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3 CHAIRMAN FRANKLIN: Good evening ladies and
4 gentlemen. I'm Herbert M. Franklin, Chairman pro tem of the
5 Zoning Commission for the District of Columbia. Joining me
6 this evening are Commissioners Clarens and Hood. Case No. 98-
7 16C, originally scheduled for public hearing this evening will
8 have to be postponed and rescheduled for a later date.

9 Unfortunately, we have been unable to secure a
10 suitable meeting facility large enough to conduct tonight's
11 hearing. We were able to secure Ballou High School for
12 hearings on April 19, 22, and 26; but due to community and
13 Zoning Commission concerns regarding the school's
14 accessibility another facility will have to be scheduled. As
15 soon as an adequate meeting place is secured an updated
16 hearing notice will be published in the D.C. Register along
17 with press releases in The Washington Post and The Washington
18 Times. Relative to these notices the Commission will waive
19 it's forty day notice requirement as permitted by our rules.

20 The Zoning Commission would like to thank
21 everyone for their patience and regrets any inconvenience the
22 delays in hearing this case may have caused. Having made this
23 statement -- yes? Yes, sir?

24 MR. RAY: Can I be heard on this issue?

25 CHAIRMAN FRANKLIN: Yes. You want to identify
26 yourself?

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1 MR. RAY: My name is John Ray and I'm the
2 attorney for the applicant in this case and I would like to
3 make a request as well as a short statement. One, I
4 would like to request that we be allowed to submit for the
5 record our comments on the canceling of the hearing and the
6 rescheduling of this hearing. And I would also like to say
7 that we have worked considerably hard with your staff over the
8 last several years -- weeks. Ms. Gentry here has personally
9 put in about thirty hours trying to help locate a facility,
10 including the facility we located tonight.

11 I am at a loss to understand how the Ward, in
12 which this facility is going to be built in is not a suitable
13 place to hold this hearing, other than this room that we're
14 in. We took the position that hearing ought to be here and I
15 also take the position that if it's not going to be here the
16 most logical place to do it is the Ward that the facility is
17 going to be built in.

18 I would also add to that, that when we talk
19 about accessibility in terms of a Metro Rail, most of the
20 citizens in Ward Eight do not live near a Metro Rail. And
21 they going to have to catch a bus to get the Metro Rail to
22 come down here, just as they might have catch a bus to get to
23 a facility over there. So that logic I just don't understand
24 and so given the effort and given some of the other reasons
25 why we were told why this meeting was being canceled we would
26 like to ask for a waiver to submit comments for the record as

1 to what the facts were that we were told.

2 CHAIRMAN FRANKLIN: Any objections? I don't see
3 any reason why you couldn't submit such comments, let me
4 clarify that, speaking for myself and I think perhaps for my
5 colleagues. Until two days ago I was under the understanding
6 that, actually until last Monday, I was under the
7 understanding that the hearing would be held in Counsel
8 Chambers. We had booked Counsel Chambers a long time ago and
9 then on Monday we were informed that we got bumped for other
10 purposes and the staff then had to scramble around for another
11 place.

12 I can assure you that we will not book the
13 Counsel Chamber for any future hearings because we will be
14 vulnerable to being bumped. And I don't think the members of
15 the Commission other than perhaps the Chairman were advised
16 the scrambling around for alternative sites, Ballou was
17 mentioned in passing on Monday and I didn't know this hearing
18 was going to be postponed until yesterday. So the Commission,
19 I don't think is very happy about this particular set of
20 circumstances and the Commission did not, I assure you, want
21 to postpone this hearing; nor did we want to schedule it in a
22 place, of course, that would be inconvenient for people who
23 had to come.

24 I for one am open to any suggestion, we are
25 hopeful that we will be able to get a place with some
26 assurance it won't be taken out from under us and we will

1 schedule it as soon as we feasibly can and suitable notice
2 will be sent. So I know that you must be disappointed there
3 are a lot other people who are disappointed as well and the
4 Commission is. So we're struggling and I am very unhappy that
5 we got bumped from the Counsel Chambers. We had great
6 difficulty getting it in the first place, and thought we had
7 it and it was pulled out from under us.

8 Do any other members wish to make any comment?

9 COMMISSIONER CLARENS: No, except to say that I
10 concur wholeheartedly with your sentiment.

11 COMMISSIONER HOOD: I too, Mr. Chairman.

12 CHAIRMAN FRANKLIN: Okay, with no further
13 business before us the meeting is adjourned.

14 (Whereupon, the hearing was
15 adjourned at 7:14 p.m.)

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