Government of the District of Columbia
Office of Zoning

Z.C. CASE NO.: 03-27

As Secretary to the Commission, I herby certify that on AUG 1 8 2004 copies 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*

2. John Epting, Esq.
Paul Tummonds, Esq.
ShawPittman, LLP
2300 N Street, N.W.
Washington, D.C. 20037-1128

3. Amy B. McVey, Chair
ANC 3E
St. Mary's Church
P. O. Box 9953
Washington, DC 20016

4. Chapman Todd, Chair
ANC/SMD 3E03
4445 Harrison Street, N.W.
Washington, D.C. 20015

5. Gottlieb Simon
ANC
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

6. Councilmember Kathleen Patterson

7. Office of Planning (Ellen McCarthy)

8. Property Owners Within 200 Feet (see attached list provided by Applicant)

9. MLK Library (30 copies)

10. Ken Laden, DDOT

11. Zoning Administrator

12. Corporation Counsel

ZONING COMMISSION
District of Columbia
CASE NO. 03-27
EXHIBIT NO. 28

ATTESTED BY: _____
Alberto P. Bastida, AICP
Secretary to the Zoning Commission

ZONING COMMISSION
District of Columbia
CASE NO.03-27
EXHIBIT NO.28

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Thursday, October 14, 2004 @ 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. 03-27 (4600 Brandywine Associates, LLC)

THIS CASE IS OF INTEREST TO ANC 3E

On July 22, 2003, the Office of Zoning received an application from 4600 Brandywine Associates, LLC (the "Applicant") requesting consolidated review and one-step approval of a planned unit development ("PUD") in order to develop a mixed-use, primarily residential project. The Office of Planning provided its report on February 27, 2004, and the case was set down for hearing on May 10, 2004. The Applicant provided its prehearing statement on August 4, 2004.

The subject property consists of approximately 12,661 square feet of land area and is located at 4600–4614 Wisconsin Avenue, N.W. (Square 1732, Lots 817 and 820). The subject property has frontage along Wisconsin Avenue and Brandywine Street and is currently occupied by Babe's Billiards and an adjacent building that includes a dry cleaners, tailor shop, and a small office. The property is located in the C-2-A Zone District.

Consistent with the PUD guidelines for the C-2-A District, the project will include a total of 37,983 square feet of gross floor area, will have a total FAR of 3.0, will be approximately 65 feet in height, and will occupy 60% of the Subject Property. The residential portion of the project, consisting of 42 (including one "affordable" unit) one and two bedroom condominium units accessed from Brandywine Street, will include approximately 36,333 square feet of gross floor area. The non-residential portion of the project will include approximately 1,650 square feet of neighborhood oriented retail space along Wisconsin Avenue focused at the corner of Wisconsin Avenue and Brandywine Streets. The proposed project will also provide 4,600 square feet of residential recreation space in a landscaped courtyard in the rear yard of the Subject Property that will be available to all residents of the project. The project will include two parking levels below grade, including 44 parking spaces that will be accessed from Brandywine Street. The project has a two-story base and has been broken into three distinct elements to sensitively contribute to the existing context of the neighborhood and provide a better transition to the pedestrian scale of the retail frontage. Extensive hardscape and landscape elements, such as decorative paving, terracing, and planting, at the ground floor contribute to a vibrant streetscape for Wisconsin Avenue and Brandywine Street, while the building's rich palette of materials, including brick, precast concrete, glass and metal, also elevate the level of finish in the neighborhood streetscape.

The Applicant contends that the proposed building and use is not inconsistent with the *Comprehensive Plan for the National Capital*. The architects for the Applicant are Cunningham + Quill; the land use counsel is Shaw Pittman, LLP

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.

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 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 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:

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

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.**

CAROL J. MITTEN, ANTHONY J. HOOD, JOHN G. PARSONS, KEVIN L. HILDEBRAND, AND GREGORY N. JEFFRIES ---------- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY ALBERTO P. BASTIDA, AICP, SECRETARY TO THE ZONING COMMISSION.

Bernard J. Young, et al.
7100 Pyle Rd.
Bethesda, MD 20817-5622

Eldbrooke United Methodist Church
4100 River Rd., N.W.
Washington, D.C. 20016-4618

Frank J. Carmel
4101 River Rd., N.W.
Washington, D.C. 20016-4617

4530 Wisconsin Avenue Associates
2101 Wisconsin Ave., N.W.
Washington, D.C. 20007-2232

John T. Gavin
4121 Brandywine St., N.W.
Washington, D.C. 20016-4615

John W. Lemon
4619 42nd St., N.W.
Washington, D.C. 20016-4613

Frank A. Perna
4358 Windom Pl., N.W.
Washington, D.C. 20016-2444

Government of Brazil – Min. Army
3006 Massachusetts Ave., N.W.
Washington, D.C. 20008-3634

Columbia Typographical Union
4626 Wisconsin Ave., N.W.
Washington, D.C. 20016-4625

J.H. Rolf Former
3607 Jones Bridge Road
Chevy Chase, MD 20815-5728

4618 Wisconsin Avenue Associates
6031 Leesburg Pike
Bailey's Crossroads, VA 22041-2203

Yu L. Chang
5605 Huntington Pkwy.
Bethesda, MD 20814-1132

Jay E. Katzen
6031 Leesburg Pike
Bailey's Crossroads, VA 22041-2203

Volker Treichel
4627 42nd St., N.W.
Washington, D.C. 20016-4613

A.G. Junge
4119 Brandywine St., N.W.
Washington, D.C. 20016-4615

Bruce F. Lowery
4117 Brandywine St., N.W.
Washington, D.C. 20016-4615

Nathaniel H. Luttrell
4305 Torchlight Cir.
Bethesda, MD 20816-1846

Caroline Petty
4125 River Rd., N.W.
Washington, D.C. 20016-4617

Rosalinda Liendo
4615 42nd St., N.W.
Washington, D.C. 20016-4613

Fabiola Chriboga Trustee Revocable Trust
4127 River Rd., N.W.
Washington, D.C. 20016-4617

Friendship Family LLC
4105 Brandywine St., N.W.
Washington, D.C. 20016-4615

4615 LLC
4615 41st St., N.W.
Washington, D.C. 20016-1831

American Tower Systems, LP
P.O. Box 990265
Boston, MA 02199-0265

Columbia, LP
4641 Montgomery Ave., Suite 200
Bethesda, MD 20814-3428

Kerry Investments, Inc.
4027 Brandywine St., N.W.
Washington, D.C. 20016-1862

Hechinger Enterprises
c/o CVS Corp./TX Dept.
1 CVS Drive
Woonsocket, RI 02895-6146

Frank Perna
4358 Windom Place, N.W.
Washington, D.C. 20016-2444

Antonia Pellegr[redacted]
c/o Frances A. Brown
9917 Edward Ave.
Bethesda, MD 20814-2111

Valetine Properties, LLC
4050 Chesapeake St., N.W.
Washington, D.C. 20016-1860

Lynn Realty LLC
4625 41st St., N.W.
Washington, D.C. 20016-1831

Micronet, Inc.
c/o Commonwydds Bldg. B
2370 York Rd.
Jamison, PA 18929

Washington Gas Light Company
1100 H St., N.W.
Washington, D.C. 20080-0001

Tenley Station Associates
c/o Circle Mgt. Co.
P.O. Box 9996
Washington, D.C. 20016-8996