

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:	
	Text Amendment to 11, DCMR	
	Chapter 30, 3004, Minutes	Case No.
	and Transcripts	10-15
#		

Thursday,  
September 2, 2010

Hearing Room 220 South  
441 4th Street, N.W.  
Washington, D.C.

The Public Hearing of Case No.  
10-15 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,  
Anthony J. Hood, Chairman, presiding.

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Board of Zoning Adjustment  
District of Columbia  
CASE NO. Transcript  
EXHIBIT NO.null

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ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson  
KONRAD SCHLATER, Vice Chairperson  
PETER MAY, Commissioner (NPS)  
GREG SELFRIDGE, Commissioner  
MICHAEL G. TURNBULL, FAIA,  
Commissioner (AOC)

OFFICE OF ZONING STAFF PRESENT:

JAMISON WEINBAUM, Director  
SHARON S. SCHELLIN, Secretary  
DONNA HANOUSEK, Zoning Specialist

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER  
MAXINE BROWN-ROBERTS  
ARTHUR JACKSON

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

JACOB RITTIG, ESQ.  
LORI MONROE, ESQ.

The transcript constitutes the minutes from the Public Hearing held on September 2, 2010.

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T-A-B-L-E O-F C-O-N-T-E-N-T-S

Proposed Action  
 Z.C. Case No. 10-15  
 Text Amendment to 11, DCMR  
 Chapter 30, 3004, Minutes  
 and Transcripts  
 Director Jamison Weinbaum . . . . .7  
 Vote to Approve Case No. 10-15 (5-0-0). . . . 11

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

6:33 p.m.

CHAIRPERSON HOOD: Good evening,  
ladies and gentlemen. This is the public  
hearing of the Zoning Commission of the  
District of Columbia for Thursday, September  
the 2nd, 2010.

My name is Anthony Hood. Joining  
me are Vice-Chairman Konrad Schlater,  
Commissioner Greg Selfridge, Commissioner  
Peter May and Commissioner Mike Turnbull.  
We're also joined by the Office of Zoning  
staff under the leadership of Mr. Weinbaum.  
Also the Office of Attorney General staff and  
the Office of Planning staff under the  
leadership of Mrs. Steingasser.

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

There are two hearings tonight.

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1 The subject of the first hearing tonight is  
2 Zoning Commission Case No. 10-15. This is a  
3 request by the Office of Zoning for amendments  
4 to the Zoning Regulations to remove all  
5 references to meeting minutes and to make  
6 other clarifications. Notice of that hearing  
7 was published in the D.C. Register on July  
8 16th, 2010 and copies of that announcement are  
9 available to my left on the wall near the  
10 door.

11 The subject of the second hearing  
12 tonight is Zoning Commission Case No. 10-16.  
13 This is a request by the Office of Planning  
14 for amendments to the Zoning Regulations in  
15 order to expand the authority to close open  
16 arcades to allow SPWCR and C Zone Districts.  
17 Notice of that hearing was published in the  
18 D.C. Register on July 16th, 2010 and copies of  
19 that announcement are available to my left on  
20 the wall near the door.

21 Both hearings will be conducted in  
22 accordance with the provisions of 11 DCMR 3021

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1 as follows: Preliminary matters,  
2 presentations by the Office of Zoning in the  
3 first case and by the Office of Planning in  
4 the second case, reports of other government  
5 agencies, reports of the ANC, organizations  
6 and persons in support, organizations and  
7 persons in opposition.

8 The following time constraints  
9 will be maintained in these hearings:  
10 Organizations, five minutes; individuals,  
11 three minutes. The Commission intends to  
12 adhere to the time limits as strictly as  
13 possible in order to hear the cases in a  
14 reasonable period of time. The Commission  
15 reserves the right to change the time limits  
16 for presentations if necessary and notes that  
17 no time shall be ceded.

18 The decision of the Commission in  
19 this case must be based exclusively on the  
20 public record. To avoid any appearance to the  
21 contrary, the Commission requests that persons  
22 present not engage the members of the

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1 Commission in conversation during a recess or  
2 any time. The staff will be available  
3 throughout the hearing to discuss procedural  
4 questions.

5 Please turn off all beepers and  
6 cell phones at this time so not to disrupt  
7 these proceedings.

8 At this time the Commission will  
9 consider any preliminary matters.

10 Ms. Schellin, does the staff have  
11 any preliminary matters?

12 MS. SCHELLIN: No, sir.

13 CHAIRPERSON HOOD: Thank you very  
14 much.

15 Okay. We will proceed with Zoning  
16 Commission Case No. 10-15, and that's going to  
17 be the presentation by Director Weinbaum.

18 You may proceed.

19 DIRECTOR WEINBAUM: Thank you,  
20 Chairman.

21 Members of the Commission, this is  
22 a very short presentation. I'll just

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1 reiterate what you have in the papers that  
2 you've been given.

3           Essentially what we're asking is  
4 for changes to the Zoning Regulations that  
5 will allow us to do away with the requirement  
6 that minutes be kept. The idea when this  
7 provision was put in here was at the time  
8 there was no transcripts which were kept. As  
9 well, we did not have the technology we have  
10 today which allows for individuals to watch  
11 the hearings live as well as to access the  
12 video archives that we keep on our web site.  
13 Keeping the minutes is something that is a  
14 substantial amount of staff time that we've  
15 been using for other purposes and we've  
16 tracked it and we haven't had anybody, you  
17 know, for years who has come in to actually  
18 see the minutes, which is kept in binders in  
19 our office, taking up shelves and shelves.

20           So, it just didn't seem to be the  
21 best use of our time in light of where we are  
22 with technology and other means of accessing

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1 the information. So, as a matter of being  
2 obviously in compliance with the regulations,  
3 it seemed that these amendments would be  
4 important to keeping with our stating goals.

5 That's my presentation. I'll  
6 entertain any questions.

7 CHAIRPERSON HOOD: Thank you very  
8 much, Director Weinbaum.

9 Commissioners, any questions,  
10 concerns?

11 (No audible response.)

12 CHAIRPERSON HOOD: I think this is  
13 a long time coming. This discussion actually  
14 has been had for some years and I'm glad to  
15 see that now the office is moving forward with  
16 basically using the transcripts in place.

17 I was getting ready to make a  
18 motion to approve it, but let me go on. Let  
19 me do the right thing here.

20 Okay. Did we have any reports of  
21 any other government agencies on this? Office  
22 of Planning?

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1 MS. BROWN-ROBERTS: We'd stand on  
2 the record.

3 CHAIRPERSON HOOD: Stand on the  
4 record?

5 MS. BROWN-ROBERTS: Yes. Yes.

6 CHAIRPERSON HOOD: Okay. Good.

7 Okay. What about any other  
8 government agencies?

9 (No audible response.)

10 CHAIRPERSON HOOD: Okay. Anyone  
11 here from any of the ANCs that would like to  
12 testify on this?

13 (No audible response.)

14 CHAIRPERSON HOOD: Okay. Any  
15 organizations or persons in support?

16 (No audible response.)

17 CHAIRPERSON HOOD: Organizations  
18 or persons in opposition?

19 (No audible response.)

20 CHAIRPERSON HOOD: Seeing none,  
21 Commissioners, I think this is ready for our  
22 approval. I think it's a long time coming, as

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1 I stated. I would move approval of Zoning  
2 Commission Case No. 10-15 and accept the  
3 reports of both the Office of Zoning and  
4 Office of Planning as substantive to move in  
5 that direction and ask for a second.

6 VICE-CHAIRMAN SCHLATER: Second.

7 CHAIRPERSON HOOD: It's been moved  
8 and properly seconded. Any further  
9 discussion?

10 (No audible response.)

11 CHAIRPERSON HOOD: All those in  
12 favor? Aye.

13 VICE-CHAIRMAN SCHLATER: Aye.

14 COMMISSIONER MAY: Aye.

15 COMMISSIONER TURNBULL: Aye.

16 COMMISSIONER SELFRIDGE: Aye.

17 CHAIRPERSON HOOD: Not hearing any  
18 opposition, Ms. Schellin, would you please  
19 record the vote?

20 MS. SCHELLIN: Yes, staff records  
21 the vote five to zero to zero to approve  
22 proposed action in Zoning Commission Case No.

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1 10-15. Commissioner Hood moving; Commissioner  
2 Schlater seconding; Commissioners Selfridge,  
3 Turnbull and May in support.

4 (Whereupon, the hearing was  
5 concluded at 6:39 p.m.)  
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