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Government of the District of Columbia
Office of Zoning

MEMORANDUM

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

FROM: Jerrily R. Kress, FAIA
Director

DATE: March 30, 2005

SUBJECT: Publication for the Office of Zoning

Please publish the following in the *D.C. Register* on April 8, 2005:

1. Z.C. Notice of Filing (Z.C. Case No. 05-12);
2. Z.C. Notice of Rescheduled Public Hearing (Z.C. Case No. 03-30);
3. Z.C. Notice of Public Hearing (Z.C. Case No. 04-24);
4. Z.C. Notice of Public Hearing (Z.C. Case No. 04-30);
5. Z.C. Notice of Public Hearing (Z.C. Case No. 05-02);
6. Z.C. Notice of Public Hearing (Z.C. Case No. 05-09);
7. Z.C. Notice of Proposed Rulemaking (Z.C. Case No. 04-28); and
8. Z.C. Notice of Proposed Rulemaking (Z.C. Case No. 04-29).

ZONING COMMISSION
District of Columbia
CASE NO. 04-24
EXHIBIT NO. 15

Received By

Date

ZONING COMMISSION
District of Columbia
CASE NO.04-24
EXHIBIT NO.15

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Thursday, May 26, 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. 04-24 (First-Stage PUD – Rhode Island Avenue Metro)

THIS CASE IS OF INTEREST TO ANC 5B

The partnership of Mid-City Urban LLC and A&R Development Corporation (the "Applicant"0 requests approval of the first stage of a two-stage PUD and related map amendment in order to construct a medium-density, mixed-use town center immediately to the east of the Rhode Island Avenue Metrorail Station. The town center will have a Main Street orientation. Retail and service stores, with apartments above and surrounding them, will line a Main Street that is approximately 570 in length. Main Street will be pedestrian and retail oriented, including storefronts, sidewalks and curbside parking for 37 cars. There will also be parking garages for retail customers and for residents, and a separate parking garage for patrons of Metrorail to replace the existing parking on the site. Retail stores, community uses and apartments will also line the Rhode Island Avenue frontage.

The 271 apartments will be in four-story buildings (residential or mixed use). Approximately 20 percent of the apartments will be affordable to low and moderate income households. Retail space will total approximately 83,300 square feet of floor space, and project amenities will include a swimming pool, landscaping and pedestrian areas.

A total of 451 parking spaces will be provided, plus a 200-car parking garage for WMATA that will be built on a separate lot as a matter of right and not part of the PUD.. Buses and automobiles traveling to the Metrorail station and the Metro parking garage will follow a "loop" pattern that by-passes Main Street.

The PUD site is currently zoned M (General Industry), which does not allow residential uses. The zoning application requests a rezoning to C-2-B (Medium Density Mixed Use).

The property that is the subject of this application is the existing parking area for the Rhode Island Avenue Metrorail station – immediately to the east of the station and fronting on Rhode Island Avenue, N.E. The site has 319,446 square feet of area, or 7.33 acres. The separate lot for the WMATA parking garage will have approximately 62,954 square feet of area, and is outside of the PUD.

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 is 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.

Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR § 3022.3.

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	75 minutes collectively
2.	Parties	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, JOHN G. PARSONS, KEVIN HILDEBRAND, AND GREGORY JEFFRIES, ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY CLIFFORD MOY, ACTING SECRETARY TO THE ZONING COMMISSION.