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: May 17, 2005

SUBJECT: Publication for the Office of Zoning

Please publish the following in the *D.C. Register* on May 27, 2005:

1. Z.C. Order No. 04-19 (Case No. 04-19);
2. Z.C. Notice of Public Hearing (Case No. 01-28TE);
3. Z.C. Notice of Public Hearing (Case No. 02-06);
4. Z.C. Notice of Public Hearing (Case No. 04-35); and
5. Z.C. Notice of Proposed Rulemaking (Case No. 04-31).

Attachments

ZONING COMMISSION
District of Columbia
CASE NO. 04-35
EXHIBIT NO. 17

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

ZONING COMMISSION
District of Columbia
CASE NO.04-35
EXHIBIT NO.17

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Thursday, July 7, 2005 @ 6:30 P.M.**
Office of Zoning Hearing Room
441 4th Street, N.W. - Suite 220
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Case No. 04-35 (The Salvation Army - Consolidated Planned Unit Development)

THIS CASE IS OF INTEREST TO ANC 8A

The Salvation Army (the "Applicant") requests approval for a consolidated Planned Unit Development ("PUD"). The subject property is located at 2302-2320 Martin Luther King, Jr., Avenue, S.E. (Square 5805, Lots 222, 223, 224, 225, 226, and a portion of Lot 227). In accordance with Chapter 24 of the District of Columbia Zoning Regulations, this case is being heard and decided by the Zoning Commission.

The property that is the subject of this application consists of approximately 19,280 square feet of land area, has frontage along Martin Luther King, Jr. Avenue, S.E. and Morris Road, S.E. and is currently occupied by vacant buildings. The property is located in the C-2-A Zone District.

Consistent with the PUD guidelines for the C-2-A District, the project will include a total of 46,988 square feet of gross floor area, will have a total FAR of 2.45, will be approximately 50 feet in height, and will occupy 61% of the Subject Property. The project will include 4,100 square feet of retail space, community program space, a child care and family development center, worship space, job training space and a health and wellness center. The project will also include parking below grade for 34 automobiles that will be accessed from Morris Road, S.E. with a pedestrian entrance on Martin Luther King, Jr., Avenue, S.E. The Applicant will construct a sidewalk on Morris Road as well as landscape both frontages to contribute to a vibrant streetscape for this important corner of Anacostia, while the building's rich palette of materials, including brick, glass and metal will elevate the level of finish in the neighborhood streetscape.

The Applicant contends that the proposed building and use is not inconsistent with the *Comprehensive Plan for the National Capital.* The architects for the Applicant are the Smith Group, Inc.; the land use counsel is Pillsbury Winthrop Shaw Pittman, LLP.

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 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	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, JOHN G. PARSONS, KEVIN L. HILDEBRAND, AND GREGORY N. JEFFRIES ---------- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, OFFICE OF ZONING.