Government of the District of Columbia
Office of Zoning

MEMORANDUM

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

FROM: Jerrily R Kress, FAIA
Director

DATE: May 25, 2005

SUBJECT: Publication for the Office of Zoning

Please publish the following in the *D C Register* on June 3, 2005

1 Z C Notice of Public Hearing (Case No 05-14)

Attachments

[redacted]
Case No. 05-14
Exhibit No. 7

2005 MAY 25 PM 12:49
Office Of Documents And Administrative Issuances

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ZONING COMMISSION
District of Columbia
CASE NO.05-14
EXHIBIT NO.7

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Thursday, June 23 , 2005, 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. 05-14[1] (PUD at 2750 14th Street, N.W. -- Non-Profit Community Development Corporation of Washington D.C., Inc.)

THIS CASE IS OF INTEREST TO ANC 1B

On May 13, 2005, the Office of Zoning received an application from Non-Profit Community Development Corporation of Washington D.C., Inc., requesting approval of a Planned Unit Development ("PUD"). The Applicant provided its pre-hearing statement when it filed the application The Office of Planning provided an oral report at special pubic meeting held on May 23, 2005, and the case was set down for hearing the same day.

When the Zoning Commission set down the application for public hearing it also waived certain of its procedural rules in order to hold the hearing on an expedited basis Specifically, the Commission agreed to shorten the period between the advertisement of this notice and the date of the hearing from 45 to 10 days. In order to accommodate this attenuated period, the Commission will accept written requests for party status and the reports of ANC 1B and other District agencies at any time prior to the hearing. Unless ANC 1B requests otherwise, it's written report submitted concerning the variance request for this same project (BZA No. 17302), will be deemed to express its issues and concerns with respect to the proposed PUD.

The property that is the subject of this application consists of approximately 24,000 square feet of land area and is located at 2750 14th Street, N.W (Square 2667, Lot 73) The subject property is zoned C-2-B.

The Applicant proposes to construct a 7-story building containing 56 residential condominiums, 20,000 square feet of commercial space (8,000 square feet of which will be leased to a child care center), and 77 underground parking spaces. Half of the condominium units will be affordable to

[1] The Zoning Commission is also reviewing, under this same case number, the decision of the Board of Zoning Adjustment to grant a height variance for the subject property The use of the same case number for this application does not signify that the Commission has ended its review of that decision. Rather, the Commission will continue its review after it has considered the merits of the proposed PUD

families earning between 30% and 80% of the average median income. The proposed height of the building is 74.25 feet.

The C-2-B district is designed to provide facilities for shopping and business needs, housing and mixed uses for large segments of the District of Columbia outside of the central core. The C-2-B district permits a maximum height of 65 feet and a maximum FAR of 3 5, of which no more than 1.5 FAR may be used for nonresidential purposes.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR § 3022, with the exception that persons seeking to participate as parties may submit the information required by 11 DCMR § 3022.3 at any time in advance of the hearing.

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 are 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; except that persons seeking to participate as parties may submit the information required by that subsection, in writing, at any time in advance of the hearing.

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 an affected Advisory Neighborhood Commission ("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 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 This information can be provided at any time in advance of the hearing

If an affected ANC, other than ANC 1B, intends to participate at the hearing, the ANC shall submit the written report described in § 3012.5. The report shall also contain the

information indicated in (e) through (h) above and must be filed in advance of the hearing. ANC 1B may participate by providing the information indicated in (e) through (h) above at any time in advance of the hearing.

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, OFFICE OF ZONING.