Government of the District of Columbia
OFFICE OF ZONING

MEMORANDUM

TO: Arnold R. Finlayson, Administrator
Office of Documents and Administrative Issuance

FROM: Sharon S. Schellin
Acting Secretary to the Zoning Commission

DATE: October 19, 2005

SUBJECT: Publication for the Office of Zoning

2005 OCT 19 PM 1:01
Office Of Documents And Administrative Issuances

Please publish the following in the *D.C. Register* on October 28, 2005:

1. Z.C. Notice of Public Hearing (Case No. 03-12A/03-13A);
2. Z.C. Order No. 02-32A (Case No. 02-32);
3. Z.C. Order No. 03-03A (Case No. 03-03A);
4. Z.C. Order No. 03-29A (Case No. 03-29A);
5. Z.C. Order No. 04-23 (Case No. 04-23);
6. Z.C. Order No. 05-13 (Case No. 05-13); and
7. Z.C. Notice of Final Rulemaking & Z.C. Order No. 04-31 (Case No. 04-31).

The Final Rulemaking is also included on the enclosed diskette.

Attachments

ZONING COMMISSION
District of Columbia
CASE NO. 03-12A/03-13A);
EXHIBIT NO. 16

441 4th St., N.W., Suite 210-S, Washington, D.C. 20001
Telephone: (202) 727-6311 E-Mail Address: zoning_info@dcoz.dc.gov Web Site: www.dcoz.dc.gov

ZONING COMMISSION
District of Columbia
CASE NO.03-12A/03-13A
EXHIBIT NO.16
ZONING COMMISSION
District of Columbia
CASE NO.03-12A/03-13A
EXHIBIT NO.16

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Monday, December 19, 2005, 6:30 P.M.**
Office of Zoning Hearing Room
441 4th Street, N.W., Suite 220-South
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 03-12A/03-13A (Capper/Carrollsburg – Phase 1 Final Approval and Modifications to the Consolidated and Preliminary PUDs – Capper/Carrollsburg Venture, LLC and the D.C. Housing Authority)

THIS CASE IS OF INTEREST TO ANC 6D

On April 29, 2005, the Office of Zoning received an application from the Capper Carrollsburg Venture, LLC, on behalf of the District of Columbia Housing Authority. The Applicant is requesting (1) final approval of Phase I of a planned unit development (PUD) under the existing R-5-B District; and (2) modifications to the preliminary and consolidated Capper/Carrollsburg PUD approved by Commission Order No. 03-12/03-13. The Office of Planning provided its report on September 2, 2005, and the case was set down for hearing on September 15, 2005. The Applicant provided its prehearing statement as part of its application on October 7, 2005.

The property that is the subject of the request for final approval consists of approximately 122,610 square feet of land area. The property is part of the larger PUD approved for the redevelopment of the Capper/Carrollsburg project. This portion of the project includes parts of the blocks bounded by 3rd, 4th K and M Streets (Square 799, lots 44-50) and Square 800, lots 20, 25-28, 816 and 818-820) and the east side of 5th Street between K and L Streets, S.E. (Square W881, the western part of Lot 800). The subject property is currently zoned R-5-B.

The Applicant proposes to construct 91 residential units on Squares 799 and 800 and a community center, including a day care center and recreation center, on the 5th Street property. The residential units will be 3 to 4 stories in height and the community center will be 2 stories and approximately 35 feet in height. The residential buildings will contain approximately 150,000 square feet of gross floor area and the community center will contain approximately 28,500 square feet of gross floor area.

The Applicant also requests certain modifications from the conditions applicable to the preliminary and consolidated PUDs in Order No. 03-12/-03-13. The Applicant proposes to: (1) allow purchasers of the fourteen foot wide and sixteen foot wide residential units to have the option to change the two car garage to a one car garage and a first floor recreation room; (2) related to No. (1), reduce the approved parking requirements for some of the low-rise residential structures from 2 spaces per unit to 1 space per unit; (3) increase the overall residential density from 2.21 FAR to 2.34; (4) change the timing of the application for a building permit for the community center to eight months after the issuance of the Zoning Commission's order approving the community center; (5) increase the height of the community center to 35 feet and reduce the setback requirements for its roof structure, and; (6) move the location of 3rd Place approximately fourteen feet to the east of the location shown on the approved plans, and reduce open court widths in Square 799 so as to eliminate the need for the Applicant to acquire private homes in Square 798

The R-5-B District permits residential development as a matter-of-right, to a maximum lot occupancy of 60%, a maximum FAR of 1.8 and a maximum height of 50 feet. Under Chapter 24, the guideline for height in a PUD is 60 feet and the guideline for FAR in a PUD is 3.0.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR § 3022.

How to participate as a witness.

Interested persons or representatives of organizations may be heard at the public hearing. 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 applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

How to participate as a party.

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 Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations.

Except for the 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 fourteen (14) days prior to the date set for the hearing, a written statement containing the following information:**

(a) The person's name, address, and daytime telephone number;

(b) A request to appear and participate as a party;

(c) Whether the person will appear as a proponent or opponent of the application;

(d) Whether the person will appear through legal counsel, and if so, the name and address of legal counsel;

(e) A list of witnesses who will testify on the person's behalf;

(f) A summary of the testimony of each witness;

(g) An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts;

(h) The total amount of time being requested to present their case; and

(i) A written statement setting forth why the person should be granted party status, including reference to the following:

(1) The property owned or occupied by the person, or in which the person has an interest, that will be affected by the action requested of the Commission;

(2) The legal interest the person has in said property, such as owner, tenant, trustee, or mortgagee;

(3) The distance between the person's property and the property that is the subject of the application before the Commission;

(4) The economic, social, or other impacts likely to affect the person and/or the person's property if the action requested of the Commission is approved or denied; and

(5) An explanation of how the person's interest as identified in response to paragraph (4) would likely be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.

The applicant shall also provide the information indicated in (e) through (h) to the extent that the information is not contained in the Applicant's prehearing submission as required by 11 DCMR § 3013.1. The information shall be filed no later than fourteen (14) days before the date of the hearing.

If an affected Advisory Neighborhood Commission (ANC) intends to participate at the hearing, the ANC shall submit the written report described in § 3012.5 no later than seven (7) days before the date of the hearing. The report shall also contain the information indicated in (e) through (h) above.

Time limits.

The following time limits for oral testimony shall be adhered to unless changed by the Commission, and no time may be ceded:

1.	Applicant and parties in support	60 minutes collectively
2.	Parties in opposition	15 minutes each (60 minutes collectively)
3.	Organizations	5 minutes each
4.	Individuals	3 minutes each

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 210, 441 4th Street, N.W., Washington, D.C. 20001. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

CAROL J. MITTEN, ANTHONY J. HOOD, GREGORY JEFFRIES, JOHN G. PARSONS AND KEVIN HILDEBRAND, ---------- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON S. SCHELLIN, ACTING SECRETARY TO THE ZONING COMMISSION.