GOVERNMENT OF THE DISTRICT OF COLUMBIA Office of Zoning



Z.C. CASE NO.: 07-21

As Secretary to the Commission, I hereby certify that on DEC 19 2007 copies of this Z.C. Notice of Public Hearing were mailed first class, postage prepaid or sent by interoffice government mail to the following:

- 1. D.C. Register
- 2. **Christopher Collins**
- Kyrus L. Freeman 3. Holland & Knight, LLP 2099 Pennsylvania Ave., N.W. Washington, D.C. 20006
- 4. Asher Corson, Chair ANC 2A c/o West End Library 1101 24th Street, N.W. Washington, DC 20037
- 5. **Commissioner Lowell Thomas** ANC/SMD 2A02 2425 L Street, N.W. #312 Washington, DC 20037
- Gottlieb Simon 6. ANC 1350 Pennsylvania Avenue, N.W. Washington, D.C. 20004
- 7. Councilmember Jack Evans

- 8. Office of Planning (Harriet Tregoning)
- 9. DDOT (Ken Laden)
- 10. Zoning Administrator (Matthew LeGrant)
- 11. Jill Stern, Esq. General Counsel 941 North Capitol Street, N.E. **Suite 9400** Washington, D.C. 20002
- 12. Office of the Attorney General (Alan Bergstein)
- 13. DDOE (Corey Buffo)
- 14. Property Owners Within 200 Feet (see attached list provided by Applicant)
- 15. MLK Library (30 copies)

ATTESTED BY:

Sharon S. Schellin

Secretary to the Zoning Commission

Office of Zoning

ZONING COMMISSION Disting, of Columbia

40U-71

Columbia Realty Venture 5301 Wisconsin Ave., NW - Ste. 600 Washington, DC 20015-2044

Millennium Caf, II LLC c/o Millennium Partners 1995 Broadway New York, NY 10023-5882

2213 M. Street Limited Partnership c/o Noras Restaurant 2132 Florida Ave., NW Washington, DC 20008-1925

District of Columbia c/o Office Prp. Mgmnt. 441 4th St., NW - Ste. 1100s Washington, DC 20001

22nd M Land Owner, LLC 245 Park Ave. Fl. 26 New York, NY 10167-2699

Condominium Association - 1155 23rd St., NW 1155 23rd St., NW Washington, DC 20037-3301

MPE Holdings I. LLC Trustee 1150 22nd St., NW Washington, DC 20037-1219

Federal Ex Corporation 3630 Hacks Cross Rd. Fl 3 Memphis, Tn 38125-8800

Anc 2A West End Library 1101 24th Street, NW Washington, DC 20037 M Street Partners LLC Starwood Cap Group Global LLC 59 W. Putnam Avenue Greenwich, CT 06830-5328

National Osteoporosis Foundation 1232 22nd St., NW Washington, DC 20037-1202

Capitol 50 Associates c/o Deloitte Tax LLP PO Box 11338 Mc Lean, VA 22102-9338

RP/HH 22nd St Owner, LLC Ste 2250 222 Berkeley Street Boston, MA 02116-3748

R.S. Sandi Holdings, LLC 1733 Connecticut Ave., NW Washington, DC 20009-1108

Condominium Association - 1111 23rd St., NW 1111 23rd St., NW Washington, DC 20037-3317

BDDC LLC c/o Ste. 2 1 Tampa City Ct.r Tampa, FL 33602-5182

Exxon Corporation PO Box 53 Houston, TX 77001-0053

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA NOTICE OF PUBLIC HEARING

TIME AND PLACE:

Monday, February 25, 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. 07-21 (Per Star M Street Partners LLC & 2213 M Street LP – Consolidated PUD @ Square 50)

THIS CASE IS OF INTEREST TO ANC 2A

On July 13, 2007, the Office of Zoning received an application from PerStar M Street Partners, L.C., as owner of Lots 82, 813, 814 and 816 in Square 50, and 2213 M Street Limited Partnership, as owner of Lot 84 in Square 50. PerStar M Street Partners, L.L.C. and 2213 M Street Limited Partnership are collectively referred to as the "Applicant" in this case. The Applicant is requesting consolidated review and approval of a planned unit development (PUD) on the subject property. The Office of Planning provided its report on October 5, 2007, and the case was set down for hearing on October 15, 2007. The Applicant provided its prehearing statement as part of its application on December 11, 2007.

The property that is the subject of this application consists of Lots 82, 84, 813, 814 and 816 in Square 50 (the "Subject Property"). The Subject Property has a combined land area of approximately 15,590 square feet and is located at the northwest corner of 22nd and M Streets, N.W. Square 50 is bounded by M, 22nd, N and 23rd Streets, N.W. The Subject Property is zoned CR.

The Applicant proposes to construct a hotel on the Subject Property. The project will contain approximately 122,235 square feet of gross floor area, with an overall FAR of 7.84 and a maximum building height of 110 feet. The project will include a total of approximately 148 hotel rooms and suites, ground floor restaurant space, a spa, and 48 off-street parking spaces in a valet operated garage that has a maximum capacity of 71 vehicles.

The CR District is designed to encourage a diversity of compatible land uses that may include a mixture of residential, office, retail, recreational, light industrial and other miscellaneous uses. The CR District permits a maximum height of 90 feet and a maximum FAR of 6.0, of which no more than 3.0 may be used for nonresidential purposes. Under Chapter 24, the limit for height in a PUD is 110 feet and the limit for FAR is 8.0, of which no more than 4.0 may be commercial.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR § 3022.

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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:

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

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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, PETER G. MAY, CURTIS L. ETHERLY, JR. 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 COMMISSIO