

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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SPECIAL PUBLIC MEETING

187th MEETING SESSION

+ + + + +

THURSDAY

SEPTEMBER 1, 2005

+ + + + +

The Special Public Meeting of the District of Columbia Zoning Commission convened in Room 220 South, 441 4th Street, NW, Washington, D.C., 20001, pursuant to notice at 6:00 p.m., Carol J. Mitten, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

CAROL J. MITTEN	Chairperson
ANTHONY J. HOOD	Vice-Chairperson
KEVIN HILDEBRAND	Commissioner (AOC)
JOHN PARSONS	Commissioner (NPS)

OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN	Acting Secretary
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OFFICE OF PLANNING STAFF PRESENT:

STEVEN MORDFIN

This transcript constitutes the minutes from the Special Public Meeting held on September 1, 2005.

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AGENDA

OPENING REMARKS - CHAIRPERSON MITTEN	3
CASE NO. 05-16, COVAD SCHOOL OF BUSINESS MR. TUMMONDS	5
OFFICE OF PLANNING - STEVEN MORDFIN	6
VOTE ON CASE NO. 05-16, FOUR TO ZERO TO ONE	9

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

6:38 p.m.

CHAIRPERSON MITTEN: Good evening, ladies and gentlemen.

This is a Public Hearing of the Zoning Commission in the District of Columbia for Thursday, September 1st, 2005.

My name is Carol Mitten and joining me this evening are Vice Chairman Anthony Hood and Commissioners Kevin Hildebrand and John Parsons.

The subject of this evening's hearing is Case No. 05-16 and this is a request by the American University for a special exception relief pursuant to Sections 210 and 3104.1 of the zoning regulations for approval of an addition to the Covad School of Business and the new lecture hall on the main campus of the university.

The subject property is located at 4400 Massachusetts Avenue, NW., and is known as Lot 1 in Square 1600.

Notice of today's hearing was published in the D.C. Register on July 1st, 2005, and announcements are on the table near the door.

The hearing will be conducted in accordance with the provisions of 11 DCMR, Section 3117 and the

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1 order of procedure will be as follows:

2 We will take up any preliminary matters
3 followed by a presentation of the Applicant's case, the
4 report by the Office of Planning, report of any other
5 Government agencies, report by the affected Advisory
6 Neighborhood Commission, in this case 3D, organizations
7 and persons in support and organizations and persons in
8 opposition.

9 We will maintain the following time
10 constraints in the hearing. The Applicant --

11 Are you good or are you not good? Oh,
12 technical difficulties. Okay.

13 (Whereupon, off the record from 6:38 p.m.
14 to 6:43 p.m.)

15 CHAIRPERSON MITTEN: Okay. We're back on
16 the record then. So, all persons appearing before the
17 Commission are to fill out two witness cards and those
18 cards are on the table near the door. And upon coming
19 forward to speak to us, please give the cards to the
20 reporter who is sitting to our right.

21 A decision of the Commission in this case
22 must be based exclusively on the public record to avoid
23 any appearance to the contrary.

24 The Commission request that persons
25 present, not engage the members of the Commission in

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1 conversation during a recess or at any other time. And
2 Mrs. Schellin will be available through the hearing to
3 answer any procedural questions.

4 So, I would ask everyone to turn off their
5 beepers and cell phones so as not to disrupt the
6 hearing.

7 And I would like to just do one little bit
8 of housekeeping and announce that our September 8th
9 hearing that was supposed to be on the Neighborhood
10 Commercial Overlay and the final session on the
11 inclusionary zoning case is being moved to September
12 26th at 6:30 for lack of a venue.

13 Mrs. Schellin, did you have any preliminary
14 matters related to the hearing?

15 MRS. SCHELLIN: No, ma'am.

16 CHAIRPERSON MITTEN: Anything? Okay.

17 Then all those who are planning to testify
18 I'd ask you to rise now and take the oath.

19 (WITNESSES SWORN)

20 CHAIRPERSON MITTEN: Mr. Tummonds.

21 (TECHNICAL PROBLEMS)

22 CHAIRPERSON MITTEN: Okay. So, you were
23 saying?

24 MR. TUMMONDS: I'll summarize. We are
25 willing to stand on the record. We think that the pre-

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1 hearing statement details how his application satisfies
2 the further processing standards of Section 210.

3 Mr. Abud from American University here is
4 available to answer any questions that you may have
5 with regards to the proposed addition to the Covad
6 School of Business.

7 Thank you.

8 CHAIRPERSON MITTEN: Do you have any
9 questions for Mr. Tummonds or Mr. Abud?

10 Okay. That's good.

11 So, now we'll turn to the Office of
12 Planning.

13 MR. MORDFIN: Good evening, Chair and
14 Members of the Commission.

15 I'm Steven Mordfin with the Office of
16 Planning and this application is in conformance with
17 Section 210 and that is to permit a building addition
18 for academic purposes within a residential zone
19 district that is not likely to become objectionable to
20 neighboring property. Thus, it will not result in any
21 increase in number of students, faculty, staff, noise
22 or traffic or other considerations or will have a
23 negligible effect on the existing FAR of 0.55 which is
24 less than the maximum of .8 permitted.

25 It will provide for a building addition to

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1 academic use within an area of the campus designated
2 for academic use, no interim use of land off campus
3 proposed and no major new buildings are proposed off
4 campus and the proposal is consistent with provisions
5 of the Comprehensive Plan.

6 Therefore, the Office of Planning
7 recommends approval of the application as submitted by
8 the Applicant.

9 And that concludes the presentation by the
10 Office of Planning.

11 CHAIRPERSON MITTEN: Thank you.

12 Any questions from the Commission for Mr.
13 Mordfin?

14 COMMISSIONER PARSONS: Well, Mr. Mordfin,
15 you didn't mention the conditions of approval that are
16 attached to your recommendation.

17 MR. MORDFIN: The staff report from the
18 Office of Planning--

19 COMMISSIONER PARSONS: Yes.

20 MR. MORDFIN: -- states that the Office of
21 Planning recommends approval of the application as
22 submitted by the Applicant on page 6.

23 MR. TUMMONDS: I believe those conditions
24 were the conditions to the campus plan approved.

25 COMMISSIONER PARSONS: I see. So, number

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1 19 on the last page of the report is simply a repeat of
2 what's already in the campus plan?

3 MR. TUMMONDS: That's correct.

4 COMMISSIONER PARSONS: I'm sorry. Thank
5 you.

6 To which you don't disagree, I'm sure?

7 MR. TUMMONDS: Right.

8 CHAIRPERSON MITTEN: Okay. Anyone else
9 have any questions for Mr. Mordfin?

10 Mr. Tummonds, any questions for Mr.
11 Mordfin?

12 MR. TUMMONDS: No questions.

13 CHAIRPERSON MITTEN: Okay. Is there anyone
14 here representing any other Government agency?

15 Anyone here representing ANC-3D?

16 Organizations and persons in support.
17 Anyone who would like to testify in support?

18 Anyone who would like to testify in
19 opposition?

20 Okay. Mr. Tummonds, you can have the last
21 word.

22 MR. TUMMONDS: Obviously, I think we
23 satisfied the requirements and we think that this case
24 is suitable for a bench decision and a summary order.

25 CHAIRPERSON MITTEN: Are you still good?

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1 I think they're in favor of a bench
2 decision too.

3 I think you're right. I think that the
4 submissions by the Applicant more than satisfy the
5 requirements of Section 210. And I would move approval
6 of Case No. 05-16.

7 VICE CHAIRMAN HOOD: Second.

8 CHAIRPERSON MITTEN: Is there any
9 discussion?

10 All those in favor, please say aye.

11 (AYES)

12 CHAIRPERSON MITTEN: None opposed.

13 Mrs. Schellin.

14 MRS. SCHELLIN: Yes. The staff would
15 record the vote four to zero to one to approve Zoning
16 Commission Case No. 05-16. Commissioner Mitten moving,
17 Commissioner Hood seconding, Commissioners Parsons and
18 Hildebrand in favor.

19 Commissioner Jeffries not present and not
20 voting.

21 CHAIRPERSON MITTEN: Thank you.

22 And thank you all for being a part of our
23 little experiment here tonight and we'll see you next
24 time.

25 Thank you.

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1 (Whereupon, the above matter was concluded
2 at 6:50 p.m.)
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