

Government of the District of Columbia
OFFICE OF ZONING



Z.C. CASE NO.: 05-24

NOV 16 2005

As Secretary to the Commission, I hereby certify that on NOV 16 2005 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 | 6. Councilmember Vincent C. Gray |
| 2. Cynthia Giordano, Esq.
Arnold & Porter LLP
555 12 th Street, N.W.
Washington, D.C. 20004-1206 | 7. Office of Planning (Ellen McCarthy) |
| 3. Naomi Robinson, Chair
ANC 7E
5001 Hanna Place, SE, Ste. B
Washington, DC 20019 | 8. Ken Laden, DDOT |
| 4. Commissioner Rosa Hamlett
ANC/SMD 7E03
503 53rd Street, SE
Washington, DC 20019 | 9. Property Owners Within 200 Feet
(see list provided by Applicant) |
| 5. Gottlieb Simon
ANC
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004 | 10. Zoning Administrator |
| | 11. Julie Lee
General Counsel
941 North Capitol Street, N.E.
Suite 9400
Washington, D.C. 20002. |
| | 12. Office of the Attorney General
(Alan Bergstein) |

ATTESTED BY:

Sharon S. Schellin

**Acting Secretary to the Zoning Commission
Office of Zoning**

**ZONING COMMISSION
District of Columbia**

CASE NO. 05-24
RECEIVED 16

Advisory Neighborhood Commission 7E
5001 Hanna Place, SE
Washington, DC 20019

D.C. Department of Recreation and Parks
3149 16th Street, N.W.
Washington, D.C. 20011

Benning Park Neighborhood Corporation
c/o Jubilee Enterprise
1400 16th Street, NW, Suite 715
Washington, DC 20036-2219

Joseph I. Weisz
P.O. Box 414
Riverdale, MD 20738-0414

Clarence E. Washington
4907 16th Street, NE
Washington, DC 20017-3116

Benning Garden Associates LP
6600 Millwood Road
Bethesda, MD 20817-6058

Hampton East Apts.
1345 14th Street, NW
Washington, DC 20005-3610

Kwan H. Ham
5600 Braddock Farms Way
Clifton, VA 20124-1315

Keuk P. Yim
4801 Benning Road, SE
Washington, DC 20019-6113

Charlie P. Anderson
1336 G Street, NE
Washington, DC 20002-4426

Edward Coppedge
5106 E Street, SE
Washington, DC 20019-6014

Mary A. Mainor
2300 Good Hope Road, SE
Washington, DC 2002-5147

WDC I LP
2700 Wycliff Road
Raleigh, NC 27607-3055

Greater Good Samaritan Baptist Church
5100 E Street, SE
Washington, DC 20019-6014

Corine Williams
5119 E Street, SE
Washington, DC 20019-6015

Mabel T. Cook
5214 F Street, SE
Washington, DC 20019-6025

Annie L. Gilmore
5111 D Street, SE
Washington, DC 20019-6122

H&B Associates Ltd.
c/o Horning Brothers
1350 Connecticut Avenue, NW
Washington, DC 20036-1733

Questa Glenn
5119 D Street, SE
Washington, DC 20019-6122

Eddie Holloway
64 Darrington Street, SW
Washington, DC 20032-2243

Mabel T. Dickson
c/o Loewinger & Brand PLLC
471 H Street, NW
Washington, DC 20001-2617

Diane T. Edmonds
3345 Clay Street, NE
Washington, DC 20019-1437

5105-5109 F Street SE Inc.
5105 F Street, SE, Apt. T2
Washington, DC 20019-6027

Willie E. Harris
c/o Erline Jackson
4312 21st Street, NE
Washington, DC 20018-3312

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

TIME AND PLACE: **Thursday, January 12, 2006, 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. 05-24 (Eastgate Family Housing - Consolidated PUD)

THIS CASE IS OF INTEREST TO ANC 7E

The District of Columbia Housing Authority ("DCHA") and A&R/THC II, LLC, a joint venture between A&R Development Corporation and The Henson Development Company ("Applicant") seek approval of a consolidated Planned Unit Development ("PUD") to authorize development of a new residential community in Southeast Washington. The existing R-5-A zoning of the subject property will accommodate the development as proposed. The Application was filed on July 28, 2005, and the Zoning Commission set down the case for public hearing at its meeting of October 17, 2005. On October 18, 2005, the Office of Zoning received a Pre-Hearing Submission and materials for the case.

The property that is the subject of this application is located in Southeast Washington on the now-vacant site of the former Eastgate Gardens public housing complex. This property is in the Marshall Heights neighborhood and is within the boundaries of Advisory Neighborhood Commission 7E. The project site is bounded generally by Fitch Street on the south, Benning Road on the west, F Street and Drake Place on the north and 51st Street on the east, all S.E. (the "PUD Site"). The PUD Site has a land area of 745,560 square feet, or 17.12 acres. It is legally identified as Lots 9-20 in Square 5318, Lots 19-37 in Square 5319 and Lots 29-36 in Square 5320. The proposed development is a new, mixed-income residential community of 186 dwelling units, distributed as follows:

- 158 townhouses;
- 20 detached single-family homes; and
- 2 grandhomes with 4 units in each building.

Sixty-one of the dwelling units will be rental units, and all of them will be affordable to households at or below 60% of Area Median Income ("AMI"). The residents will only need to pay 30% of their income for rent. Of the homeownership units, 23 will be offered for sale at or below 60% AMI, 38 between 60-80% AMI, and 59 at market rate.

The PUD Site is a rolling landscape, steeply sloping in part and partly tree covered. A total of 2.88 acres will preserved as common open space totaling. The proposed density is 0.53 FAR and approximately 11 dwelling units per acre. Maximum building height will be 40 feet.

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 | 60 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 SHARON SCHELLIN, ACTING SECRETARY TO THE ZONING COMMISSION.