

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



Z.C. CASE NO.: 05-38B

As Secretary to the Commission, I hereby certify that on April 22, 2015, copies of the Z C Notice of Public Hearing were sent via electronic mail, or by first-class, postage prepaid mail if indicated by an asterisk(*), to the following

- | | | | |
|---|--|-----|--|
| 1 | <i>D C Register</i> | 7 | Councilmember Charles Allen |
| 2 | Kyrus Freeman, Esq
Holland & Knight | 8 | Office of Planning (Jennifer Steingasser) |
| 3 | ANC 6D*
1101 4 th Street, SW Suite W 130
Washington, DC 20024 | 9 | DDOT (Jamie Henson) |
| 4 | Commissioner Marjorie Lightman
6D01
1100 6th Street SW
Washington, DC 20024 | 10 | Charles Thomas, Interim General Counsel
DCRA |
| 5 | Commissioner Andy Litsky
SMD 6D04
423 N Street SW
Washington, DC 20024 | 11 | Office of the Attorney General (Alan
Bergstein) |
| 6 | Gottlieb Simon
ANC | 12 | DDOE (Jay Wilson) |
| | | 13. | Property Owners w/in 200 Feet (see attached
list provided by Applicant) |

ATTESTED BY: 
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: Thursday, June 11, 2015, @ 6:30 p.m.
Jerrily R. Kress Memorial Hearing Room
441 4th Street, N.W., Suite 220
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 05-38B (Mill Creek Residential Trust, LLC – PUD Modification @ Square 499, Lots 855-859)

THIS CASE IS OF INTEREST TO ANC 6D

On December 22, 2014, the Office of Zoning received an application from Mill Creek Residential Trust, LLC (the “Applicant”) requesting modifications to an approved planned unit development (“PUD”) from the R-5-D Zone District to the C-3-C Zone District for Lots 855-859 in Square 499 (the “Property”). The original PUD was approved by the Zoning Commission pursuant to Z.C. Order No 05-38, dated May 14, 2007, and effective on October 26, 2007, and modified pursuant to Z C Order No 05-38A, dated December 8, 2008, and effective on January 2, 2009. The project involves the renovation of two existing residential buildings on Lots 856 and 858, and the construction of two new mixed-use residential towers on Lots 855 and 859. The Property is located in Ward 6 and is within the boundaries of Advisory Neighborhood Commission (“ANC”) 6D.

By report dated February 27, 2015, the Office of Planning recommended that the Zoning Commission schedule a public hearing on the application. At its public meeting on March 9, 2015, the Zoning Commission voted to set down the application for a public hearing. The Applicant provided its prehearing statement on April 7, 2015.

The Applicant seeks approval to make further modifications to the approved PUD. The revised project will reduce the height of the proposed residential towers from 112 feet to 85 feet each, and will reduce the PUD’s overall density from 4.38 to 3.40 floor area ratio (“FAR”). The new residential towers will contain a combined total of approximately 231,605 square feet of gross floor area, with approximately 212,965 square feet of gross floor area devoted to residential uses, approximately 5,220 square feet of gross floor area devoted to retail use, approximately 5,845 square feet of gross floor area devoted to service space, and approximately 7,575 square feet devoted to the lobby and amenities. The overall gross floor area for the project is approximately 449,045 square feet. The number of residential units for the overall project will be reduced from 580 to 516 (256 existing units and 260 new units, plus or minus 10%). The number of parking spaces will be reduced from 569 spaces to 290 spaces, located in three levels of below grade parking in each new residential tower.

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. 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>. Any documents filed in this case must be submitted through the Interactive Zoning Information System (IZIS) found on the Office of Zoning website.

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 contain the information indicated in § 3012.5 (a) through (i).

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

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

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 4th Street, N.W., Washington, D.C. 20001

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**

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Washington, DC 20024-2441

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