



BEFORE THE ZONING COMMISSION OR  
BOARD OF ZONING ADJUSTMENT FOR THE DISTRICT OF COLUMBIA



FORM 150 – MOTION FORM

THIS FORM IS FOR PARTIES ONLY. IF YOU ARE NOT A PARTY PLEASE FILE A  
FORM 153 – REQUEST TO ACCEPT AN UNTIMELY FILING OR TO REOPEN THE RECORD.

Before completing this form, please review the instructions on the reverse side. Print or type all information unless otherwise indicated. All information must be completely filled out.

CASE NO.:

Motion of:

☐ Applicant

☐ Petitioner

☐ Appellant

☐ Party

☐ Intervenor

☐ Other \_\_\_\_\_

PLEASE TAKE NOTICE, that the undersigned will bring a motion to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Points and Authorities:

On a separate sheet of 8 ½" x 11" paper, state each and every reason why the Zoning Commission (ZC) or Board of Zoning Adjustment (BZA) should grant your motion, including relevant references to the Zoning Regulations or Map and where appropriate a concise statement of material facts. If you are requesting the record be reopened, the document(s) that you are requesting the record to be reopened for must be submitted separately from this form. No substantive information should be included on this form (see instructions).

Consent:

Did movant obtain consent for the motion from all affected parties?

☐ Yes, consent was obtained by all parties

☐ Consent was obtained by some, but not all parties

☐ No attempt was made

☐ Despite diligent efforts consent could not be obtained

Further Explanation: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CERTIFICATE OF SERVICE

I hereby certify that on this

D

D

day of

Month

,

Y

Y

Y

Y

I served a copy of the foregoing Motion to each Applicant, Petitioner, Appellant, Party, and/or Intervenor, and the Office of Planning

in the above-referenced ZC or BZA case via:

☐ Mailed letter

☐ Hand delivery

☐ E-Mail

☐ Other \_\_\_\_\_

Signature:

Print Name:

Address:

Phone No.:

E-Mail:

ZONING COMMISSION  
District of Columbia  
CASE NO. 22-10  
EXHIBIT NO. 34A

# Holland & Knight

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November 28, 2022

## **VIA IZIS**

Zoning Commission  
of the District of Columbia  
441 4th Street, NW, Suite 200  
Washington, DC 20001

**Re: ZC Case No. 22-19  
4950 South Dakota Ave., NE (Sq. 3786, Lot 1)  
Motion to Accept an Untimely Filing**

Dear Members of the Commission:


Please allow this document to accompany Form 150, a Motion to Accept an Untimely Filing of an expert witness's resume. As stated in the Motion, the Applicant requests the Zoning Commission accept the untimely filing of the resume of Brandice Elliott, an expert in Urban Planning and Land Use. Ms. Elliott will testify on the behalf of the Applicant in ZC Case No. 22-19.

The Applicant properly disclosed Ms. Elliott as an expert witness in its prehearing statement. The Applicant's prehearing statement was timely filed on August 8, 2022. However, Ms. Elliott's resume was not included with the Applicant's prehearing statement. Of importance, the Zoning Commission has admitted Ms. Elliott as an expert in Urban Planning and Land Use previously.

Approval of this Motion will not be prejudicial to the rights of any party because Ms. Elliott was properly disclosed as an expert witness and the admittance of her resume will complete the record prior to the public hearing.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By:   
\_\_\_\_\_  
Leila M. Jackson Batties  
John T. Oliver

# Holland & Knight



## Brandice N. Elliott

DIRECTOR OF PLANNING SERVICES

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Washington, D.C.

202.469.5572

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### PRACTICES

Land Use: Mid-Atlantic | Land Use and Government |  
Real Estate Development

**Brandice N. Elliott** is the director of planning services in Holland & Knight's Washington, D.C., office and a member of the firm's Land Use and Government Team. Ms. Elliott works with the firm's nationally recognized development, land use and zoning attorneys to support clients as they acquire, plan and develop real estate projects.

Ms. Elliott has more than 15 years of experience providing detailed zoning, planning and design analysis to land use projects. She also has vast knowledge of land use, zoning, urban design and environmental regulatory compliance.

Prior to joining Holland & Knight, Ms. Elliott worked in the District of Columbia Office of Planning for 10 years, where she played a key role in the management of several development projects of varying size and complexity citywide. She worked with a broad coalition of development stakeholders and district agencies to negotiate planned unit developments (PUDs), map amendments, design review projects, text amendments, variances and special exceptions in order to provide recommendations aligned with district regulations, policies and priorities, and presented the analyses to the D.C. Zoning Commission and Board of Zoning Adjustment (BZA). Ms. Elliott also assisted in long-range planning efforts, including the Comprehensive Plan update and other small-area plan initiatives.

Ms. Elliott's experience also includes serving as a planner and deputy zoning administrator for the Town of Herndon, Virginia, where she oversaw the development of several projects, contributed to comprehensive plan area studies and coordinated advisory committees. Prior to that, Ms. Elliott spent several years in Mesa, Arizona, where she served as a zoning plans examiner, planner and code compliance officer.

## Credentials

### Education

- Arizona State University, MUEP, Master of Urban and Environmental Planning
- Arizona State University, B.A., Psychology, *magna cum laude*

### Memberships

- American Institute of Certified Planners (AICP)

## BRANDICE N. ELLIOTT

### PROFESSIONAL BACKGROUND

Brandice has extensive expertise in urban planning, land use, and zoning gained through over fifteen years of experience working in both public and private sectors. She is currently the Director of Planning Services at Holland & Knight LLP, Washington, DC office. Prior to that, Brandice was a Development Review Specialist with the D.C. Office of Planning (DCOP) for ten years. Her prior experience also includes serving as a Deputy Zoning Administrator, Zoning Plans Examiner, and Code Compliance Officer.

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### EXPERIENCE

#### **DIRECTOR OF PLANNING SERVICES, HOLLAND & KNIGHT LLP**

August 2022 - Present

- Prepares and manages developer applications for a variety of projects, including Planned Unit Developments (PUDs), zoning map amendments, zoning variances, and special exceptions.
- Assists clients with zoning entitlements and acquisition of building permits.
- Prepares testimony for zoning and land use planning to be provided to the D.C. Zoning Commission and Board of Zoning Adjustment.
- Advises clients on interpretation and application of development regulations and approval processes.
- Prepares detailed comprehensive plan, zoning, and land use analysis to advise client during property acquisition and entitlements.

#### **DEVELOPMENT REVIEW SPECIALIST, DISTRICT OF COLUMBIA OFFICE OF PLANNING**

September 2012 - August 2022

- Prepared analyses of complex project proposals to determine conformance with the Comprehensive Plan, Small Area Plans, Zoning Regulations, and other District policies.
- Provided subject matter expertise of District policies, development goals, processes, procedures, and standards as they related to the Agency.
- Regularly provided testimony to the D.C. Zoning Commission and Board of Adjustment regarding Office of Planning recommendations.
- Collaborated with Applicants and District Agencies to refine projects and reduce conflicts in the proposed design.

Projects: Managed several PUDs of varying complexity in the Florida Avenue Market Development with the goal of securing significant benefits and amenities, particularly affordable housing; Managed development proposals in Southeast Federal Center, which generally consisted of design review and text amendments that brought the Zoning Regulations in conformance with the Master Plan; and Served as subject matter expert in development of the Chevy Chase Small Area Plan.

#### **PLANNER AND DEPUTY ZONING ADMINISTRATOR, TOWN OF HERNDON COMMUNITY DEVELOPMENT**

November 2010 - September 2012

- Served as Planner and Deputy Zoning Administrator managing the Site Plan Review Process, ensuring that all requests complied with the Comprehensive Plan, Town Code, and Town policies.
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## BRANDICE N. ELLIOTT

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- Coordinated the Pedestrian and Bicycle Advisory Committee, which provided input for the first Countywide Bicycle Transportation Plan, and presented regular updates at public information sessions and to the Town Council.
- Was the point of contact for matters concerning the Town Code and its consistency with federal Chesapeake Bay regulations.

Projects: Contributed to the first Fairfax County Bicycle Transportation Plan; Assisted with Comprehensive Plan Area Studies, including the Herndon Metrorail Study Area Plan and Downtown Herndon Area Plan.

### **PLANNER, TELERGY CONSULTING**

September 2009 - November 2010

- Served as Planner obtaining entitlements for the development of telecommunication infrastructure.
- Coordinated public engagement, site research, city review processes, and city public hearing processes for approvals for the development of infrastructure.

### **CITY OF MESA, PLANNING DIVISION**

**PLANNER II AND CODE COMPLIANCE OFFICER** (March 2010 - September 2010)

**PLANNER I** (December 2007 - January 2009)

**ZONING PLANS EXAMINER** (August 2005 - December 2007)

- Documented cases of zoning violation, provided notification to property owners, and provided assistance to correct the violation within a timely manner.
- Served as the Planner and primary contact for all requests requiring relief from the Zoning Regulations.
- Prepared analyses of project proposals to determine conformance with the Comprehensive Plan, Small Area Plans, Zoning Regulations, and other City policies.
- Provided subject matter expertise of City policies, development goals, processes, procedures, and standards as they related to the Agency.
- Regularly provided testimony to the Zoning Adjustment Hearing Officer and Board of Adjustment regarding Office of Planning recommendations.
- Collaborated with Applicants and City Agencies to refine projects and reduce conflicts in the proposal design.
- Coordinated permit reviews requiring zoning approvals and provided technical reviews of residential, commercial, and sign plans, verifying compliance with City Codes, Zoning Commission approvals, and Board of Zoning Adjustment approvals.

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#### **EDUCATION**

##### **ARIZONA STATE UNIVERSITY**

MUEP, Master of Urban and Environmental Planning

##### **ARIZONA STATE UNIVERSITY**

B.A., Psychology

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#### **CERTIFICATION**

American Institute of Certified Planners