

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



Z.C. CASE NO.: 06-04C

As Secretary to the Commission, I hereby certify that on August 2, 2013, 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. *D.C. Register* (08/01/13)
2. Kyrus Freeman, Esq. (08/01/13)
3. ANC 5E *
c/o Chairperson Dianne Barnes
41 Adams Street, N.W.
Washington, D.C. 20001
4. Commissioner Teri Janine Quinn *
ANC/SMD 5E06
1708 2nd Street, N.W.
Washington, D.C. 20001
5. Gottlieb Simon (08/01/13)
ANC
6. Councilmember Kenyan McDuffie (08/01/13)
7. Office of Planning (Jennifer Steingasser) (08/01/13)
8. DDOT (Jamie Henson) (08/01/13)
9. Melinda Bolling, Acting General Counsel
DCRA (08/01/13)
10. Office of the Attorney General (Alan Bergstein) (08/01/13)
11. Property Owners Within 200 Feet (see attached list provided by Applicant) *
12. MLK Library (30 Copies) *
13. Bill Updike (DDOE) (08/01/13)

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, October 3, 2013, @ 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:

Z.C. Case No. 06-04C (Florida & Q Street, LLC - Modification to PUD @ Square 3100)

THIS CASE IS OF INTEREST TO ANC 5E

On May 31, 2013, the Office of Zoning received an application from Florida & Q Street, LLC (the "Applicant"). The Applicant is requesting approval of modifications to plans approved by the Zoning Commission when it approved a planned unit development and related zoning map amendment for Lot 48 in Square 3100 (the "Subject Property").

The Office of Planning provided a report on June 28, 2013. At its public meeting on July 8, 2013, the Zoning Commission voted to set the modification application down for a public hearing. The Applicant provided its prehearing statement on July 17, 2013.

The subject property has a land area of approximately 18,984 square feet and is located at the intersection of Q Street, N.W., Florida Avenue, N.W., and North Capitol Street. The subject property has approximately 150 feet of frontage on North Capitol Street.

The Zoning Commission approved a PUD and related rezoning of the subject property from the C-2-A Zone District to the C-2-B Zone District pursuant to Z.C. Order No. 06-04, as extended pursuant to Z.C. Order Nos. 06-04A and 06-04B. The approved PUD includes approximately 85,428 square feet of gross floor area. Approximately 81,428 square feet of gross floor area was devoted to residential use, providing between 65 and 85 dwelling units, and approximately 4,970 square feet of floor area was devoted to retail use in the cellar. The approved PUD had a maximum density of 4.5 FAR and a maximum building height of 86 feet (not including roof structures). The approved project included 84 parking spaces located on two levels of underground parking accessed from a curb cut on Florida Avenue.

The Applicant is seeking approval of modifications to the approved plans. Specifically, the Applicant requests approval to reduce the building's maximum height from 86 feet to 72 feet, 4½ inches (not including roof structures); provide approximately 85,428 square feet of gross floor area; provide between 85 and 95 dwelling units and approximately 4,998 square feet of floor area devoted to retail use in the cellar, with the option to convert this space to residential use if it cannot be leased for retail uses; provide 41 parking spaces located on one level of underground parking accessed from Florida Avenue; and to make refinements to the exterior facades of the building. The overall density of the modified project is 4.5 FAR, which is consistent with the

approved PUD. In all respects other than height, the design of the building will be substantially consistent with the prior approval and the conditions set forth in Z.C. Order No. 06-04.

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 150 – Party Status Application.** This form may be obtained from the Office of Zoning at the address stated below or downloaded from the Office of Zoning's website at: www.dcoz.dc.gov.

To the extent that the information is not contained in the Applicant's prehearing submission as required by 11 DCMR § 3013.1, the Applicant shall also provide this information not less than 14 days prior to the date set for 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 contain the information indicated in § 3012.5 (a) through (i).

Time limits.

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

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| 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 200/210-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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