Government of the District of Columbia
OFFICE OF ZONING

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MEMORANDUM

FILED
2003 MAY 29 P 3:26
OFFICE OF DOCUMENTS
AND ADMINISTRATIVE ISSUANCES

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

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

DATE: May 29, 2003

SUBJECT: Publication for the Office of Zoning

Please publish the following in the D.C. Register on June 6, 2003:

1. Z.C. Notice of Hearing Z.C. Case No. 03-06,
2. Z.C. Notice of Hearing Z.C. Case No. 03-12, and
3. Z.C. Notice of Hearing Z.C. Case No. 03-13

Received By

5/30/03
Date

Attachments

441 4th Street, N.W., Suite 210-S, Washington, D.C. 20001
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ZONING COMMISSION
District of Columbia
CASE NO. 03-12
EXHIBIT NO. 20
ZONING COMMISSION
District of Columbia
CASE NO.03-12
EXHIBIT NO.20

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Thursday, July 24, 2003, @ 6:30 P.M. (1st Case)**
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. 03-12 (First Stage Planned Unit Development & Map Amendment – Arthur Capper/Carrollsburg HOPE VI Project)

THIS CASE IS OF INTEREST TO ANC 6D:

On March 21, 2003, the Office of Zoning received an application from Capper/Carrollsburg Venture, LLC, on behalf of the District of Columbia Housing Authority (DCHA), the District of Columbia, and Square 769, LLC, the owners of the property (collectively, the "Applicants"), requesting preliminary approval of a planned unit development ("PUD") for property located in the area generally bounded by 2nd Street on the west, 7th Street on the east, Virginia Avenue on the north, and M Street on the south, all in the Southeast portion of the District of Columbia. The first stage application specifically includes the following:

Square	Lot(s)
737	Part of 814
739	All
767	All
768	All
769	All
797	All
798	All
799	27, 28, 29, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 803, 805, 807, 808, 809, 825, 826, 827,
800	20, 25, 26, 27, 28, 816, 818, 819, 820

824	37, 38, 39
825	All
S825	All
880	24
W881	Part of 800
882	All

All of the subject property is currently zoned R-5-B, except for Squares 737 and 739 and the southern half of Square 769, which are zoned C-3-C. The Applicants request a related map amendment from R-5-B to CR for Squares 767 and 768, the northern half of Square 769, and the southern portion of Square 882. The case was set down for hearing on May 12, 2003, as recommended by the Office of Planning.

This case is a companion case to Case No. 03-13, which requests consolidated approval for a portion of the site. Case No. 03-13 is the subject of a separate notice of public hearing but will be scheduled for hearing concurrently with the subject case.

The property has a land area of approximately 945,000 square feet. The property is improved with the Arthur Capper Senior Building and Family Dwellings, the Carroll Apartments, and the Carrollsburg Dwellings, all projects of the DCHA, as well as individual dwellings, vacant land, and the former Department of Public Works transfer station.

The Applicants are seeking PUD approval and rezoning of parts of the site to the CR District in order to redevelop the site with: (1) a total of approximately 1,700 housing units of single family and high-rise and low-rise multi-family units, including market rate units, 707 public housing replacement units, and home ownership units under the Housing Choice Voucher Program; (2) approximately 702,000 square feet of office space in three buildings fronting on M Street; and (3) approximately 51,000 square feet of retail space on the first floors of the office buildings and the high-rise residential buildings. The maximum permitted height along M Street and 2nd Place will be 110 to 130 feet. The maximum permitted height on the remainder of the property will be 45 feet, except for the Senior Housing Building 1 in Square 880, which will have a maximum height of 50 feet. The maximum gross floor area will be approximately 2,845,000 square feet of gross floor area. The developers for the project are Capper/Carrollsburg Venture, LLC and the William C. Smith Company. The builder of the fee simple townhouse lots is Eakin/Youngentob. The architects are Torti Gallas and Partners – CHK and The Lessard Group. Land Use Counsel is Holland & Knight LLP.

The proposed PUD related Zoning Map amendment is to change all of Squares 767 and 768 and parts of Squares 769 and 882 from R-5-B to CR.

The R-5-B District permits matter-of-right moderate density development of general residential uses, including single-family dwellings, flats, and apartment buildings, to a maximum lot

occupancy of 60%, a maximum floor area ratio (FAR) of 1.8 and a maximum height of fifty (50) feet. Under Chapter 24, a PUD in an R-5-B District may have a maximum height of sixty feet and a maximum FAR of 3.0.

The CR District is designed to encourage a diversity of compatible land uses that may include a mixture of residential, office, retail, recreational, light industrial and other miscellaneous uses. The CR District permits a maximum height of ninety feet and a maximum FAR of 6.0, of which no more than 3.0 may be used for nonresidential purposes. Under Chapter 24, a PUD in a CR District may have a maximum height of 110 feet and a maximum FAR of 8.0, of which no more than 4.0 may be used for nonresidential purposes.

The C-3-C District is designed to accommodate important sub-centers supplementary to the Central Business District. The C-3-C District permits medium-high density development, including office, retail, housing and mixed-use development, which is compact in area. The C-3-C District permits a maximum height of ninety feet and a maximum FAR of 6.5. Under Chapter 24, a PUD in a C-3-C District may have a maximum height of 130 feet and a maximum FAR of 8.0.

Proposed amendments to the Zoning Regulations and Map of the District of Columbia are authorized pursuant to Section 1 the Zoning Act of June 20, 1938, (52 Stat. 797), as amended, D.C. Official Code § 6-641.01 (2001), *et seq.* PUDs are authorized under Chapter 24 of the District of Columbia Municipal Regulations (DCMR) Title 11, Zoning.

The public hearing on this case will be conducted in accordance with the provisions of 11 DCMR 3022 (Contested Case Hearings).

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, no later than July 10, 2003, a written statement containing 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 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 such person, or in which the person has an interest, that will be affected by the action requested of the Commission;

(2) The legal interest such person has in such 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 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. The Commission shall grant party status only if the person requesting party status has clearly demonstrated that the person's interests would likely be more significant, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.

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 by July 10, 2003:

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 July 10, 2003.

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 relating to the hearing procedures. However, the written report of the ANC shall be filed no later than July 17, 2003.

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