



BEFORE THE ZONING COMMISSION OR
BOARD OF ZONING ADJUSTMENT FOR THE DISTRICT OF COLUMBIA



FORM 150 – MOTION FORM

THIS FORM IS FOR PARTIES ONLY. IF YOU ARE NOT A PARTY PLEASE FILE A
FORM 153 – REQUEST TO ACCEPT AN UNTIMELY FILING OR TO REOPEN THE RECORD.

Before completing this form, please review the instructions on the reverse side. Print or type all information unless otherwise indicated. All information must be completely filled out.

CASE NO.: 19-16

Motion of: ☒ Applicant ☐ Petitioner ☐ Appellant ☐ Party ☐ Intervenor ☐ Other _____

PLEASE TAKE NOTICE, that the undersigned will bring a motion to:

Request the Zoning Commission to extinguish the Consolidated Planned Unit Development approved
pursuant to Zoning Commission Order No. 19-16

Points and Authorities:

On a separate sheet of 8 1/2" x 11" paper, state each and every reason why the Zoning Commission (ZC) or Board of Zoning Adjustment (BZA) should grant your motion, including relevant references to the Zoning Regulations or Map and where appropriate a concise statement of material facts. If you are requesting the record be reopened, the document(s) that you are requesting the record to be reopened for must be submitted separately from this form. No substantive information should be included on this form (see instructions).

Consent:

Did movant obtain consent for the motion from all affected parties?

- ☐ Yes, consent was obtained by all parties ☐ Consent was obtained by some, but not all parties
☒ No attempt was made ☐ Despite diligent efforts consent could not be obtained

Further Explanation: _____

CERTIFICATE OF SERVICE

I hereby certify that on this 3 1 day of March, 2025

I served a copy of the foregoing Motion to each Applicant, Petitioner, Appellant, Party, and/or Intervenor, and the Office of Planning

in the above-referenced ZC or BZA case via: ☐ Mailed letter ☐ Hand delivery ☒ E-Mail ☐ Other _____

Signature: Paul A. Tummonds, Jr.

Print Name: Paul A. Tummonds, Jr.

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ZONING COMMISSION
District of Columbia
CASE NO. 19-16
EXHIBIT NO. 84

March 31, 2025

VIA IZIS

Anthony J. Hood, Chairman
Zoning Commission for the District of Columbia
441 Fourth Street, NW, Suite 200S
Washington, DC 20001

**Re: Motion to Extinguish the Consolidated Planned Unit Development Approved
in Zoning Commission Order No. 19-16**

Dear Chairman Hood and Commissioners:

MCF WALP Phase 1, LLC (the “Applicant”) hereby requests the Zoning Commission to approve this motion to extinguish the Consolidated Planned Unit Development (“PUD Project”) that was approved pursuant to Z.C. Order No. 19-16, dated April 27, 2020, which became effective on January 8, 2021. The Zoning Commission has the authority to extinguish the PUD Project pursuant to Subtitle X, §310.2.

Zoning Commission Order No. 19-16 approved the development of a new multi-family residential building for the property located at 1200 5th Street, NW (Lot 23 in Square 481, the “Property”). The PUD Project would provide 360 apartment units, 103 parking spaces, and would have a maximum building height of 50 feet. The only party to ZC Case No. 19-16 was Advisory Neighborhood Commission (“ANC”) 6E¹. First Rising Mt. Zion Baptist Church and Miles Memorial Christian Methodist Episcopal Church (collectively, the “Churches”) submitted letters and provided testimony in opposition to the PUD Project.

After Zoning Commission Order No. 19-16 became effective, the Churches filed an appeal of the Zoning Commission’s approval of the PUD Project with the District of Columbia Court of Appeals (21-AA-52). On November 3, 2022, the District of Columbia Court of Appeals issued its decision which affirmed the Zoning Commission’s approval of the PUD Project. As a result, Zoning Commission Order No. 19-16 is still in effect until November 3, 2025 (by which date the Applicant is required to start construction activity).


¹ When the Zoning Commission reviewed Zoning Commission Case No. 19-16 the Property was located within ANC 6E. The Property is now located within ANC 2G. The Applicant is serving this motion to extinguish on both ANC 6E and ANC 2G.

ZC Case No. 19-16
Applicant's Motion to Extinguish
March 31, 2025

Due to a number of factors, including the delay related to the DC Court of Appeals process, the Applicant has decided that the future re-development of the Property will occur in accordance with the matter-of-right development standards. The Zoning Commission's approval of this motion to extinguish the PUD Project approved in Zoning Commission Order No. 19-16 will allow the re-development of the Property to occur in a more expeditious manner, rather than just waiting until November 3, 2025, for Zoning Commission Order No. 19-16 to expire on its own terms.

Please feel free to contact the undersigned if you have any questions or comments regarding this motion. Thank you for your attention to this matter.

Respectfully submitted,



Paul Tummonds

Certificate of Service

I certify that on March 31, 2025, I delivered a copy of the foregoing motion to extinguish Zoning Commission Order No. 19-16 via email to the addresses listed below.



Paul Tummonds

Jennifer Steingasser Joel Lawson District of Columbia Office of Planning 1100 4 th Street, SW, Suite 650E Washington, DC 20004 jennifer.steingasser@dc.gov joel.lawson@dc.gov	Advisory Neighborhood Commission 2G 2G@anc.dc.gov
Advisory Neighborhood Commission 6E 6E@anc.dc.gov	Sheena Berry, ANC 2G05 2G05@anc.dc.gov