



November 4, 2024

Eric J. DeBear

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Frederick L. Hill, Chairperson
Board of Zoning Adjustment
441 4th Street, NW, Suite 200S
Washington, D.C. 20010

Re: BZA Case 21034 – Applicant’s Third Motion to Postpone Hearing Date

Dear Chairperson Hill and Members of the Board,

The Applicant, Morningstar Community Development (the “Applicant”), requests a postponement of the hearing date on this application (the “BZA Application”), which is scheduled for December 4, 2024. A Motion is attached at Tab A. The Applicant previously requested a postponement in order to allow for a companion zoning map amendment (case number 23-23) to be decided by the Zoning Commission. In September 2024, the Zoning Commission took final action to approve the zoning map amendment case.¹

However, the Applicant is requesting an additional postponement in order to resolve contractual matters with the D.C. Deputy Mayor for Planning and Economic Development (“DMPED”). As outlined in the application, DMPED is the owner of the Property and executed a Land Disposition and Development Agreement (“LDDA”) to sell the Property to the Applicant. Before proceeding, the Applicant and DMPED must extend the term of the LDDA. The parties are engaging on this matter but will not have it resolved with substantial time to prepare for the upcoming hearing.

Accordingly, the Applicant respectfully requests the Board postpone the hearing to March 2024 to provide ample time to resolve the LDDA and supplement the BZA case record prior to a hearing.

Thank you for your consideration of this request and please do not hesitate to contact my office should you have any questions.

Sincerely,

COZEN O'CONNOR

Eric J. DeBear

¹ A written order has not yet been issued.

Certificate of Service

I hereby certify that on this 4th day of November, 2024, a copy of this Cover Letter with attachments was served, via email, as follows:

District of Columbia Office of Planning
c/o Crystal Myers
1100 4th Street SW, Suite E650
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Crystal.Myers@dc.gov

Advisory Neighborhood Commission 7D
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