

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Zoning Commission**



**Z.C. CASE NO.: 06-08**

As Secretary to the Commission, I hereby certify that on SEP - 7 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>   | 8. Ken Laden, DDOT   |
| 2. Paul A. Tummonds, Jr., Esq.<br>Pillsbury Winthrop Shaw Pittman<br>2300 N Street, N.W.<br>Washington, D.C. 20037-1128 | 9. Bill Crews, Zoning Administrator  |
| 3. Joseph L. Bowser, Chair<br>ANC 5A<br>1322 Irving Streets, NE<br>Washington, DC 20017                                 | 10. Julie Lee<br>General Counsel<br>941 North Capitol Street, N.E.<br>Suite 9400<br>Washington, D.C. 20002 |
| 4. Commissioner Robert King<br>ANC/SMD 5A12<br>3102 Apple Road, NE<br>Washington, DC 20018                              | 11. Office of the Attorney General<br>(Alan Bergstein)   |
| 5. Gottlieb Simon<br>ANC<br>1350 Pennsylvania Avenue, N.W.<br>Washington, D.C. 20004                                    | 12. Property Owners Within 200 Feet<br>(see attached list provided by<br>Applicant)                        |
| 6. Councilmember Vincent Orange, Jr.  | 13. MLK Library (30 Copies)  |
| 7. Office of Planning (Ellen McCarthy)  |  |

**ZONING COMMISSION**  
**District of Columbia**

CASE NO. 06-08  
EXHIBIT NO. 25

ATTESTED BY:

A handwritten signature in black ink, appearing to read "Sharon S. Schellin", is written over a horizontal line.

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

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

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ZONING COMMISSION  
District of Columbia  
CASE NO. 06-08  
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06-08

Mr. John Parsons, Director  
Cooperative Activities  
National Park Service  
1100 Ohio Drive, SW  
Washington, DC 20024

Fort Lincoln Rental Ltd.  
3298 Fort Lincoln Drive, NE  
Washington, DC 20018-4341

District of Columbia Property  
Dept. of Admin Services  
441 4<sup>th</sup> Street, NW; Room 700S  
Washington, DC 20001

Robert King  
Commissioner, ANC 5A12  
3102 Apple Road, NE  
Washington, DC 20018

Ft Lincoln Senior Village No. III Associates  
c/o Ft Lincoln Realty Co  
3298 Fort Lincoln Drive, NE  
Washington, DC 20018-4341

President  
Condominium Association  
2801 31<sup>st</sup> Place, NE  
Washington, DC 20018-1603

President  
Condominium Association  
3400 Summit Court, NE  
Washington, DC 20018-1620

President  
Condominium Association  
3000 Pineview Court, NE  
Washington, DC 20018-1617

Fort Lincoln New Town / Premium Distributors, LLC  
3500 Fort Lincoln Drive, NE  
Washington, DC 20018-4309

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

**TIME AND PLACE:**                      **Monday, December 18, 2006, @ 6:30 PM**  
   **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. 06-08 (Fort Lincoln/Gateway Village LLC – Consolidated Planned Unit Development)**

**THIS CASE IS OF INTEREST TO ANC 5A**

On February 14, 2006, the Office of Zoning received an application from Fort Lincoln/Gateway Village LLC (the “Applicant”). The Applicant is requesting consolidated approval of a planned unit development (“PUD”). The Office of Planning provided its report on June 2, 2006, and the case was set down for hearing on June 12, 2006. The Applicant provided its pre-hearing statement on August 14, 2006.

The property that is the subject of this application is located between Fort Lincoln Drive, NE and Commodore Joshua Barney Drive, NE, and known as Square 4325, Parcel 173/145 (the “Subject Property”). The Subject Property is located in the Fort Lincoln neighborhood of Ward 5 and consists of approximately 1,003,544 square feet of land area (approximately 23 acres). The Subject Property is currently located in the R-5-D Zone District.

The proposed PUD seeks consolidated approval to develop a 357-unit townhome and townhome condominium development consisting of three sizes of single-family townhomes and “2 over 2” townhome condominiums. In total, the project will provide 576,109 square feet of gross floor area of residential uses. The project will also feature a community green, mews green, pocket park, and children’s play area, for a total of 180,486 square feet of open green space. The proposed development provides 896 parking spaces.

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 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.**

**CAROL J. MITTEN, ANTHONY J. HOOD, JOHN G. PARSONS, MICHAEL G. TURNBULL, AND GREGORY N. JEFFRIES ——— ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR AND BY SHARON SCHELLIN, SECRETARY TO THE ZONING COMMISSION.**