Government of the District of Columbia
Office of Zoning

MEMORANDUM

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

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

DATE: August 4, 2004

SUBJECT: Publication for the Office of Zoning

Please publish the following in the *D C Register* on August 13, 2004

1 Z C Notice of Public Hearing (Case No 04-04)

Received By

8/4/04
Date

Attachments

ZONING COMMISSION
District of Columbia
CASE NO. 04-04
EXHIBIT NO. 23

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ZONING COMMISSION
District of Columbia
CASE NO.04-04
EXHIBIT NO.23

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Thursday, October 7, 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. 04-04 (Consolidated PUD & Related Map Amendment – G.W. Carver Senior Housing)

THIS CASE IS OF INTEREST TO ANC 7C

The G.W. Carver Tenants Association requests approval of a consolidated planned unit development ("PUD") and related map amendment in order to construct a 104-unit apartment house to be occupied by low-income senior citizens on a site to be cleared of existing vacant buildings at 4800 East Capitol Street, N.E. The Application was filed on February 6, 2004, and the Zoning Commission set down the case for public hearing at its meeting of April 12, 2004. On July 13, 2004, the Office of Zoning received a Pre-Hearing Submission and materials for the case.

The property that is the subject of this application is an elongated site bounded by East Capitol Street and Central Avenue on the south and north and 47th and 49th Streets on the west and east, all in northeast. The site has 48,927 5 square feet of land area and will soon be vacant after demolition of the vacant garden apartment buildings currently on the site.

The proposed development is an apartment building having 104 units, including 94 one-bedroom units and 10 two-bedroom units The one-bedroom units will average 610 square feet in size, the two-bedroom units 844 square feet The height of the proposed building is four (4) stories, or 58 feet. The gross floor area ("g f.a ") as designed is 92,208 square feet, which equals an FAR of 1.88, and lot occupancy is 48 5 percent The application includes a requested zoning map amendment from the existing R-5-A to the proposed R-5-B District

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	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, GREGORY JEFFRIES, JOHN G. PARSONS, AND KEVIN HILDEBRAND, ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY ALBERTO P. BASTIDA, AICP, SECRETARY TO THE ZONING COMMISSION.