



**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.: 02-38J

Motion of: Applicant Petitioner Appellant Party Intervenor Other _____

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

Reopen the record to file a revised proffer with respect to benefits for the Amidon-Bowen PTA.

The revised proffer is filed herewith.

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: The Applicant has requested consent from ANC 6D, which is the only other party in this proceeding.

CERTIFICATE OF SERVICE

I hereby certify that on this 20 2 day of March Month, 20 1 9

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:

Print Name: **David Lewis**

Address: **1999 K Street NW, Suite 500, Washington, DC 20006**

Phone No.: **202-721-1127**

E-Mail: **david.lewis@goulstonstorr.com**

Z.C. CASE NO. 02-38J

WATERFRONT STATION II SECOND-STAGE PUD

**MOTION TO REOPEN THE RECORD TO ALLOW APPLICANT TO FILE A
REVISED PROFFER**

WFS2, LLC (the “Applicant”) hereby requests the Zoning Commission reopen the record in Z.C. Case No. 02-38J for the limited purpose of allowing the Applicant to file a revised proffer with respect to public benefits it intends to provide to the Amidon-Bowen PTA. For convenience, the revised proffer is enclosed herewith. The Applicant’s Post-Hearing Submission, filed at Exhibit 48, contemplated this revised proffer.

The Applicant requests the Commission grant this motion because the revised proffer furthers the public benefit criteria for a planned unit development, which criteria are set forth in Subtitle X of the Zoning Regulations. That is, the revised proffer increases the value of the benefit to the PTA by giving the PTA greater flexibility in the resources provided to Amidon-Bowen Elementary School by the Applicant. The dollar amount of the proffer \$75,000, has not changed.

Granting the motion is also in the public interest. The revisions to the proffer are the result of conversations between the PTA, ANC 6D, and the Applicant and represent the type of collaborative public process encouraged by the Commission and the Zoning Regulations. The Applicant has been in touch with the ANC, the only other party to this proceeding, about filing this revised condition and does not expect that the ANC will object to the timing of the filing or the substance of the revision. The PTA has already filed a letter with the Commission expressing support for the greater range of uses contemplated in the revised proffer. See Exhibit 50.

For the reasons stated herein, the Applicant requests the Commission grant this motion.

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