

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



June 17, 2010

ANC 2B
9 Dupont Circle
Washington, DC 20036

Commissioner Victor Wexler
ANC/SMD 2B05
1520 16th Street, N.W. #504
Washington, DC 20036

Re: Notice of Receipt of Z.C. Case No. 10-17 (National Restaurant Association – Map Amendment at 1200 17th Street, N.W. – Square 160, Lot 809)

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 the National Restaurant Association (the “Applicant”) for approval of map amendment from DC/SP-2 to DC/C-4 for the above referenced property.

Pursuant to D.C. Official Code § 1-309.10(d)(2), the Zoning Commission must wait thirty days, excluding Saturdays, Sundays, and holidays before it can make its decision on this application. However, as a practical matter, the Commission cannot make a decision that soon, because it must first hold a public hearing and the National Capitol Planning Commission is thereafter given thirty days to review the application.

You will also receive notice of the hearing date at least 40 calendar days in advance. If your ANC wishes to participate as a party, then the written report must be received no later than seven days prior to the hearing date and contain the information required by 11 DCMR § 3012.5, a copy of which is included at the bottom of this letter. Any written report received prior to the close of the record in this case that contains that information will be given “great weight”.

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 it also identify each issue and concern that led to the recommendation made.

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

Attachment

ZONING COMMISSION
District of Columbia

CASE NO. 10-17
EXHIBIT NO. 7

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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.