

Government of the District of Columbia
OFFICE OF ZONING



Z.C. CASE NO.: 06-01

As Secretary to the Commission, I hereby certify that on MAY 12 2006 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. <i>D.C. Register</i> | 7. Office of Planning (Ellen McCarthy) |
| 2. Norman M. Glasgow, Esq.
Holland & Knight, LLP
2099 Pennsylvania Ave., N.W.
Washington, D.C. 20006 | 8. Ken Laden, DDOT |
| 3. Mark Dixon, Chair
ANC 6C
P.O. Box 77876
Washington, DC 20013 | 9. Bill Crews, Zoning Administrator |
| 4. Commissioner Anthony Rivera
ANC/SMD 6C05
817 4th Street, NE
Washington, DC 20002 | 10. Mark Rubenstein, Esq.
General Counsel – DCRA
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 Sharon Ambrose | 12. Property Owners within 200 Feet
(see attached list provided by Applicant) |
| | 13. MLK Library (30 Copies) |

ATTESTED BY:

A handwritten signature in cursive script, reading "Sharon S. Schellin".

Sharon S. Schellin
Secretary to the Zoning Commission
Office of Zoning

ZONING COMMISSION
District of Columbia

CASE NO. 06-01

EXHIBIT NO. 25

#06 51

DO NOT
REPLACE
THIS
PAGE

220 I Street NE LLC
c/o Key Commercial Mtg
911 Main St Ste 1500
Kansas City, MO 64105-5344

Abdo H Street LLC
1404 14th St NW Fl 2
Washington DC 20005-3779

Broadway Capitol LLC
80 Broad St 29th FL
New York, NY 10094-0001

SH Holdings No 777 LLC
c/o Louis Dreyfus Property
20 Westport Rd
Wilton, Ct 06897-4522

Amelia T Arthur
734 3rd St NE
Washington, DC 20002-4312

Broadway I Associates LLC
80 Broad St
New York, NY 10004-2209

World Vision Properties LLC
c/o Key Commercial Mtg
911 Main St Ste 1500
Kansas City, MO 64105-5344

Thomas S Daire
812 4th St NE
Washington, DC 20002-4318

Mackie Mccrea & Mae Mccrea
2236 Martin Luther King Jr Hwy
Kingtree, SC 29556-6912

G J Purdy & M C Purdy
816 4th St NE
Washington, DC 20002-4318

Randolph R Fitzgerald
10211 Chautauqua Ave
Lanham, MD 20706-2038

John C Formant Real Estate Inc
Kelly A Formant
225 Pennsylvania Ave SE
Washington, DC 20003-1108

Johanna Lunsford
323 I St NE
Washington, DC 20002-4341

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



Christopher Sands
319 I St NE
Washington, DC 20002-4341

Kelvin George
907 Lake Front Dr
Bowie, MD 20721-2952

Aryeh Spero
1 Cornelia Ave
Great Neck, NY 11024-1813

Luvenia E Winston
831 3rd St NE
Washington, DC 20002-4313

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

David C Kalinowski & Jennifer Goetz
11331 Waples Mill Rd
Oakton, VA 22124-2002

Martha L Creek & Wanda R Gordon
837 3rd St NE
Washington, DC 20002-4313

Ethel M Stanley
307 I St NE
Washington, DC 20002-4341

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

Dawn Allison Thomas
311 I St NE
Washington, DC 20002-4341

Roland E Jones & Marion Jones
313 Eye St NE
Washington, DC 20002-4341

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Upper Marlboro, MD 20772-7731

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820 4th St NE
Washington, DC 20002-4318



Panfilo Diaz & Esperanza Diaz
810 4th St NE
Washington, DC 20002-4318

Derrick Anderson
601 Indiana Ave NW
Washington, DC 20004-2925

H St Development Group LLC
16703 Cyrus St
Gaithersburg, MD 20877-1273

Fathi & Associates Inc
16703 Cyrus St
Gaithersburg, MD 20877-1273

Robert O Ryan
11060 Stonebrook Dr
Manassas, VA 20112-3086

Todd Davis & Constance H Davis
730 4th St NE
Washington, DC 20002-4316

Vulture LLC
471 H St NW
Washington, DC 20001-2617

331 H Street LLC
c/o James R Galvagna
7100 Brookville Rd
Chevy Chase, MD 20815-4062

Andrea J Cannon
12502 Haxall Ct
Ft Washington, MD 20744-7042

Lois A Jones
337 H St NE
Washington, DC 20002-4333

Gerald Yun
13405 Poplar Woods Ct
Chantilly, VA 20151-2537

Gerald Yun
303 H St NE
Washington, DC 20002-4333

Richard Boyce & Nancy Boyce
611 5th St NE
Washington, DC 20002-5201

Susan L Anderson
767 3rd St NE
Washington, DC 20002-4311



Hillco Investment Corporation
PO Box 34208
Bethesda, MD 20827-0208

Robert A Foster
771 3rd St NE
Washington, DC 20002-4311

Capitol Place Home Owners
c/o Robert A Foster
771 3rd St NE
Washington, DC 20002-4311

David Bernhardt
410 H St NE
Washington, DC 20002-4336

John M Mitchell & Jeanette Mitchell
825 Kentucky Ave SE
Washington, DC 20003-3115

Jenkins Hill Properties
c/o J C Formant Real Est
225 Pennsylvania Ave SE
Washington, DC 20003-1108

Darryl Pounds
4613 Lambert Pl
Alexandria, VA 22311-4959

District of Columbia
801 N Capitol St NE
Washington, DC 20002-4202

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Washington, DC 20002-4317

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817 4th St NE
Washington, DC 20002-4317

Roger L Hicks
c/o Dominion Bankshares
PO Box 291869
Nashville, TN 37229-1869

Jeffrey Johnson
821 4th St NE
Washington, DC 20002-4317

US Marketing & Service Company Inc
c/o J D Sawyer
10605 Judicial Dr Ste B2
Fairfax, VA 22030-5167

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



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1216 10th St NW Apt 302
Washington DC 20001-4236

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Washington, DC 20002-4317

Derrick Anderson
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Washington, DC 20002-4317

Vivian W Stewart
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Washington, DC 20002-4317

Leonard Muldrow
835 4th St NE
Washington, DC 20002-4317

Christopher Hunter
837 4th St NE
Washington, DC 20002-4317

Honor Roble & Ida C Green
839 4th St NE
Washington, DC 20002-4317

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c/o John C Formant Real Est
225 Pennsylvania Ave SE
Washington, DC 20003-1108

Howard Mabry
26 O St NW
Washington, DC 20001-1259

Emes LP
c/o Stanford Steppa
10042 Chartwell Manor Ct
Potomac, MD 20854-5441

Sanjay Khanna & Bobina Khanna
9027 Rosewall Ct
Springfield, VA 22152-2123

Wayne Turner
409 H St NE
Washington, DC 20002-4335



**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.

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.

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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.**

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.