

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

THURSDAY,

MARCH 17, 2005

+ + + + +

The Commission met at 6:39 p.m. in the Office of Zoning Hearing Room, Suite 220-S, 441 4th Street, N.W., Washington, D.C., Anthony J. Hood, Vice Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

| | |
|------------------|------------------|
| ANTHONY J. HOOD | Vice Chairperson |
| GREGORY JEFFRIES | Commissioner |
| KEVIN HILDEBRAND | Commissioner |
| JOHN G. PARSONS | Commissioner |

COMMISSION STAFF PRESENT:

| | |
|-----------------|-------------------|
| SHARON SCHELLIN | Zoning Specialist |
|-----------------|-------------------|

OTHER AGENCY STAFF PRESENT:

| | |
|----------------------|--------------------|
| STEPHEN MORDFIN | Office of Planning |
| JENNIFER STEINGASSER | Office of Planning |
| KAREN THOMAS | Office of Planning |

D.C. OFFICE OF CORPORATION COUNSEL:

ALAN BERGSTEIN, ESQ.

This transcript constitutes the minutes from the Public Hearing held on March 17, 2005.

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WELCOME/OPENING REMARKS:

Anthony J. Hood 3

CASE NO. 04-28

DEPARTMENT OF MOTOR VEHICLES: 3

OFFICE OF PLANNING:

Karen Thomas 5

04-28 DMV:

WITNESS:

Anne Witt 6

MOTION TO APPROVE TEXT AMENDMENT WITH

EXCEPTION OF W-1: 24

VOTE TO APPROVE MOTION: 25

ADJOURN:

Anthony J. Hood 25

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

6:39 p.m.

VICE CHAIR HOOD: Good evening, ladies and gentlemen. This is the Public Hearing for the Zoning Commission of the District of Columbia for Thursday, March 17, 2005. My name is Anthony J. Hood. Joining me this evening is our Commissioners Parsons, Jeffries and Hildebrand.

The subject of this evening's hearing is Zoning Commission Case 04-28. This is a request by the Office of Planning on behalf of the District of Columbia Department of Motor Vehicles for a text amendment to Title 11 of the District of Columbia Municipal Regulations, Zoning, to allow for Driver's License Road Test Facility to be permitted as a matter-of-right use in SP, CR, and C-2 and above, CM or W-1 Districts.

Notice of today's hearing was published in D.C. Register on January 28, 2005. Copies of today's hearing announcement are available to you and are located to my left in the wall bin near the door. The hearing will be conducted in accordance with the provisions of 11 DCMR 3021.

The order of procedure will be as follows:
Preliminary matters, presentation by the Office of

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1 Planning, reports of other Government agencies, report
2 of the ANC, organizations and parties in support,
3 organizations and persons in opposition. The
4 following time constraints will be maintained in this
5 hearing: Organizations, 5 minutes, individuals 3
6 minutes.

7 The Commission intends to maintain these
8 time limits as strictly as possible in order to hear
9 the case in a reasonable period of time. The
10 Commission reserves the right to change the time
11 limits for presentations, if necessary, and notes that
12 no time shall be ceded.

13 All persons appearing before the
14 Commission are to fill out two witness cards. These
15 cards are located to my left near the door. Upon
16 coming forward to speak to the Commission, please,
17 give both cards to the Reporter sitting to my right.

18 Please, be advised that this proceeding is
19 being recorded by a Court Reporter and is also webcast
20 live. Accordingly, we must ask you to refrain from
21 any disruptive noises or actions in the hearing room.

22 When presenting information to the Commission,
23 please, turn on and speak into the microphone, first
24 stating your name and home address. When you are
25 finished speaking, please, turn your microphone off so

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1 that your microphone is no longer picking up sound or
2 background noise.

3 The decision of the Commission in this
4 case must be based on the public record. To avoid any
5 appearance to the contrary, the Commission requests
6 that persons present not engage the Members of the
7 Commission in conversation during any recess or at any
8 other time. The staff will be available throughout
9 the hearing to discuss procedural questions.

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

13 At this time, the Commission will consider
14 any preliminary matters. Does the staff have any
15 preliminary matters?

16 MS. SCHELLIN: No, sir.

17 VICE CHAIR HOOD: Okay. We will have our
18 presentation, I believe, by the Office of Planning.
19 Let me just say, we have read the submittals and we'll
20 go from there. We have another hearing at 7:30. I
21 guess I'm going to have to read that whole open
22 statement all over again. It will give me good
23 practice. Okay. Let's turn it over to the Office of
24 Planning.

25 MS. THOMAS: Good evening, Mr. Chairman,

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1 Members of the Commission. I'm Karen Thomas for the
2 Office of Planning. And at this time, OP would stand
3 on the record and recommend approval of the proposed
4 amendments as contained in our staff report. I would
5 also like to introduce the Director of DMV, Anne Witt,
6 Carolyn Peery and Corey Buffo from the Office of the
7 Attorney General.

8 VICE CHAIR HOOD: Okay. Let me thank you
9 all. I thank the Office of Planning. I think there's
10 a lot of information in the submittal and I thank the
11 Department of Motor Vehicles for coming down. And we
12 may just ask a few questions. Do my colleagues have
13 any questions? Somebody ask a question, because we've
14 got a 7:30. Okay.

15 COMMISSIONER HILDEBRAND: Do you want to
16 go first? One of my concerns was how the parking
17 requirement was determined. Could you talk about that
18 for just a bit, please?

19 MS. WITT: Sure. It was basically sort of
20 a common sense approach to how the operation works. A
21 person coming to take a road test may not drive
22 themselves to the facility. Someone else must drive
23 them. So a vehicle appears, and they need to provide
24 the vehicle for the test, so our testee, their escort
25 and a vehicle will appear. There tends to be one of

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1 those for each of the road test examiners that is
2 going to be available to give the test.

3 There tends to then be the one that is in
4 the que coming in to be ready for the next test, so
5 that comes out to two vehicles per examiner. The
6 examiner themselves tend to need a space. And one of
7 our service challenges in doing the road test in the
8 District is because we are required, unlike some other
9 jurisdictions, to do the majority of the test in
10 public congested traffic, we have, since the advent of
11 seatbelt laws, changed our requirements to include the
12 existence of a center handbrake.

13 It is now difficult for an examiner to get
14 with a shoulder restraint on across and over to
15 intervene on a brake, should they have to take control
16 of the vehicle. And so by requiring a center
17 handbrake, we have made it more difficult for every,
18 you know, Joe Smith, every citizen to suddenly have
19 such a car. So we hope to, with a facility that would
20 allow us the space, also have some vehicles on-site
21 that could be rented for a nominal fee for use in the
22 test to make it easier for people to comply with our
23 requirement to safeguard the public, our employee and
24 the examiner, and at the same time not put people
25 through a lot of hassle in trying to track down a

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1 vehicle that has a center brake.

2 So the last phase we came up with a
3 standard of four per employee and that last phase
4 would be potentially to have this vehicle that the
5 Department would provide on-site. That's it.

6 COMMISSIONER HILDEBRAND: Thank you.

7 VICE CHAIR HOOD: Commissioner Parsons?

8 COMMISSIONER PARSONS: Well, I'm trying to
9 assess how welcome these are in a waterfront
10 circumstance. Can these facilities be located in an
11 office building, in leased space or are these stand
12 alone, you build them, you acquire the property kind
13 of circumstance?

14 MS. WITT: Well, the office, there is a
15 small administrative component where you check-in and,
16 you know, check the paperwork, get you off the
17 schedule, see that your license, your learner's permit
18 is, in fact, valid, etcetera. Then the majority of
19 the function though is done outside the building. The
20 driver, the testee and the examiner go to the vehicle.
21 They do an inspection of the vehicle making sure the
22 tags and insurance are fine.

23 They get in the vehicle. The driver then
24 would be asked to demonstrate their proficiency.
25 Turning the turn signals, adjusting the mirror,

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1 pulling out. We would want on the site to have a
2 controlled location to do such things as parallel
3 parking or backing, but then they would pull off the
4 lot and drive, you know, through traffic four or five
5 blocks, what is as is the case today and has been for
6 80 years this function in the District.

7 It started -- it was our anniversary two
8 weeks ago on the 3rd of this month that these functions
9 have now existed in the District for 80 years. And
10 then come back, pull in the space and go in and
11 complete the paperwork to issue the license, assuming
12 they passed or to get the list of the things they
13 failed on, so they can go practice some more and come
14 back another time. So it's a combination. The office
15 part is pretty much the least of it. In terms of the
16 functionality of the site, it really is to allow the
17 demonstration of skills in a safe and controlled
18 environment in addition to the on-street traffic
19 environment.

20 COMMISSIONER PARSONS: Okay. It also says
21 in the Office of Planning report that you need a 30 x
22 75 foot coned course for motorcycles.

23 MS. WITT: We do occasionally have
24 motorcycle applicants come to have a test. It is not
25 an every day occurrence, which is why it could be

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1 temporary, but with the space, you could set up cones
2 to have them maneuver and show their control of the
3 motorcycle skills, which again done off course in
4 addition to traffic, we don't have -- normal traffic,
5 city traffic situation doesn't really allow for an
6 adequate motorcycle test. So we would use some of the
7 space just on an as needed basis for that function.

8 COMMISSIONER PARSONS: So it would seem
9 that you need something about the size of half an acre
10 of asphalt for parking, for employees, people coming
11 to the test. I'm trying to imagine this on the
12 Georgetown Waterfront in a W Zone.

13 MS. WITT: Well, as --

14 COMMISSIONER PARSONS: I'm wondering why
15 we're proposing it.

16 MS. WITT: Well, the report does not
17 recommend it for the W-0 Zone.

18 COMMISSIONER PARSONS: Right. The W-1
19 Zone.

20 MS. WITT: And the --

21 COMMISSIONER PARSONS: Is what I'm
22 interested in now.

23 MS. WITT: Okay.

24 COMMISSIONER PARSONS: I'm going to ask
25 the Office of Planning to understand.

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1 MS. WITT: Sure.

2 COMMISSIONER PARSONS: You really need a
3 surface parking lot?

4 MS. WITT: Ideally, we do, yes.

5 COMMISSIONER PARSONS: Okay.

6 MS. WITT: Yes.

7 COMMISSIONER PARSONS: So why are we
8 suggesting that they be located on the waterfront?

9 MS. STEINGASSER: Well, I don't think,
10 Commissioner Parsons, we're recommending that they be
11 located on the waterfront. The District Government
12 has quite a challenge in locating its municipal
13 facilities anywhere in the city, whether it's in the
14 waterfront or throughout the city. So what we're
15 trying to do is provide the maximum opportunity to
16 locate facilities as needed.

17 When you read the intent of the W-1, 2 and
18 3 Zones, the Waterfront Zones are a Mixed-Use, Self-
19 Contained Zoning District and I think it talks about a
20 relatively self-contained, supplying a variety of
21 housing, service, employment, recreational
22 opportunities. It also recognizes the industrial past
23 of many of these areas and accommodates limited
24 industrial uses. And we didn't feel that these uses
25 were inconsistent with those categories whatsoever.

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1 In an optimistic world, some of the
2 parking could be below grade. I mean, the motorcycle
3 parking and the driver's training needs to be above
4 grade, but all the parking doesn't have to be above
5 grade. And it does provide an opportunity for some of
6 these lots to be used after hours for shared
7 facilities and other opportunities that may be going
8 on in the waterfront area.

9 So we didn't feel it was inconsistent at
10 all. We're just trying to provide. Those areas where
11 we did think it was inconsistent, the W-0 Zone, which
12 is clearly a Recreational Zone, we recommended
13 against. And the C-1 Zone, which is a Neighborhood/
14 Commercial immediately adjacent to Residential Zones,
15 we recommended against. But other than that we have
16 tried to provide maximum flexibility where it was
17 consistent.

18 COMMISSIONER PARSONS: So would it be the
19 Department's intent to go acquire property to build
20 these or lease property or what?

21 MS. WITT: We would ask the Office of
22 Property Management to help us. In general, I'll just
23 give a little context for DMV's service vision. We
24 have adopted a one done mantra for our service
25 delivery. Our greatest frustration for the citizens

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1 with DMV, obviously, people think of waits. We have
2 learned it's not any single wait as much as it is
3 multiple waits. We send you here to do this and over
4 there to do that and then come back and go to the
5 other place for the other thing.

6 So we have been moving toward a one done
7 vision where we can maximize the functions that are at
8 a site or in a proximity of the site to cut down on
9 the back and forth and boomeranging around. So we
10 would be interested in potentially having a road test
11 location. Our current site is not ideal. We are
12 looking potentially at, therefore, relocating the non-
13 commercial driver license site and we would ideally
14 see if it could be within some proximity to an
15 existing service location. That would be the ideal
16 scenario and/or have room in its office if it's a
17 stand alone.

18 And we started with the M Zones where we
19 are currently permitted and were unsuccessful in
20 finding a location that was accessible to our
21 clientele and had the proper space. So we're looking
22 for something that they can easily access. These are
23 novice drivers, so we need to, you know, be thoughtful
24 about how they are sited. And then so it could be
25 leased, it could be purchased, depending on what OPM

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1 determined was the most advantageous.

2 It doesn't take lots of infrastructure.
3 You know, some paving. It could be a modular building
4 or access to a facility. So it's -- you know, and it
5 can be done, obviously, tastefully. We have been in
6 the community for all these years. We work hard to be
7 good neighbors. In my time at the DMV, I can report I
8 have not had a complaint, even though we have a less
9 than ideal situation even today of, you know,
10 neighborhood complaints.

11 If anything, it's the congestion or the
12 difficulty our clients have finding a place to park.
13 And our proposal to make sure parking is provided, I
14 think is both service oriented and community oriented.

15 COMMISSIONER PARSONS: How many of these
16 facilities exist now? And is there a proposal to
17 expand them?

18 MS. WITT: There are two now and I do not
19 propose expanding. We have one now for the commercial
20 drivers, of the larger commercial vehicles. That one
21 is working well and we don't have any immediate needs
22 for its relocation. The non-commercial drivers, the
23 regular passenger cars is our other one and that's the
24 one that is in less than ideal circumstances today.
25 So we would be looking to locate a potential

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1 replacement with these -- under these guidelines, but
2 not an expansion. It would be a replacement.

3 COMMISSIONER PARSONS: Okay. Thank you.

4 VICE CHAIR HOOD: Commissioner Jeffries?

5 COMMISSIONER JEFFRIES: Yes, I have a
6 question for Office of Planning. I just want to just
7 make certain how this job with the Anacostia
8 Waterfront Initiative as relates to the waterfront
9 with the exception of W-0. Can you just walk me
10 through that?

11 MS. STEINGASSER: Well, the Anacostia
12 Waterfront Initiative envisions a mixed-use community
13 down along the waterfront. It doesn't envision a
14 purely recreational space. So I don't think this use
15 is inconsistent with the burgeoning neighborhood that
16 they envision down there. I think they are expecting
17 6,000 residents in the area, of which presumably, most
18 of which, will have a driver's license. And I don't
19 think it's inconsistent with that.

20 Also, the Southeast Federal Center calls
21 for a mixture of office. We've obviously got the
22 USDOT Headquarters down there, which is an enormous
23 federal office building. It's certainly not
24 inconsistent with those kind of office uses. So I
25 don't see it as being contrary. I think it's fair to

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1 say that OPM is not going to rush down to Anacostia to
2 look as its first place of purchasing property.

3 COMMISSIONER JEFFRIES: Yes, yes.

4 MS. STEINGASSER: But the District has
5 such a hard time locating all its municipal uses,
6 whether it is DMP or fire and libraries. So we're
7 trying to keep as much flexibility as long as it's not
8 blatantly inconsistent with the Zoning Regs to allow
9 the departments to fulfill the missions that they need
10 to do to serve the citizens. So I don't think this
11 use is inconsistent with the AWI at all.

12 COMMISSIONER JEFFRIES: Yes, and given ,
13 you know, in terms of the Districts that are Mixed-
14 Use, you know, office, Industrial, Residential, they
15 are still residential within those Districts and, you
16 know, obviously, you know, going to the DMV on South
17 Capital, which serves, is District-wide, a lot of
18 residents throughout the District, I'm just sort of
19 wondering about, you know, congestion, noise and so
20 forth, even in those Mixed-Use Districts, that's sort
21 of the concern.

22 MS. STEINGASSER: I think that's a fair
23 concern. I think it's consistent throughout the city
24 and throughout the zones, not just AWI.

25 COMMISSIONER JEFFRIES: Yes.

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1 MS. STEINGASSER: You know, I think, as
2 stories in the paper over the last few years is that
3 the DMV has tried to relocate, has testified that
4 there is plenty of neighborhood opposition to
5 different aspects of this and that's why we don't want
6 to artificially confine the use any more than we have
7 to.

8 COMMISSIONER JEFFRIES: Yes, but we're
9 talking about matter-of-right.

10 MS. STEINGASSER: Yes.

11 COMMISSIONER JEFFRIES: Yes, I mean --

12 MS. STEINGASSER: Right.

13 COMMISSIONER JEFFRIES: So --

14 MS. STEINGASSER: Right.

15 MS. WITT: If I could offer a context, I
16 think you are referring to the Southwest Inspection
17 Station?

18 COMMISSIONER JEFFRIES: Yes.

19 MS. WITT: That inspection station is
20 right now the sole facility for inspection. It does
21 handle between 900 and 1,000 vehicles a day. The road
22 test is in the range of 80. So just, you know, we're
23 talking something much less intensive than that
24 facility just to have, you know, a picture in your
25 head of the kind of volumes we would be talking about.

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1 COMMISSIONER JEFFRIES: And that's the
2 imagery that I remember being down there.

3 MS. WITT: Right.

4 COMMISSIONER JEFFRIES: So in-line,
5 smoke --

6 MS. WITT: Right.

7 COMMISSIONER JEFFRIES: -- billowing
8 everywhere, you know.

9 MS. WITT: Right. That's 900 a day and
10 this is again in the range of, you know, 80 to 90. So
11 one-tenth of what you see there on any given day is
12 what we're talking about here.

13 COMMISSIONER JEFFRIES: Okay. Thank you.

14 COMMISSIONER HILDEBRAND: I think the
15 smoke billowing, those are the cars that don't
16 actually pass. But I guess I want to follow-up on
17 that. How many facilities do you have around town?
18 You said you want to locate this close to an existing
19 DMV facility.

20 MS. WITT: Right now, we have six
21 locations. And I would say that our ideal target
22 would be somewhere closer to the southwest, in that
23 vicinity given the nature of the land-use there right
24 now. Now, we know that is changing, but that would
25 probably be the most likely area to begin looking.

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1 Although, we can be open to, you know, what OPM finds
2 for us.

3 We obviously have one site that is in
4 Georgetown Park Mall, that's not likely to be the
5 location for this. We have the current site of
6 Brentwood, which is where the road test facility is
7 now. We have a site out of Penn Branch as well as the
8 inspection station site and then eventually the
9 Northeast Inspection Station.

10 COMMISSIONER HILDEBRAND: So not all of
11 that is going to be reopening?

12 MS. WITT: We keep waiting for that.

13 COMMISSIONER HILDEBRAND: When?

14 MS. WITT: Every hearing I go to, I have
15 that question.

16 COMMISSIONER HILDEBRAND: Are you going to
17 provide a date for that, by any chance?

18 MS. WITT: I have no control over that
19 date.

20 COMMISSIONER HILDEBRAND: Okay.

21 MS. WITT: That's in litigation with the
22 contractor.

23 COMMISSIONER HILDEBRAND: Oh, I'm sorry.
24 Sure.

25 MS. WITT: So as soon as I hear a date,

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1 I'll share it with everyone else.

2 COMMISSIONER HILDEBRAND: I didn't mean to
3 put you on the spot. Okay. Thank you.

4 VICE CHAIR HOOD: Ms. Witt, let me just
5 put you back on a question or two or my colleagues
6 already alluded to, but I want to just discovery a
7 little more. You mentioned that the Brentwood site
8 was temporary. Well, we knew it was temporary when it
9 was setup. And are you proposing eventually you're
10 going to take that whole thing away from that area?

11 MS. WITT: No, we're proposing that the
12 road test function not be part of that site. We would
13 continue with that site. In our plan, the Brentwood
14 Facility is to become, we hope, a business service
15 site that we would focus one of our service center on
16 our customers, such as taxis and fleets and commercial
17 drivers where now they kind of get lost in the crowd
18 with the citizens in line. As we look down the road a
19 year or so, we're thinking of having a dedicated site
20 that focuses on our commercial customers and we would
21 propose that Brentwood would be that location.

22 It's also consistent with the neighborhood
23 demands. We want to expand from our Saturday morning
24 hours where we can and that location is particularly
25 unsuited for Saturday morning given Home Depot and

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1 there is a lot more congestion Saturdays, actually,
2 than during the week. So one of the reason we thought
3 business might be good there is we would not be doing
4 Saturday work with our business clients.

5 VICE CHAIR HOOD: But most of the time
6 when your instructors are giving the tests, the
7 driver's test, they usually stay out of the
8 residential areas or don't they?

9 MS. WITT: They are required to be in
10 congested traffic, so, yes.

11 VICE CHAIR HOOD: Okay.

12 MS. WITT: Typically, they are on the
13 commercial and arterials.

14 VICE CHAIR HOOD: Okay. And most of your
15 sites will -- when you get with OPM and you look for
16 different sites, where your sites will be, will you be
17 able to do your learner's test? Because you mentioned
18 the boomerang. I never figured it to be that way, but
19 actually when I think about it and they say well, you
20 have to go to 65 K or you have to go here.

21 MS. WITT: There you go.

22 VICE CHAIR HOOD: It is the boomerang.

23 MS. WITT: Yes.

24 VICE CHAIR HOOD: And that's what I'm
25 going to start using there, the boomerang effect.

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1 MS. WITT: Ping pong.

2 VICE CHAIR HOOD: But the thing is will
3 you be able to do your learner's and take your
4 driver's test and all that in one site? Is that what
5 you mean when you say one stop?

6 MS. WITT: Where we would put this new
7 road test site, we would want you to be able to
8 complete the whole transaction.

9 VICE CHAIR HOOD: Okay.

10 MS. WITT: So, yes.

11 VICE CHAIR HOOD: Okay. Then I will just
12 say that I was at the inspection station. You should
13 be commended. I only spent 10 minutes.

14 MS. WITT: Oh, great. I'm glad to hear
15 that.

16 VICE CHAIR HOOD: I probably should knock
17 on wood. I guess next time it will be three hours. I
18 was there for 10 minutes.

19 MS. WITT: Often after a holiday.

20 VICE CHAIR HOOD: Was that it?

21 MS. WITT: It tends to keep --

22 VICE CHAIR HOOD: A good time then.

23 COMMISSIONER HILDEBRAND: So you wouldn't
24 actually take your test here, your driving, the
25 written part of the test or the computer part of the

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1 test at this facility? That would still be done
2 downtown?

3 MS. WITT: Well, potentially, you could.
4 It's a computer that we could put in the center just
5 to make it simpler. But to get your learner's permit,
6 you wouldn't have to be at a road test site. So you
7 probably wouldn't want to go to a road test site just
8 to get a permit. You could go to Georgetown. You
9 could go anywhere to get your learner's. It takes a
10 written test, and then you have to have your learner's
11 for six months in the typical situation. Most of our
12 drivers that are under 21 have to go out and be
13 practicing for a while before they are ready to go out
14 and schedule their road test.

15 COMMISSIONER HILDEBRAND: Do you still
16 have your DMV station on H Street?

17 MS. WITT: No.

18 COMMISSIONER HILDEBRAND: No.

19 MS. WITT: That one has been closed.

20 COMMISSIONER HILDEBRAND: Is there any
21 plan to put one back in that area?

22 MS. WITT: No.

23 COMMISSIONER HILDEBRAND: Okay.

24 VICE CHAIR HOOD: Okay. Thank you. Any
25 other comments, questions?

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1 MS. WITT: I liked it, but it's gone.

2 VICE CHAIR HOOD: All right. Well, let's
3 move right along. Reports from any other Government
4 agencies? Do we have any? Did I miss any? I didn't
5 see any, other than DMV's testimony. Okay. Any ANC's
6 in the audience that would like to testify? Do we
7 have? That's fine. Any ANC's in the audience that
8 would like to testify? Okay. Any persons in support?
9 Gone once? Gone. Any persons in opposition? Okay.
10 All right. Well, thank you. We have concluded our
11 hearing. Colleagues, how would you like to proceed on
12 this?

13 COMMISSIONER PARSONS: Mr. Chairman, I am
14 not persuaded that we should allow these in W-1. So I
15 would move to approve this application or not
16 application, this text amendment with the exception of
17 W-1.

18 VICE CHAIR HOOD: Okay. So moved.
19 Second?

20 COMMISSIONER HILDEBRAND: Second.

21 VICE CHAIR HOOD: It's moved and properly
22 seconded. Discussion? Let me make sure I understand,
23 Mr. Parsons. You said exempting them also, they are
24 already exempt in W-0 and you are saying now exempting
25 W-1?

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1 COMMISSIONER PARSONS: Correct.

2 VICE CHAIR HOOD: So 2 and 3 they would be
3 allowed.

4 COMMISSIONER PARSONS: 2 and 3 is fine,
5 SB, CR, the rest of them.

6 VICE CHAIR HOOD: Okay. All right. So
7 moved and properly seconded. All those in favor?
8 Aye.

9 ALL: Aye.

10 VICE CHAIR HOOD: Any opposition? Any
11 opposition? So ordered. Staff would you record the
12 vote?

13 MS. SCHELLIN: Yes. Staff would record
14 the vote 4-0-1 to approve Case No. 04-28 proposed
15 action and that is approvable with the exception of
16 the W-1 Zone. Commissioner Parsons moving,
17 Commissioner Hildebrand seconding, Commissioners Hood
18 and Jeffries in favor, Commissioner Mitten not
19 present, not voting.

20 VICE CHAIR HOOD: Okay. Thank you. This
21 hearing is now concluded.

22 (Whereupon, the Public Hearing was
23 concluded at 7:05 p.m.)
24

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