

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: Thursday, January 23, 2025, @ 4:00 p.m.
Via WebEx: <https://dcoz.dc.gov/04-14H> (to participate & watch)
Via Telephone: 1-650-479-3208 Access code: 2304 181 3558 (audio participation & listen)
Via YouTube: <https://www.youtube.com/c/DCOfficeofZoning> (to watch)
Instructions : <https://dcoz.dc.gov/release/virtual-public-hearings>
Witness Sign Up: <https://dcoz.dc.gov/service/sign-testify>

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 04-14H (Florida Rock Properties, Inc. – Modification with Hearing to 1st-Stage PUD and 2nd-Stage PUD @ Potomac Avenue, S.E. (Square 708, Lot 16)

THIS CASE IS IN THE INTEREST TO ANCs 6D and 8F

Oral and Written Testimony

- All who wish to testify in this case are **strongly encouraged** to sign up to do so **at least 24 hours prior to the start of the hearing** on OZ’s website indicated above. Also, see below: *How to participate as a witness – oral statements*. **On the day of the hearing – by 3:00 p.m.**, call 202-727-0789 to sign up to testify.
- All written comments and/or testimony **must** be submitted to the record **at least 24 hours prior to the start of the hearing** – see below: *How to participate as a witness – written statements*.

On August 9, 2024, the Office of Zoning received an application from Florida Rock Properties, Inc. (the “Applicant”) for review and approval of a Modification with Hearing of a First-Stage Planned Unit Development (“PUD”) and a Second-Stage PUD. The Applicant simultaneously filed a request that the application be set down and heard at a public hearing.

The property that is the subject of this application consists of approximately 97,978 square feet and includes Lot 16 in Square 708 (the “Property”). The Property is located in the Southeast quadrant of the District of Columbia and is bounded by Potomac Avenue, S.E. to the north, Phase Two of the PUD to the east, which is improved with a mixed-use building known as Maren, the Anacostia River (“River”) to the south, and the South Capitol Street Oval to the west. Nationals Park is located directly to the north of the Property across Potomac Avenue, SE. Pursuant to Z.C. Order No. 04-14, the Property is zoned C-3-C under the 1958 Zoning Regulations, which is now designated as the MU-9B zone under the 2016 Zoning Regulations.¹

The Applicant requests a Modification with Hearing to the First-Stage PUD to modify the use for Phases Three and Four from office and hotel use to residential use with ground floor retail (the “Project”) and related modifications to the approved site plan, including parking and loading. The

¹ A PUD Covenant was recorded in the land records on September 4, 2008, as document number 2008093980, memorializing a map amendment for the Property to the C-3-C zone.

Applicant also seeks approval of a Second-Stage PUD for Phases 3 and 4. More specifically, the Project will include two buildings with heights of approximately 130 feet. One building (Phase Three) will be fully residential with approximately 309 units and the second building will be mixed-use with approximately 281 units and approximately 6,331 square feet of retail, fronting on the River (Phase Four). The aggregate vehicle parking count for the Project is approximately 385 spaces, a reduction from the 680 spaces approved in the First-Stage PUD. The Project will include a total gross floor area (“GFA”) of approximately 602,553 square feet, contributing to a total floor area ratio (“FAR”) of 6.14. The Applicant also requests additional flexibility to provide less than the required minimum 75-foot waterfront setback.

On October 10, 2024, the District Office of Planning (“OP”) filed a report recommending the application be set down for a public hearing. The OP Setdown Report stated that the Project remained consistent with the objectives of the approved First-Stage PUD, the Comprehensive Plan, including when viewed through a racial equity lens, and the Future Land Use Map’s designation for mixed-use Medium Density Commercial and Medium Density Residential. On October 24, 2024, the Zoning Commission considered the application at a public meeting and voted to set the application down for a public hearing. The Applicant filed a Prehearing Submission on November 8, 2024.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, Subtitle Z, Chapter 4.

How to participate as a witness – oral presentation

Interested persons or representatives of organizations may be heard at the virtual public hearing. All individuals, organizations, or associations wishing to testify in this case are **strongly encouraged to sign up to testify at least 24 hours prior to the start of the hearing** on OZ’s website at <https://dcoz.dc.gov/> or by calling Ella Ackerman at (202) 727-0789 in order to ensure the success of the new virtual public hearing procedures.

The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The Commission must base its decision on the record before them. Therefore, **all written comments and/or testimony must be submitted to the record at least 24 hours prior to the start of the hearing.** The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

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| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 60 minutes collectively |
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

Pursuant to Subtitle Z § 408.4, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

How to participate as a witness – written statements

Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by e-mail to zcsubmissions@dc.gov. Please include the case number on your submission. If you are unable to use either of these means of submission, please contact Ella Ackerman at (202) 727-0789 for further assistance.

How to participate as a party.

Any person who desires to participate as a party in this case must so request and must comply with the provisions of Subtitle Z § 404.1.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Commission, and to exercise the other rights of parties as specified in the Zoning Regulations. If you are still unsure of what it means to participate as a party and would like more information on this, please contact OZ at dcoz@dc.gov or at (202) 727-6311.

Except for an affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than 14 days prior to the date set for the hearing, or 14 days prior to a scheduled public meeting if seeking advanced party status consideration, a Form 140 – Party Status Application, a copy of which may be downloaded from OZ's website at: <https://app.dcoz.dc.gov/Help/Forms.html>.**

“Great weight” to written report of ANC

Subtitle Z § 406.2 provides that the written report of an affected ANC shall be given great weight if received at any time prior to the date of a Commission meeting to consider final action, including any continuation thereof on the application, and sets forth the information that the report must contain. Pursuant to Subtitle Z § 406.3, an ANC that wishes to participate in the hearing must file a written report at least seven days in advance of the public hearing and provide the name of the person who is authorized by the ANC to represent it at the hearing.

FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

ANTHONY J. HOOD, ROBERT E. MILLER, GWEN MARCUS WRIGHT, TAMMY STIDHAM, AND JOSEPH S. IMAMURA ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

Do you need assistance to participate? If you need special accommodations or need language assistance services (translation or interpretation), please contact Zee Hill at (202) 727-0312 or Zelalem.Hill@dc.gov five days in advance of the meeting. These services will be provided free of charge.

¿Necesita ayuda para participar? Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Avez-vous besoin d'assistance pour pouvoir participer? Si vous avez besoin d'aménagements spéciaux ou d'une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à Zelalem.Hill@dc.gov cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

참여하시는데 도움이 필요하세요? 특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312 로 전화 하시거나 Zelalem.Hill@dc.gov 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

您需要有人帮助参加活动吗?如果您需要特殊便利设施或语言协助服务(翻译或口译),请在见面之前提前五天与Zee Hill 联系·电话号码(202) 727-0312, 电子邮件Zelalem.Hill@dc.gov 这些是免费提供的服务。

Quý vị có cần trợ giúp gì để tham gia không? Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc Zelalem.Hill@dc.gov trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

ለሙሳተፍ ዕርዳታ ያስፈልግዎታል? የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጓም) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እንኝህ አገልግሎቶች የሚሰጡት በነጻ ነው።