

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

TIME AND PLACE:

**Thursday, July 17, 2008, @ 6:30 pm
Office of Zoning Hearing Room
441 4th Street, N.W., Suite 220-South
Washington, D.C. 20001**

RECEIVED
D.C. OFFICE OF ZONING
2008 JUN -3 AM 10:55

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Case No. 07-27 (EYA, LLC and the Missionary Society of Saint Paul the Apostle – Consolidated Planned Unit Development & Related Zoning Map Amendment)

THIS CASE IS OF INTEREST TO ANC 5C

On September 14, 2007, the Office of Zoning received an application from EYA, LLC and the Missionary Society of Saint Paul the Apostle (the “Applicant”). The Applicant is requesting consolidated approval of a planned unit development (“PUD”) and related amendment to the Zoning Map of the District of Columbia. The Office of Planning provided its report on November 9, 2007, and the case was set down for hearing on November 19, 2007. The Applicant provided its pre-hearing statement on April 22, 2008.

The property that is the subject of this application is a 10.2 acre portion, approximately 444,312 square feet, of St. Paul’s College campus located on 4th Street, N.E. in Square 3648 (the “Subject Property”). The Subject Property is located in Northeast Washington, D.C. within the campus which is bounded by 4th Street, N.E. to the west; Hamlin Street and Jackson Street, N.E. to the east, 5th and 6th Street, N.E. to the south; and the United States Conference of Bishops office building to the north, in the Brookland/Edgewood neighborhood in Ward 5, within the jurisdiction of Advisory Neighborhood Commission 5C.

The Subject Property is currently located in the R-5-A Zone District. The Zoning Map Amendment application requests a rezoning of the Subject Property to the R-5-B District.

The Applicant proposes to build a 237 townhome community, composed of three and four story, attached single-family homes constructed in two phases of which 24 townhomes will satisfy the requirements for affordable housing. The proposed height of the townhomes will vary from approximately 38 feet to 48 feet, and the total gross floor area included in the PUD is 565,851 square feet which equates to a floor area ration (“FAR”) of 1.27.

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

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EXHIBIT NO. 23

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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.

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:

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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.**

ANTHONY J. HOOD, GREGORY N. JEFFRIES, CURTIS L. ETHERLY, JR., MICHAEL G. TURNBULL, PETER G. MAY ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR AND BY SHARON SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

OFFICE OF ZONING

441 4th STREET, N.W. SUITE 200-S/210-S

WASHINGTON, D.C. 20001

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