*Government of the District of Columbia*
**OFFICE OF ZONING**

**MEMORANDUM**

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

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

**DATE:** August 18, 2005

**SUBJECT:** Publication for the Office of Zoning

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Please publish the following in the *D.C. Register* on August 26, 2005:

1. Z.C. Notice of Filing (Case No. 05-24);
2. Z.C. Notice of Filing (Case No. 05-25);
3. Z.C. Notice of Filing (Case No. 05-26);
4. Z.C. Notice of Special Public Meeting;
5. Z.C. Notice of Public Hearing (Case No. 04-14);
6. Z.C. Notice of Public Hearing (Case No. 05-12); and
7. Z.C. Notice of Public Hearing (Case No. 05-15).

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Office Of Documents And Administrative Issuances

Attachments

[redacted]
District of Columbia
[redacted] 05-15
[redacted] 15

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.05-15
EXHIBIT NO.15

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA**

**NOTICE OF PUBLIC HEARING**

**TIME AND PLACE:** **Monday, October 24, 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. 05-15 (Broadway I Associates LLC – Planned Unit Development)**

**THIS CASE IS OF INTEREST TO ANC 6C**

On May 23, 2005, the Office of Zoning received an application from Broadway I Associates LLC (the "Applicant"), requesting consolidated review and approval of a planned unit development ("PUD") in order to develop a residential project on the subject site. The Office of Planning provided its report and the case was set down for hearing on July 11, 2005. The Applicant provided its pre-hearing statement on August 8, 2005.

The PUD site is located at 318 I Street, N.E. (Square 775, Lots 1, 22, 23, 32, 826 and 827) ("PUD Site"). The total land area of the PUD Site is 28,353 square feet. The Project Site is located at the northwest corner of 4th and I Streets, NE, and is currently occupied by a building that was most recently used as a wholesale bakery establishment and related parking lot. The PUD Site is located in the C-2-B Zone District.

Consistent with the PUD guidelines for the C-2-B Zone District, the building will have a total FAR of approximately 5.65, will occupy approximately 85% of the PUD Site, and will be approximately 65 feet in height. The new 140 unit residential building will comprise approximately 160,000 square feet, including over 25,000 square feet of residential recreation space, and approximately 9,120 square feet of affordable housing units. The main lobby for the building will be accessed from the I Street, N.E. entrance to the project via a set of arcades, and below grade parking for approximately 140 automobiles that will be accessed from an existing public alley off of I Street, N.E. The Applicant will construct new brick sidewalks as well as landscape the proposed building on 4th and I Streets.

The architect for the Applicant is Esocoff & Associates Architects and the land use counsel is Pillsbury Winthrop Shaw Pittman, LLP.

This public hearing will be conducted in accordance with the provisions of § 3022 (Contested Case Hearings), District of Columbia Municipal Regulations (DCMR) Title 11, Zoning.

**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 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.**

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:

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| 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 N. JEFFRIES, JOHN G. PARSONS, AND KEVIN L. 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.**