

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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SPECIAL PUBLIC MEETING

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WEDNESDAY

JULY 21, 1999

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The Special Public Meeting convened in Room 220, 441 Fourth Street, N.W., Washington, D.C. 20001, pursuant to notice at 9:00 a.m., Sheila Cross Reid, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

SHEILA CROSS REID	Chairperson
BETTY KING	Vice Chair
JOHN PARSONS	Board Member
ANTHONY HOOD	Board Member

STAFF PRESENT:

SHERI PRUITT	Director
PAUL HART	Staff
JOHN NYARKU	Staff
BEVERLY BAILEY	Staff
ALAN BERGSTEIN	Office of Corporation Counsel

C-O-N-T-E-N-T-S

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

(9:30 a.m.)

CHAIRPERSON REID: We will commence with the July 21 Special Meeting of the Board of Zoning Adjustment.

MS. PRUITT: Good morning, Madam Chair. The first item on your agenda is 16445, Application of National Graduate University (Buchanan Elementary School), pursuant to 11 DCMR 3108.1 for a special exception under Section 206 to establish a private school with 200 students and a staff of 21 located in an R-4 District at premises 1324 E Street, S.E. (Square 1042, Lot 827).

This case was postponed originally from the April 7, 1999 to the June 16, 1999, to be concluded today.

MS. KING: Madam Chair, can we dispense with the rest of the reading of this page. We are familiar with this case. Is it legally sufficient for her to have read everything through the Square and Lot number? Is it legally sufficient? We are all familiar with this case.

MS. PRUITT: There is some additional information requested which should be in your package.

CHAIRPERSON REID: Yes. All right. We are still speaking loudly?

MS. PRUITT: Yes.

CHAIRPERSON REID: Okay. We don't have a system operating -- a PA system. So we will be just amplifying our voices.

1 MS. KING: Madam Chair, it seems to me that  
2 they have supplied the information that we need. Just for my  
3 -- the special exception is for this particular university, is  
4 it not?

5 CHAIRPERSON REID: Yes.

6 MS. KING: And should the university change  
7 hands, it will require their coming back for another special  
8 exception for another use of the building.

9 CHAIRPERSON REID: Correct.

10 MS. KING: In that case, I move that we grant  
11 this application.

12 CHAIRPERSON REID: I would second that motion.  
13 I was pleased with their additional submission. This time,  
14 the Graduate University did fulfill the request for a  
15 breakdown of the calculation of their full-time equivalent of  
16 students or staff, and they did a very good job of breaking  
17 that down for us this time. And also, in regards to the budget  
18 matters, we asked for a financial disclosure that would give  
19 us a better sense of the financial solvency of the university,  
20 and I think that they have satisfied that requirement, in that  
21 they have indicated that their asset base as well as their  
22 endowment and also a trust that would amount to in excess of  
23 \$7 million. And that, I feel, is adequate enough to better  
24 assure that you don't have to have the adverse impacts as  
25 voiced by some of the community in regard to possible or  
26 potential or eventual blight because of not being able to

1 sustain the university at that site. So with that, I will  
2 agree. Do you have any comments, Mr. Parsons?

3 MR. PARSONS: I think you have a proxy from Mr.  
4 Clarens.

5 CHAIRPERSON REID: Oh, that is right. Do we  
6 have Mr. Clarens proxy?

7 MS. KING: It says participating members, Reid,  
8 King, Gilreath and Parsons.

9 CHAIRPERSON REID: No. Mr. Clarens was the one  
10 specifically who asked for the additional information on the  
11 financial.

12 MS. KING: Oh, so the announcement is wrong.

13 CHAIRPERSON REID: This is not reflecting the  
14 correct make-up of the Board at that time. So Parsons was not  
15 involved. It was instead --

16 MS. PRUITT: Mr. Clarens.

17 CHAIRPERSON REID: Mr. Clarens.

18 MS. PRUITT: And we were not able to get a  
19 proxy from Mr. Gilreath. So I guess we can just postpone this  
20 until next time.

21 CHAIRPERSON REID: Well, no. What I would like  
22 to do is to table this for now --

23 MS. PRUITT: And call?

24 CHAIRPERSON REID: And call and get a proxy.  
25 And then we can proceed. What we can do is at the end of the  
26 proceeding, this morning's hearing -- please remind us to go

1 ahead and to take the vote so that we can dispense with this  
2 particular item.

3 MS. KING: In the meantime, a member of staff  
4 will be contacting Mr. Clarens?

5 CHAIRPERSON REID: Yes.

6 MS. PRUITT: And Mr. Gilreath.

7 CHAIRPERSON REID: Ms. Pruitt-Williams has  
8 indicated that she will do so. All right?

9 MS. PRUITT: The next item is application  
10 16071, the request for modification of the approved plan in  
11 Application No. 16071 of the Washington International School.  
12 This was actually before you at the last meeting, at your July  
13 7 meeting. The staff discovered as we were going through that  
14 there were some procedural issues that required the Board to  
15 take additional action.

16 The modification requires two waivers. The  
17 first is a waiver for the plans to be reviewed, a waiver of a  
18 six-month period of plans to be reviewed within six months.  
19 The second waiver is a waiver on the Board's rule of 3335.6,  
20 which states that no member shall vote on a requested  
21 modification unless the member participated in the vote of the  
22 original decision. When we went back and researched the  
23 original decision, none of you were there for the original  
24 decision. So you would have to waive the rules to allow all  
25 three of you to sit and to make this decision. So there are  
26 two waivers and then the modification itself.

1 MS. KING: Madam Chair, I move the two waivers  
2 that are required in this case.

3 CHAIRPERSON REID: Second. All in favor?

4 ALL BOARD MEMBERS: Aye.

5 CHAIRPERSON REID: Opposed?

6 MS. PRUITT: And then you would need to vote on  
7 the motion itself.

8 MS. KING: And the motion is to grant the  
9 application for the reduction of one parking space, and I so  
10 move.

11 CHAIRPERSON REID: I think that we kind  
12 of --

13 MS. PRUITT: This is really a procedural issue.

14 MS. KING: Right.

15 CHAIRPERSON REID: Yes. We have already done  
16 it. Second. All in favor?

17 ALL BOARD MEMBERS: Aye.

18 CHAIRPERSON REID: Opposed?

19 MS. PRUITT: Staff will record the vote as  
20 three to zero to approve both waivers and three to zero to  
21 approve the motion. Both motion and approval of modification  
22 made by Ms. King and seconded by Ms. Reid. And that concludes  
23 staff's end of the public hearing.

24 (Whereupon, at 9:35 a.m., the special public  
25 meeting session was adjourned until 1:00 p.m., when the vote  
26 will be recorded in this matter following submission of a

1 proxy by Mr. Gilreath.)

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A-F-T-E-R-N-O-O-N S-E-S-S-I-O-N

(1:00 p.m.)

CHAIRPERSON REID: First, we will finish up the meeting from this morning. We will take a vote and then we will continue for the afternoon session. Mr. Hart, does someone have to be down there just to take the vote?

MR. HART: Yes. I think we need to start the meeting officially.

CHAIRPERSON REID: I just did. I just opened it.

MR. HART: I guess you are deferring to me. I spoke to Mr. Gilreath and he concurs with what the Board did. So it is just a matter of what process you want to acknowledge that. But he has concurred.

CHAIRPERSON REID: Okay. So he in the affirmative?

MR. HART: Yes, he is in the affirmative, yes. 3 to 0.

CHAIRPERSON REID: Okay. Well, then let me just retake the vote. We have already discussed the case. This is Washington --

MS. KING: The International School.

CHAIRPERSON REID: Washington International School.

MS. KING: And I had moved the granting of their application with a minor change to eliminate one parking

1 space and you seconded.

2 CHAIRPERSON REID: I seconded.

3 MR. HART: It is the first case on the meeting  
4 this morning.

5 CHAIRPERSON REID: The first case?

6 MS. KING: Oh, the Graduate School. Is that  
7 the one we were doing?

8 MR. PARSONS: Yes.

9 MR. HART: Yes.

10 CHAIRPERSON REID: Wait, wait. I thought we  
11 finished the Graduate School.

12 MR. HART: This is the one where --

13 CHAIRPERSON REID: Okay, that is right. Okay.

14 MR. HART: The quorum, yes. And Mr. Gilreath  
15 concurs. So it is 3 to 0.

16 CHAIRPERSON REID: All right. The first one  
17 was the National Graduate University and we discussed it.

18 MS. KING: We granted and made remarks about  
19 that. You seconded and made remarks.

20 MR. HART: Yes, and Mr. Gilreath concurred. He  
21 said he got a packet.

22 CHAIRPERSON REID: All in favor?

23 ALL BOARD MEMBERS: Aye.

24 CHAIRPERSON REID: Mr. Gilreath has a proxy of  
25 yes. All opposed? Record the vote.

26 MR. HART: Okay. The vote is the Board granted

1 by a vote of 3 to 0 -- Ms. King, Ms. Reid, and Mr. Gilreath,  
2 case 16445, National Graduate School.

3 MS. KING: We had already taken the vote on the  
4 Washington International School because John could vote on  
5 that.

6 CHAIRPERSON REID: I've got it. I just mixed  
7 them around.

8 MS. KING: Me too.

9 CHAIRPERSON REID: All right. That takes care  
10 of the meeting, right?

11 MR. HART: Right.

12 CHAIRPERSON REID: That concludes the special  
13 meeting section of this particular meeting.

14 (Whereupon, at 1:06 p.m., the special hearing  
15 session was concluded.)

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