Government of the District of Columbia
Office of Zoning

Z.C. CASE NO.: 03-28

As Secretary to the Commission, I herby certify that on AUG 3 0 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. Christine Davis
Department of Public Works
2400 14th Street, N.W., 6th Floor
Washington, D.C. 20009

3. Norma M. Broadnax, Chair
ANC 5A
Slowe School Demountable
14th & Irving Streets, NE
Washington, DC 20017

4. ANC/SMD 5A01
N/A - Vacant

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

6. Councilmember Vincent Orange, Sr.

7. Office of Planning (Ellen McCarthy)

8. Ken Laden, DDOT

9. Zoning Administrator

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

11. MLK Library (30 copies)

12. DC Office of Attorney General

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

ZONING COMMISSION
District of Columbia
03-28
ZONING COMMISSION
District of Columbia
CASE NO.03-28
EXHIBIT NO.16

11260 Roger Bacon Drive
Reston, VA 20190-5282

SCS ENGINEERS

DEPT OF PARKS & RECREATION
3149 16TH STREET, NW
WASHINGTON, DC 20010

ATTN: ARTHUR DOCKERY

FIRST CLASS MAIL

11260 Roger Bacon Drive
Reston, VA 20190-5282

SCS ENGINEERS

SUPER CONCRETE CORP
C/O BARDON INC
6401 GOLDEN TRIANGLE DR #00
GREENBELT, MD 20770

FIRST CLASS MAIL

11260 Roger Bacon Drive
Reston, VA 20190-5282

SCS ENGINEERS

CATHOLIC UNIVERSITY
PLANNING, DESIGN & CONSTRUCTION
ALUMNI CENTER
620 MICHIGAN AVENUE, NE
WASHINGTON, DC 20064

ATTN: CARL PETCHIK

FIRST CLASS MAIL

11260 Roger Bacon Drive
Reston, VA 20190-5282

SCS ENGINEERS

WA METROPOLITAN AREA TRANSIT AUTHORITY
600 5TH STREET, NW
WASHINGTON, DC 20001

ATTN: MICHAEL HARRISON

FIRST CLASS MAIL

11260 Roger Bacon Drive
Reston, VA 20190-5282

SCS ENGINEERS

NATIONAL PARK SERVICE
1100 OHIO DRIVE, SW
WASHINGTON, DC 202042

ATTN: DAVID MURPHY

FIRST CLASS MAIL

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Thursday, October 21, 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. 03-28 (Department of Public Works-Fort Totten Solid Waste Transfer Facility)

THIS CASE IS OF INTEREST TO ANC 5C

On July 31, 2003, the Office of Zoning received an application from SCS Engineers on behalf of the District of Columbia Public Works Solid Waste Administration. The Applicant is requesting approval of a consolidated planned unit development ("PUD") and map amendment for the part of the property zoned R-5-A to Fort Totten Overlay/M. The Office of Planning provided its report on October 10, 2003, and the case was set down for hearing on October 20, 2003. The Applicant provided its prehearing statement on August 5, 2004.

The property that is the subject of this application consists of approximately 5,000 square feet of land area and is located at 4900 Bates Road, N.E (Parcels 123/57, 123/56, 124/174 and 124/175). The subject property is zoned R-5-A and FT/M.

The Applicant seeks approval for a consolidated PUD for the modification of the District of Columbia's Fort Totten Solid Waste Transfer Station, and a map amendment to extend the Fort Totten Overlay District/M zoning to encompass the entire portion of the property. The proposed modification will be consistent with current uses of the facility.

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 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.