

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

IN THE MATTER OF:
CATHOLIC UNIVERSITY

Case No. 04-10

Monday
June 28, 2004

Hearing Room 220 South
441 4th Street, N.W.
Washington, D.C.

The Public Hearing of Case No. 03-03/02-05 by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Office of Zoning Hearing Room at 441 4th Street, Northwest, Washington, D.C., Anthony J. Hood, Vice Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD	Vice Chairperson
KEVIN HILDEBRAND	Commissioner
GREGORY JEFFRIES	Commissioner
JOHN PARSONS	Commissioner

OFFICE OF ZONING STAFF PRESENT:

ALBERTO BASTIDA	Secretary
SHARON SCHELLIN	Zoning Specialist

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER	Office of Planning
DAVE MCGETTIGAN	Office of Planning

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P-R-O-C-E-E-D-I-N-G-S

6:29 p.m.

VICE CHAIRPERSON HOOD: On the record.

Good evening, ladies and gentlemen. This is a public hearing of the Zoning Commission of the District of Columbia for Monday, June 28, 2004. My name is Anthony J. Hood, Vice Chairman of the Commission. Joining me this evening are Commissioners Parsons, Hildebrand and Jeffries.

The subject of this evening's hearing is Zoning Commission Case No. 04-10. This is a request by Catholic University for a special exception approval of an amendment to an approved campus plan and further processing to renew approval of temporary housing approved by Board of Zoning Adjustment Order No. 16482. The subject property is located in the central part of the University's Main Campus and is known as Lot 44 and Square 3821. Notice of today's hearing was published in D.C. Register on April 30, 2004. This hearing will be conducted in accordance with the provisions of 11 DCMR 3117. Copies of today's hearing announcement are available to you and are located to my left on the wall bin near the door.

Please be advised that this proceeding is being recorded by a court reporter and is also web-

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1 cast live. Accordingly, we must ask you to refrain
2 from any disruptive noises and actions in the hearing
3 room. When presenting information to the Commission,
4 please turn on and speak into the microphone, first
5 stating your name and home address. When you are
6 finished speaking, please turn your microphone off so
7 that your microphone is no longer picking up sound or
8 background noise.

9 The order of procedure will be ask
10 follows: preliminary matters, Petitioner's case,
11 report of the Office of Planning, report of other
12 government agencies, report of Advisory Neighborhood
13 Commissions, in this case, I believe it's 585C,
14 organizations and persons in support, organizations
15 and persons in opposition. The following time
16 constraints will be maintained at this meeting: the
17 Petitioner, 20 minutes; organizations, five minutes;
18 individuals, three minutes.

19 The Commission intends to adhere to time
20 limits as strictly as possible in order to hear the
21 case in a reasonable period of time. The Commission
22 reserves the right to change the time limits for
23 presentations, if necessary, and notes that no time
24 shall be seeded.

25 All persons appearing before the

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1 Commission are to fill out two witness cards. These
2 cards are located to my left on the table near the
3 door. Upon coming forward to speak to the
4 Commission, please give both cards to the Reporter
5 sitting to my right. The decision of the Commission
6 in this case must be exclusively on the public
7 record. To award any appearance to the contrary, the
8 Commission requests that the persons present not
9 engage the members of the Commission in conversations
10 during any recesses or at any time.

11 The Staff will be available throughout
12 the hearing to discuss procedural questions. Please
13 turn off all beepers and cell phones at this time so
14 as not to disturb this proceedings. At this time,
15 the Commission will consider any preliminary matters.

16 Does the Staff have any preliminary matters?

17 SECRETARY BASTIDA: Mr. Vice Chairman,
18 the Staff has two preliminary matters. The first
19 preliminary matter is the Applicant has complied with
20 the posting requirement so they have provided the
21 maintenance posting file at this time.

22 VICE CHAIRPERSON HOOD: Okay.

23 SECRETARY BASTIDA: The second one is we
24 have just received from ANC 5-C a fax asking for a
25 waiver of the time limits to accept their submission

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1 into the record and the Staff requests that you do
2 so.

3 VICE CHAIRPERSON HOOD: Are there any
4 objections to accepting ANC 5-C?s submission into the
5 record?

6 (No response.)

7 VICE CHAIRPERSON HOOD: Hearing none, no
8 objections.

9 SECRETARY BASTIDA: Mr. Vice Chairman,
10 the filing of the ANC is probably in front of you.
11 It was a properly constituted meeting on June 15,
12 2004 with the court and the decision was unanimous in
13 favor of recommending approval of this application.

14 VICE CHAIRPERSON HOOD: Okay.

15 SECRETARY BASTIDA: That concludes the
16 Staff preliminary matters, Mr. Vice Chairman.

17 VICE CHAIRPERSON HOOD: Thank you, Mr.
18 Bastida. Would all individuals wishing to testify
19 please rise and take the oath? Ms. Schellin, would
20 you please administer the oath?

21 (All witnesses sworn in.)

22 VICE CHAIRPERSON HOOD: Ms. Prince, if
23 you want to come forward. Ms. Prince, I understand
24 that you and your client are reading to go forward.
25 We would ask that you stand on the record. I think

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1 the records on this submittal are complete and
2 sufficient for our needs for us to make a decision.
3 So unless you just want to give us a presentation, we
4 will be willing to ask you to stand on the record.

5 MS. PRINCE: We would be pleased to stand
6 on the record, Allison Prince of Shaw Pittman. One
7 minor matter I would like to cover. We've requested
8 a five year term on the renewal of the temporary
9 housing, not the three year that's been suggested by
10 the Office of Planning and we would like to explain
11 the rationale for the five years should you be
12 inclined to consider the Office of Planning's three
13 year term.

14 VICE CHAIRPERSON HOOD: Would anyone like
15 to hear that rationale? Okay. Good. No thank you.
16 We're okay. Thank you.

17 MS. PRINCE: Then we will stand on the
18 record.

19 VICE CHAIRPERSON HOOD: Good. I'm also
20 going to ask the Office of Planning if you would
21 stand on the record.

22 MR. McGETTIGAN: Yes. This is Dave
23 McGettigan from the Office of Planning. We would be
24 glad to stand on the record.

25 VICE CHAIRPERSON HOOD: Okay. Any other

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1 reports of any government agencies?

2 SECRETARY BASTIDA: The Staff has no
3 report for any other government agency, Mr. Vice
4 Chairman. I don't know if the Office of Planning
5 does have any other reports.

6 VICE CHAIRPERSON HOOD: We also had a
7 late submittal which we waived our rules from ANC 5-C
8 which is in the record and Mr. Bastida explained that
9 in preliminary matters. Anyone here present from ANC
10 5-A or 5-C?

11 (No response.)

12 VICE CHAIRPERSON HOOD: Let the record
13 reflect showing none and again we have accepted ANC
14 5-C's submittal into the record. Do we have any
15 organizations or persons in support?

16 (No response.)

17 VICE CHAIRPERSON HOOD: Do we have any
18 organizations or persons in opposition?

19 (No response.)

20 VICE CHAIRPERSON HOOD: Okay, with that.

21 COMMISSIONER PARSONS: Mr. Chairman, I
22 move we approve this application for a period of five
23 years.

24 VICE CHAIRPERSON HOOD: I'll second the
25 motion. All those in favor by using the sign of

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1 voting?

2 (Chorus of ayes.)

3 VICE CHAIRPERSON HOOD: Any opposition?

4 (No response.)

5 VICE CHAIRPERSON HOOD: So ordered.

6 Staff, would you record the vote?

7 MS. SCHELLIN: Yes, Staff will record the
8 vote four to zero to approve Case No. 04-10.

9 Commissioner Parsons approving, Commissioner Hood
10 seconding, Commissioners Hildebrand and Jeffries in
11 favor and Commissioner Mitten not present, not
12 voting.

13 VICE CHAIRPERSON HOOD: Okay. Thank you.

14 With that, this hearing is adjourned. Off the
15 record.

16 (Whereupon, the above-entitled matter was
17 concluded at 6:36 p.m.)

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