

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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SPECIAL MEETING
1181st MEETING SESSION (9th OF 2005)

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MONDAY

MAY 23, 2005

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The Special Public Meeting of the District of Columbia Zoning Commission convened at 6:15 p.m. in the Office of Zoning Hearing Room at 441 4th Street, Northwest, Washington, D.C., Carol Mitten, presiding.

ZONING COMMISSION MEMBERS PRESENT:

CAROL MITTEN, Chairperson
ANTHONY HOOD, Vice Chairperson
GREGORY N. JEFFRIES, Commissioner
KEVIN L. HILDEBRAND, Commissioner
JOHN G. PARSONS, Commissioner

COMMISSION STAFF PRESENT:

SHARON SCHELLIN, Zoning Specialist

OFFICE OF PLANNING STAFF PRESENT:

TRAVIS PARKER, Office of Planning

D.C. ATTORNEY GENERAL'S OFFICE:

JACOB RITTING, ESQ.

THIS TRANSCRIPT CONSTITUTES THE MINUTES FROM THE
SPECIAL PUBLIC MEETING HELD ON MAY 23, 2005

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

6:19 p.m.

CHAIRPERSON MITTEN: Good evening, ladies and gentlemen. This a special public meeting of the Zoning Commission of the District of Columbia for Monday, May 23, 2005. My name is Carol Mitten, and joining me this evening are Vice Chairman Anthony Hood, and Commissioners Kevin Hildebrand and Greg Jeffries.

The hearing agenda for this meeting are available to you in the wall bin near the door, and we just have one item on the agenda, and that is hearing action on Case No. 05-14. This is an application from the Non-Profit Community Development Corporation for a planned unit development on 14th Street, Square 2667, Lot 73.

Mr. Parker.

MR. PARKER: Good evening, Chairman Mitten, Members of the Commission. The Office of Planning has reviewed the application. We find that it meets the PUD submission requirements, and we recommend that the application be set down for public hearing.

CHAIRPERSON MITTEN: Thank you.

We have a recommendation from the Office of Planning that this case be set down for public

1 hearing. Does anyone have any questions?

2 All right, I would move that the case be
3 set down for hearing.

4 VICE CHAIRPERSON HOOD: Second.

5 CHAIRPERSON MITTEN: And, I want to take up
6 the issues about expedited notice after we have the
7 vote, because I don't think it needs to be part of it.
8 So, I'll ask for all those in favor please say aye.

9 (Ayes.)

10 CHAIRPERSON MITTEN: Ms. Schellin, it's
11 unanimous.

12 MS. SCHELLIN: Yes, ma'am, staff will
13 record the vote 4-0-1 to set down Case No. 05-14 as a
14 contested case.

15 CHAIRPERSON MITTEN: Yes.

16 MS. SCHELLIN: Commissioner Mitten moving,
17 Commissioner Hood seconding, Commissioners Hildebrand
18 and Jeffries in favor, Commissioner Parsons not
19 voting, not being present.

20 CHAIRPERSON MITTEN: Thank you.

21 Now, when we took this up when we were
22 discussing this sua sponte, one of the things that we
23 held out to the applicant was that we would accelerate
24 this as much as possible, given that it's already been
25 well vetted in the community we would try and expedite

1 our hearing on the PUD as much as possible. And, in
2 so doing we need to waive some of our requirements
3 regarding notice. So, those include that the notice
4 be published in the D.C. Register at least 40 days in
5 advance of the hearing, that the notice needs to be
6 posted in the Office of Zoning at least 40 days in
7 advance of the hearing, that the property owners and
8 the ANC within which -- the property owners within 200
9 feet and the ANC within which the property is located
10 get 40 days advanced notice of the hearing, and that
11 the property be posted for 40 days in advance of the
12 hearing.

13 And, I would ask that we reduce that, I
14 don't think we can eliminate that entirely, otherwise,
15 you know, we don't serve -- we, basically, just throw
16 out the procedures entirely, but I think we can reduce
17 the 40 days to ten days, and then at least we do give
18 -- you know, we do give some notice, and in giving
19 that notice I think we need to just make it clear that
20 we have waived our rules, so that when it goes out
21 understand that it's been expedited.

22 And then, we have a requirement that those
23 folks seeking party status have to file 14 days prior.
24 I think we can just waive that rule entirely, and
25 anyone that wants to apply for party status can do

1 that up til the day of the hearing.

2 And then, we would need -- I think that's
3 about everything that we'd need. And then, the final
4 thing would be that we are just to make it clear that
5 we are holding our vote on the sua sponte in abeyance
6 until we make a ruling on the PUD, have a hearing and
7 make a ruling there.

8 MR. RITTING: Madam Chair?

9 CHAIRPERSON MITTEN: Yes.

10 MR. RITTING: I also wanted to ask whether
11 you are also waiving the deadlines for D.C. Agency
12 reports and for the deadline for the ANC to
13 participate.

14 CHAIRPERSON MITTEN: Yes, as long as
15 everything is in, you know, by the night of the
16 hearing, I think we can deal with it, because we
17 already have reviewed the record that was before the
18 BZA. So, I think as long as everything is in that day
19 we can probably deal with that.

20 MR. RITTING: Okay, thank you.

21 CHAIRPERSON MITTEN: There's not going to
22 be a whole lot of extra time.

23 Can we do that on the fly?

24 COMMISSIONER JEFFRIES: Yes.

25 CHAIRPERSON MITTEN: Okay, good.

1 Okay, so we have a consensus about all
2 those waivers.

3 All right.

4 COMMISSIONER HILDEBRAND: Did you note that
5 the applicant has already issued notice to the 200
6 adjacent property owners? They filed a letter May 12,
7 2005, so that step has already been taken.

8 CHAIRPERSON MITTEN: Oh great, thank you.

9 All right, if we have no more business for
10 the public meeting we'll be back in five minutes for
11 the public hearing.

12 Thank you.

13 (Whereupon, the above-entitled matter was
14 concluded at 6:24 p.m.)

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