

Cochran, Patricia (DCOZ)

From: Schellin, Sharon (DCOZ)
Sent: Monday, June 11, 2018 8:01 AM
To: DCOZ - ZC Submissions (DCOZ)
Subject: FW: Tonight's Zoning Calendar - 14-02

From: Ari Theresa [mailto:actheresa@stooptlaw.com]
Sent: Monday, June 11, 2018 2:48 AM
To: Schellin, Sharon (DCOZ) <sharon.schellin@dc.gov>
Cc: Kyrus.Freeman@hklaw.com
Subject: Tonight's Zoning Calendar - 14-02

Counsel for BFTAA is unavailable to appear tonight. We plan on opposing Applicants attempt to extinguish the PUD. It was sent by mail and not otherwise communicated to counsel for BFTAA despite email communication between our firms being the norm, in fact being ordered by the court. We have not yet had time to craft a response. Please advise, we move to postpone the matter being calendared and decided upon this evening for the foregoing reasons. Applicants will not be prejudiced at all by this delay as the matter has been outstanding 3 years. On the other hand, BFTAA will be prejudiced by moving forward as this motion to extinguish is nothing more than a thinly veiled attempt to empty the site without the protections of the comprehensive plan. Applicants have already vowed to develop the site despite the court order. By extinguishing it paves the way for site vacating and a later return to zoning for a PUD after the sites been emptied. It is nothing more than a way to evade review. BFTAA needs more time to craft a legal response and also requests a hearing on this matter as the rights of BFTAA will be substantially impacted. Thank you.