

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 11-02B
Z.C. Case No. 11-02B
Department of General Services & D.C. Public Schools on behalf of the
University of the District of Columbia
(Minor Modification to Z.C. Order No. 11-02/11-02A to Allow Temporary Trailers
on Campus for Use by an Elementary School)
June 6, 2016

SUMMARY ORDER

Pursuant to notice, a special public meeting of the Zoning Commission for the District of Columbia (“Commission”) was held on June 6, 2016. At the meeting, the Commission approved an application of the Department of General Services and District of Columbia Public Schools on behalf of the University of the District of Columbia (“Applicant”) for a minor modification to Z.C. Order No. 11-02/11-02A (“Campus Plan/Further Processing Order”). Because the modification was deemed minor, a public hearing was not conducted. The Commission determined that this modification request was properly before it under § 3030 of the Zoning Regulations.

The Campus Plan/Further Processing Order approved a new 20-year campus plan for the Van Ness Campus of the University of the District of Columbia (“UDC”), as well as the further processing of the approved campus plan to allow construction and use of a new student center, subject to the conditions enumerated in the Order. In early 2016, UDC entered into a memorandum of understanding (“MOU”) with the Department of General Services (“DGS”) and District of Columbia Public Schools (“DCPS”) to have temporary trailers placed at the Van Ness Campus for use by students at Murch Elementary School while the elementary school building undergoes a major modernization. The Applicant applied for a minor modification of the approved campus plan to allow the temporary installation of trailers, through August 2018, on a site currently used as UDC’s soccer field along Van Ness Street. Pursuant to the MOU, the site will be returned to its current condition by September 1, 2018, after the trailers are removed.

The subject property is within the boundaries of Advisory Neighborhood Commission (“ANC”) 3F. ANC 3F, which is automatically a party to this proceeding, did not submit a report. However, ANC Commissioners from single-member districts (“SMD”) 3F01 and 3F06 submitted letters in support of the application in their individual capacities. (Exhibit [“Ex.”] 5, 8.)

In a letter dated May 26, 2016, the Van Ness Street Residents Association (“Association”) indicated no objection to the temporary modification to permit the placement of trailers on UDC’s campus, but expressed concerns regarding both construction traffic and traffic management during the school year. (Ex. 9.) The Campus Plan/Further Processing Order imposed several conditions relating to transportation, parking, and community outreach, among other things, and the Commission encourages the Applicant to consult with the Association on issues relating to construction and traffic management.

A decision by the Commission to grant this application would not be adverse to any party. Therefore, the Commission waived the requirement of 11 DCMR § 3028.8 that a final order must include findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

The Commission required the Applicant to satisfy the burden of proving that the application satisfied the requirements of § 3030 for approval of a minor modification. The modification is of little or no consequence, and is therefore appropriate for consideration on the Consent Calendar, without a public hearing. (11 DCMR § 3030.2.)

In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code §§ 2-1401.01 *et seq.* (Act), the District of Columbia does not discriminate on the basis of actual or perceived race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, or place of residence or business. Sexual harassment is a form of sex discrimination which is prohibited by the Act. In addition, harassment based on any of the above protected categories is prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

Accordingly, the Zoning Commission for the District of Columbia hereby **ORDERS APPROVAL** of the application for a minor modification to Z.C. Order No. 11-02/11-02A as follows:

The placement of temporary trailers for use by Murch Elementary School at the Van Ness Campus of the University of the District of Columbia as depicted in Exhibit 3 of Z.C. Case No. 11-03B, shall be permitted through August 2018. The land shall be returned to its current condition by September 1, 2018.

VOTE: 5-0-0 (Robert E Miller, Anthony J. Hood, Marcie I. Cohen, Peter G. May, and Michael G. Turnbull to approve)

BY ORDER OF THE D.C. ZONING COMMISSION

A majority of the Commission members approved the issuance of this Decision and Order.

ATTESTED BY:



SARA A. BARDIN
DIRECTOR
OFFICE OF ZONING

FINAL DATE OF ORDER: August 18, 2016