

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

TIME AND PLACE: **September 8, 2025 @ 4:00 p.m.**
Via WebEx: <https://dcoz.dc.gov/ZC22-39> (to participate & watch)
Via Telephone: 1-650-479-3208 **Access code:** 2318 538 4563 (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. 25-07 (BD Parcel 5, LLC – Design Review of Buildings & Structures in the NHR Zone @ Square 5860, Lot 1070)

THIS CASE IS OF INTEREST TO ANC 8A

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 May 16, 2025, the Zoning Commission (the “Commission”) received an application from BD Parcel 5, LLC (the “Applicant”) for Design Review (the “Application”). The Applicant is requesting approval of plans by the Commission for a mixed-use development in the Northern Howard Road (“NHR”) Zone District.

The Property is located in Ward 8 along Howard Road, S.E. between South Capitol Street, S.E. and I-295. The Property is immediately south of Poplar Point and adjacent to the Anacostia Metrorail station. The Property consists of approximately 33,326 square feet of land area. The Property is designated Mixed Use (High Density Residential/High Density Commercial/Institutional) on the Future Land Use Map and located within a Land Use Change Area and a Resilience Focus Area on the Generalized Policy Map of the District of Columbia Comprehensive Plan. The Property is located in the NHR zone. The NHR zone requires Commission design review for all new buildings in the zone.

The Applicant intends to construct a mixed-use building on the Property to a maximum height of 130 feet plus a 20-foot penthouse, containing residential and ground floor retail uses.¹ The building

¹ For purposes of this statement, all references to “retail” use are intended to include uses falling within the following use categories: Retail (11-B DCMR § 200.2(bb)); Services, General (11-B DCMR § 200.2(cc)); (Services, Financial (11-B DCMR § 200.2(dd)); Eating and Drinking Establishments (11-B DCMR § 200.2(i)); Animal Sales, Care, and Boarding (11-B DCMR § 200.2(c)); Daytime Care (11-B DCMR § 200.2(h)); Entertainment, Assembly, and

will contain approximately 240,427 square feet of gross floor area (“GFA”), and have an approximate floor-area-ratio (“FAR”) of 7.21 FAR. The Project will contain approximately 299 residential dwelling units and have approximately 8,476 square feet of ground floor retail use.² The Project represents the third phase that the Applicant has applied for Zoning Commission design review in the multi-building Bridge District development.

The Applicant is requesting the following areas of zoning relief /flexibility as part of the Application:

- Special exception from penthouse habitable space enclosing walls and roof structure (guardrail) setback requirements (11-C DCMR §§ 1503.4(a) and 1504.1).
- Special exception from open court width requirements (11-K DCMR § 1001.11).
- Special exception from side yard requirements (11-K DCMR § 1001.8).
- Special exception from ground floor clear height requirement (11-K DCMR § 1004.3(a)).

The Commission is authorized to grant the requests for special exception and variance relief pursuant to 11-K DCMR § 1006.1 and 11-X DCMR § 603.4.

This virtual public hearing will be conducted in accordance with the contested case provisions Subtitle Z, Chapter 4 of the Zoning Regulations (Title 11, Zoning Regulations of 2016, of the District of Columbia Municipal Regulations).

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 |

Performing Arts (11-B DCMR § 200.2(m)); Medical Care (11-B DCMR § 200.2(o)); Education, Private (11-B DCMR § 200.2(k)); Education, Public (11-B DCMR § 200.2(l)); and Arts, Design, and Creation (11-B DCMR § 200.2(e)).

² 9,211 GFA when including prorated amount of loading.

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>.** This form may also be obtained from OZ at the address stated below.

“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 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.

ለመሳተፍ 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። እንኳን አገልግሎቶች የሚሰጡት በነጻ ነው።