

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Zoning Commission



May 17, 2010

ANC 7D
Merritt School
5002 Hayes Street, NE
Washington, D.C. 20019

Commissioner Alisa A. Woods
ANC/SMD 7D07
3725 Cassell Place, NE
Washington, D.C. 20019

Re: Notice of Receipt of Z.C. Case No. 05-28B (DC Primary Care Association – Modificaiton to a Previously Approved First-Stage PUD; a Second-Stage PUD; and Related Map Amendment @ Square 5055)

Dear ANC Chair & ANC/SMD Commissioner:

Pursuant to D.C. Official Code § 1-309.10 (b), the Zoning Commission for the District of Columbia hereby gives you notice of the receipt of an application from DC Primary Care Association (the “Applicant”) for approval of a modification to a previously approved first-stage PUD; a second-stage PUD; and related map amendment at Square 5055, Lots 23-25, 801, 802, and portions of Lots 22 and 803.

As a result of the issuance of this notice, ANC 7D now has thirty days, excluding Saturdays, Sundays, and holidays to submit its written recommendations to the Commission in accordance with D.C. Official Code § 1-309.10 (d) (1). Pursuant to D.C. Official Code § 1-309.10 (d) (2) the Zoning Commission may make its decision “at the close of business of the day after which the notice period concludes”. However, no decision to approve the application will be made until the Zoning Commission holds a public hearing and the National Capitol Planning Commission is given thirty days to review the application.

You will also receive notice of the hearing date at least 40 calendar days in advance. Any written recommendation should be received no later than seven days prior to the hearing date.

In order to assure that your Commission’s written report will be given “great weight”, please be certain it contains the information required by 11 DCMR § 3012.5, a copy of which is included at the bottom of this letter.

Great weight does not mean that the Zoning Commission must defer to an ANC’s view, but instead requires acknowledgement of the ANC as the source of the recommendations and explicit reference to each of the ANC’s issues and concerns. It is therefore important that the written report not only indicate whether the ANC supports or opposes the application, but that is also identify each issue and concern that led to the recommendation made.

ZONING COMMISSION
District of Columbia

CASE NO. 05-2813

EXHIBIT NO. 8

If you have any questions, please do not hesitate to contact me at (202) 727-6311.

Sincerely,



Sharon S. Schellin
Secretary to the Zoning Commission

Enclosure

11 DCMR 3012.5

3012.5 If an Advisory Neighborhood Commission (ANC) wishes to participate in a contested case under § 3022, the ANC shall file a written report with the Zoning Commission at least seven (7) days in advance of the hearing. In a rulemaking under § 3021, there shall be no filing deadline as long as the record in that case is open. All written reports shall contain the following:

- (a) An identification of the application or petition;
- (b) When the public meeting of the ANC to consider the application or petition was held;
- (c) Whether proper notice of that meeting was given by the ANC;
- (d) The number of members of the ANC that constitute a quorum and the number of members present at the meeting;
- (e) The issues and concerns of the ANC about the application or petition, as related to the standards against which the application or petition shall be judged;
- (f) The recommendation, if any, of the ANC as to the disposition of the application or petition;
- (g) The vote on the motion to adopt the report to the Commission;
- (h) The name of the person who is authorized by the ANC to present the report; and
- (i) The signature of the ANC chairperson or vice-chairperson.