

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



Z.C. CASE NO.: 05-22A

As Secretary to the Commission, I hereby certify that on February 25, 2015, copies of this Z.C. Notice of Public Hearing were sent via electronic mail, or by first-class, postage prepaid or interoffice mail if indicated by an asterisk(*), to the following.

- | | | | |
|---|--|----|--|
| 1 | <i>D C Register</i> (02/23/15) | 8 | DDOT (Jamie Henson) (02/24/15) |
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| 4 | Commissioner Kevin Cain (02/24/15)
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attached list provided by Applicant) * |
| 5 | Gottlieb Simon (02/24/15)
ANC | 12 | MLK Library (30 Copies) * |
| 6 | Councilmember Brianne Nadeau (02/24/15) | 13 | Jay Wilson (DDOE) (02/24/15) |
| 7 | Office of Planning (Jennifer Steingasser) (02/24/15) | | |

ATTESTED BY:

A handwritten signature in dark ink, appearing to read "S. S. Schellin", is written over a horizontal line.

Sharon S. Schellin
Secretary to the Zoning Commission
Office of Zoning

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: **Monday, April 20, 2015 @ 6:30 p.m.**
 Jerrily R. Kress Memorial Hearing Room
 441 4th Street, N.W., Suite 220-South
 Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Case No. 05-22A (View 14 Investments, LLC – PUD Modification @ Square 2868, Lot 155)

THIS CASE IS OF INTEREST TO ANC 1B

On March 24, 2014, the Office of Zoning received an application from View 14 Investments, LLC (the “Applicant”) for approval of a modification to a previously approved planned unit development (“PUD”) located at 2303 14th Street, N W (Square 2868, Lot 55) (the “Subject Property”) and is mapped within the C-2-B Zone District. The Zoning Commission originally granted approval of the PUD for the Subject Property pursuant to Z.C. Order No. 05-22, dated January 9, 2006, and effective on February 3, 2006.

The Applicant seeks to modify the PUD to permit an animal boarding use, specifically a dog day care center in the retail space on the ground floor of the building. The proposed dog day care center would consist of approximately 4,300 square feet and would include pet grooming and overnight animal boarding. The entrance to the facility would be at the corner of Florida Avenue, N W and 14th Street, N W, with frontage along 14th Street.

An animal boarding use that is not located in a basement or cellar space is permitted by special exception in the C-2-B Zone District (11 DCMR § 735.) The PUD regulations provide that the Commission, as part of a PUD approval, may also approve any use that is permitted as a special exception and, in doing so, is not required to apply the special exception standards normally applied by the Board of Zoning Adjustment (11 DCMR §§ 2405.7 and 2405.8.)

The Office of Planning provided its report on June 20, 2014. At its public meeting on June 30, 2014, the Zoning Commission decided to hold in abeyance the set down of the application. On December 5, 2014, the Applicant submitted a revised PUD modification application. At its public meeting on February 9, 2015, the Zoning Commission voted to set down the application for a public hearing. The Applicant provided its prehearing statement on February 13, 2015.

The Subject Property consists of approximately 31,279 square feet of land area and is located on the east side of 14th Street, N W., between Belmont Street, N W to the north and Florida Avenue, N.W to the south. The Subject Property is improved with a mixed-use building that consists of approximately 32,000 square feet of commercial and service uses at or below grade and 185 apartment units on the upper nine floors. The Subject Property is located in Ward 1 and is within the boundaries of Advisory Neighborhood Commission (“ANC”) 1B.

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 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 § 3106.2.

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. If you are still unsure of what it means to participate as a party and would like more information on this, please contact the Office of Zoning at dcoz@dc.gov or at (202) 727-6311.

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 14 days prior to the date set for the hearing, a Form 140 – Party Status Application, a copy of which may be downloaded from the Office of Zoning's website at: <http://dcoz.dc.gov/services/app.shtm>. This form may also be obtained from the Office of Zoning at the address stated below.

If an affected Advisory Neighborhood Commission (ANC), pursuant to 11 DCMR 3012.5, intends to participate at the hearing, the ANC shall also submit the information cited in § 3012.5 (a) through (i). The written report of the ANC shall be filed no later than seven (7) days before the date of the hearing.

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail (donna.hanousek@dc.gov), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- | | | |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 60 minutes collectively |
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

Pursuant to § 3020.3, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <http://app.dcoz.dc.gov/Login.aspx>, however, written statements may also be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, DC 20001, by e-mail to zcsubmissions@dc.gov, or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

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