

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF LIMITED SCOPE VIRTUAL PUBLIC HEARING**

TIME AND PLACE: **Tuesday, October 19, 2021, @ 4:00 p.m.**
**WebEx or Telephone – Instructions will be provided on
the OZ website by Noon of the Hearing Date**

**FOR THE LIMITED PURPOSE OF EVALUATING THE FOLLOWING APPLICATION
UNDER THE UPDATED COMPREHENSIVE PLAN AND THE ISSUES ON REMAND
FROM THE DISTRICT OF COLUMBIA COURT OF APPEALS TO THE ZONING
COMMISSION**

**Z.C. Case No. 16-11 (Park View Community & the District of Columbia – Consolidated PUD
& Related Map Amendment (Square 2890, Part of Lot 849))**

THIS CASE IS OF INTEREST TO ANC 1A

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 at <https://dcoz.dc.gov/service/sign-testify> – see below: *How to participate as a witness – oral statements.*
- 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.*

At its July 26, 2021 public meeting, and pursuant to Subtitle Z, Chapter 9, of the Zoning Regulations (Title 11 of the DCMR, Zoning Regulations of 2016, to which all references herein are made unless otherwise specified) the Zoning Commission (the “**Commission**”) deliberated on the order of the Court of Appeals (*Cummins v. D.C. Z.C.*, 229 A.3d 768 (2020) (the “**Remand Order**”), that vacated and remanded Z.C. Order No. 16-11 (“**16-11 Order**”) that approved a planned unit development (“**PUD**”) for part of Lot 849 in Square 2890 (the “**Property**”) for the Commission to address potential inconsistencies with parts of the Comprehensive Plan identified by the Remand Order and then to reevaluate the proposed PUD and explain its reasoning in reaching its conclusion to approve or deny the PUD.

The Commission noted that after it had issued the 16-11 Order, the District updated its Comprehensive Plan in two parts:

- The Framework Element (D.C. Law 23-0127), effective August 27, 2020; and
- The remainder of the Comprehensive Plan (D.C. Act 24-0110), anticipated to take effect on September 25, 2021 (collectively, the “**updated Comprehensive Plan**”).

The Commission noted that in adopting these updates, the District specifically changed the Comprehensive Plan policies that were the subject of the Remand Order. Since the Framework Element has already taken effect, and the remainder of the updated Comprehensive Plan has been adopted by the District and is only pending the completion of the Congressional review period, the Commission decided to:

- Have the parties and the Office of Planning (“**OP**”) file written statements analyzing the proposed PUD under the updated Comprehensive Plan, particularly with regard to the issues

raised by the Remand Order – these statements shall be submitted to the Office of Zoning by **5:00 p.m. on Monday, September 27, 2021**; and

- Hold a limited scope public hearing for the parties and the public to address how the proposed PUD should be evaluated under the updated Comprehensive Plan that will be fully in effect prior to the limited scope public hearing, particularly as regards the issues raised by the Remand Order.

The application shall be evaluated under Chapter 24 of the 1958 Zoning Regulations because the Commission set the application down prior to the September 6, 2016, repeal of the 1958 Zoning Regulations, although this public hearing will be conducted in accordance with the contested case provisions of Subtitle Z, Chapter 4, of the current regulations.

The scope of the filings and the public hearing shall be limited to the record in Z.C. Case No. 16-11. The parties to the case remain those previously granted party status by the Commission - no new party status requests will be accepted. The filings and public hearing statements shall be limited to addressing how the proposed PUD does or does not satisfy the PUD requirements of Chapter 24 of the 1958 Zoning Regulations based on the updated Comprehensive Plan.

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 Ron Barron 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 Ron Barron at (202) 727-0789 for further assistance.

“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, PETER G. MAY, AND PETER A. SHAPIRO
----- 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 ማስተርጎም) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እነዚህ አገልግሎቶች የሚሰጡት በነጻ ነው።