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| 5052747 | Submitted to ODAI | Public Hearing    | Zoning Commission Notice of Public Hearing: Case No. 05-361 (Toll DC II, LP)                                     | 8/15/2014<br>Vol 61/34 | 8/12/2014 07:48:25 |
| 5052553 | Submitted to ODAI | Public Hearing    | Zoning Commission Notice of Public Hearing: Case No. 14-10 (Text Amendments to 11 DCMR (Zoning), Chapters 7 & 8) | 8/15/2014<br>Vol 61/34 | 8/12/2014 07:21:00 |
| 5052456 | Submitted to ODAI | Notices, Opinions | Zoning Commission Notice of Special Public Meeting: September 4, 2014                                            | 8/15/2014<br>Vol 61/34 | 8/11/2014 18:11:06 |
| 5052359 | Submitted to ODAI | Notices, Opinions | Zoning Commission Notice of Rescheduled Public Meeting: September 15, 2014                                       | 8/15/2014<br>Vol 61/34 | 8/11/2014 18:10:38 |
| 5049837 | Confirmed         | Notices, Opinions | Zoning Commission Notice of Filing: Case No. 14-14                                                               | 8/15/2014<br>Vol 61/34 | 8/11/2014 14:35:31 |
| 5038876 | Confirmed         | Notices, Opinions | Board of Zoning Adjustment - Order No. 18807 - Heritage Foundation - ANC 6C                                      | 8/15/2014<br>Vol 61/34 | 8/11/2014 11:37:37 |
| 5041592 | Confirmed         | Public Hearing    | Board of Zoning Adjustment - Public Hearing Notice - October 28, 2014                                            | 8/15/2014<br>Vol 61/34 | 8/11/2014 10:00:13 |
| 4830132 | Submitted to ODAI | Notices, Opinions | Board of Zoning Adjustment - Order No. 18707 - Antioch Baptist Church - ANC 7C                                   |                        | 3/26/2014 09:54:27 |
| 4829744 | Submitted to ODAI | Notices, Opinions | Board of Zoning Adjustment - Order No. 18563 - MCSKA, LLC - ANC 1A                                               |                        | 3/25/2014 15:28:49 |
| 4340961 | Submitted to OAG  | Notices, Opinions | Board of Zoning Adjustment - Order No. 18398 - Kenneth L. & Ellen J. Marks - ANC 2D                              | 5/17/2013<br>Vol 60/21 | 5/14/2013 10:25:54 |

100% 7:49 AM

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

**TIME AND PLACE:**                      **Thursday, October 30, 2014, @ 6:30 P.M.**  
                                                 **Jerrily R. Kress Memorial Hearing Room**  
                                                 **441 4<sup>th</sup> Street, NW, Suite 220**  
                                                 **Washington, D.C. 20001**

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

**CASE NO. 05-36I (Toll DC II, LP - Modification of Previously-Approved PUD and Related Zoning Map Amendment @ Square 749)**

**THIS CASE IS OF INTEREST TO ANC 6C**

On April 7, 2014, the Office of Zoning received an application from Toll DC II, LP to modify an approved planned unit development (PUD) for design modifications to Phase II only of the PUD, including consolidation of curb cuts, relocation of the entrance to the central courtyard, revisions to loading facilities, and parking at a ratio of .46 spaces per unit within Phase II (.53 spaces across PUD). An increase in gross floor area is also requested, from an approved 555,545 square feet to a proposed 559,678 square feet for Phase II. The Office of Planning provided its report to the Zoning Commission on June 2, 2014, recommending that the Commission schedule a public hearing on the application and requesting additional details. At its June 9, 2014, public meeting, the Zoning Commission set the application for public hearing.

The application regards modification of a PUD first approved by the Commission in 2006, pursuant to Z.C. Order No. 05-36, which has been extended and modified by subsequent Commission approvals. The property now included in the PUD occupies virtually the entirety of Square 749, with a total lot area of approximately 106,400 square feet. Square 749 is bounded by 2<sup>nd</sup> Street, N.E., L Street, N.E., 3<sup>rd</sup> Street, N.E., and K Street, N.E.

The PUD involves construction of a multi-phase apartment house development around an outdoor central plaza, with a total of approximately 778 dwelling units, ground floor retail and daycare uses across the three buildings. Of the total development, the first phase, which has been constructed, includes approximately 202 dwelling units and 3,700 square feet of retail uses. Phase II of the PUD, which has not yet been constructed, was approved for 500-525 dwelling units, approximately 14,000 square feet of retail uses and a 3,500 square foot daycare facility. The Commission granted approval, pursuant to Z.C. Order No. 05-36E for Phase II to be constructed in two sub-phases. Phase III, which has not yet been constructed, includes 41 dwelling units approved as a modification to the PUD pursuant to Z.C. Order No. 05-36G.

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 § 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 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 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.**

**Time Limits.**

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          |

**Z.C. NOTICE OF PUBLIC HEARING  
Z.C. CASE NO. 05-36I  
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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.

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 200-S, 441 4<sup>th</sup> Street, N.W., Washington, D.C. 20001. Please include the number of this particular case and your daytime telephone number.

**FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311. ANTHONY J. HOOD, MARCIE I. COHEN, ROBERT E. MILLER, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.**