GOVERNMENT OF THE DISTRICT OF COLUMBIA Office of Zoning



Z.C. CASE NO.: 08-24

As Secretary to the Commission, I hereby certify that on JUL 2 4 2000 pries 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
- Paul Ttummonds, Jr.
 Pillsbury
 2300 N St., N.W.
 Washington, D.C. 20037-1128
- 3. Anita Bonds, Chair ANC 5C P.O. Box 77761 Washington, DC 20013
- Commissioner Silas Grant, Jr.
 ANC/SMD 5C09
 2830 6th Street NE
 Washington, DC 20017
- 5. Commissioner Timothy Day ANC/SMD 5C10 3205 7th St., N.E. Washington, D.C. 20017
- Angel Alston, ChairANC 5A1322 Irving St., N.E.Washington, D.C. 20017
- Commissioner Carolyn C. Steptoe
 ANC/SMD 5A07
 1257 Lawrence Street NE
 Washington, DC 20017

- 8. Gottlieb Simon
 ANC
 1350 Pennsylvania Avenue, N.W.
 Washington, D.C. 20004
- 9. Councilmember Harry Thomas, Jr.
- 10. Office of Planning (Harriet Tregoning)
- 11. DDOT (Karina Ricks)
- 12. General Counsel DCRA
 941 North Capitol Street, N.E.
 Suite 9400
 Washington, D.C. 20002
- 13. Office of the Attorney General (Alan Bergstein)
- 14. DDOE (Shane Farthing)
- 15. Owners Within 200 Feet (see attached list provided by Applicant)

ZONING COMMISSION District of Columbia

CASE NO.

EXHIBIT NO.

ATTESTED BY:

Sharon S. Schellin

Secretary to the Zoning Commission

Office of Zoning

Telephone: (202) 727-6311 Facsimile: (202) 727-6072 E-Mail: dcoz@dc.gov Web Site: www.dcoz.dc.gov

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA NOTICE OF PUBLIC HEARING

TIME AND PLACE: Monday, October 5, 2009, @ 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 Nos. 08-24 and 08-24A/04-25 (Abdo Development, LLC and The Trustees of the Catholic University of America – Consolidated Review and Approval of a Planned Unit Development, Zoning Map Amendment and Amendment to an Approved Campus Plan)

THIS CASE IS OF INTEREST TO ANC 5C

On September 8, 2008, the Office of Zoning received an application from Abdo Development, LLC and the Trustees of the Catholic University of America seeking review and approval of a consolidated planned unit development ("PUD"), a proposed amendment to the Zoning Map of the District of Columbia, and a proposed amendment to The Catholic University Campus Plan. The Zoning Commission set the case down for a public hearing at its April 27, 2009, public meeting.

The property that is the subject of this application is located generally south of Michigan Avenue, N.E., north of Kearny Street, N.E., east of the Dominican House of Studies and west of the railroad tracks. It is more particularly known as Square 3654, Lots 4, 5, 6, 10, 12, 15, 16, 17, 801, 802, 803, 804, 805, 806, 811; Square 3655, Lot 1; Square 3656, Lot 800; Square 3657, Lots 805, 821, 826; Square 3831, Lot 818 ("Subject Property"). The Subject Property is located in the Brookland neighborhood of Ward 5 and has an approximate land area of 8.9 acres. The Applicant requests a Zoning Map amendment to the C-2-B Zone District for the portions of the Subject Property along Michigan Avenue and Monroe Street. The properties that are located in the southwest corner of the Subject Property are proposed to be rezoned to the R-5-B Zone District. The small property at the southeast corner of 8th and Monroe Streets, N.E. is proposed to remain in the C-M-1 Zone District.

The Applicant proposes the construction of 725-825 residential units and approximately 75,000-85,000 square feet of retail space. The project will have a floor area ratio of 2.31, a maximum height of 70 feet, and a lot occupancy ranging from 33% to 77% on each parcel.

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

Z.C. NOTICE OF PUBLIC HEARING Z.C. CASE NO. 08-24 PAGE 2

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 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 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 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, WILLIAM W. KEATING, III, KONRAD W. SCHLATER, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY RICHARD S. NERO, JR., ACTING DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

Jam Free Printing Use Avery® TEMPLATE 5960™





College Immaculate Conception 487 Michigan Avenue, NE Washington, DC 20017-1584 E M Cieslak 3212 7th Street, NE Washington, DC 20017-1413

Oblates of St. Francis Desales Inc. c/o Office of Treasurer 2200 Kentmere Pkwy.
Wilmington, DE 19806-2018

District of Columbia Property 1133 N. Capitol Street, NE Washington, DC 20002-7549 Charles W. Morrow 1334 Farragut Street, NW Washington, DC 20011-6908 Sureia A. Ahmed 718 Lawrence Street, NE Washington, DC 20017-3523

Washington Metropolitan Area Transit Authority (WMATA) 600 5th Street, NW Washington, DC 20001-2610 Reta G. Yirga Signs for the Times 1110 4th Street, NW Washington, DC 20001-2519

German Chevez 1501 Decatur Street, NW Washington, DC 20011-4344

John P. Smith, Jane Saindon Roger, Per Rep 1025 Connecticut Avenue, NW Washington, DC 20036-5423 Linda F. Yahr 717 Lawrence Street, NE Washington, DC 20017-3522 Carlos A. Miranda 9833 Kentsdale Dr. Potomac, MD 20854-4455

Elizabeth Gettins 3217 7th Street, NE Washington, DC 20017-1414

Ewan Alexander Brown Trustee 701 Lawrence Street, NE Washington, Dc 20017-3522 George Basiliko Revocable Trust 1804 11th Street, NW Washington, DC 20001-5015

Damien Agostinelli 3219 7th Street, NE Washington, DC 20017-1414 Lydia F. Bargiel 3323 7th Street, NE Washington, DC 20017-1423 Bennett Corporation 700 Monroe Street, NE Washington, DC 20017-1754

Scott L. Audrey 624 Faraday Place, NE Washington, DC 20017-2355

S. L. Webster 3301 7th Street, NE Washington, DC 20017-1423 Catholic University of America c/o Controller 620 Michigan Avenue, NE Washington, DC 20064-0001

F. Simmons 1743 Holbrook Street, NE Washington, DC 20002-2507 William H. Fixsen 3303 7th Street, NE Washington, DC 20017-1423 Byte Elack 815 Monroe Street, NE Washington, DC 20017-1757

Jos F. Horning, Jr. 1350 Connecticut Ave, NW Washington, DC 20036-1733 Henry Chasten, Jr. 3305 7th Street, NE Washington, DC 20017-1423 Rosemary Allsup 2026 Evarts Street, NE Washington, DC 200018-2116

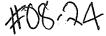
Religious of Mary Immaculate Cent Maria 650 Jackson Street, NE Washington, DC 20017-1424 Lillian McChristian
711 Lawrence Street, NE
Washington, DC 20017-3522

Tony L Johnson 9462 Lovat Road Fulton, MD 20759-9637









www.avery.com 1-800-GO-AVERY



William L. Rush 3424 9th Street, NE Washington, DC 20017-1704 ANC 5A 1322 Irving Street, NE Washington, DC 20017

Tidewater Enterprises Inc. c/o John Q. Aukward 5301 Westbard Cir # County Bethesda, MD 20816-1401 Don Padou ANC 5A07 1335 Lawrence Street, NE Washington, DC 20017

Lavinia M. Wohlfarth 3418 9th Street, NE Washington, DC 20017-1704 ANC 5C PO Box 77761 Washington, DC 20013

Damien G. Agostinelli 3416 9th Street, NE Washington, DC 20017-1704 Silas Grant ANC 5C09 2830 6th Street, NE Washington, DC 20017

District of Columbia Suite 307 1350 Pennsylvania Avenue, NW Washington, DC 20004-3003 Timothy Day ANC 5C10 3205 7th Street, NE Washington, DC 20017

Lee's Investment Company LP 3315 8th Street, NE Washington, DC 20017-3504

Edgewood Civic Association c/o Michael Henderson 200 Adams Street, NE Washington, DC 20002-1116

Yazge LLC 4212 Colchester Drive Kensington, MD 20895-4017

Missionary Society of St. Paul 997 Macarthur Blvd. Mahwah, NJ 07430-2045