

GOVERNMENT OF  
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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SPECIAL PUBLIC MEETING  
1200th MEETING SESSION (2ND OF 2006)

+ + + + +

Monday  
January 30, 2006

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The Special Public Meeting of the District of Columbia Zoning Commission convened in Room 220 South, 441 4<sup>th</sup> Street, N.W., Washington, D.C. 20001, pursuant to notice at 6:00 p.m., Carol J. Mitten, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

CAROL J. MITTEN	Chairperson
ANTHONY J. HOOD	Vice-Chairperson
GREGORY JEFFRIES	Commissioner
MICHAEL G. TURNBULL	Commissioner (AOC)

OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN                      Acting Secretary

OFFICE OF PLANNING STAFF PRESENT:

JOEL LAWSON  
JENNIFER STEINGASSER

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

ALAN BERGSTEIN, ESQ.

This transcript constitutes the minutes from the special public meeting held on January 30, 2006.

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A-G-E-N-D-A

**Final Action**

Z.C. Case No. 05-27 (American University) . . . . 3

Vote to approve Case No. 05-27 . . . . . 4

Vote to reopen record in Case No. 05-20 . . . . . 7

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

6:07 p.m.

CHAIRPERSON MITTEN: Good evening, ladies and gentlemen. This is a special public meeting of the Zoning Commission of the District of Columbia for Monday, January 30th, 2006. My name is Carol Mitten and joining me this evening are Vice-Chairman Anthony Hood and Commissioners Michael Turnbull and Greg Jeffries.

We have a very brief agenda. The first item for final action is Zoning Commission Case Nr. 05-27.

Mrs. Schellin, did you have anything you wanted to share with the Commission?

MRS. SCHELLIN: Nothing.

CHAIRPERSON MITTEN: Okay. So what we have is a submission from the applicant that we had requested when we had taken this up at our -- I guess when we took it up at our January meeting. Yes, January 9th meeting. And so the drawings that are attached to the applicant's January 19th letter I think depict what we were looking for, which is the two lane parking garage entrance coming from Nebraska Avenue without the widening of Nebraska Avenue. Because if you recall, we had, in reviewing

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1 the applicant's proposed findings of fact and  
2 conclusions of law, concurred with their statements,  
3 at least at this time, that we were not endorsing  
4 the idea of widening Nebraska Avenue.

5 So that was the only thing that we had  
6 outstanding.

7 Are there any questions or comments  
8 about the additional submission that we had  
9 requested?

10 (No audible response.)

11 CHAIRPERSON MITTEN: All right. Then I  
12 would move approval of Case Nr. 05-27.

13 VICE-CHAIR HOOD: I'll second.

14 CHAIRPERSON MITTEN: Any discussion?

15 (No audible response.)

16 CHAIRPERSON MITTEN: All those in favor,  
17 please say aye. Aye.

18 VICE-CHAIR HOOD: Aye.

19 COMMISSIONER JEFFRIES: Aye.

20 CHAIRPERSON MITTEN: Mrs. Schellin, I  
21 think it's unanimous.

22 MRS. SCHELLIN: And I believe Mr.  
23 Turnbull won't be -- were you voting on this case?  
24 Did you hear this one?

25 COMMISSIONER TURNBULL: Before?

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1 MRS. SCHELLIN: I think this was Mr.  
2 Hildebrand's case.

3 CHAIRPERSON MITTEN: Turn on your mike  
4 then.

5 COMMISSIONER TURNBULL: No, I --

6 CHAIRPERSON MITTEN: Would you turn on  
7 your mike when you respond?

8 COMMISSIONER TURNBULL: Oh, I'm sorry.  
9 I believe I was here for this.

10 MRS. SCHELLIN: Okay. I just remember  
11 having an absentee ballot last time for Mr.  
12 Hildebrand.

13 COMMISSIONER TURNBULL: Oh, really?

14 MRS. SCHELLIN: That's why I'm  
15 questioning.

16 COMMISSIONER TURNBULL: Oh, okay.

17 MRS. SCHELLIN: Remember, he was  
18 agreeable without the widening of Nebraska? That's  
19 the only reason why I'm bringing that up.

20 CHAIRPERSON MITTEN: You're right. I  
21 think it was.

22 MRS. SCHELLIN: Right. He was here for  
23 the discussions last time, but didn't participate.

24 COMMISSIONER TURNBULL: Oh, maybe he  
25 was.

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1 MRS. SCHELLIN: That's okay. They're  
2 starting to all run together.

3 COMMISSIONER TURNBULL: Okay.

4 MRS. SCHELLIN: But I do have an  
5 absentee ballot from Mr. Parsons in favor.

6 CHAIRPERSON MITTEN: Okay.

7 MRS. SCHELLIN: So, I would record the  
8 vote 4 to 0 to 1 to approve Zoning Commission Case  
9 Nr. 05-27 for final action. Commissioner Mitten  
10 moving, Commissioner Hood seconding, Commissioner  
11 Jeffries in favor and Commissioner Parsons in favor  
12 by absentee ballot. Commissioner Turnbull not  
13 voting, having not participated.

14 CHAIRPERSON MITTEN: Thank you. And  
15 then the only other item is a piece of  
16 correspondence that's come in in Case Nr. 05-20 and  
17 I've recused myself from that case and so I'll turn  
18 the mike over to Vice-Chairman Hood.

19 VICE-CHAIR HOOD: Okay. Thank you,  
20 Madam Chair.

21 This is correspondence for a letter, a  
22 request from the Office of Property Management,  
23 Zoning Commission Case Nr. 05-20 asking us to reopen  
24 the record.

25 Mrs. Schellin, you want to add anything?

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1 MRS. SCHELLIN: No, sir.

2 VICE-CHAIR HOOD: Okay. I think this is  
3 a pretty straightforward request. Colleagues, if  
4 you remember in the hearing and even in our  
5 deliberations before voting, there was some question  
6 about where would it locate. And it's mentioned  
7 that they would give us something later on once all  
8 the parties involved decide where they're going  
9 relocate.

10 Any questions?

11 (No audible response.)

12 VICE-CHAIR HOOD: If not, I would  
13 approve that we reopen the record just for this  
14 submission on 05-20 and I'd ask for second.

15 COMMISSIONER JEFFRIES: Second.

16 VICE-CHAIR HOOD: It's been moved and  
17 properly seconded. All those in favor? Aye.

18 COMMISSIONER JEFFRIES: Aye.

19 VICE-CHAIR HOOD: Any opposition?

20 (No audible response.)

21 VICE-CHAIR HOOD: So ordered. Staff,  
22 would you record the vote?

23 MRS. SCHELLIN: I have an absentee  
24 ballot in favor of reopening the record from Mr.  
25 Parsons, so I would record the vote 3 to 0 to 2 to

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1 reopen the record in 05-20 for the submission from  
2 OPM. Commissioner Hood moving, Commissioner  
3 Jeffries seconding, Commissioner Parsons in favor by  
4 absentee ballot.

5 CHAIRPERSON MITTEN: Thank you very  
6 much. And that's everything for our special public  
7 meeting and we'll be back in a few minutes to start  
8 our hearing. Thank you.

9 (The meeting was adjourned at 8:59 p.m.)

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