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 22, 2005

SUBJECT: Publication for the Office of Zoning

2005 MAR 22 PM 12:13
Office Of Documents And Administrative Issuances

Please publish the following in the *D.C. Register* on April 1, 2005:

1. Z.C. Notice of Public Hearing (Z.C. Case No. 04-37);
2. Z.C. Notice of Public Hearing (Z.C. Case No. 05-08); and
3. Z.C. Order No. 04-32 (Z.C. Case No. 04-32).

Received By _____ Date _____

Attachments

[redacted]
CASE NO. 04-37
EXHIBIT NO. 17

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.04-37
EXHIBIT NO.17

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Monday, May 23, 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. 04-37 (Eastgate Senior Residences) Zoning Map Amendment and Consolidated PUD; B Street, S.E. (Square 5409, Lots 22-25)

THIS CASE IS OF INTEREST TO ANC 7A

The District of Columbia Housing Authority (DCHA) in partnership with A&R Development and The Henson Development Company (Applicant) seek approval for a consolidated Planned Unit Development (PUD) and related map amendment for the development of an apartment building that will be affordable to low to moderate income seniors. The related map amendment requests that the property be rezoned from the R-5-A District to the R-5-B District to accommodate the proposed development. The Application was filed on December 17, 2004, and the Zoning Commission set down the case for public hearing at its meeting of January 13, 2005. On February 22, 2005, the Office of Zoning received a Pre-Hearing Submission and materials for the case.

The proposed PUD site is located between Anacostia Road, SE to the north, Ridge Road, SE to the west and B Street, SE to the south and east. The property is also known as Lots 22, 23, 24 and 25 in Square 5409 (pending processing of application for consolidation of lots into Lot 26, Square 5409). The property is triangular in shape with a limited amount of natural vegetation. The proposed building will be situated generally in the eastern portion of the lot with parking and open space occupying the western-most side. Roughly one-third (1/3) of an acre at the intersection of Anacostia Road, SE and B Street, SE will remain open space.

The proposed project is for a new senior housing facility on the subject property, to be known as the "Eastgate Senior Residences". This new 100-unit senior housing development will consist of a three-story building with a basement.. The development will be a secure building with controlled access that provides housing and supportive services to low-income elderly residents who are capable of independent living. The building's amenities shall include a wellness center, fitness facility, multi-purpose room, game room, grandparents' room, laundry facilities, a library/computer room, an activity room, a resident service room, a police office and a conference room. The remainder of

the lot will contain a parking lot with green space devoted to a pocket park and a private courtyard between the two building wings.

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 L. HILDEBRAND, AND GREGORY N. JEFFRIES, ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY CLIFFORD MOY, ACTING SECRETARY TO THE ZONING COMMISSION.