

GOVERNMENT OF THE DISTRICT OF COLUMBIA
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BOARD OF ZONING ADJUSTMENT
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PUBLIC MEETING
+ + + + +
TUESDAY,
MAY 6, 2014

The Regular Public Meeting convened in the Jerrily R. Kress Memorial Hearing Chamber, Room 220 South, 441 4th Street, N.W., Washington, D.C. 20001, pursuant to notice, at 9:30 a.m., Lloyd J. Jordan, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

LLOYD J. JORDAN, Chairperson
MARNIQUE HEATH, Board Member
JEFFREY HINKLE, Board Member (NCPC)

ZONING COMMISSION MEMBER PRESENT:

ROBERT MILLER

OFFICE OF ZONING STAFF PRESENT:

CLIFFORD MOY, Board Secretary
JOHN NYARKU, Zoning Specialist
STEPHEN VARGA, Zoning Specialist

OFFICE OF PLANNING STAFF PRESENT:

STEVE COCHRAN
STEVE GYOR
STEPHEN MORDFIN

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

MARY NAGELHOUT, ESQ.
ALLISON MYERS, ESQ.

(This transcript constitutes the minutes from the Public Meeting held on May 5, 2014)

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AGENDA ITEM

CALL TO ORDER, Lloyd L. Jordan 4

BOARD ACTIONS/MOTIONS

Motion for Reconsideration and
Rehearing of Application No. 18731
Horizon Hill Ventures, as amended,
pursuant to Section 3126 6

Scheduled for Board Hearing on
May 20, 2014 9

Motion for a two-year time extension
of Order 18325 Renaissance Centro
Third Street, LLC, pursuant to
Section 3130 9
Extension granted 10

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

(9:40 a.m.)

CHAIRPERSON JORDAN: If we could please come to order. Good morning ladies and gentlemen, we're located at Jerrily R. Kress Memorial Hearing Room at 441 4th Street, N.W. Today's date is May 6, 2014 and we are here for the public meeting and public hearings of the Board of Zoning Adjustment of the District of Columbia.

My name is Lloyd Jordan, Chairperson; to my right is Jeffrey Hinkle, Member of the Board, to my left Marnique Heath. Member of the Board and to her left is Robert Miller, member of the Zoning Commission.

Please be advised that today's proceedings are being recorded by a court reporter and also being Webcast live, so therefore I'm going to ask you to refrain from any disruptive noises here in the hearing room today. This would be a good time for you to silence any device that may ring or vibrate

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1 loudly.

2 If you're planning to give any
3 testimony today or make a statement to the Board
4 I'm going to need you to do two things. So if
5 you're going to provide any statement to the
6 Board or provide any testimony to the Board I'm
7 going to need you to do two things, the first
8 of which is for you to complete two witness
9 cards per person. That's two witness cards per
10 person and hand those to the court reporter, who
11 is seated to my right, prior to your testimony.

12 Two witness cards per person given
13 to the court reporter before you testify.

14 The second thing I'm going to need
15 you to do is to stand now and to take the oath
16 or affirmation being given my Mr. Moy, the Board
17 Secretary. So if you're going to testify of
18 provide a statement to the Board I need you to
19 stand at this point and be sworn in by Mr. Moy.

20 (PARTIES SWORN)

21 CHAIRPERSON JORDAN: Mr. Moy, any
22 announcements?

1 MR. MOY: Not this morning, Mr.
2 Chairman. If there are any I'll alert the
3 Board as I call the cases.

4 CHAIRPERSON JORDAN: Okay.
5 Thank you, that's fair enough.

6 Well let's do this. Let's go ahead
7 and call the meetings and let's call 18731 first
8 just to move that on.

9 MR. MOY: All right. Good
10 morning, Mr. Chairman and Members of the Board.
11 The first of two decision cases. This is Board
12 recall, a motion for reconsideration rehearing
13 of Application No. 18731. It's on the part of
14 ANC and, as I said, the Board will recall the
15 Board first took this matter up at its decision
16 meeting on April 29th and the Board rescheduled
17 this decision to today, May 6th, to allow time
18 for the applicant to coordinate with ANC.

19 There's been no official filing in
20 the record, Mr. Chairman, though staff has been
21 in contact with the applicant and my
22 understanding is that additional time is

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1 needed.

2 CHAIRPERSON JORDAN: Okay. Do you
3 have any issues? Take the mic please and
4 introduce yourself.

5 MS. RODDY: Hi, my name is
6 Christine Roddy with Goulston & Storrs and we
7 represent the applicant.

8 CHAIRPERSON JORDAN: And have you
9 had any additional conversations with the ANC
10 on this?

11 MS. RODDY: I sent them a signed
12 agreement last night so I believe we have an
13 agreement but we haven't received confirmation
14 from the ANC at this point so I don't know if
15 they've really had enough time since we sent it
16 last night so we're asking for an additional
17 week.

18 CHAIRPERSON JORDAN: Okay. Now
19 we're not going to do this week to week. Let's
20 do it -- so you just sent the executed?

21 MS. RODDY: It's a signed
22 agreement, yes.

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1 CHAIRPERSON JORDAN: Last night?
2 Okay. I thought they had that last week. They
3 didn't have it the week before and just got it.

4

5 MS. RODDY: Sounds like there are
6 still some last-minute terms to be sorted out.
7 Those terms were sorted out and we signed it and
8 sent it over.

9 CHAIRPERSON JORDAN: What are we
10 looking in two weeks to put it on there?

11 MR. MOY: Okay. On the Board's
12 schedule, Mr. Chairman, we do have a hearing on
13 May 20th. After that the next meeting of the
14 Board is June 3rd.

15 CHAIRPERSON JORDAN: Okay.
16 You should have it done by the 20th, right?
17 Let's put it on the 20th please.

18 MR. MOY: Yes sir. Is that good
19 for the Board? Okay. Thank you.

20 MS. RODDY: Thank you.

21 MR. MOY: Before the Board, Mr.
22 Chairman, is a motion for a two-year time

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1 extension of Order 18325. This is the
2 Renaissance Centro Third Street, LLC pursuant
3 to section 3130 of the Zoning Regulations.

4 In your case folders, Mr. Chairman,
5 the applicant filed on March 27, 2014
6 identifying in your case folders under Exhibit
7 38. The only other filing is from the Office
8 of Planning and that is under Exhibit 39.

9 There's no record of ANC-2C sending
10 a response and with that the Board is acting the
11 merits of Section 3130.

12 CHAIRPERSON JORDAN: Okay.
13 Good. Thank you. I believe this is the file
14 that's pretty clear that the applicant should
15 get the relief requested. It was well
16 documented but the issues being that there is
17 some issues of obtaining financing and other
18 issues that were backed up and supported by
19 affidavits and also documentation on an
20 inability to get financing.

21 There's no change to the overall
22 plans that have been submitted to the Board. I

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1 believe they have shown good cause and so with
2 that I would move that we grant the extension
3 requested in this matter.

4 BOARD MEMBER HINKLE: And Mr.
5 Chair, I tend to agree with you. I thought the
6 submissions were pretty sufficient and I'll
7 second your motion.

8 CHAIRPERSON JORDAN: Motion made
9 and second. Any additional discussion?

10 (NO RESPONSE)

11 All those in favor of the motion
12 signify by saying aye. Those opposed?

13 (VOTE TAKEN)

14 Motion carries, Mr. Moy.

15 MR. MOY: The staff would record
16 the vote at 4-0. This is on a motion, Chairman
17 Jordan, to approve the request for a two-year
18 time extension. Second the motion, Mr.
19 Hinkle. Also in support Mr. Miller and Ms.
20 Heath and we have a board member not
21 participating today. Motion carries.

22 (Whereupon, the Public Meeting went

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1 off the record at 9:47 a.m.)

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