

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

+ + + + +

ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

-----:
   
IN THE MATTER OF: :
   
:
   
Text Amendment to Subtitles : Case No.
   
B, C, H, K, and U, to Require: 20-03
   
Certain Ground Floor Uses in :
   
Self-Service Storage :
   
Establishment :
   
-----:

Monday,
   
October 5, 2020

Videoconference

The Public Hearing of Case No. 20-03 by the
   
District of Columbia Zoning Commission convened at 4:00
   
p.m. EDT, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

- ANTHONY J. HOOD, Chairperson
- ROBERT MILLER, Vice Chairperson
- MICHAEL G. TURNBULL, FAIA, Commissioner (AOC)
- PETER G. MAY, Commissioner (NPS)
- PETER SHAPIRO, Commissioner

OFFICE OF ZONING STAFF PRESENT:

- SHARON S. SCHELLIN, Secretary
- PAUL YOUNG, Zoning Data Specialist

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Deputy Director, Development  
Review & Historic Preservation

JOEL LAWSON

STEPHEN MORDFIN

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

MAXIMILIAN TONDRO, ESQ.

The transcript constitutes the minutes from  
the Public Hearing held on October 5, 2020.

TABLE OF CONTENTS

I. Welcome and Introductions . . . . . 4

II. Preliminary Matters . . . . . 6

III. Zoning Commission Case Number 20-03, Text  
Amendment for a required ground floor uses  
and self-storage establishments . . . . . 6

IV. Commissioner Comments/Discussion . . . . . 8

V. Government Agency Reports . . . . . 8

VI. Public Comments . . . . . 9

VIII. Commission Voting . . . . . 10

IX. Adjourn . . . . . 11

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

4:00 p.m.

1  
2  
3 CHAIRMAN HOOD: Good afternoon, ladies and  
4 gentlemen. We are convening and broadcasting this public  
5 hearing by video conferencing.

6 My name is Anthony Hood. Joining me, the Vice  
7 Chair Miller, Commissioner Shapiro, Commissioner May, and  
8 Commissioner Turnbull. We're also joined by the Office of  
9 Zoning Staff, Ms. Sharon Schellin as well as Mr. Paul Young  
10 who is handling all of our virtual operations.

11 This webcast is being recorded, webcast live,  
12 Webex and YouTube Live. Accordingly, all those listening on  
13 Webex or by phone will be muted during the hearing and those  
14 who have signed up to participate or testify will be unmuted  
15 at the appropriate time.

16 When you are unmuted and you state your name,  
17 please state your name and home address before providing oral  
18 testimony or your presentation. When you are finished  
19 speaking, please mute your audio so that your microphone is  
20 no longer picking up sound or background noise. And I would  
21 ask to introduce themselves when they come up first.

22 Through this whole proceeding if you're having any  
23 issues or problems or not being able to obtain Webex or if  
24 you're a telephone call in, we ask you to call our Office of  
25 Zoning Hotline number at 202-727-5471.

1 All persons planning to testify, either in favor  
2 or in opposition, we encourage you to sign up in advance and  
3 you will be called by name.

4 Again, today's date is Monday, October the 5th,  
5 2020. Tonight's subject of the hearing is Zoning Commission  
6 Case Number 20-03. This is a Text Amendment for a required  
7 ground floor uses and self-storage establishments.

8 The hearing will be conducted in accordance with  
9 provisions of 11 Z DCMR Chapter 5 as follows, preliminary  
10 matters, presentation by the petitioner or, in this case, the  
11 Office of Planning, reports of other government agencies,  
12 report of the ANC, in this particular case tonight, it's  
13 city-wide, testimony of organizations and individuals, each  
14 the organizations will have five minutes. The individuals  
15 will have three minutes, respectively. And we'll go in the  
16 order as support, opposition, and undeclared.

17 While the Commission reserves the right to change  
18 of the presentations, if necessary, it tends to adhere to the  
19 time limits as strictly as possible, and no times shall be  
20 ceded.

21 Again, if you have any issues, please call 2020-  
22 727-5471.

23 At this time, the Commission will consider any  
24 preliminary matters. Ms. Schellin, do you have any  
25 preliminary matters?

1 MS. SCHELLIN: No preliminary matters. Steve  
2 Mordfin from the Office of Planning will be giving the  
3 presentation this evening. So, if Mr. Young could bring Mr.  
4 Mordfin, Ms. Steingasser, and I believe, Mr. Lawson also on?  
5 I think they're ready to go.

6 CHAIRMAN HOOD: Okay, thank you. As soon as y'all  
7 get settled, you may begin.

8 MR. MORDFIN: Good evening, Chair, members of the  
9 Commission. I'm Stephen Mordfin with the Office of Planning.  
10 And this Text Amendment application is to revise the self-  
11 service storage establishment regulations to require separate  
12 use and design and guidelines to the ground floors to the  
13 buildings that are devoted to this use.

14 The application was sent down by the Commission  
15 at its January 17, 2020 meeting at which time the Commission  
16 requested OP consider several revisions to the proposal.

17 OP recommends the Commission adopt the text of the  
18 public hearing notice as modified by the text of the OP  
19 hearing report with flexibility, work with OIG for the  
20 proposed rulemaking.

21 OP continues to find the application to be not  
22 inconsistent with the comprehensive plan or the Ward 5 works  
23 plan.

24 Thank you and I'm available for questions.

25 CHAIRMAN HOOD: Okay, thank you, Mr. Mordfin. I

1 appreciate that, straight to the point. Thank you.

2 Let's see if we have any questions or comments.

3 Commissioner May? Commissioner Shapiro?

4 (No response.)

5 CHAIRMAN HOOD: Okay. Mr. Turnbull? Commissioner

6 Turnbull? Vice Chair Miller?

7 (No response.)

8 CHAIRMAN HOOD: Wonder why I'm the only one got  
9 comments? I do have a question, Mr. Mordfin.

10 Since I noticed that it said medical care, what  
11 are the dynamics of that? I guess is medical care already  
12 in our regulations?

13 MR. MORDFIN: Yes, that was part of OIG's attempt  
14 to try and align all of the terminology in the Zoning  
15 Regulations to be consistent throughout. That's not part of  
16 this text amendment per se for the self-storage  
17 establishments.

18 CHAIRMAN HOOD: Okay, okay. So, I just wanted to  
19 make sure that we're not changing anything that's already  
20 there. So, it's just basically -- this is basically just  
21 germane to the self-storage establishment? Everything else  
22 is there?

23 MR. MORDFIN: Everything else is there at the  
24 moment.

25 CHAIRMAN HOOD: Okay, okay. All right. And I can

1 go into that whole external effects issue at another time.  
2 I'll do that at another time. So, all we're dealing with  
3 tonight is storage establishment, I got it, okay.

4 All right, so, no comments?

5 (No response.)

6 CHAIRMAN HOOD: Ms. Schellin, do we have anyone  
7 waiting to testify on this case?

8 MS. SCHELLIN: No one signed up in advance. No,  
9 sir.

10 CHAIRMAN HOOD: Okay. All right, so, I think I'm  
11 fine. I guess my colleagues are fine. So, we have no one  
12 signed up. We've had -- do we have any reports? Other  
13 government reports? I didn't see any when I looked at the  
14 file. It just looks pretty straightforward. We have six  
15 exhibits. Some of them are dealing with the public hearing  
16 notice.

17 The Office of Planning set down Office of  
18 Planning's hearing report for publication. So, we have six.

19 So, obviously, this is pretty straightforward.  
20 Anything else you want to add, Mr. Mordfin? Okay, thank you  
21 for your report.

22 Commissioners, we don't have anyone signed up.  
23 I think this is pretty straightforward. Unless I hear  
24 something else, what is your pleasure? What would you all  
25 like to do with this? Dispense of it? Dispose of it?

1 (No response.)

2 CHAIRMAN HOOD: Okay, all right. So, would  
3 somebody like to make a motion?

4 COMMISSIONER TURNBULL: Mr. Chair, I guess I will.  
5 I would move that we take proposed action on Zoning Case 20-  
6 03, Office of Planning Text Amendment to Subtitles B, C, H,  
7 K, and U to require certain ground floor uses in self-storage  
8 establishments.

9 For the second?

10 COMMISSIONER SHAPIRO: Second, Mr. Chair. And,  
11 under discussion, if I can, I believe OAG had some comment,  
12 I think this is the right one, had some comments about this  
13 to make sure that our motion reflects the change -- small  
14 change in language that OP has included in their report.

15 CHAIRMAN HOOD: So, it's moved and properly  
16 seconded.

17 Further discussion, let me add to that. I think  
18 Mr. Mordfin included that in his report. So, I assume that  
19 the motion, unless I'm incorrect, Mr. Mordfin, you can assure  
20 me, have you included all of that, the additional text and  
21 everything in your report, is that correct? He said yes.

22 MR. MORDFIN: Can you hear me? Yes, yes.

23 CHAIRMAN HOOD: Okay.

24 MR. MORDFIN: Yes, it's included in there.

25 CHAIRMAN HOOD: Okay. So, Commissioner Shapiro,

1 I think that was taken care of in the report. So, we  
2 included -- we're adding that in the motion if that's okay,  
3 Mr. Turnbull?

4 COMMISSIONER TURNBULL: Absolutely.

5 CHAIRMAN HOOD: And Commissioner Shapiro?

6 COMMISSIONER SHAPIRO: Yes, sir.

7 CHAIRMAN HOOD: Okay. All right, so it's been  
8 moved and properly seconded.

9 Any further discussion?

10 (No response.)

11 CHAIRMAN HOOD: Okay, Ms. Schellin, would you do  
12 a roll call vote?

13 MS. SCHELLIN: Yes.

14 Commissioner Turnbull?

15 COMMISSIONER TURNBULL: Yes to approve.

16 MS. SCHELLIN: Commissioner Shapiro?

17 COMMISSIONER SHAPIRO: Yes.

18 MS. SCHELLIN: Commissioner Hood?

19 CHAIRMAN HOOD: Yes.

20 MS. SCHELLIN: Commissioner Miller?

21 VICE CHAIR MILLER: Yes.

22 MS. SCHELLIN: Commissioner May?

23 COMMISSIONER MAY: Yes.

24 MS. SCHELLIN: The vote is 5-0-0 to approve  
25 proposed action in Zoning Commission Case Number 20-03.

1 CHAIRMAN HOOD: Okay. I know we have a special  
2 public meeting right after this, but I always like to  
3 announce the Zoning Commission will be meeting again on  
4 Thursday, October the 8th. It's Case Number 20-17, another  
5 Text Amendment, Office of Planning. This is Subtitle Z,  
6 Flexibility to Approve Campus Plans During Academic Year 2020  
7 through 2021 due to Public Health Emergency.

8 So, with that, I think we have to go off and then  
9 go into the other site for our special public meeting.

10 MS. SCHELLIN: That's correct.

11 CHAIRMAN HOOD: So, this hearing is adjourned.

12 (Whereupon, the above-entitled matter went off the  
13 record at 4:09 p.m.)

14

15

16

17

18

19

20

21

22

23

24

25

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Public Hearing

Before: DCZC

Date: 10-05-20

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.



-----  
Court Reporter

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701