

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	OCC

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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

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1 are still speaking loudly?

2 MS. PRUITT: Yes.

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

6 MS. KING: Madam Chair, it seems to me
7 that they have supplied the information that we
8 need. Just for my -- the special exception is for
9 this particular university, is it not?

10 CHAIRPERSON REID: Yes.

11 MS. KING: And should the university
12 change hands, it will require their coming back for
13 another special exception for another use of the
14 building.

15 CHAIRPERSON REID: Correct.

16 MS. KING: In that case, I move that we
17 grant this application.

18 CHAIRPERSON REID: I would second that
19 motion. I was pleased with their additional
20 submission. This time, the Graduate University did
21 fulfill the request for a breakdown of the
22 calculation of their full-time equivalent of
23 students or staff, and they did a very good job of
24 breaking that down for us this time. And also, in
25 regards to the budget matters, we asked for a
26 financial disclosure that would give us a better

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1 sense of the financial solvency of the university,
2 and I think that they have satisfied that
3 requirement, in that they have indicated that their
4 asset base as well as their endowment and also a
5 trust that would amount to in excess of \$7 million.
6 And that, I feel, is adequate enough to better
7 assure that you don't have to have the adverse
8 impacts as voiced by some of the community in regard
9 to possible or potential or eventual blight because
10 of not being able to sustain the university at that
11 site. So with that, I will agree. Do you have any
12 comments, Mr. Parsons?

13 MR. PARSONS: I think you have a proxy
14 from Mr. Clarens.

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

17 MS. KING: It says participating
18 members, Reid, King, Gilreath and Parsons.

19 CHAIRPERSON REID: No. Mr. Clarens was
20 the one specifically who asked for the additional
21 information on the financial.

22 MS. KING: Oh, so the announcement is
23 wrong.

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

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MS. PRUITT: Mr. Clarens.

CHAIRPERSON REID: Mr. Clarens.

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

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

MS. PRUITT: And call?

CHAIRPERSON REID: And call and get a proxy. And then we can proceed. What we can do is at the end of the proceeding, this morning's hearing -- please remind us to go ahead and to take the vote so that we can dispense with this particular item.

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

CHAIRPERSON REID: Yes.

MS. PRUITT: And Mr. Gilreath.

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

MS. PRUITT: The next item is application 16071, the request for modification of the approved plan in Application No. 16071 of the Washington International School. This was actually before you at the last meeting, at your July 7 meeting. The staff discovered as we were going

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1 through that there were some procedural issues that
2 required the Board to take additional action.

3 The modification requires two waivers.
4 The first is a waiver for the plans to be reviewed,
5 a waiver of a six-month period of plans to be
6 reviewed within six months. The second waiver is a
7 waiver on the Board's rule of 3335.6, which states
8 that no member shall vote on a requested
9 modification unless the member participated in the
10 vote of the original decision. When we went back and
11 researched the original decision, none of you were
12 there for the original decision. So you would have
13 to waive the rules to allow all three of you to sit
14 and to make this decision. So there are two waivers
15 and then the modification itself.

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

18 CHAIRPERSON REID: Second. All in
19 favor?

20 ALL BOARD MEMBERS: Aye.

21 CHAIRPERSON REID: Opposed?

22 MS. PRUITT: And then you would need to
23 vote on the motion itself.

24 MS. KING: And the motion is to grant
25 the application for the reduction of one parking
26 space, and I so move.

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1 CHAIRPERSON REID: I think that we kind
2 of --

3 MS. PRUITT: This is really a procedural
4 issue.

5 MS. KING: Right.

6 CHAIRPERSON REID: Yes. We have already
7 done it. Second. All in favor?

8 ALL BOARD MEMBERS: Aye.

9 CHAIRPERSON REID: Opposed?

10 MS. PRUITT: Staff will record the vote
11 as three to zero to approve both waivers and three
12 to zero to approve the motion. Both motion and
13 approval of modification made by Ms. King and
14 seconded by Ms. Reid. And that concludes staff's
15 end of the public hearing.

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

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1 MS. KING: And I had moved the granting
2 of their application with a minor change to
3 eliminate one parking space and you seconded.

4 CHAIRPERSON REID: I seconded.

5 MR. HART: It is the first case on the
6 meeting this morning.

7 CHAIRPERSON REID: The first case?

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

10 MR. PARSONS: Yes.

11 MR. HART: Yes.

12 CHAIRPERSON REID: Wait, wait. I
13 thought we finished the Graduate School.

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

15 CHAIRPERSON REID: Okay, that is right.
16 Okay.

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

19 CHAIRPERSON REID: All right. The first
20 one was the National Graduate University and we
21 discussed it.

22 MS. KING: We granted and made remarks
23 about that. You seconded and made remarks.

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

26 CHAIRPERSON REID: All in favor?

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ALL BOARD MEMBERS: Aye.

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

MR. HART: Okay. The vote is the Board granted by a vote of 3 to 0 -- Ms. King, Ms. Reid, and Mr. Gilreath, case 16445, National Graduate School.

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

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

MS. KING: Me too.

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

MR. HART: Right.

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

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

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