

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF PLANNING, HISTORIC PRESERVATION OFFICE  
MAYOR'S AGENT FOR HISTORIC PRESERVATION  
1100 4<sup>TH</sup> STREET SW, SUITE E650  
WASHINGTON, D.C. 20024

**HPA Nos. 14-393 and 15-133**

**In the Matter of:**

**Applications of Vision McMillan  
Partners LLC and the District of  
Columbia Office of the Deputy Mayor  
for Planning and Economic Development (“Applicants”)**

**2501 (2507) First Street NW  
(McMillan Sand Filtration Site)  
Square 3128, Lot 800**

**Order**

In response to the remand of this proceeding by the District of Columbia Court of Appeals in its opinion *Friends of McMillan Park v. District of Columbia Zoning Commission* (Nos. 15-AA-0493, 15-AA-0525, 15-AA-0536, 15-AA-0572 and 15-AA-1008) (“the Appeal”), issued on December 8, 2016, the Mayor’s Agent Hearing Officer hereby gives notice of an additional public hearing to be held on March 10, 2017 at 10:00 a.m., at 1100 4<sup>th</sup> Street SW, Room 650, the scope of which will be limited to following issues:

- 1) Do the proposed project’s historic preservation benefits taken as a whole outweigh its historic preservation harms? Slip op. at 28. In addressing this question, the applicants are requested to provide legal analysis as to how such an inquiry should be conducted consistent with the Historic Landmark and Historic District Protection Act, D.C. Code §§ 6-1102 (10), 1101 (b), 1104 (e), and 1106 (e).
- 2) What are the specific architecture, land planning, and/or community benefits that individually or collectively make this a project of special merit within the meaning of D.C. Code § 6-1102(11)?
- 3) Is the proposed demolition and subdivision necessary to obtain the special merit benefits identified? Could an economically viable mixed-use development meeting the goals of the comprehensive plan be constructed on the site with less demolition and no subdivision?
- 4) Are there reasonable alternatives that would achieve the same special merit benefits that would avoid or reduce the need demolition or subdivision?

The parties in this remand proceeding are the Applicants and the petitioners in the Appeal, namely Friends of McMillan Park, McMillan Coalition for Sustainable Agriculture, and DC for Reasonable Development. The Applicants have the burden of proof as to all issues. All parties may present testimony and evidence supplementary to the existing record and legal argument and in doing so are enjoined to coordinate presentations and remain within the scope of the additional hearing as stated above.

Date: January 11, 2017

Confirmed:



J. Peter Byrne  
Mayor's Agent Hearing Officer



Eric D. Shaw  
Director, D.C. Office of Planning

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Order was served this 11th day of January 2017 via electronic mail to the following:

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And I HEREBY CERTIFY that a copy of the foregoing Order was mailed this 11th day of January 2017 via U.S. Postal Service first-class mail to the following:

McMillan Coalition for Sustainable Agriculture  
c/o Jason D. Klein, Esq.  
126 C Street NW, 3<sup>rd</sup> Floor  
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Timothy J. Dennee  
Certifying Officer