAEL TURNBULL, Commissioner

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7 Office of Zoning:

8 SHARON SCHELLIN, Secretary

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10 Office of Planning:

11 JOEL LAWSON

12 MATT JESICK

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

2 CHAIRPERSON HOOD: Okay. Good evening,  
3 ladies and gentlemen. This is a public hearing of  
4 the Zoning Commission for the District of Columbia.  
5 Today's date is July the 18th, 2016.

6 My name is Anthony Hood. Joining me are Vice  
7 Chair Cohen, Commissioner Miller, and Commissioner  
8 Turnbull. Commissioner May will be participating  
9 depending upon -- at some point in time in this case.  
10 We are also joined by the Office of Zoning staff, Ms.  
11 Sharon Schellin, the Office of Planning staff, Mr.  
12 Lawson and Mr. Jesick.

13 This proceeding is being recorded by a court  
14 reporter and is also webcast live. Notice of today's  
15 hearing was published in the D.C Register and copies  
16 of that announcement are available to my left on the  
17 wall near the door.

18 The hearing will be conducted with provisions  
19 of 11 DCMR 3021 as follows, presentation by the  
20 Office of Planning, reports of other government  
21 agencies, report of the ANC, organizations and  
22 persons in support, organizations and persons in  
23 opposition.

24 The following time constraints will be  
25 maintained in this meeting. They have up to 60

1 minutes but I think this is pretty straight forward.  
2 I don't think we need anywhere near 60 minutes.  
3 Organizations five minutes, individuals three  
4 minutes.

5 Commission intends to adhere to time limits  
6 as strictly as possible and notes that no time shall  
7 be exceeded. All persons appearing before the  
8 Commission are to fill out two witness cards. We  
9 also, if you want to testify tonight, we have a new  
10 kiosk where you can go over and type your name in,  
11 and as an opponent or proponent, and we will be using  
12 that list if you're going to speak this evening.

13 The staff will be available throughout the  
14 hearing to discuss procedural questions. Please turn  
15 off all beepers and cell phones at this time so not  
16 to disrupt these proceedings.

17 At this time the Commission will consider any  
18 preliminary matters. Does the staff have any  
19 preliminary matters?

20 MS. SCHELLIN: No, sir.

21 CHAIRPERSON HOOD: Okay. We'll go straight  
22 to Mr. Jesick. Good evening.

23 MR. JESICK: Good evening and thank you, Mr.  
24 Chairman and members of the Commission.

25 The Office of Planning really doesn't have

1 anything to add to our written report. Just to  
2 summarize quickly, back in April the Commission set  
3 down some proposed texts. What the Office of  
4 Planning is recommending this evening is that the  
5 Commission consider only the first part of that text  
6 as modified. We discussed the text in its entirety  
7 with DCRA and they described to us the administrative  
8 difficulties that would occur if there were two  
9 different sets of vesting rules, one for this part of  
10 the city and one for the rest of the city.

11 So what we're proposing is to come back to  
12 you later this year to take a look at all the vesting  
13 rules and the regs and to make them as standardized  
14 as possible. But again, for tonight what we  
15 recommend is just approval of the first part of the  
16 set down text as you see in the staff report. Thank  
17 you.

18 CHAIRPERSON HOOD: Thank you, Mr. Jesick.  
19 Commissioners, any follow up questions on the report?

20 MS. COHEN: No.

21 CHAIRPERSON HOOD: Okay. Do we have any  
22 other reports of any other government agencies?

23 MS. SCHELLIN: No, sir.

24 CHAIRPERSON HOOD: We do have some letters, a  
25 letter from ANC 1C, and a letter in support from --

1 is that Denise Suski?

2 MS. SCHELLIN: Dennis Suski.

3 CHAIRPERSON HOOD: I'm sorry?

4 MS. SCHELLIN: Dennis Suski.

5 CHAIRPERSON HOOD: Dennis. Okay. Sorry,  
6 Dennis. My computer actually says I only have seven  
7 minutes left for power. So, seven percent.

8 Okay. Did we have an organizations or  
9 persons in support who would like to testify?

10 [No audible response.]

11 CHAIRPERSON HOOD: Any organizations or  
12 persons in opposition who would like to testify?

13 [No audible response.]

14 CHAIRPERSON HOOD: Okay. With that,  
15 Commissioners, I think this is pretty straight  
16 forward. What is your pleasure? We ready to move  
17 forward?

18 MR. TURNBULL: I think we're ready to move  
19 forward.

20 CHAIRPERSON HOOD: Okay. All right.  
21 Somebody like to make a motion to move us forward?

22 MR. MILLER: Mr. Chairman, I would move that  
23 the Zoning Commission take, is it preliminary action?  
24 We take preliminary and final in this one? Yeah.  
25 Preliminary action approval of the Zoning Commission

1 Case 16-08, proposed text amendment to make existing  
2 apartment buildings in Lanier Heights conforming uses  
3 under the new zoning, and ask for a second.

4 MS. COHEN: Second.

5 CHAIRPERSON HOOD: Okay. It's been moved and  
6 properly seconded. Any further discussion?

7 [Vote taken.]

8 CHAIRPERSON HOOD: Ms. Schellin, would you  
9 record the vote?

10 MS. SCHELLIN: Yes, sir. Staff records the  
11 vote four to zero to one to approve proposed action  
12 per -- I want to say, per OP's report, the first part  
13 of their report with regard to vesting. Is that  
14 correct, Commissioner --

15 MR. MILLER: Yes.

16 MS. SCHELLIN: -- Miller? Okay.

17 Commissioner Miller moving, Commissioner Cohen  
18 seconding, Commissioners Hood and Turnbull in  
19 support, Commissioner May not present, not voting.

20 CHAIRPERSON HOOD: Okay. Did we need to tell  
21 them when we're going to take this back up?

22 MS. SCHELLIN: No, we will publish a proposed  
23 rulemaking in the D.C. Register for a 30-day comment  
24 period and we'll take it up after that.

25 CHAIRPERSON HOOD: All right. Anything else?

1 MS. SCHELLIN: No, sir.

2 CHAIRPERSON HOOD: All right. I want to  
3 thank everyone for their participation. This hearing  
4 is adjourned.

5 [Hearing adjourned at 6:35 p.m.]

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