

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



Z.C. CASE NO.: 06-40C

As Secretary to the Commission, I hereby certify that on September 25, 2013, copies of this 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> (09/23/13) | 8. Councilmember Tommy Wells (09/23/13) |
| 2. Maureen Dwyer, Esq. (09/23/13)
Jeffrey Utz, Esq. | 9. Councilmember Kenyan McDuffie (09/23/13) |
| 3. ANC 5D*
c/o Kathy Henderson
1807 L Street, N.E.
Washington, D.C. 20002 | 10. Office of Planning (Jennifer Steingasser)
(09/23/13) |
| 4. Commissioner Peta-Gay S. Lewis*
ANC/SMD 5D01
1868 Corcoran Street, N.E.
Washington, D.C. 20002 | 11. DDOT (Jamie Henson) (09/23/13) |
| 5. ANC 6C*
P.O. Box 77876
Washington, D.C. 20013 | 12. Melinda Bolling, Acting General Counsel
DCRA (09/23/13) |
| 6. Commissioner Tony Goodman*
ANC/SMD 6C06
1152 4 th Street, N.E.
Washington, D.C. 20002 | 13. Office of the Attorney General (Alan
Bergstein) (09/23/13) |
| 7. Gottlieb Simon (09/23/13)
ANC | 14. DDOE (William Updike) (09/23/13) |
| | 15. Property Owners w/in 200 Feet (see attached
list provided by the Applicant)* |
| | 16. MLK Library (30 copies – interoffice mail) |

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, December 5, 2013, @ 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:

Z.C. CASE NO. 06-40C (Gateway Market Center, Inc. – Modification of Approved Consolidated PUD & Related Map Amendment @ Square 3587, Lot 8) (340 Florida Avenue, N.E.)

THIS CASE IS OF INTEREST TO ANC 5D

On April 18, 2013, the Office of Zoning received an application from Gateway Market Center, Inc. (the "Applicant"). The Applicant is requesting approval of a modification to a previously approved consolidated planned unit development ("PUD") and related map amendment from C-M-1 to C-3-C.

The Office of Planning provided its report on July 19, 2013, which recommended that the Zoning Commission set the case down for public hearing. The Commission set the case down for hearing on July 29, 2013.

The property that is the subject of this application consists of approximately 38,452 square feet of land. The property is bounded generally by Florida Avenue, N.E. on the south; 4th Street, N.E. on the east; Morse Street, N.E. on the north; and adjoining parcels on the west. This property is legally identified as Square 3587, Lot 8 (Previously lots 5, 800, 802, and 809 and Parcels 129/9 and 129/32). The subject property was previously approved for a rezoning from C-M-1 to C-3-C.

The Applicant proposes to develop a new mixed use development on the site, consisting of approximately 27,500 square feet of retail (up from 26,026 square feet) and approximately 155,900 square feet of residential (up from 134,237 square feet), of which 20%, or approximately 31,177 gross square feet (up from 26,847 gross square feet), will be provided as affordable. The Applicant's modification to the PUD results in the elimination of the office component of the previously approved project. Below-grade parking will be provided for approximately 215 cars (up from the previous minimum of 188) and approximately 72 bicycles (up from 44 bicycles). Total project area is approximately 189,763 square feet, for a total floor area ratio (FAR) of 4.9 (down from 7.7 FAR). The building will have a height of eighty feet, one inch (down from 119'-4" feet).

The C-3-C Zone District permits matter-of-right development for major business and employment centers of medium/high density development, including office, retail, housing, and mixed uses to a maximum lot occupancy of 100%, a maximum density of 6.5 FAR for residential and for other permitted uses, and a maximum height of 90 feet. Through a PUD process the density may be increased to an 8.0 FAR and a height of 130 feet.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR § 3022.

**Z.C. NOTICE OF PUBLIC HEARING
Z.C. CASE NO. 06-40C
PAGE NO. 2**

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.**

**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.**

06-40C

1250 4th St Edens LLC
1221 Main Street, Suite 1000
Columbia SC 29201-3255

Kangs Farm Inc.
Deoudes-Magafan Realty
7910 Woodmont Avenue, Suite 1335
Bethesda MD 20814-7065

Consolidated Rail Corporation
CSX Transportation
500 Water Street
Jacksonville FL 32202-4423

Ying C. Chen
1254 4th Street NE
Washington DC 20002-3457

301 N Street Ltd Partnership
Wilkes Co
5101 Wisconsin Avenue NW, Suite 200
Washington DC 20016-4136

SM Corporation
2394 Watters Glen Court
Falls Church VA 22043-2951

331 N Just LLC
2001 W Main Street, Suite 244
Stamford CT 06902-4544

District of Columbia
801 N Capitol Street NE
Washington DC 20002-4232

John A. Booker Jr.
1924 Blueridge Avenue
Silver Spring MD 20902-2911

Sang Oh & Company Inc.
300 Morse Street NE
Washington DC 20002-7000

Two Rivers Public Charter School Inc.
1227 4th Street NE
Washington DC 20002-3431

Ju Man Chong
11401 Wolfs Landing
Fairfax Station VA 22039-2041

LUI WDC Florida LLC
100 Waugh Drive, Suite 600
Houston TX 77007-5961

Su Man Chong
11401 Wolfs Landing
Fairfax Station VA 22039-2041

Won Ho Choi
300 Morse Street NE, Suite C
Washington DC 20002-7035

PCE LLC
8012 Patuxent Landing Loop
Laurel MD 20724-1975

Ki Cho
9454 Wooded Glen Avenue
Burke VA 22015-4230

Sang B. Choi
413 Morse Street NE
Washington DC 20002-7009

Liou Family LLC
Liou Family LLC/SEC G&H
300 Morse Street NE
Washington DC 20002-7000

EAJ 400 Florida Avenue LLC
7200 Wisconsin Avenue, Suite 400
Bethesda MD 20814-4863

Tang Enterprise LLC
12805 Brandon Green Court
Silver Spring MD 20904-3569

Brenda K. Pascal
Barbara K. Werner
315 Burnt Mills Avenue
Silver Spring MD 20901-1205

Morse Street Properties LLC
2945 Oakton Knoll Court
Oakton VA 22124-2650

Brenda K. Pascal
315 Burnt Mills Avenue
Silver Spring MD 20901-1205

Sung H. Cho
9415 Old Courthouse Road
Vienna VA 22182-2052

You L. Zhu
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Ju B. Nam
7114 Moorland Drive
Clarksville MD 21029-1735

You L. Zhu
1257 4th Street NE
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13798 Necklace Court
Chantilly VA 20151-2360

Steve Choi
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