Government Of The District of Columbia
Office of Zoning

OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES
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MEMORANDUM

TO: Arnold R. Finlayson, Administrator
Office of Documents and Administrative Issuance

FROM: Alberto P. Bastida, AICP
Secretary to the Zoning Commission

DATE: February 21, 2002

SUBJECT: Publication for the Office of Zoning

Please publish the following in the D.C. Register on March 1, 2002:

1. Notice of Public Hearing, Case No. 02-04.

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Received By

2/21/02
Date

Attachments

ZONING COMMISSION
District of Columbia
Case 02-04
Exhibit 16

441 4th St., N.W., Suite 210-S, Washington, D.C. 20001
Telephone: (202) 727-6311 E-Mail Address: zoning_info@dcoz.dcgov.org Web Site: www.docz.dcgov.org

ZONING COMMISSION
District of Columbia
CASE NO.02-04
EXHIBIT NO.16

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Thursday, April 25, 2002, @ 6:30 P.M.**
Office of Zoning Hearing Room
441 4th Street, N.W. - Suite 220
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Case No. 02-04C (Consolidated PUD and Map Amendment for a Site @ 58th and Blaine Streets, N.E., Lots 1, 57, and 60-63 in Square 5273 – New East Capitol - Senior Building).

THIS CASE IS OF INTEREST TO ANC 7C

On January 30, 2002, the Office of Zoning received an application from the District of Columbia Housing Authority in partnership with A&R/THC, LLC, a joint venture between A&R Development Corp. and the Henson Development Company (the "Applicant"), requesting consolidated review and approval of a Planned Unit Development ("PUD") and a Zoning Map Amendment under Chapter 24 of the District of Columbia Zoning Regulations, 11 DCMR (July 1995, as amended).

The property that is the subject of this application is located to the northeast of the intersection of 58th and Blaine Streets, N.E. It has frontage on both of these streets and is bounded on the northeast by Watts Branch. The property is vacant and has a land area of 153,748 square feet or 3.85 acres. The property is unzoned, having been in federal government ownership and use for many years, but is controlled by the D.C. Housing Authority for purposes of redevelopment.

The Applicant proposes to construct a 150-unit apartment building for senior citizens, having a gross floor area of 128,600 square feet, a floor area ratio (FAR) of 0.83, a height of 50 feet and a lot occupancy of 19.2 percent. Sixty (60) parking spaces will be provided on site. Special facilities to serve the future residents will include a multi-purpose room, game room, maintenance facility, fitness room, library, meeting room, doctor's office, and laundry facilities on each floor. Outdoor amenities will include a terrace and garden off of the first floor community spaces, roof top terraces on the third floor, an outdoor game area, and pedestrian paths through a large, landscaped site.

Because the property is currently unzoned, the Applicant is requesting a map amendment to the R-5-A zone, as well as a consolidated planned unit development in conjunction with R-5-A zoning. The Applicant contends that this zoning is consistent with surrounding uses and densities and consistent with District of Columbia policies for the subject area. The R-5-A zone is a low-density general residential zone that allows detached and semi-detached dwellings as a matter of right, and row dwellings and multi-family dwellings including apartment buildings with approval as a special exception or within a Planned Unit Development. With a PUD the maximum permitted building height is sixty feet (60') and the maximum floor area ratio, or FAR, is 1.0.

In accordance with the PUD process, the Applicant is proposing to provide the following public benefits and project amenities: 1) affordable housing; 2) housing for the elderly; 3) improvements to the physical character of the District of Columbia; 4) implementation of a Hope VI program in partnership with the Department of Housing and Urban Development; 5) economic development and community revitalization; 6) preserving natural amenities and improving the environment; 7) first source employment opportunities; and 8) local, small or disadvantaged Business Enterprises opportunities.

The architect for the Applicant is Sorg and Associates, and the land use counsel is Arnold & Porter, both of Washington, D.C.

This public hearing will be conducted in accordance with the provisions of § 3022 (Contested Case Hearings), District of Columbia Municipal Regulations (DCMR) Title 11, Zoning.

Interested persons or representatives of organizations will be heard at the public hearing. **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 Rules. Except for the Applicant and the ANC, to participate as a party in a proceeding before the Commission, **any affected person shall file with the Commission, not less than fourteen (14) days prior to the date set for the hearing *(April 11, 2002)*, the following information**:

(a) The person's name and address;

(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 the legal counsel;

(e) A list of witnesses who will testify on the person's behalf; and

(f) 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 the 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 interests 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 Commission shall determine who will be recognized as a party. In so determining, the Commission shall consider whether the provisions of § 3022.3 have been complied with and whether the specific information presented qualifies the person as a party.

Any person wishing to be considered a party should clearly state the request, and should also provide a daytime telephone number should it be necessary for the Office of Zoning to obtain additional information or clarification prior to the hearing. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record.

The Zoning Commission hereby gives notice of the following procedures applicable to this case. Any person requesting to appear as a party to this application shall submit the following additional information:

1. A summary of the testimony of each witness.

2. 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 of qualifications of the proposed experts.

3. The total amount of time that will be required to present the case.

The information cited above shall also be submitted by the Applicant. To the extent that the information is not contained in the Applicant's prehearing submission required by 11 DCMR § 3013.1, the information shall be filed no later than 14 days before the date of the hearing.

If an affected Advisory Neighborhood Commission (ANC), pursuant to DCMR § 3012.5, intends to participate at the hearing, the ANC shall also submit the information cited above. However, the written report of the ANC shall be filed no later than seven (7) days before the date of the hearing ***(April 18, 2002).***

The Zoning Commission gives further notice that it intends to establish time limits for oral presentations of both parties and persons. Accordingly, the following time limits shall apply:

1. Applicant..... 60 minutes
2. Other Parties.....15 minutes
3. Organizations..... 5 minutes
4. Individuals..... 3 minutes

The Commission intends to adhere to the time limits as strictly as possible, in order to hear the case in a reasonable period of time. The Commission reserves the right to change the time limits for presentations if necessary and notes that no time shall be ceded. 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.

Information should be forwarded to the Director, Office of Zoning, Suite 210, 441 4th Street, N.W., Washington, D.C., 20001. Please include the number of this particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

CAROL J. MITTEN, ANTHONY J. HOOD, JOHN G. PARSONS, PETER G. MAY, AND JAMES H. HANNAHAM ---------- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY ALBERTO P. BASTIDA, AICP, SECRETARY TO THE ZONING COMMISSION.