

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

+ + + + +

ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

-----:

IN THE MATTER OF: :

:

TEXT AMENDMENT TO 11 DCMR, : Case Nos.

CHAPTER 30 TO INCREASE : 10-09

ZONING COMMISSION FEES : 10-10

:

-----:

Thursday,

July 22, 2010

Hearing Room 220 South

441 4th Street, N.W.

Washington, D.C.

The Public Hearing of Case Nos.
10-09 and 10-10 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.

ZONING COMMISSION MEMBERS PRESENT:

- ANTHONY J. HOOD, Chairman
- KONRAD SCHLATER, Vice Chairman
- GREG SELFRIDGE, Commissioner
- MICHAEL G. TURNBULL, FAIA,
- Commissioner (AOC)

NEAL R. GROSS Board of Zoning Adjustment
District of Columbia
COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
EXHIBIT NO. null

OFFICE OF ZONING STAFF PRESENT:

JAMISON WEINBAUM, Director
SHARON S. SCHELLIN, Secretary
ESTHER BUSHMAN, General Counsel

OFFICE OF PLANNING STAFF PRESENT:

JOEL LAWSON
KAREN THOMAS

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

ALAN H. BERGSTEIN, ESQ.

The transcript constitutes the
minutes from the hearing held on July 22,
2010.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

TABLE OF CONTENTS

	<u>Page No.</u>
Preliminary Matters, SHARON SCHELLIN	7
Presentation of Case by Office of Zoning, JAMISON WEINBAUM	8
Office of Planning, KAREN THOMAS	50
VOTE: 4-0-1 in favor	53

NEAL R. GROSSCOURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

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

2 6:33 p.m.

3 CHAIRMAN HOOD: Okay, we are going
4 to get ready to get started.

5 Good evening, ladies and
6 gentlemen. This is a public hearing of the
7 Zoning Commission of the District of Columbia
8 for Thursday, July 22nd.

9 My name is Anthony Hood. Joining
10 me are Vice Chairman Konrad Schlater,
11 Commissioner Mike Turnbull, and Commissioner
12 -- our new Commissioner, Greg Selfridge. I
13 want to welcome him to the Commission.

14 We are also joined by the Office of
15 Zoning Staff, Ms. Sharon Schellin and Ms.
16 Esther Bushman, also Office of Attorney
17 General, Mr. Alan Bergstein.

18 We are also joined by the Office of
19 Planning Staff, Mr. Lawson and Ms. Karen
20 Thomas.

21 This proceeding is being recorded
22 by a court reporter. It is also webcast live.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 Accordingly, we must ask you to refrain from
2 any disruptive noise or actions in the hearing
3 room.

4 The subject of this evening's
5 hearing is Zoning Commission Case 10-09 and
6 10-10. This is a request by the Office of
7 Zoning for text amendments to the Zoning
8 Regulations to increase Board of Zoning
9 Adjustment and Zoning Commission fees.

10 Notice of today's hearing was
11 published in the D.C. Register on May 28,
12 2010, and copies of that announcement are
13 available to my left on the wall near the
14 door.

15 The hearing will be conducted in
16 accordance with the provisions of 11 DCMR
17 3021 as follows, preliminary matters,
18 presentations by the Office of Planning,
19 Report of Other Government Agencies, Report of
20 any ANCs, organizations or persons in support,
21 organizations or persons in opposition.

22 The following time constraints will

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 be maintained at this hearing, Office of
2 Zoning 15 minutes, the Director will be
3 handling that portion, organizations five
4 minutes, individuals three minutes. The
5 Commission intends to adhere to the time
6 limits as strictly as possible, in order to
7 hear the case in a reasonable period of time.

8 The Commission reserves the right
9 to change the time limits of presentations if
10 necessary, and no time shall be ceded.

11 I think I'll skip that.

12 The decision of the Commission in
13 this case must be based exclusively on the
14 public record. The staff will be available
15 throughout the hearing to discuss procedural
16 questions.

17 Please turn off all beepers and
18 cell phones at this time, so not to disrupt
19 these proceedings.

20 At this time, the Commission will
21 consider any preliminary matters. Does the
22 staff have any preliminary matters?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 MS. SCHELLIN: The Staff has
2 nothing further, just to add that you do have
3 a copy of the Power Point presentation in
4 front of you.

5 CHAIRMAN HOOD: Okay. I have a
6 preliminary matter.

7 I want to go back and, again, I
8 want to welcome Commissioner Selfridge, and we
9 are looking forward to working with him, and
10 want to acknowledge that he is -- this is his
11 first hearing with the Commission, looking
12 forward to working with him in the future.

13 I just wanted to know if you wanted
14 to say anything.

15 COMMISSIONER SELFRIDGE: Thank you
16 very much, Chairman Hood, Commissioner
17 Turnbull, Commissioner Schlater, appreciate
18 it, and the Zoning Commission Staff has been
19 great, so thank you for the help getting
20 transitioned.

21 CHAIRMAN HOOD: Great.

22 And, my last preliminary matter is,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 we have a very special guest in the audience,
2 and we just want to acknowledge her and
3 welcome her to her hearing -- I don't know if
4 this is her first hearing, a very special
5 person in the audience. We won't ask her to
6 come to the mic, but maybe Vice Chairman
7 Schlater may want to tell us who that is, if
8 he doesn't mind.

9 VICE CHAIRMAN SCHLATER: Mr.
10 Chairman, it's my mother.

11 CHAIRMAN HOOD: Okay.

12 VICE CHAIRMAN SCHLATER: And, I'm
13 very happy she's here.

14 CHAIRMAN HOOD: Okay, good, glad to
15 have you.

16 Okay. Now what we'll do, we'll
17 turn it over to -- I think protocol has been
18 established, and now we'll turn it over to the
19 Director of the Office of Zoning, Director
20 Weinbaum.

21 MR. WEINBAUM: Thank you very much,
22 Chairman Hood.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 I want to first begin by welcoming
2 Commissioner Selfridge as well. We've had an
3 opportunity to speak a few times, and glad to
4 have him on board. If there's anything the
5 staff can do for you, just let us know.

6 With that, I will go on with my
7 presentation. The idea here, it's something
8 that, obviously, we spoke about at setdown,
9 the proposal is, actually, two text
10 amendments, and for purposes of the hearing
11 we've consolidated the hearing into one
12 hearing. The two text amendments are, one, to
13 increase Zoning Commission fees, and the
14 second text amendment is to increase BZA fees.

15 So, this would be a change to both Chapters
16 30 and Chapter 31.

17 You'll see on our slide here above,
18 I figured for purposes of providing a thorough
19 amount of information that I would start with
20 a brief history of fees, so you have a little
21 bit of information for those of you who may
22 not be aware.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 In 1980, the Zoning Commission
2 established a new fee structure, pursuant to
3 Zoning Commission Case 80-14, and it wasn't
4 until 14 years later, in 1994, that the Zoning
5 Commission, actually, raised Zoning Commission
6 fees by 100 percent, to their current rate
7 where they stand. So, that was 100 percent
8 increase 14 years after 1980, when the fee
9 structure was established, and that was
10 pursuant to Zoning Case 94-2.

11 I will note that in 1998 the Zoning
12 Commission, and the Business Regulatory Reform
13 Commission, the Control Board, as well as its
14 consultants, restructured Chapter 30 and 31,
15 and made a determination based on their
16 analysis of the fees that they didn't
17 recommend raising fees, because they believed
18 that at that time, in 1998, that fees were
19 comparable to surrounding jurisdictions. So,
20 it was four years after fees had been raised
21 to the rate they are at today, in 1998, that
22 they made that determination.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 We are now here, 16 years later
2 after fees were established at the rate they
3 are at, with the proposed text amendment.

4 The current proposal, as I
5 mentioned, is to increase all Zoning
6 Commission and BZA fees by 30 percent cross
7 the board, as well as to increase the fee for
8 zoning certifications from \$15 to \$50, and to
9 change the structure on PUD modification fees
10 from a flat fee, a flat hearing fee of \$1,000,
11 to a structure whereby the PUD modification
12 fee would be 26 percent of the original
13 hearing fee.

14 The next chart, which you'll see in
15 the Power Point, is an analysis of revenue
16 received in the Office of Zoning for Zoning
17 Commission and BZA cases from FY 1999 to FY
18 2010. You'll see that there was clearly a
19 large spike in FY 2006, you know, at the
20 strength of the economy and real estate in
21 particular, as well as the dramatic fall off
22 that we've been seeing more recently, bringing

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 us to the 2010 through June revenue amount.

2 The next slide, actually, shows you
3 these same figures indicating that where we
4 are today the Office of Zoning is on track to
5 take in the lowest revenue in more than 12
6 years, in terms of our projected year-end
7 revenue.

8 The slide after that shows you now
9 that we've taken into account revenue, we want
10 to show you where our budget is. You can see
11 that the Office of Zoning budget from FY 1999
12 through to the budget which has been approved
13 for us for FY 2011, and it's important to note
14 that the budget that we'll be dealing with in
15 FY 2011 is, actually, a 17 percent decrease
16 from that of FY 2010. This decrease impacts
17 the Office of Zoning at a time of intensified
18 efforts to develop and implement a new online
19 case management system, as well as unveil our
20 new and improved interactive zoning map, and
21 launch ZRR-related projects, all things that I
22 know we've spoken about at length over the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 last year.

2 To give a little more background on
3 revenue, I wanted to respond to some of the
4 items which were brought up at the setdown
5 hearing.

6 Just to be very clear, while the
7 Office of Zoning is an independent agency for
8 purposes of the professional administrative
9 and technical assistance that we provide to
10 the Zoning Commission and the BZA, OZ is a
11 District Government agency that's funded in
12 exactly the same manner as any other District
13 Government agency, the same as mayoral
14 agencies. While we are independent for
15 purposes of our advice, our preparation for
16 all of you, we are governed by the same rules
17 when it comes to our budget, as any other
18 agency.

19 All agency revenue directly impacts
20 all agency budgets. So, agency revenue is
21 what's used to devise agency revenue
22 estimates. In other words, the revenue you

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 bring in is what's looked at when they think
2 about estimates going forward for what you are
3 going to bring in.

4 Agency revenue estimates are given
5 strong consideration when devising agency
6 budgets. So, when the Council and the Mayor
7 look to budgeting the Office of Zoning for
8 future years, they look at these revenue
9 estimates, which are, of course, based upon
10 the revenue that we bring in.

11 So, under the current fee
12 structure, OZ revenue estimates for the out
13 years are being driven down by the fact that
14 we have a decreasing revenue currently.

15 So, the conclusion that I want to
16 make clear is that the decreasing revenue
17 leads to decreasing revenue estimates, which
18 leads to decreasing budgets.

19 An example of that would be that in
20 FY 2011, as I mentioned, due to decreasing
21 revenue OZ is absorbing a 17 percent budget
22 reduction. To drive the point home, if the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 fees are not increased, and the revenue is not
2 enhanced, and OZ absorbs additional budget
3 reductions, we'll be impacted in terms of our
4 ability to launch IZIS, improve our map, and
5 develop the handbooks that we've spoken about
6 to assist the public in understanding ZRR-
7 related changes.

8 Just to show you, now that we've
9 spoken about the revenues, what the difference
10 might look like, if you look at the next slide
11 you can see what the revenue estimate
12 currently is for FY 2010, which is \$367,000,
13 compared to what it would have been had we had
14 the 30 percent increase plus this 26 percent
15 PUD modification change that we spoke about,
16 which would have amounted to \$576,000, leaving
17 a significant amount of money on the table, so
18 to speak.

19 Just to show you what the fee
20 increase would look like as a matter of
21 practice, if you look at the next slide you
22 can see that when it comes to the Zoning

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 Commission fees we've listed for you the
2 different types of relief that applicants and
3 petitioners might seek, map amendments, text
4 amendments, PUDs, as well as the current fee,
5 the proposed increase amount, and the proposed
6 new fee, and we've called out in red one
7 example that I'll highlight for you, which is
8 the PUD filing fee, which currently stands at
9 \$500, the proposed increased amount of \$150,
10 and what the proposed new fee would be, which
11 is \$650, and you can see some of the other
12 fees there.

13 One other example, when it comes to
14 the BZA side, is on the next slide, BZA fee
15 proposals, and I've pulled out one example for
16 you, private schools, current fee is \$25 per
17 student, the proposed increase being \$8, the
18 new proposed fee \$33. Our current maximum fee
19 is \$2,500, the proposed new maximum fee would
20 be \$3,250.

21 And, to further that up, the next
22 slide, actually, compares our fees to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 surrounding jurisdictions. So, we've done a
2 comparison and an in-depth analysis, and I
3 know the Office of Planning has also looked at
4 to certain other jurisdictions, such as
5 Montgomery County, Prince George's County, and
6 Arlington County.

7 You can see the example towards the
8 bottom of that slide, we had a case, Zoning
9 Commission Case No. 07-29, which was a
10 rezoning of 4,950 square feet of land to the
11 C-2-A district, the current fee for that was,
12 or is, \$1,250, the new proposed fee that would
13 have been \$1,625. Interesting to note, if
14 this was Montgomery County, it would have been
15 \$6,600, if it was Prince George's County,
16 \$5,000, if was Arlington, \$19,518, for those
17 same services. Pretty stark, and it does show
18 you that even with the 30 percent we are still
19 well below on a number of different services
20 that we provide.

21 Again, on the BZA side, if you look
22 at the next slide, comparison to Montgomery

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 and Prince George's County, private school, if
2 there was 125 students current fee would be
3 \$2,500, if we were to use the new fee
4 structure it would be \$3,250. Montgomery
5 County would be \$6,875, Prince George's
6 County \$4,000. So, it definitely shows you,
7 and not all of this is apples to apples,
8 obviously, different jurisdictions use
9 different structures, but I wanted to pull out
10 a couple of examples where we do use the same
11 system, we are using the same type of square
12 footage and what not, to show you what that
13 looks like.

14 You know, again, before I conclude,
15 I just want to indicate, we took what you said
16 to heart. I know, particularly, Commissioner
17 Schlater, you raised a lot of good points
18 about, you know, should we be raising the fees
19 just because they are lower than everybody
20 else, shouldn't we just be a great deal? Why
21 do we have to raise fees?

22 And, I wanted to bring home the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 point that, I'm not looking -- we are not
2 looking to raise fees just to do that. They
3 do have an impact on what we try to
4 accomplish. They do speak to this Office.
5 There is a direct correlation to what we do,
6 and furthermore, we do think about the impact
7 on the public, and on the citizenry, we don't
8 just want more revenue to come in, we want
9 more cases to be filed. We don't want to
10 raise revenue and, you know, offset or
11 jeopardize the amount of people who might come
12 in seeking relief here, but we think that the
13 proposal we've come up with is reasonable.
14 It's a stop-gap measure.

15 We do also want to have a
16 discussion about this as part of the ZRR, to
17 see if there are means of looking at whether
18 it can be done, new fees, structure could be
19 put in place, when they come up with maybe new
20 use categories and different things like that,
21 and that will be a discussion that we will
22 have with the Office of Planning.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 However, the ZRR could take another
2 two years before it's wrapped up, and in the
3 meantime, as I showed you in that one slide,
4 there is a lot of revenue that this Office can
5 take advantage of, that we are not taking
6 advantage of, and I think that this is a
7 critical time for us in the budgeting for the
8 next few years, with the programs we've spoken
9 about, with our online case management system,
10 with our map, and with the ZRR, getting a
11 handbook together and all that.

12 So, I feel it's important enough
13 that we move forward now, and not simply wait
14 for ZRR, and I'll entertain any questions you
15 have, and, hopefully, you'll see it as I do.

16 So, thank you very much.

17 CHAIRMAN HOOD: All right, thank
18 you, Director Weinbaum.

19 Commissioners, do you have any
20 questions of Director Weinbaum on this?

21 Commissioner Turnbull?

22 COMMISSIONER TURNBULL: How did you

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 arrive at the 26 percent?

2 MR. WEINBAUM: What we did is, I
3 believe we did 30 percent, I'm trying to
4 remember -- if I can turn to Ms. Schellin, I
5 think she remembers more accurately how we got
6 that number.

7 MS. SCHELLIN: I think we -- I
8 think what we did is, we looked at BZA, if I'm
9 not mistaken, Alan may help us out on that.
10 BZA uses that percentage for one of their
11 fees. When a case comes before them for a
12 prior -- for a prior case that they've had,
13 you know, an original fee, they used it as a
14 baseline, 26 percent of the original filing
15 fee. So, we went to try to use the same
16 guidelines for that, with some modification.

17 COMMISSIONER TURNBULL: Okay.

18 MR. WEINBAUM: Thank you, sir.

19 COMMISSIONER TURNBULL: How does --
20 when you look at that one slide, the budget
21 trend, and you are -- I see how you are trying
22 to relate the budget trend as compared to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 revenue, but how are -- and you say we have a
2 -- the Office of Zoning has a 17 percent
3 decrease, but how does that compare with the
4 other agencies in the District, haven't they
5 all taken a cut?

6 MR. WEINBAUM: Yes, other agencies
7 have been asked to take a cut. It's not been
8 an across the board. They've all been reduced
9 to some degree, but again, number one, those
10 reductions come about in different ways.

11 COMMISSIONER TURNBULL: Right.

12 MR. WEINBAUM: You know, based on
13 different specifics within the agency. So,
14 they all are taking a cut.

15 The point is to show that we are
16 taking a cut, and they look at revenue
17 estimates when they make determinations on
18 budget.

19 I can't sit here and say to you,
20 well, you know, our cut is more severe than X
21 agency or Y agency, or Office of Planning, or
22 anybody else. I haven't done that analysis.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 We all have taken a cut.

2 COMMISSIONER TURNBULL: Yes.

3 MR. WEINBAUM: But clearly, the cut
4 we are taking has a relation to the fact that
5 we are bringing in less revenue for the
6 District.

7 COMMISSIONER TURNBULL: I mean, is
8 there never -- I mean, what happens if you
9 bring in a lot of -- if we pass the increase,
10 and you still get a budget cut?

11 MR. WEINBAUM: I think that's
12 entirely still possible. I think we make a
13 better argument if we can keep our revenues at
14 least steady in this time, that there's a need
15 for the 19 full-time employees that we have
16 here on staff. There's a need to leave the
17 funding that we have in order to keep our
18 contractor here, to continue working on the
19 online case management system. There's a need
20 to fund our programs, because there's revenue
21 that's generated from that.

22 COMMISSIONER TURNBULL: The only

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 other, I guess the other thing is, Steve
2 Sher's memo?

3 MR. WEINBAUM: Yes, I did see that.

4 COMMISSIONER TURNBULL: What's your
5 -- I wonder if you could maybe comment on
6 that.

7 MR. WEINBAUM: Absolutely. You
8 know, he had about four main bullet points.
9 The first one is the Konrad Schlater bullet
10 point, as I've deemed it, which is, you know,
11 we haven't done this in a while isn't enough,
12 and I tried to address that, I think, for you.

13 COMMISSIONER TURNBULL: Right.

14 MR. WEINBAUM: You know, secondly,
15 he talks about a cap on non-residential fees
16 in general, because we have one on residential
17 fees.

18 I didn't go at it with that, but
19 I'm willing to explore that. I think if we
20 were to do that, it would have to be a high
21 enough number, because we don't want to leave
22 money on the table that we can get -- that we

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 are getting now. So, I don't want to do
2 something that's, actually, going to decrease
3 our revenue.

4 But, it's not something I'm
5 absolutely opposed to. He agreed with the
6 clarifications which we made in our amendment,
7 and then the last one, while I think he
8 understood the idea of this PUD modification
9 distinction, and the way that we are going to
10 charge for that, he understood that there is a
11 lot of work that goes into a modification,
12 which really does make it just like it would
13 be a regular PUD. I mean, people come in and
14 you see now, especially, we see a lot of
15 modifications that are coming in, more than we
16 do new cases. I think his concern was, it's
17 not all the same always, and so if you always
18 charge 26 percent, without any kind of cap,
19 then it could end up being extremely
20 expensive.

21 And, I did do a little bit of
22 analysis, and looked into whether -- what it

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 would look like if we had some sort of cap.
2 My recommendation would be, if we were to do a
3 cap, based on some of the original hearing
4 fees, which are pretty significant. We had
5 one case this year, two cases this year, where
6 the original hearing fee had been \$133,000.
7 So, that's a lot of money that we would have
8 gotten, you know, if we had done 26 percent.

9 I believe on those it would have
10 been \$33,800 that we would have had, and we
11 instead collected \$1,000. So, just to make
12 that point clear, we had two PUD modifications
13 filed in FY 2010. The original hearing fee
14 was \$133,000, we collected \$1,000 on the MODs.
15 We would have gotten \$33,000.

16 Steve Sher's recommendation is a
17 cap of \$6,500. I don't think, in my opinion,
18 that comes close to, considering how much work
19 was involved, into cutting it.

20 I would be comfortable with
21 something like a \$20,000 cap, because I think
22 beyond that it can become extremely expensive,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 but to say \$6,500 to me, when there can be a
2 tremendous amount of work in that, I don't
3 think is sufficient.

4 COMMISSIONER TURNBULL: Okay.

5 MR. WEINBAUM: But, I did look and
6 think about these points.

7 COMMISSIONER TURNBULL: Well, okay,
8 then are we -- are you still out deliberating
9 on bullet point 2 and 4 then?

10 MR. WEINBAUM: You know, I would
11 entertain -- I mean, I wanted to come forward
12 with this proposal, I didn't want to modify it
13 simply based on Steve's letter, because I
14 wanted to give you all an opportunity --

15 COMMISSIONER TURNBULL: Right.

16 MR. WEINBAUM: -- to weigh in.

17 I'm comfortable with that, if you
18 feel it's appropriate. I don't, necessarily,
19 see a need to put it in, but, you know, I'll
20 defer to you all on that, and we can go from
21 there.

22 COMMISSIONER TURNBULL: Okay, thank

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 you.

2 MR. WEINBAUM: Okay.

3 CHAIRMAN HOOD: Okay. Any other
4 questions?

5 Vice Chairman?

6 VICE CHAIRMAN SCHLATER: Thank you,
7 Mr. Chairman.

8 Just on Steve Sher's letter, and
9 points 2 and 4, my two cents is, you know,
10 personally I'm less concerned about large
11 commercial development than their filing fees.

12 I mean, if it's a very large development, we
13 are talking about hundreds of millions of
14 dollars, it's a drop in the bucket.

15 The fees that I'm more concerned
16 about is, you know, a home owner coming
17 forward for, you know, BZA approval or
18 something like that, and then it becoming a
19 burdensome cost.

20 So, it's not something that I would
21 spend too much time being concerned about.

22 MR. WEINBAUM: Okay.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 VICE CHAIRMAN SCHLATER:

2 Personally.

3 MR. WEINBAUM: That makes sense to
4 me.

5 VICE CHAIRMAN SCHLATER: On the
6 modifications, it seems there are times when
7 we have modifications that go straight on to
8 the consent calendar, that don't require a lot
9 of energy. Then there are other ones that are
10 like a new PUD. Is there a distinction?

11 That modification would have a
12 hearing fee, if it's on the consent calendar.

13 MR. WEINBAUM: Yes, if it's on the
14 consent calendar, it's a minor MOD. We are
15 talking about PUD modifications, which get a
16 hearing.

17 VICE CHAIRMAN SCHLATER: Okay.

18 MR. WEINBAUM: So, this is only for
19 ones where it becomes a full-on modification
20 with a hearing.

21 VICE CHAIRMAN SCHLATER: Great.

22 And then, I have a question about

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 this slide here.

2 MR. WEINBAUM: Yes.

3 VICE CHAIRMAN SCHLATER: It,
4 basically, shows 2010 revenue estimate.

5 MR. WEINBAUM: Yes.

6 VICE CHAIRMAN SCHLATER: Under
7 current fee structure.

8 MR. WEINBAUM: Yes.

9 VICE CHAIRMAN SCHLATER: And then,
10 under proposed structure.

11 MR. WEINBAUM: Right.

12 VICE CHAIRMAN SCHLATER: And, it's
13 being billed as a 30 percent increase, across-
14 the-board increase in fees. And, if you look
15 at the numbers, going from \$367,000 to
16 \$576,000, that's like a 60 percent increase.
17 So, I'm a little confused.

18 MR. WEINBAUM: What it is, is it's
19 30 percent across the board, plus that 26
20 percent change, and the 20 -- remember, on the
21 PUD modifications, if we were to do 26 percent
22 versus \$1,000, that is a big jump. We had a

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 number of modifications filed this year that
2 we only took in, let's say there were seven
3 modifications, we took in \$7,000.

4 VICE CHAIRMAN SCHLATER: Okay.

5 MR. WEINBAUM: We would have taken
6 in a lot more if each of those seven cases
7 we'd gotten 26 percent. So, it's that money,
8 plus the 30 percent on everything else, that
9 gives you the delta between \$367,000 and
10 \$576,000.

11 Does that make sense?

12 VICE CHAIRMAN SCHLATER: Yes, but
13 just to be clear, the revenues are going to be
14 going up 50 percent, roughly.

15 MR. WEINBAUM: If there's a lot --

16 VICE CHAIRMAN SCHLATER: Under the
17 current, you know --

18 MR. WEINBAUM: -- well, you know,
19 if there's a lot of modifications, I mean,
20 it's possible. You know, you could have very
21 few modifications, and then it could be really
22 30 percent, or not much more. It also depends

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 on the size of the original hearing fee on
2 those MODs, that those MODs are the subject
3 of.

4 VICE CHAIRMAN SCHLATER: And, the
5 only other comment I would have, it's hard for
6 us sitting up here to really understand how
7 the budget gets formulated, because that's
8 what you and the staff do every year.

9 MR. WEINBAUM: Sure.

10 VICE CHAIRMAN SCHLATER: So, we are
11 not involved in that process.

12 The charts themselves, I don't
13 think they, necessarily, establish causality.

14 There are plenty of years when fees went way
15 up, and the budget didn't, and when fees went
16 down, and the budget went up.

17 So, I guess we are relying on you
18 on this one, to say that this is absolutely
19 necessary in order to maintain our staff,
20 which is, absolutely important, but I'm
21 concerned that it's hard to establish that
22 causality. We don't know.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 MR. WEINBAUM: Yes, I mean, what I
2 can speak to is the process that I've been
3 through this year. I can speak to the fact
4 that if you read the reports that are in the
5 public record on a lot of agencies, including
6 one that sits up here, there are a lot of
7 full-time employees that have been cut from
8 agencies, and that's something that I look to
9 protect, because not only do we have a
10 phenomenal staff, but -- and it's not just
11 about keeping people's jobs in general, we
12 have a necessary staff. We need every single
13 one of our full-time employees to provide the
14 services we provide to you all, as well as,
15 week in, week out, as well as to do these
16 special projects that I'm so keen on doing
17 that we've all spoken about.

18 I mean, this is a -- as I see it--
19 a really critical time, it was something that
20 I spoke about when I came on board. I think
21 I'm not just lucky to be here, but I'm lucky
22 to be here at a time where the next few years

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 are going to be critically important to the
2 office, in terms of getting that new map out,
3 using technology, getting to the place where
4 all cases are filed online, and to a point
5 where people are comfortable in all the chaos
6 that comes with completely new zoning
7 regulations.

8 So, that's our mission, is to
9 educate the public about zoning. This is kind
10 of like the big dog time, when after 50 years
11 you get new zoning regs. We've got to be on
12 our game, and it's unfortunate that it's
13 coming at a time when there's such budget
14 cuts. I don't want to tie two hands behind my
15 back.

16 VICE CHAIRMAN SCHLATER: Okay, no
17 further questions. Thank you.

18 CHAIRMAN HOOD: Okay. Commissioner
19 Selfridge?

20 COMMISSIONER SELFRIDGE: Thank you,
21 Mr. Chairman.

22 I have two brief questions. The

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 first follows up on what Vice Chairman
2 Schlater was speaking about, in particular,
3 BZA, if this has a negative impact on people's
4 ability to file for these cases, it just
5 becomes too expensive at some point for the
6 homeowner or the small petitioner.

7 MR. WEINBAUM: Yes, I mean, you
8 know, we did the analysis. If you look at,
9 you know, some of these costs, I mean, we
10 recognize that certainly without a doubt that
11 we have individual homeowners who are coming
12 here, who are, you know, we are not talking
13 about large corporations or large developers,
14 we are talking about individuals.

15 But, if you look in particular at
16 this chart that I have up on the screen, the
17 BZA fee proposal, and those numbers, my
18 analysis, and, you know, really what we stand
19 behind, is that the fees here in new proposed
20 fees are not unduly burdensome, if you look at
21 these numbers across the board, especially,
22 when you look at some of the other surrounding

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 jurisdictions, we think we are still below,
2 and we are still at a point where, you know,
3 homeowners will be able to file and will not
4 be, you know, unable to.

5 But, I do want to make sure, you
6 know, we are addressing your concern, and we
7 are clear on that.

8 COMMISSIONER SELFRIDGE: And then
9 just -- and I may have missed this as I just
10 joined the Commission, but why 30 percent, '94
11 was 100 percent, why that number?

12 MR. WEINBAUM: Yes, you know, I
13 really did -- I looked at -- basically, what I
14 did is, I broke down what does 30 percent look
15 like, what does 25 percent look like, what
16 does 20, what does 40, I mean, this is not an
17 exact science to say why.

18 I think 30 percent is significant
19 enough when you look at what it would have
20 meant for this year, that we could really get
21 a jump. We had estimates a few years ago for
22 this fiscal year of between \$500,000 and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 \$600,000. If you look at what we would have
2 been if we did this increase, we would have
3 been right in that wheel house.

4 So, I thought that that was
5 appropriate for now, but just as a reminder,
6 as to what I was saying earlier, Commissioner
7 Selfridge, we will undertake more significant
8 conversations with the Office of Planning as
9 part of the ZRR process, and I think we'll
10 further fine tune fees, the category,
11 structure.

12 This is working within the current
13 structure, and the reason is because we are
14 still working within the current regulations.
15 But, as the regulations are whole-cloth
16 amended, and, you know, revised, we are very
17 open to making the fees logically tied to the
18 new structure of the zoning regs.

19 So, I think this is a good interim
20 measure, and then if it's two, three years
21 down the road when the new regulations are
22 ready to be imposed, that we've done an

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 analysis then on how we could restructure the
2 fees further.

3 And, I'll add, and it's something
4 that we've had extensive discussions on my
5 staff about, we are going to be proposing, as
6 part of the ZRR and the amendments to Chapter
7 30 and 31 when we get there, that we put in
8 the regulations that every third year, and
9 this is just a proposal for you all to take
10 up, that every third year the Director of the
11 Office of Zoning come forward to the Zoning
12 Commission with an analysis of the fees, as to
13 whether or not they make sense. So, we don't
14 have a 16-year gap, where you are having to
15 judge where you are, or a 14-year gap.

16 I think if every three years the
17 Director has to come to you and say, we think
18 fees are where they need to be, like the
19 Control Board said in '98, or we think fees
20 should be raised, we are seeing the other
21 jurisdictions are going up, or whatever it
22 might be.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 I think it makes more sense to have
2 a logical point in time where we can check in
3 on fees, so this amount of time doesn't go by.

4 That's something I'll propose, and
5 you guys are free to shoot it down when we get
6 there at the ZRR if you don't like that, but
7 it's an idea.

8 COMMISSIONER SELFRIDGE: And then,
9 I'm sorry, I do have one follow-up question.

10 I see that you have the Zoning
11 Commission fee comparison for Arlington, but
12 not for BZA. So, is it cheaper to file it for
13 BZA in Arlington?

14 MR. WEINBAUM: No, I think we did
15 it where the comparison made sense, in terms
16 of, again, it's not apples to apples always,
17 so I think if we didn't do it there it was
18 because they used a different structure for
19 that one category I was showing you.

20 COMMISSIONER SELFRIDGE: No more
21 questions.

22 Thank you, Mr. Chairman.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 CHAIRMAN HOOD: Okay, thank you.

2 Director Weinbaum, I know that we
3 are not budgeted to make dollar for dollar, I
4 understand that.

5 MR. WEINBAUM: Yes.

6 CHAIRMAN HOOD: And, one of the
7 things I will tell you, a lot of stuff was
8 done in this Office of Zoning because it was
9 used at that time, as you mentioned, the
10 Control Board, bringing back some memories,
11 but it was one-time money. So, we were able
12 to get started with a lot of it -- well, the
13 Office was able to get started, I consider
14 myself a part, because I was here then, but
15 anyway, the Office of Zoning was able to get
16 started with a lot of those initiatives.

17 But, what I will say is, a lot of
18 this came from the many complaints of staffing
19 up the Office, and also the services that were
20 provided, and I think this is long overdue. I
21 think this needs to be done, and one of the
22 main reasons that I haven't heard, that I

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 witnessed, was that a lot of this came because
2 some of the services that this Office was
3 providing prior to '98 -- and the citizens
4 cried out at a lot of those oversight
5 hearings, budget hearings, what they wanted.

6 So, it took a lot -- it was a lot
7 of the community, whether they are a
8 developer, and also the citizens, who,
9 basically, cried out to staff up the Office of
10 Zoning.

11 So, I want to commend the Office of
12 Zoning for looking at this, because even
13 though you are not matching dollar for dollar,
14 the citizens are still going to expect the
15 same great service that we give them now, and
16 I will tell you, this Office gives great
17 service. And, I will tell you that if that
18 does not happen -- so, your analysis about
19 trying to increase money and how to budget is
20 being looked at now, the key is, as you
21 already stated, we want to make sure we
22 maintain the great service that we are giving.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 I think from the community
2 standpoint, that is what they are looking at.

3 They are looking at when they come down here
4 to be able to have accessibility, to be able
5 to get them 30 minutes with whomever, and to
6 be able to understand exactly what they are
7 doing, because they don't do this full time.

8 The only question I had, and let's
9 go back to Steve Sher's letter, and I think
10 from my standpoint you have really addressed
11 number -- well, the Vice Chairman, I didn't
12 know that was what it was called now, but the
13 Vice Chairman bullet point.

14 MR. WEINBAUM: That's my nickname.

15 CHAIRMAN HOOD: I have a question
16 mark on that one, but I want to go to the
17 minor -- how do we deal with minor
18 modifications now?

19 MR. WEINBAUM: I'll let Ms.
20 Schellin address that one.

21 MS. SCHELLIN: Minor modifications,
22 they pay a filing fee only, because, as you

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 know, it goes on the consent calendar, so
2 there is no hearing fee. So, it's a \$400 fee,
3 so it would be -- I believe that's going to
4 increase to \$525, I'm math challenged,
5 whatever that fee is. So, it would go to
6 \$525, I believe.

7 CHAIRMAN HOOD: So, a minor
8 modification fee --

9 MS. SCHELLIN: It's a flat fee.

10 CHAIRMAN HOOD: -- for example,
11 it's a flat fee of whatever.

12 MS. SCHELLIN: Right.

13 CHAIRMAN HOOD: Okay. So, let me
14 ask this, if a person -- if an applicant or
15 petitioner comes in with an amendment to their
16 PUD, and it's just like in some instances we
17 have a change in the condition.

18 MS. SCHELLIN: A minor condition.

19 CHAIRMAN HOOD: A minor condition,
20 it's not major, they still have to pay that
21 minor fee.

22 MS. SCHELLIN: They still have to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 pay a filing fee, that's correct.

2 CHAIRMAN HOOD: A filing fee.

3 Okay.

4 MS. SCHELLIN: Right. Nothing is
5 free.

6 CHAIRMAN HOOD: And, if we take it
7 off of the --

8 MS. SCHELLIN: And, you put it on,
9 and it becomes a modification --

10 CHAIRMAN HOOD: -- then we have a
11 hearing.

12 MS. SCHELLIN: -- then you are
13 going to have a hearing, and they are going to
14 have to pay a hearing fee, and then that's
15 when they --

16 MR. WEINBAUM: And, that's what we
17 are talking about.

18 MS. SCHELLIN: -- fall into that
19 category of the 26 percent.

20 Right now, it's \$1,000, a \$1,000
21 hearing fee, and we have sometimes, as you
22 know, a full-blown -- well, we always have a

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 full-blown hearing, but sometimes it can be
2 very contentious, people file for party
3 status. We can have one night, two nights,
4 three nights, it can become just as if they
5 had just first filed.

6 CHAIRMAN HOOD: So, if we take
7 somebody off the consent calendar, we are
8 going to have some mad folks with us. I mean,
9 I can just see that.

10 But anyway, we have to do what we
11 have to do.

12 MS. SCHELLIN: Well, it's up to
13 them to make their case, and make sure that
14 it's truly a minor modification.

15 CHAIRMAN HOOD: Okay. I'm not
16 arguing the point, I'm just thinking about all
17 the looks we are going to get. We have a
18 beautiful young lady who is not looking at us
19 like that tonight, we are going to have some
20 mean looks at us in the audience.

21 But anyway, we are not worried
22 about that, but I want to commend the Office

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 of Zoning for doing this, and moving this
2 forward. It's probably long overdue. I was
3 in support of it at setdown, and I'll be a
4 supporter tonight.

5 Okay. Any other questions?

6 MR. WEINBAUM: Can I -- do you mind
7 if I just interject one thing.

8 There was a minor change to that
9 section that I believe set a minimum, is that
10 what it is? Section 3041.6, with respect to
11 this 26 percent, what we inserted, and I
12 believe there were conversations with Steve
13 Sher about this, was that we would set a
14 \$1,300 minimum, is that -- yes, it would be at
15 least \$1,300 for the modification, because
16 there are a few old cases, very old cases,
17 where there can be a modification, and there
18 may not have even been any hearing fee paid.
19 And so, we wanted to ensure, I know it sounds
20 a little crazy, but if there was no hearing
21 fee paid, you don't have anything to take 26
22 percent of.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 So, we set a \$1,300 minimum, just
2 to make it clear, so you are -- you know, it's
3 a minor change, but I wanted to make sure you
4 knew that.

5 CHAIRMAN HOOD: Okay. So, if this
6 was approved tonight, when will this go into
7 effect?

8 MS. SCHELLIN: Well, of course,
9 you'd have to have the -- because it is a
10 rulemaking, we would have to publish it for a
11 30-day comment period, and then you guys would
12 have to take final action, and an order would
13 have to be published. Once the order was
14 published, then it would be effective.

15 CHAIRMAN HOOD: Okay.

16 MS. SCHELLIN: So, it could be as
17 early as -- if you took a bench decision this
18 evening, and we had final action in September,
19 and we had an order by our great OAG, we could
20 have this effective some time in October.

21 CHAIRMAN HOOD: Okay, great.

22 Any other questions?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 COMMISSIONER TURNBULL: Well, I
2 just --

3 CHAIRMAN HOOD: Commissioner
4 Turnbull.

5 COMMISSIONER TURNBULL: -- so,
6 there's the minimum of \$1,300 and the max of
7 \$6,500.

8 MR. WEINBAUM: Well, Mr. Sher
9 proposed \$6,500 maximum. We haven't -- we
10 haven't put that forward in our proposal.

11 COMMISSIONER TURNBULL: Okay, so
12 you are --

13 MR. WEINBAUM: Our proposal is 26
14 percent or \$1,300, whichever is greater.

15 COMMISSIONER TURNBULL: You had
16 mentioned \$20,000, did you?

17 MR. WEINBAUM: I mentioned that as
18 a possibility --

19 COMMISSIONER TURNBULL:
20 Possibility.

21 MR. WEINBAUM: -- that I was
22 comfortable with.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 COMMISSIONER TURNBULL: Right now
2 it's --

3 MR. WEINBAUM: Right now it's --
4 there is no maximum.

5 COMMISSIONER TURNBULL: -- no max,
6 okay.

7 MR. WEINBAUM: And, Mr. Schlater
8 was saying on the larger cases he didn't feel
9 that was necessary, because with the large
10 corporations he thought that was reasonable.

11 MR. BERGSTEIN: If you took
12 proposed action tonight, it, actually, would
13 become effective early in September. We would
14 just have the order ready after the 30-day
15 period.

16 MS. SCHELLIN: You have to have
17 final action.

18 MR. BERGSTEIN: No, if they took
19 proposed action, then they would take final
20 action in September.

21 MS. SCHELLIN: We don't have a
22 meeting until September 25th.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 MR. BERGSTEIN: Oh, is that right?

2 MS. SCHELLIN: Yes.

3 MR. BERGSTEIN: Oh, okay, she's
4 right, early October.

5 CHAIRMAN HOOD: Thank you, Ms.
6 Schellin. Keep us all straight.

7 Okay, any other questions, any
8 other questions?

9 Okay, let's go right to the Office
10 of Planning, and I think we can move
11 relatively quickly.

12 MS. THOMAS: Yes. Mr. Chairman,
13 the Office of Planning -- Karen Thomas with
14 the Office of Planning.

15 We will stand on the record.

16 Thank you.

17 CHAIRMAN HOOD: Great. Any
18 questions of the Office of Planning standing
19 on the record?

20 Thank you very much.

21 Do we have anyone in the audience
22 from any other government agencies?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 I didn't see any reports, other
2 than the Office of Planning's report.

3 Report of any ANCs, do we have
4 anyone from any ANCs?

5 Not seeing any, organizations and
6 persons in support?

7 Organizations and persons in
8 opposition?

9 Okay. I think we are --
10 Commissioners, we are ready to move forward
11 with this. I think it was very well vetted.
12 Questions were answered, even the
13 acknowledgements of Mr. Sher's letter dated
14 July the 14th.

15 And, I would move approval of
16 Zoning Commission Case No. 10-09 and 10-10,
17 and ask for a second.

18 COMMISSIONER TURNBULL: Second.

19 CHAIRMAN HOOD: It's moved and
20 properly seconded.

21 Any further discussion?

22 Are you ready for the question?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 Any further discussion?

2 VICE CHAIRMAN SCHLATER: Mr.
3 Chairman, I'm going to just say one thing,
4 which is, I have a hard time supporting this,
5 but I'm going to do it to support the
6 Director, because he's the one closest to the
7 ground on the budget process, and he says it's
8 important for the staffing in the Office.

9 It's not the best time to be
10 raising fees, and there's not a direct benefit
11 that can -- you can't tie a direct benefit to
12 the Office, because we don't get to use the
13 funds that we raise, but since the Director
14 feels so strongly about it, I'm going to
15 support it.

16 CHAIRMAN HOOD: Okay, and I guess
17 for me, hearing that we had the same
18 discussion in '98, and you are still here in
19 2010, I think it's long overdue.

20 So anyway, with that, any further
21 discussion?

22 Commissioner Turnbull.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 COMMISSIONER TURNBULL: We'll hold
2 the Director accountable.

3 CHAIRMAN HOOD: Well, we are going
4 to do that anyway, whether fees go up or
5 remain the same, that still is happening. You
6 better bet that.

7 Okay, any further discussion?

8 Are you ready for the question?

9 All those in favor?

10 (Ayes.)

11 CHAIRMAN HOOD: Not hearing any
12 opposition, Ms. Schellin, would you record the
13 vote?

14 MS. SCHELLIN: Yes, Staff records
15 the vote 4.0.1, to approve Zoning Commission
16 Case Nos. 10-09 and 10-10, with the changes as
17 proposed in the OP report, Commissioner Hood
18 moving, Commissioner Turnbull seconding,
19 Commissioners Schlater, and Selfridge, and
20 Turnbull -- I'm sorry -- Schlater and
21 Selfridge in support, Commissioner May not
22 present, not voting.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.

1 CHAIRMAN HOOD: Okay. Ms.
2 Schellin, do we have anything else before us
3 tonight?

4 MS. SCHELLIN: No, sir.

5 CHAIRMAN HOOD: Okay, with that, we
6 will -- this hearing is adjourned.

7 (Whereupon, the above-entitled
8 matter was concluded at 7:13 p.m.)

9
10
11
12
13
14
15
16
17
18

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.