

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

**TIME AND PLACE:** **Thursday, March 14, 2019, @ 6:30 p.m. – 2<sup>nd</sup> Case  
Jerrily R. Kress Memorial Hearing Room  
441 4<sup>th</sup> Street, N.W., Suite 220-South  
Washington, D.C. 20001**

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

**CASE NO. 18-19 (Poplar Point RBBR, LLC d/b/a/ Columbian Quarter Holdings – Zoning Map Amendment @ Squares 5860 & 5861 [Howard Road, S.E.]**

**THIS CASE IS OF INTEREST TO ANC 8A AND ANC 8C**

On October 10, 2018, the Office of Zoning received a petition from Poplar Point RBBR, LLC d/b/a/ Columbian Quarter Holdings (“Petitioner”) requesting approval of a Zoning Map amendment for property along Howard Road, S.E. (Lots 97, 1025-1031, 1036, and 1037 in Square 5860, and Lots 91 and 89 in Square 5861) (“Property”) from the MU-14 zone to the NHR zone.

On this same evening, prior to this case being heard, the Zoning Commission will hold a hearing on ZC Case No. 18-18, to consider text amendments proposed by the Office of Planning (“OP”) to create the Northern Howard Road (“NHR”) Zone, within which the Property is proposed to be mapped. A notice of public hearing advertising that hearing is also being published separately in this edition of the *D.C. Register*.

The Property consists of approximately 348,737 square feet of land area. The Property is located on both sides of Howard Road, S.E. in between Interstate 295 and South Capitol Street, S.E. The Future Land Use Map of the District of Columbia Comprehensive Plan designates the Property in a mixed land use category composed of High Density Residential, Institutional, and High Density Commercial land use categories.

The Petitioner is petitioning to rezone the Property to the NHR zone to make it consistent with the Comprehensive Plan’s designation. Under the requested rezoning to the NHR zone, a project on the Property would be permitted a maximum height of 130 feet, a FAR of 9.0, and 100% lot occupancy, instead of the maximum height of 90 feet, 6.0 FAR, and 75% lot occupancy permitted for the Property under the current MU-14 zoning (projects under the Inclusionary Zoning (“IZ”) program are eligible for a maximum height of 100 feet, 7.2 FAR and 80% lot occupancy). Under the requested NHR rezoning, a project on the Property would also have to comply with an enhanced IZ requirement over MU-14, including 10% of any residential development be devoted to IZ units.

In its October 15, 2018 Setdown Report, OP recommended that the Commission set the petition down for a public hearing and that the Commission consider an additional text amendment to the NHR zone to impose additional requirements on most of the Property to reflect some of the public benefits of a planned unit development approved for most of the Property. On November 19, 2018, the Commission voted to set down the map amendment petition and the additional text proposed by OP for a public hearing.

## **PROPOSED TEXT AMENDMENT**

Title 11 DCMR, Subtitle K is proposed to be amended as follows:

Add a new § 1011, “Development of Lots 97, 1025-1031, 1036, and 1037 in Square 5860 and on Lot 91 in Square 5861,” to Chapter 10, “Northern Howard Road Zone,” as proposed in Z.C. Case No. 18-18, to read as follows:

### **1011 DEVELOPMENT ON LOTS 97, 1025-1031, 1036, AND 1037 IN SQUARE 5860 AND ON LOT 91 IN SQUARE 5861**

1011.1 Any new building constructed on Lots 97, 1025-1031, 1036, and 1037 in Square 5860 and on Lot 91 in Square 5861 shall comply with the following provisions:

- (a) Rooftop solar panels shall be constructed on each building to generate one hundred and seventy-eight kilowatt hours (178 kWh) per one thousand (1,000) gross square feet of building area;
- (b) All inclusionary units required to be set aside for households earning equal to or less than fifty percent (50%) of the MFI by Subtitle K § 1002 shall be three-bedroom units;
- (c) One-third (1/3) of all inclusionary units set aside for households earning equal to or less than sixty percent (60%) of the MFI by Subtitle K § 1002 shall be three-bedroom units;
- (d) Each building shall provide a stormwater capacity to withstand a one and seven-tenths inch (1.7”) stormwater event; and
- (e) No building shall be constructed within the five hundred (500)-year flood plain.

Proposed amendments to the Zoning Regulations of the District of Columbia are authorized pursuant to the Zoning Act of June 20, 1938, (52 Stat. 797), as amended, D.C. Official Code § 6-641.01, *et seq.*

This public hearing will be conducted in accordance with the rulemaking case provisions of the Zoning Regulations, 11 DCMR Subtitle Z, Chapter 5.

### **How to participate as a witness.**

Interested persons or representatives of organizations may be heard at the public hearing. 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 applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

### **Time limits.**

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail ([donna.hanousek@dc.gov](mailto:donna.hanousek@dc.gov)), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- |    |               |                |
|----|---------------|----------------|
| 1. | Organizations | 5 minutes each |
| 2. | Individuals   | 3 minutes each |

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.

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <http://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4<sup>th</sup> Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to [zcsubmissions@dc.gov](mailto:zcsubmissions@dc.gov); or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**ANTHONY J. HOOD, ROBERT E. MILLER, PETER A. SHAPIRO, PETER G. MAY, AND MICHAEL G. TURNBULL ----- 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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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](mailto:Zelalem.Hill@dc.gov) trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

**ለሰነድ ሰርዳታ ያስፈልግዎታል?** የተለየ እርዳታ ከስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጉም) ከስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) ይገናኙ። እንኳ አገልግሎቶች የሚሰጡት በነጻ ነው።