

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF: :
 :
Howard University (Amendment : Case No.
to and Further Processing of : 11-15B
an Approved Campus Plan) :
 :
-----:

Thursday,
December 19, 2013

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

The Public Hearing of Case No.
11-15B by the District of Columbia Zoning
Commission convened at 6:30 p.m. in the
Jerrily R. Kress Memorial Hearing Room at
441 4th Street, N.W., Washington, D.C.,
20001, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairman
MARCIE COHEN, Vice Chair
MICHAEL G. TURNBULL, FAIA,
Commissioner (AOC)
PETER MAY, Commissioner (NPS)
ROBERT MILLER, Commissioner

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OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

JOEL LAWSON
MAXINE BROWN-ROBERTS

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF
PRESENT:

FLEMING ELAMIN
JAMIE HENSON

The transcript constitutes the
minutes from the Public Hearing held on
December 19, 2013.

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

6:34 p.m.

CHAIRMAN HOOD: Okay. We're ready to start. Good evening, ladies and gentlemen. This is a public hearing of the Zoning Commission for the District of Columbia for December 19th, 2013. It's 6:30. We're located in the Jerrily Kress Memorial Hearing Room.

My name is Anthony Hood. Joining me this evening are Vice chair Cohen, Commissioner Miller, May, and Turnbull. We're also joined by the Office of Zoning staff, Ms. Sharon Schellin; Office of the Planning Staff, Mr. Lawson, Ms. Brown-Roberts; District Department of Transportation, Mr. Henson and Mr. Elamin.

This proceeding is being recorded by a court reporter. It's also webcast live. Accordingly, we must ask you to refrain from any disruptive noise or actions in the hearing room including the display of signs or objects.

Notice of today's hearing was

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published in the D.C. Register, and copies of that announcement are available to my left on the wall near the door.

The hearing tonight is a public hearing, Zoning Commission Case 11-15B. This is the Howard University Campus Plan Amendment and Further Process in its Square 3068.

The hearing will be conducted in accordance with the provisions of 11 DCMR, 31117 as follows: Preliminary matters, applicant's case, report of the Office of Planning, report of other Government agencies, report of Advisory Neighborhood Commission, organizations and persons in support, organizations and persons in opposition, rebuttal, and closing by the applicant.

The applicant has up to 60 minutes. I think the record is complete. We will ask possibly to stand on the record with maybe a few remarks; organizations, five minutes; individuals, three minutes.

All persons again are to fill out two witness cards. These cards are located

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on my left to the wall near the door.

Please turn off all beepers and cell phones at this time so not to disrupt these proceedings. Would all individuals wishing to testify please rise and take the oath.

Ms. Schellin, would you please administer the oath.

MS. SCHELLIN: Please raise your right hand. Do you solemnly swear or affirm that the testimony you will give this evening will be the truth, the whole truth, and nothing but the truth? Thank you.

CHAIRMAN HOOD: Okay. Let me just ask this quickly. Do we have anyone here who is here in opposition to this case before us tonight?

Okay, I would ask the applicant to come forward. Ms. Schellin, do you we have any preliminary matters?

MS. SCHELLIN: Yes, sir, we have two. The applicant has asked for a waiver of the posting. They posted the property that is the portion for the further processing, however, they're also asking for

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an amendment to the campus plan, and that portion was posted late. They did post it, but it was posted late, and so they're asking for a waiver from the days they posted on December 13th which was a few days short of the number of days that they needed.

And then one other, well they were not earlier proffering any experts, they have now decided to proffer their architect, Sean Lyons, as an expert.

CHAIRMAN HOOD: Okay. Let's take the first matter. Commissioners, any objections to the lateness of posting which was only a few days, and I think with overwhelming support, I don't see any - I don't have any objection. Any objections? Okay, so we will grant the waiver.

Next, the - has the architect been proffered as an expert previously in front of the Zoning Commission? Okay. Do we have a resume or was it -

MS. SCHELLIN: His resume is in there.

CHAIRMAN HOOD: Okay. Thank you.

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MS. BATTIES: And, I'm sorry, Sharon, there is also one other one. DDOT filed their report late, so they did ask for a waiver for the late filing.

CHAIRMAN HOOD: Right. We do have a request from DDOT. Mr. Elamin asked us for a waiver for their report. Any objections?

All right. I guess that focuses on all the overwhelming support letters, and again, I'll get into that later.

Any objections to the architect? Okay. Mr. Lyons, no objections? Okay. We will proffer the expert.

Ms. Batties, if you could come forward and give Ms. Bennett and everyone else, Mr. Lyons and all, if you would all come forward. Anything else, Ms. Schellin?

Okay. Let me just say that I think the record is complete. I would encourage you to stand on the record. You can - if you want to give a 60-minute presentation, you may, but you might get 60 or 90 minutes' worth of questions.

MS. BATTIES: No. Good evening,

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Mr. Chair, members of the Commission. We will - we agree to forego our presentation and rest on the record and be available to answer any questions that you might have.

CHAIRMAN HOOD: Okay. Thank you. Commissioners, any questions? Not seeing any.

COMMISSIONER MAY: I just want to make clear I don't have any questions.

CHAIRMAN HOOD: You notice I only asked that once, and I kept moving. Okay. Vice Chair.

VICE CHAIR COHEN: I don't recall reading - what lead certification are you going for, any?

MR. LYONS: The project he's been designed to -

VICE CHAIR COHEN: No, no, no, no.

MR. LYONS: Thank you. The project has been designed to a lead silver status. The client has elected not to pursue at this time lead certification, but it's our standard of practice to design to them. I can show you that if you'd like

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more particulars.

CHAIRMAN HOOD: Okay. I don't seen anyone here from the Office of - any other questions. Mr. Miller.

COMMISSIONER MILLER: I didn't have a question. I just wanted to welcome the former chair of this Zoning Commission, Maybelle Bennett, to this party, having worked with her many years ago on a lot of issues and it's good to have you here.

MS. BENNETT: Thank you.

CHAIRMAN HOOD: I would agree with Commissioner Miller. I was one again - I know she's got - it's the last hearing of the Howard University Campus Plan. She's got a lot of work because when I look at these letters again, I know Ms. Bennett who I had - I don't know if I want to say unfortunate opportunity - she had some big shoes to fill, but the opportunity to be placed on the Commission, and she was stellar. She did a great job, and I've said this many times before, and when I look at - when I know it's the cases she's involved - when I look at all these support letters, I

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guess that's why I didn't see your resume. I was so busy reading the support letters. We're not used to that.

Anyway, I would agree with Commission Miller, it's always good to see you. Actually it's good to see all of you especially in a situation like this. We don't get many opportunities like this, and it goes to the efforts of many of you all and especially Ms. Bennett who I know - who can find this. Did you get much work on many other campuses in the city because I sure have referred a lot to you?

MS. BENNETT: Actually we did. We ended up going to Georgetown, GW, AU, and the consortium of universities now, those of us who are dealing with off-campus issues have been getting together more regularly, so thanks to you, we had an -

CHAIRMAN HOOD: No, thanks to you.

MS. BENNETT: We had an awful reputation to have to stand up, to live up to, so thank you.

CHAIRMAN HOOD: Okay. Great.

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Thank you. Okay. Let's go to the Office of Planning and DDOT. Hopefully you all - you know what to do. Okay. Ms. Brown-Roberts.

MS. BROWN-ROBERTS: Good evening, Mr. Chairman and members of the Commission. For the record, I'm Maxine Brown-Roberts, and we are happy to stand on the record and that was the approval recommendation that's in a report. Thank you, Mr. Chairman.

CHAIRMAN HOOD: Thank you. Mr. Elamin.

MR. ELAMIN: Thank you, Mr. Chairman, fellow commissioners. DDOT also does not oppose the approval of the requested campus plan amendment or the special exception for further processing of the campus plan. Our submitted report stands on the record, and I'm happy to answer any questions. Thank you.

CHAIRMAN HOOD: Thank you. Commissioners, any questions of either the Office of Planning or DDOT? Commissioner Miller?

COMMISSIONER MILLER: I just want to - I don't know if DDOT knows the answer

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to this question or not, but I saw a reference to a traffic signal at Fourth and College Streets as part of the dormitory adjacent - the two dormitories that are being built there. Maybe the applicant can answer what the status is of getting a new traffic signal there. Is it supposed to be there at the time of the completion of the construction of the dorms?

MS. BENNETT: We will not get as I understand it a Certificate of Occupancy before that traffic signal is actually installed, so that's where it is, and they have been - our leadership has been reminded that that is the case.

COMMISSIONER MILLER: Thank you.

CHAIRMAN HOOD: Any other questions either Office of Planning or DDOT? Okay. Does the applicant have any cross-examination of either the Office of Planning or DDOT?

MS. BATTIES: No, we don't.

CHAIRMAN HOOD: Okay. Report of the Advisory Neighborhood Commission, not seeing anyone. Two support letters of ANC-

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1B and 5E, and again, I noted those. They are going to just hand out support letters, so applicant has done a great job. Anyone in the ordinance organizations or persons who are here to support organizations or persons who are here in opposition?

I do want to note we have a support letter from ANC 1-B, a support letter from ANC 5-E, support letter from Bloomingdale's Civic Association, support letter from Georgia Avenue Community Development Task Force, support letter from Detroit Park Civic Association, and also Pleasant Plain Civic Association. Did I miss anything? Okay. I'm not seeing anything.

Commissioner - Vice Chair Cohen.

VICE CHAIRMAN COHEN: Yes, thank you, Mr. Chairman. Just a question with regard to involvement of the student body. Were they at all involved with the outreach and participation of the design?

MS. BENNETT: They weren't involved as much in outreach as they were I believe when the design, the early, early

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phases of design, and I think Ms. Smith might be able to speak to that.

MS. SMITH: Basically what we did - for the record, my name is Margo Smith, Assistant Vice President of Auxiliary Services. What we did is we did a number of student surveys. We looked - we did like three various surveys - the types of products they'd like to see, where they'd like to be.

We looked at traffic models of where they'll be at certain times of the day and what our food pattern should be to lay out and where to put it, and so that was their initial involvement.

Based on the design elements, they will be involved with painting. We're involving the Fine Arts Department to paint a mural inside to be Howard - you know, show Howard history and those things once it is up and running, but - and that's been the extent of it at this point, and then we'll be continuing to show them. We showed them initial sketches and things of this progress and where we're going with it, and they're

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pretty excited about it.

VICE CHAIRMAN COHEN: Thank you. I just thought of that because Chairman Hood and I spoke in front of one of the architecture classes on zoning, and we felt that the - I don't know if I should speak for you, but -

CHAIRMAN HOOD: You usually do.

VICE CHAIRMAN COHEN: We felt very - we were very impressed with the students who attended this class, and a number of them were seniors and would be going on looking for jobs, so I was just curious if they were included in any kind of outreach. Thank you.

CHAIRMAN HOOD: Okay, thank you. Any other questions. Okay. Ms. Batties, do you have any - certainly you don't have any rebuttal. Do you have any closing?

MS. BATTIES: Just briefly that the application - this application actually represents a very exciting time for Howard. The expansion of the dining facility is really to accommodate the 1300 new students that will be moving to that part of the

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campus, so it's a great time. These are the first residence halls - I guess it's been 20 years since residence halls have been constructed on the campus, so it's a great time.

We're going to ask, of course, the Commission for an expeditious approval of this application because the university has a very aggressive time schedule to start construction and get this dining facility opened for the fall 2014 school - the 2014 school year.

CHAIRMAN HOOD: Okay. Thank you. Commissioners, any follow-up questions? Mr. Lyons, let me just ask you. Is this your first time here?

MR. LYONS: It is, yes.

CHAIRMAN HOOD: Okay. Don't get used to it. Usually it don't go that smooth. That was very smooth. I just wanted to make sure you don't get any false impressions of us down here.

MR. LYONS: I well understand.

CHAIRMAN HOOD: Okay. All right, and Ms. Bennett again as stated earlier will

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commend you all the work that actually all of you all do, Ms. Smith, Ms Batties, all of you all do, so thank you.

Commissioners, I think this is right. Somebody want to move to -

COMMISSIONER MAY: Mr. Chairman, I would like to make a motion. Before I do, I do want to recognize the fact that I thought I saw you bringing in materials in which I often am very interested in looking at especially in PUD cases, but it's not really something we need to see here, but I would appreciate seeing it, so -

CHAIRMAN HOOD: I just said it must have been - anyway, go ahead.

COMMISSIONER MAY: Okay, anyway, I would like to make a motion to approve Zoning Commissioner Case 11-15B, Campus Plan Amendment and Further Processing at Square 3068, Howard University Central Campus and Bethune Hall Annex Dining Facility.

COMMISSIONER TURNBULL: Second.

CHAIRMAN HOOD: Okay. It's been moved and properly seconded. Any further discussion? All those in favor.

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COMMISSIONERS: Aye.

CHAIRMAN HOOD: Not hearing any objection, Ms. Schellin, would you please record the vote.

MS. SCHELLIN: Yes, staff records the vote 5-0-0 to approve final action in Zoning Commission Case Number 11-15B. Commissioner May moving. Commissioner Turnbull seconding, Commissioners Hood, Cohen, and Miller in support.

CHAIRMAN HOOD: Okay. Commissioners, anything else? Okay. I want to thank everyone for their attention in this hearing, and this hearing is adjourned.

(Whereupon, the above-entitled matter was concluded at 6:48 p.m.)

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