

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

TIME AND PLACE: **Monday, April 12, 2021, @ 4:00 p.m.**
**WebEx or Telephone – Instructions will be provided on
the OZ website by Noon of the Hearing Date¹**

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Z.C. Case No. 20-12 (Westminster Presbyterian Church, Westminster Community Partners, Bozzuto Development Company, and Bozzuto Homes, Inc. [collectively, the “Applicant”] – Consolidated PUD and Related Map Amendment @ Square 499, Lot 52)

THIS CASE IS OF INTEREST TO ANC 6D

Westminster Presbyterian Church, Westminster Community Partners, Bozzuto Development Company, and Bozzuto Homes, Inc. (collectively, the “Applicant”) filed an application (the “Application”) on May 22, 2020, requesting that the Zoning Commission for the District of Columbia (the “Commission”) approve for property located at Square 499, Lot 52 (the “Property”):

- A consolidated planned unit development (“PUD”), pursuant to Subtitle X, Chapter 3, and Subtitle Z § 300 of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations (Zoning Regulations of 2016, the “Zoning Regulations,” to which all references are made unless otherwise specified), with
- A related Zoning Map amendment from the R-3 to the MU-2 zone.

The Property is located in southwest Washington, D.C. in Ward 6, and is currently zoned R-3.

The Applicant is proposing to redevelop the Property with a new mixed-use building with two towers with:

- A maximum building height of 90 feet; and
- Approximately 214,338 square feet of gross floor area (“GFA”) and a 7.06 FAR, including:
 - Approximately 18,513 square feet of GFA devoted to new facilities for the Westminster Presbyterian Church;
 - Approximately 192,236 square feet of GFA devoted to 222 residential units, with the eastern tower containing 123 senior affordable housing units and the western tower containing 99 market-rate units; and
 - Approximately 3,589 square feet of GFA devoted to shared service and loading areas.

The Application requests the following PUD flexibility pursuant to Subtitle X § 303.1:

- From the penthouse requirements of Subtitle C § 1500.9 to permit a sloped roof on a penthouse stair tower;

¹ Anyone who wishes to participate in this case but cannot do so via WebEx or telephone may submit written comments to the record. (See p. 3, *How to participate as a witness – written statements.*)

- From the maximum 90% lot occupancy of Subtitle G § 304.1 to permit a 98% lot occupancy on the ground level, with the second level having an 87% lot occupancy and the third level having a 73% lot occupancy;
- From the minimum 12-foot minimum rear yard required by Subtitle G § 305.1 to allow no rear yard; and
- From the prohibition on the concentration of Inclusionary Zoning (“IZ”) units by tenure, dwelling type, or floor of Subtitle C § 1005.5 to allow the concentration of all affordable units in the Senior Tower, although located on all floors and not segregated by unit type.

The Application proposes to rezone the Property within the PUD process under Subtitle X §§ 300.4 and 303.12 to the MU-2 zone, with the resulting changes to the following development standards:

	Current R-3 Zone	Proposed MU-2 Zone
Maximum Height	40 feet	90 feet
Maximum FAR	1.8	6.0 (7.2 with IZ); maximum 3.5 non-residential FAR
Maximum Lot Occupancy	60%	80% (90% with IZ)
Minimum Side Yard	8 feet	0 feet
Minimum Rear Yard	20 feet	12 feet

The Application also requested design flexibility to allow changes to specific aspects of the final plans submitted for the Commission’s review and approval.

The Generalized Policy Map of the Comprehensive Plan (“CP”) designates the Property as a Neighborhood Conservation Area in which new development should be compatible with the existing scale, natural features, and character of the area, with densities guided by the CP’s Future Land Use Map (“FLUM”) and CP policies.

The FLUM designates the Property for Moderate-Density Residential uses, characterized by a mix of row houses and low-rise garden apartment houses with a maximum density typically less than 1.8 FAR, although greater density would be allowed for an IZ development or a PUD, with the R-3 (the Property’s current zoning), RF, and RA-2 zones deemed consistent with this FLUM designation.

The Office of Planning filed a report on July 17, 2020, stating that the proposal would not be inconsistent with the Comprehensive Plan, especially when in light of the proposed changes to the Property’s FLUM designation pending before the D.C. Council, and recommending that the Commission set down the Application for a public hearing.

At its July 27, 2020 public meeting, the Commission voted to set down the Application for a public hearing.

The Applicant provided its prehearing statement on January 14, 2021.

This public hearing will be conducted in accordance with the contested case provisions of Subtitle Z, Chapter 4, as well as the text adopted by the Commission on October 15, 2020, in Z.C. Case

No. 20-11, as published in the Notice of Final Rulemaking published in the D.C. Register on October 30, 2020.

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

- | | |
|-------------------------------------|-------------------------|
| 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, provided that **all written comments and/or testimony must be submitted to the record at least 24 hours prior to the start of the hearing, unless approved by the Commission upon request to be introduced at the public hearing.** 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 zsubmissions@dc.gov. Please include the case number on your submission. If you are unable to use either of these means of submission, please contact Donna Hanousek 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, PETER G. MAY, PETER A. SHAPIRO, 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 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። እነኚህ አገልግሎቶች የሚሰጡት በነጻ ነው።