

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

TIME AND PLACE: **Thursday, April 4, 2024, @ 4:00 p.m.**
Via WebEx: <https://dcoz.dc.gov/ZC86-04B> (to participate & watch)
Via Telephone: 1-650-479-3208 Access code: 2304 171 9089 (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. 86-04B (Green Harris, LLC – Modification of Significance to an Approved PUD and Related Zoning Map Amendment @ Square 1229, Lot 328)

THIS CASE IS OF INTEREST TO ANCs 2E and 3B

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 at the link above. Also, see below: *How to participate as a witness – oral statements*. **On the day of the hearing**, 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 January 9, 2023 the Office of Zoning received an application from Green Harris, LLC (the “Applicant”) for review and approval of a modification to the consolidated Planned Unit Development (“PUD”) and related Zoning Map Amendment originally approved as Z.C. Order No. 495 for Case No. 86-4C and modified most recently in Z.C. Order No. 86-04A.

The property that is the subject of this application consists of a single parcel comprising a total of approximately 137,087 square feet of land located in the Northwest quadrant of the District of Columbia at the southeastern corner of the intersection of Wisconsin Avenue, N.W. and Whitehaven Street, N.W. The Property is bounded by Whitehaven Street, N.W. to the north, Dumbarton Oaks Park to the east, commercial development to the south, and Wisconsin Avenue, N.W. to the west. Pursuant to the prior approval in Z.C. Order No. 495 for Case No. 86-4C, the Zoning Commission for the District of Columbia (“Commission”) approved a Zoning Map amendment to the C-2-A zone for a portion of the southeastern corner of the Property. The PUD C-2-A zoning that applies to the entire site is now designated as the MU-4 zone under the current Zoning Regulations. The Property is currently improved with: a four-story building located at 2001 Wisconsin Avenue, N.W. on the west side of the property and currently occupied by the British International School of Washington (“BISW”); a five-story vacant office building located at 3300 Whitehaven Street, N.W. on the east side of the Property; below-grade parking; and a below-grade gymnasium for BISW. The Comprehensive Plan’s Future Land Use Map designates the western portion of the site as Low Density Commercial and designates the eastern portion as Moderate Density Residential. The Comprehensive Plan’s Generalized Policy Map designates the Property as a Main Street Mixed Use Corridor.

The Applicant proposes to redevelop the eastern portion of the Property, currently occupied by the building at 3300 Whitehaven Street, N.W., with a multifamily residential building with approximately 268 residential units and approximately 5,727 gross square feet of space for BISW (the “Project”¹). No changes are proposed to the existing 2001 Wisconsin Building occupied by BISW, as modified by the Commission’s approval in Z.C. Case No. 86-04A. The Project will have a height of approximately 60.54 feet, and the Property will have an approximate floor area ratio (“FAR”) of 2.83 and a lot occupancy of approximately 50% after completion of the Project.² The Project will include approximately 248 below-grade parking space and approximately 93 long-term and 14 short-term bicycle parking spaces. The Applicant requests zoning flexibility from the minimum rear yard requirements to provide no rear yard where a minimum rear yard of 15 feet is required and relief from penthouse side setback requirements for the mechanical penthouse located along the south property line abutting the Safeway building.

On September 1, 2023, the District Office of Planning filed a report recommending the application be set down for a public hearing. On September 14, 2023, the Commission considered the application at a public meeting and voted to set the application down for a public hearing. The Applicant filed a Prehearing Submission on December 28, 2023.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, Subtitle Z, Chapter 4.

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. 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.

¹ The Applicant’s Prehearing Statement included updated plans with minor adjustments and refinements. (Ex. 16-16A5.)

² Stated FAR and lot occupancy are measured across the entirety of the Property, including the portion occupied by the building located at 2001 Wisconsin Avenue, N.W.

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 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 must comply with the provisions of Subtitle Z § 404. **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, persons seeking party status must submit, a Form 140 – Party Status Application, through the Interactive Zoning Information System (“IZIS”).** This form may also 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, JOSEPH S. IMAMURA, AND TAMMY STIDHAM 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 ማስተርጓም) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እነዚህ አገልግሎቶች የሚሰጡት በነጻ ነው።

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.