

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



MEMORANDUM

To: Office of Documents and Administrative Issuance (via email)^{ss}
From: Sharon S. Schellin ^{SS}
Secretary to the Zoning Commission
Date: January 5, 2009
Re: Publication for the Office of Zoning

Please publish the following in the *D.C. Register* on January 9, 2009:

1. Z.C. Order No. 06-03A; and
2. Z.C. Notice of Public Hearing (Case No. 08-26).

Attachment

ZONING COMMISSION
District of Columbia

CASE NO. CE-26

EXHIBIT NO. 18

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

TIME AND PLACE: **Thursday, March 12, 2009, @ 6:30 PM**
 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. 08-26 (Georgia & Lamont LP -- Consolidated PUD & Related Map Amendment @ Square 2892)

THIS CASE IS OF INTEREST TO ANC 1A

On October 3, 2008, the Office of Zoning received applications from Georgia and Lamont Limited Partnership (the "Applicant"), as owner of Lots 98, 903, 904, 908, and 911 in Square 2892. The Applicant is requesting consolidated review and approval of a planned unit development (PUD) on the subject property and a related map amendment from the R-4 and GA/C-2-A District to the GA/C-2-B District. The Office of Planning provided its report on October 31, 2008, and the case was set down for hearing on December 10, 2008. The Applicant provided its prehearing statement as part of its application on December 22, 2008.

The Subject Property, which includes a portion of a public alley to be closed, has a combined land area of approximately 19,191 square feet and is located at the southwest corner of Georgia Avenue and Lamont Street, N.W. Approximately 8,402 square feet of the Subject Property is located in the R-4 District, and the remaining 10,789 square feet is located in the GA/C-2-A District. The property has approximately 156 feet of frontage on Lamont Street and approximately 98 feet of frontage on Georgia Avenue. Square 2892 is bounded by Lamont Street, N.W. to the north, Georgia Avenue to the east, Kenyon Street to the south, and Sherman Street to the west. The Subject Property is also located within the Georgia Avenue Commercial Overlay District.

The Applicant is seeking consolidated PUD approval to develop a multiple-family dwelling building with ground-floor retail on the Subject Property in accordance with the C-2-B PUD zoning requirements. The project will contain approximately 87,055 square feet of gross floor area, with an overall FAR of 4.54 and a maximum building height of 80 feet. The project will include a total of 69 residential units, at least half of which will be affordable. The project also includes 29 off-street parking spaces located in a below-grade garage.

The Applicant proposes to rezone the Subject Property from the R-4 and GA/C-2-A District to the GA/C-2-B District. The R-4 District permits detached, semi-detached and row single family dwellings and flats as a matter-of-right, as well as the conversion to multi-family use of a building built prior to 1958. The maximum permitted height in the R-4 is 3 stories and 40 feet and the maximum permitted lot occupancy is 60 percent for row dwellings and flats and 40 percent for other structures. There is no FAR limitation in the R-4 District. The C-2-A District

permits mixed residential and commercial development as a matter-of-right, to a maximum lot occupancy of 60% for residential use, a maximum FAR of 2.5, of which no more than 1.5 may be devoted to other than residential uses and a maximum height of fifty feet. Under Chapter 24, the guideline for height in a PUD is 65 feet and the guideline for FAR in a PUD is 3.0, of which no more than 2.0 may be commercial. The proposed C-2-B District permits mixed residential and commercial development as a matter-of-right, to a maximum lot occupancy of 80% for residential use, a maximum FAR of 3.5, of which no more than 1.5 may be devoted to other than residential uses and a maximum height of 90 feet. Under Chapter 24, the guideline for height in a PUD is 90 feet and the guideline for FAR in a PUD is 6.0, of which no more than 2.0 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.

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 |

**Z.C. NOTICE OF PUBLIC HEARING
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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, 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.