

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

TIME AND PLACE: **Thursday, April 1, 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:

CASE NO. 20-22 (CQ Metro Land, LLC – Zoning Map Amendment – Square 5860, Lots 1039-1041)

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

CQ Metro Land, LLC (the “Applicant”), filed an application on September 8, 2020, requesting that the Zoning Commission (the “Zoning Commission”) approve a Zoning Map amendment from “unzoned” to the Northern Howard Road (“NHR”) zone for Lots 1039-1041 in Square 5860 (the “Property”), consistent with the immediately adjacent property, in order to facilitate interim uses currently not allowed due to the Property’s lack of zoning and eventual redevelopment of the Property consistent with the Comprehensive Plan (the “CP”).

The Property consists of approximately 55,436 square feet of land area on Howard Road, S.E., in Ward 8’s Anacostia neighborhood, and adjacent to the Anacostia Metrorail Station.

The CP’s Generalized Policy Map designates the Property as a Land Use Change Area within the Central Employment Area.

CP’s Future Land Use Map (“FLUM”) designates the Property multiple categories:

- The western portion is designated for a mix of High Density Residential, High Density Commercial, and Institutional uses;
- The central portion is designated for Parks, Recreation, and Open Space uses; and
- The eastern portion is designated for a mix of High Density Residential, Medium Density Commercial, and Institutional uses.

High Density Residential – typically has a density greater than a floor area ratio (“FAR”) of 4.0, with greater density possible when complying with Inclusionary Zoning (“IZ”) or a Planned Unit Development (“PUD”).

High Density Commercial – typically has a density greater than a FAR of 4.0, with greater density possible when complying with IZ or a PUD

Medium Density Commercial – typically has a density ranging between a FAR of 4.0 and 6.0, with greater density possible when complying with IZ or PUD

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.*)

Parks, Recreation, and Open Space – includes permanent open space, open space along highways, a mix of passive and active open space, with varying zoning designations.

Institutional – Zoning designations vary depending on surrounding uses

The Property is currently unzoned.

The Application’s proposed NHR Zone would allow a maximum 130-foot height, a 9.0 floor area ratio, and 100% lot occupancy. The NHR Zone will require design review of any new development at the Property.

The Office of Planning (“OP”) filed a December 8, 2020, report (the “OP Setdown Report”) recommending that the Commission set the Application down for a public hearing because the proposed rezoning would be appropriate for the NHR zone because the Property is immediately adjacent to property currently in the NHR zone and is adjacent to the Anacostia Metro Station and would be inconsistent with the CP when considered as a whole, including the Lower Anacostia Waterfront/Near Southwest Area Element and the Land Use, Transportation, Housing, Economic Development, and Urban Design Elements. The OP Setdown Report also noted that the Application is not inconsistent with the planning guidance of the Anacostia Waterfront Initiative to which the Property is subject.

On December 17, 2020, the Commission voted to set down the Application for a public hearing as a contested case.

The Applicant submitted its prehearing submission on December 28, 2020.

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 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 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.

ለሚሳተፍ 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።