Government of the District of Columbia
OFFICE OF ZONING

★ ★ ★

MEMORANDUM

RECEIVED
2003 MAY 30 P 3:26
OFFICE OF DOCUMENTS
AND ADMINISTRATIVE ISSUANCE

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
Tel: (202) 727-6311 • Fax: (202) 727-6072
E-Mail: zoning.info@dcoz.dcgov.org • Web Site: http://dcoz.dcgov.org/

ZONING COMMISSION
District of Columbia
Case 03-13
ZONING COMMISSION
District of Columbia
CASE NO.03-13
EXHIBIT NO.18
EXHIBIT NO.18

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Thursday, July 24, 2003, @ 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. 03-13 (Consolidated Planned Unit Development– 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) (collectively, the Applicants), requesting consolidated approval of a planned unit development ("PUD") for property located in the area generally bounded by 3rd and 4th Streets on the west, 5th Street on the east, Virginia Avenue on the north, and K and M Streets on the south, all in the Southeast portion of the District of Columbia. The consolidated application specifically includes the following:

Square	Lot(s)
797	All
798	All
824	37, 38, 39
825	All
S825	All
880	24

All of the subject property is currently zoned R-5-B. No change in zoning is requested within the area in the consolidated PUD. 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. 03-12, which requests preliminary approval for a PUD that includes all of the subject site plus additional property to the east and west. Case No.

03-12 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 305,350 square feet. The property is improved with the Arthur Capper and Carrollsburg Dwellings, both projects of the DCHA.

The Applicants are seeking PUD approval to redevelop the existing public housing on the site with a total of approximately 475 housing units of single family and low-rise multi-family units, including market rate units, public housing replacement units, and home ownership units, under the Housing Choice Voucher Program. The PUD will have a maximum height of 45 feet, except for the Senior Housing Building 1 in Square 880, which will have a maximum height of 50 feet. The PUD will have a maximum gross floor area of approximately 650,000 square feet. The developer for the project is Capper/Carrollsburg Venture, LLC. 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 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.

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.