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D.C. OFFICE OF ZONING

2006 MAY 18 AM 11:05

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

TIME AND PLACE: Thursday, July 6, 2006, at 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. 06-01 (3rd and H Streets, N.E. – Steuart Investment Company and Steuart-H Street LLC)

THIS CASE IS OF INTEREST TO ANC 6C

On January 6, 2006, the Office of Zoning received an application from the Steuart Investment Company and Steuart-H Street LLC. The Applicants are requesting approval of a planned unit development (PUD) and a related zoning map amendment from C-2-A to C-2-B for a portion of the subject property. The Office of Planning provided its report on March 3, 2006, and the case was set down for hearing on March 13, 2006. The Applicant provided its prehearing statement as part of its application on April 28, 2006.

The property that is the subject of this application consists of approximately 60,870 square feet of land area and is located in the block bounded by 3rd, 4th, H and I Streets, N.E. The property fronts on 3rd, 4th and H Streets and is known as Square 776, lots 9, 25-31, 51-53, 800 and 821 and portions of public alleys proposed to be closed. The subject properties are currently zoned C-2-B and C-2-A.

The Applicant proposes to construct a mixed-use development containing approximately 210 to 250 apartment units and approximately 69,000 square feet of gross floor area devoted to retail and service uses, including a grocery store of approximately 45,000 square feet plus additional loading and support space. The building will have a maximum height of 90 feet, stepping down to the north and east sides of the project. The total gross floor area of the project is approximately 307,299 square feet; the proposed overall floor area ratio (FAR) of the project is 5.05. The project will contain a total of 365 parking spaces.

The C-2-A District permits mixed residential and commercial development as a matter-of-right, to a maximum lot occupancy of 60% for residential use, a maximum FAR of 2.5, of which no more than 1.5 may be devoted to other than residential uses and a maximum height of fifty feet.

**ZONING COMMISSION
District of Columbia**

CASE NO. 06-01
EXHIBIT NO. 24

Under Chapter 24, the guideline for height in a PUD is sixty-five feet and the guideline for FAR in a PUD is 3.0, of which no more than 2.0 may be commercial.

The C-2-B District permits mixed residential and commercial development as a matter-of-right, to a maximum lot occupancy of 80% for residential use, a maximum FAR of 3.5, of which no more than 1.5 may be devoted to other than residential uses and a maximum height of ninety feet. Under Chapter 24, the guideline for height in a PUD is ninety feet and the guideline for FAR in a PUD is 6.0, of which no more than 2.0 may be commercial.

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.

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 JEFFRIES, JOHN G. PARSONS AND MICHAEL TURNBULL, ————— ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.



May 16, 2006

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Sincerely,

A handwritten signature in dark ink, appearing to be a stylized "J" or "K" followed by a horizontal line.

Claims & Inquiry Section
Southern Maryland P&DC
Capitol Heights, MD 20790-9998

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