

GOVERNMENT OF THE DISTRICT OF COLUMBIA 15 AM 9:43
Office of Zoning



MEMORANDUM

To: Office of Documents and Administrative Issuance
From: Sharon S. Schellin *SS*
Secretary to the Zoning Commission
Date: April 15, 2008
Re: Publication for the Office of Zoning

Please publish the following in the *D.C. Register* on April 25, 2008.

1. Z.C. Notice of Rescheduled Public Hearing (Case No. 03-12F/03-13F);
and
2. Z.C. Notice of Public Hearing (Case No. 08-08).

Attachments

ZONING COMMISSION
District of Columbia

CASE NO. 08-08
EXHIBIT NO. 31

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

TIME AND PLACE: **Thursday, June 12, 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. 08-08 (3910 Georgia Avenue Associates, LP I and II – Consolidated Planned Unit Development at 3910-3912 Georgia Avenue, N.W. – Square 2906, Lots 848 and 849)

THIS CASE IS OF INTEREST TO ANC 4C:

On April 9, 2008, the Office of Zoning received an application from 3910 Georgia Avenue Associates Limited Partnerships I and II (“Applicant”) on the behalf of the District of Columbia, owner of 3910-3912 Georgia Avenue, N.W. (Square 2906, Lots 848 and 849). 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 April 9, 2008, and the case was set down for hearing on April 14, 2008. The Applicant provided its prehearing statement as part of its application on April 9, 2008.

The property that is the subject of this application consists of Lots 848 and 849 in Square 2906 (the "Subject Property"). The Subject Property has a combined land area of approximately 31,000 square feet of land area, is zoned C-3-A and is located within the Georgia Avenue Commercial Overlay District (“GA”). Square 2906 is located in the northwest quadrant of the District, and is bounded by Shepherd Street on the north, Georgia Avenue on the east, Randolph Street on the south and Kansas Avenue on the west. The Subject Property is located along Georgia Avenue and a fifteen foot (15 ft.) wide public alley is located adjacent to the Subject Property to the north and to the west.

The Applicant proposes to construct a mixed-use development consisting of ground floor medical clinic and associated retail and affordable and market-rate dwelling units. The new development will contain approximately 141,486 square feet of gross floor area, with an overall floor area ratio (“FAR”) of 4.7 and a maximum building height of 78 feet. Approximately 113,251 square feet will be devoted to residential uses comprising 130 dwelling units, of which forty percent (48%) (or 62 dwelling units) will be dedicated as affordable dwelling units. Approximately 28,235 square feet will be devoted to medical service and retail uses. The project includes 120 off-street parking spaces.

The C-3-A District is designed to accommodate a business/employment area with substantial amounts of employment, housing, and mixed uses. The Georgia Avenue Commercial Overlay District is intended to stabilize the area, encourage redevelopment of the neighborhood commercial corridor and improve the pedestrian experience along the street. The GA/C-3-A District permits a maximum height of seventy feet and a maximum FAR of 4.5, and a maximum lot occupancy of 75%. Under Chapter 24, the guideline for a PUD in the C-3-A District provides a limit of ninety feet for height and a limit of 4.5 FAR. The Zoning Commission also has under Chapter 24 the authority, consistent with the purpose and standards for the PUD, to allow an increase of not more than 5% in FAR above the maximum for the underlying zone district.

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 and 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 environmental, 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 pre-hearing 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 also submit the written report described in 11 DCMR § 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., PETER G. MAY, AND MICHAEL G. TURNBULL, ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON SCHELLIN, SECRETARY TO THE ZONING COMMISSION.