

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



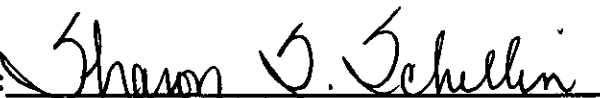
Z.C. CASE NO.: 05-15A

DEC 19 2007

As Secretary to the Commission, I hereby certify that on _____ copies of this Z.C. Notice of Public Hearing were mailed first class, postage prepaid or sent by inter-office government mail to the following:

- | | |
|----------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| 1. D.C. Register | 7. Office of Planning (Harriet Tregoning) |
| 2. Jeffrey C. Utz.
Holland & Knight, LLP
2300 N Street, N.W.
Washington, D.C. 20037 | 8. DDOT (Ken Ladén) |
| 3. Karen Wirt, Chair
ANC 6C
P.O. Box 77876
Washington, DC 20002 | 9. Zoning Administrator (Matthew LeGrant) |
| 4. Commissioner Alan Kimber
ANC/SMD 6C05
228 Parker St., N.E.
Washington, DC 20002 | 10. Jill Stern, Esq.
General Counsel
941 North Capitol Street, N.E.
Suite 9400
Washington, D.C. 20002 |
| 5. Gottlieb Simon
ANC
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004 | 11. Office of the Attorney General
(Alan Bergstein) |
| 6. Councilmember Jack Evans | 12. DDOE (Corey Buffo) |
| | 13. Property Owners within 200 Feet
(see list provided by Applicant) |
| | 14. MLK Library (30 copies) |

ATTESTED BY:



Sharon S. Schellin

Secretary to the Zoning Commission

Office of Zoning

ZONING COMMISSION
District of Columbia

CASE NO. 05-15A

EXHIBIT NO. 18

441 4th Street, N.W., Suite 200/210-S, Washington, D.C. 20001

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ZONING COMMISSION
District of Columbia
CASE NO. 05-15A
EXHIBIT NO. 18

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Community Holyness Church
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Washington, DC 20002-3521

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Washington, DC 20016-2063

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Seabrook, MD 20706-3611

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Washington, DC 20002-3505

DF Smith
1104 7th St. NE
Washington, DC 20002-3615

Julian W. Slaughter
909 3rd St., NE
Washington, DC 20002-3505

Edwin Hall
936 4th St. NE
Washington, DC 20002-3510

Arthur Robinson
911 3rd St. NE
Washington, DC 20002-3505

Louis E. Statzer
2328 Massachusetts Ave. NW
Washington, DC 20008-2801

Michael J. Brown
913 3rd St. NE
Washington, DC 20002-3505

Heavey Paul M
309 7th St. SE
Washington, DC 20003-4307

World Vision Inc. M/S 147
PO Box 9716
Federal Way, WA 98063-9716

Oceanmark Bank FSB C/O
c/o Stephanie P. Austin
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Washington, DC 20002-5412

Perry Bryant
1507 19th St. SE
Washington, DC 20020-6856

Michelle Johnson
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Washington, DC 20002-3521

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Sara K. Parker
321 K St. NE
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Washington, DC 20002-4341

Lloyd T. Darr
329 K St. NE
Washington, DC 20002-3521

Audrey J. Thomas
321 I St. NE
Washington, DC 20002-4341

Eloise Hilliard
331 K St. NE
Washington, DC 20002-3521

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Washington DC 20002-4202

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District Heights, MD 20747-3900

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337 K St. NE
Washington DC 20002-3521

Steuart – H Street LLC
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5454 Wisconsin Avenue
Chevy Chase, MD 20815-6901

Augustus J. Est
Unknown; Washington DC 20002

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1 Cornelia Ave
Great Neck, NY 11024-1813

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Washington, DC 20002-4318

Charlie Givens
833 3rd St. NE
Washington, DC 20002-4313

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924 5th St. NE
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Oakton, VA 22124-2002

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918 5th St. NE
Washington, DC 20002-3512

Francisco Barbosa
309 I St. NE
Washington, DC 20002-4341

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916 5th Street, NE
Washington, DC 20002-3512

Dawn Allison Thomas
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Washington, DC 20002-4341

Margaret L. Holmes
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Washington, DC 20002-3523

Bonding Yee
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Washington, DC 20002-3509

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Afolasade Orekoya
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Jill M. Ransome
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Washington, DC 20002-3523

Geraldine L. Dubois
919 4th St. NE
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Joshua M. Rutherford
415 K St. NE
Washington, DC 20002-3523

Zachariah Mully
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Washington, DC 20002-3509

Rachel McCrea
923 4th St. NE
Washington, DC 20002-3509

Wayne E. Dodge
927 4th St. NE
Washington, DC 20002-3509

Darlene M. Jones
921 4th St. NE
Washington, DC 20002-3509

Solid Rock Wheel Love Church
c/o Rev. E.B. Patterson
401 K St. NE
Washington, DC 20002-3523

Anthony B. Woodard
825 4th St. NE
Washington, DC 20002-4317

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Washington, DC 20001-4236

Honor Roble
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Washington, DC 20002-4317

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Washington, DC 20002-4317

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Christopher Hunter
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Washington, DC 20002-4317

**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 4th 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 4th 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 4th 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 3rd and 4th 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 4th 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.