

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Office of Zoning

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MEMORANDUM

Office of  
Documents and  
Administrative  
Issuances  
2007 DEC 11 AM 9:39

**To:** Office of Documents and Administrative Issuance

**From:** Sharon S. Schellin  
Secretary to the Zoning Commission

**Date:** December 3, 2007

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

Please publish the following in the *D.C. Register* on December 21, 2007:

1. Z.C. Notice of Proposed Rulemaking (Case No. 07-214A5);
2. Z.C. Notice of Public Hearing (05-15A);
3. Z.C. Notice of Emergency & Proposed Rulemaking (Case No. 07-08A); and
4. Z.C. Notice of Public Hearing (07-08A).

Attachment

ZONING COMMISSION  
District of Columbia

CASE NO.

05-15A

EXHIBIT NO.

14

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ZONING COMMISSION  
District of Columbia  
CASE NO. 05-15A  
EXHIBIT NO. 14

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
NOTICE OF PUBLIC HEARING**

**TIME AND PLACE:**                      **Thursday, February 7, 2008, @ 6:30 P.M.**  
   **Office of Zoning Hearing Room**  
   **441 4<sup>th</sup> Street, N.W., Suite 220-South**  
   **Washington, D.C. 20001**

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

**CASE NO. 05-15A (Broadway I Associates LLC – PUD Modification)**

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

On July 2, 2007, the Office of Zoning received an application from Broadway I Associates LLC (the "Applicant"). The Applicant is requesting a modification to an approved Planned Unit Development ("PUD") under the existing C-2-B District. The Office of Planning provided its report on August 27, 2007 and the case was set down for hearing on September 10, 2007. The Applicant provided its prehearing statement on November 29, 2007.

The property that is the subject of this application consists of approximately 28,353 square feet of land area and is located on Lot 50 (formerly Lots 1, 22, 23, 32, 826, and 827) in Square 775 ("Subject Property"), also known as 318 I Street, N.E. The Subject Property has frontage on I and 4<sup>th</sup> Streets, N.E. The Subject Property is presently located in the C-2-B Zone District. The Subject Property was formerly used for a wholesale bakery and accessory parking lot. Development on the site is subject to Zoning Commission Order No. 05-15.

The current PUD approval is for the construction of one residential building at the corner of 4<sup>th</sup> and I Streets, N.E. The height of the proposed building is 65 feet and the entire project is to include approximately 160,000 square feet of gross floor resulting in a floor area ratio ("FAR") of 5.65. The total lot occupancy of the project is 85%. The building is to have a minimum of 125 and a maximum of 140 residential units and a minimum of one parking space for each residential unit.

The proposed modification also involves an entirely residential building. The height of the proposed building is proposed to be approximately 70 feet and the entire project is proposed to include a maximum of approximately 160,000 square feet of gross floor resulting in a similar FAR of approximately 5.65. The total lot occupancy of the project is 80%. The proposed building has approximately 166 to 180 residential units and approximately 140 to 180 (includes 12 visitor spaces) parking spaces. Access to the below-grade parking garage for the entire project will be provided via an existing north-south public alley that intersects I and K Streets approximately midway between 3<sup>rd</sup> and 4<sup>th</sup> Streets. This vehicular entrance will be used for resident and guest drop-off and pick-up only. A pedestrian only entrance will be located on I Street.

The C-2-B District permits mixed residential development as a matter-of-right, to a maximum lot occupancy of 80% for residential use, a maximum FAR of 3.5, and a maximum height of 65 feet. Under Chapter 24, the guideline for maximum height in a PUD in the C-2-B District is 90 feet and the guideline for maximum FAR in a PUD is 6.0.

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.**

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 4<sup>th</sup> Street, N.W., Washington, D.C. 20001. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**ANTHONY J. HOOD, GREGORY N. JEFFRIES, CURTIS ETHERLY, JR., MICHAEL G. TURNBULL, AND PETER G. MAY ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON SCHELLIN, SECRETARY TO THE ZONING COMMISSION.**