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GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



Z.C. CASE NO.: 07-21B

AUG 18 2011

As Secretary to the Commission, I hereby certify that on _____ 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 (via e-mail) | 7. Office of Planning (Harriet Tregoning) |
| 2. Chris Collins & Kyrus Freeman, Esqs.
Holland & Knight
2099 Pennsylvania Avenue, N.W. Suite 100
Washington, D.C. 20006 | 8. DDOT (Martin Parker) |
| 3. ANC 2A
West End Branch Library
1101 24 th Street, N.W.
Washington, DC 20037 | 9. Melinda Bolling, Acting General Counsel
DCRA
1100 4 th Street, S.W.
Washington, D.C. 20024 |
| 4. Commissioner Rebecca Cooder
ANC/SMD 2A02
2501 M Street, N.W. #721
Washington, D.C. 20037 | 10. Office of the Attorney General (Alan Bergstein) |
| 5. Gottlieb Simon
ANC
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004 | 11. DDOE (Nina Albert) |
| 6. Councilmember Jack Evans | 12. Property Owners w/in 200 Feet (see attached list provided by Applicant) |
| | 13. MLK Library (30 copies) |

ATTESTED BY:


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

ZONING COMMISSION
District of Columbia

CASE NO.

07-21B

EXHIBIT NO.

19

441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001

Telephone: (202) 727-6311

Facsimile: (202) 727-6072

E-Mail: dcoz@dc.gov

Web Site: www.dcoz.dc.gov

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 Zone District permits a maximum height of 90 feet and a maximum density of 6.0 FAR, of which no more than 3.0 may be used for nonresidential purposes. Under Chapter 24, the guideline for height in a PUD is 110 feet and the guideline for density is 8.0 FAR, 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.

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.

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 14 days prior to the date set for the hearing, a Form 140 – Party Status Application, a copy of which is attached hereto.** This form may also be obtained from the Office of Zoning at the address stated below or downloaded from the Office of Zoning's website at: www.dcoz.dc.gov.

To the extent that the information is not contained in the Applicant's prehearing submission as required by 11 DCMR § 3013.1, the Applicant shall also provide this information not less than 14 days prior to the date set for 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 contain the information indicated in § 3012.5 (a) through (i).

Time limits.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- | | | |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 60 minutes collectively |
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

Pursuant to § 3020.3, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 200/210-S, 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, KONRAD W. SCHLATER, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JAMISON L. WEINBAUM, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

Form 140

(Revised 1/1/11)

Case No. _____

**FORM 140 - PARTY STATUS REQUEST****Before completing this form, please review the instructions on the reverse side.**

PLEASE NOTE: YOU ARE NOT REQUIRED TO COMPLETE THIS FORM IF YOU SIMPLY WISH TO TESTIFY AT THE HEARING. COMPLETE THIS FORM ONLY IF YOU WISH TO BE A PARTY IN THIS CASE.

(Please see reverse side for more information about this distinction.)

NAME: Last _____ First _____ Middle I. _____

ADDRESS: Street _____ Apt. # (if any) _____ City _____ State _____ Zip Code _____

Phone No. _____ Fax No. _____ E-Mail _____

I hereby request to appear and participate as a party. _____ Signature _____ Date _____

 Will you appear as a(n) ☐ Proponent ☐ Opponent Will you appear through legal counsel? ☐ Yes ☐ No
If yes, please enter the name and address of such legal counsel.

NAME: Last _____ First _____ Middle I. _____

ADDRESS: Street _____ Ste. # (if any) _____ City _____ State _____ Zip Code _____

Phone No. _____ Fax No. _____ E-Mail _____

WITNESS INFORMATION:

On a separate piece of paper, please provide the following witness information:

1. A list of witnesses who will testify on the person's behalf;
2. A summary of the testimony of each witness (*Zoning Commission only*);
3. 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 (*Zoning Commission only*); and
4. The total amount of time being requested to present your case (*Zoning Commission only*).

PARTY STATUS CRITERIA:On a separate piece of paper, please answer all of the following questions referencing why the above entity should be granted party status:

1. How will the property owned or occupied by such person, or in which the person has an interest be affected by the action requested of the Commission/Board?
2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)
3. What is the distance between the person's property and the property that is the subject of the appeal or application before the Commission/Board? (Preferably no farther than 200ft.)
4. What are the environmental, economic or social impacts that are likely to affect the person and/or the person's property if the action requested of the Commission/Board is approved or denied?
5. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Commission/Board is approved or denied.
6. Explain how the person's interest will be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than that of other persons in the general public.

Except for the applicant, appellant or the ANC, to participate as a party in a proceeding before the Commission/Board, any affected person shall file with the Zoning Commission or Board of Zoning Adjustment, this Form 140 not less than fourteen (14) days prior to the date set for the hearing.

Person vs. Party in a Proceeding

Any person or representative of an organization may provide written and/or oral testimony at a public hearing. A person who desires to participate as a party in a proceeding, however, must make a request and must comply with the provisions on this form. A party has the right to cross-examine witnesses, submit proposed findings of fact and conclusions of law, receive a copy of the written decision of the Zoning Commission or Board of Zoning Adjustment, and exercise any other rights of parties as specified in the Zoning Regulations. Approval of party status is contingent upon the requester clearly demonstrating that his or her interest will be more significantly, distinctively, or uniquely affected by the proposed zoning action than that of other persons.

INSTRUCTIONS

Any request for party status for action provided in the District of Columbia Zoning Regulations (11 DCMR Zoning) that is not completed in accordance with the following instructions shall not be accepted.

1. All applications shall be made pursuant to this form. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form (drawings and plans may be no larger than 11" x 17").
2. Present this form and supporting documents to the Office of Zoning at 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001, not less than fourteen (14) days prior to the date set for the hearing.



If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete Form 155 - Request for Reasonable Accommodation.

District of Columbia Office of Zoning
441 4th Street, N.W. Ste. 200 S, Washington, D.C. 20001
(202) 727 6311 * (202) 727 6072 fax * www.dcoz.dc.gov * dcoz@dc.gov

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Embassy of The United Republic of Tanzania
2139 R St., NW
Washington, DC 20008-1918

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

R.S. Sandi Holdings, LLC
2215 M St., NW
Washington, DC 20037-1483

Credit Suisse
Marianne Leopold
755 Crossover Ln.
Memphis, TN 38117-4906

Capitol 50 Associates
Tishman Speyer
1255 23rd St., NW
Washington, DC 20037-1125

Perstar M. Street Partners LLC
2099 Penn Ave., NW # 975
Washington, DC 20006-6800

District of Columbia
Suite 307
1350 Pennsylvania Ave., NW
Washington, DC 20004-3003

Millenium Square Residents Association
1111 23rd St., NW
Washington, DC 20037-3317

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

Millennium Caf, II LLC
1995 Broadway
New York, NY 10023-5882

BDDC LLC
PO Box 172117
Tampa, FL 33672-2117

Federal Ex Corporation
Property Tax
3630 Hacks Cross Rd. Fl 3
Memphis, TN 38125-8800

Renaissance Centro M. Street LLC
7501 Wisconsin Avenue, Suite 1103
Bethesda, MD 20814-6515

PR/HH 22nd Street Owner LLC
13155 Noel Rd. - Ste. 700
Dallas, TX 75240-5030

RP/HH 22nd Street Owner LLC
13155 Noel Rd. - Ste. 700
Dallas, TX 75240-5030

Anacostia Realty LLC
6820b Commercial Dr.
Springfield, VA 22151-4201

Advisory Neighborhood Commission 2A
c/o West End Branch Library
1101 24th Street, NW
Washington, DC 20037