

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



Z.C. CASE NO.: 06-41

As Secretary to the Commission, I hereby certify that on APR 23 2007 copies of this Z.C. Notice of Public Hearing were mailed first class, postage prepaid or sent by inter-office government mail to the following:

1. <i>D.C. Register</i>	7. Office of Planning (Harriet Tregoning)
2. John Epting, Esq. Pillsbury Winthrop Shaw Pittman LLP 2300 N Street, N.W. Washington, D.C. 20037-1128	8. DDOT (Ken Laden)
3. Robert Moffatt, Chair ANC 6D 25 M Street, SW Washington, DC 20024	9. Zoning Administrator (Bill Crews)
4. Commissioner Rhonda N. Hamilton ANC/SMD 6D06 44 O Street SW # 12 Washington, DC 20024	10. Jill Stern, Esq. General Counsel - DCRA 941 North Capitol Street, N.E. Suite 9400 Washington, D.C. 20002
5. Gottlieb Simon ANC 1350 Pennsylvania Avenue, N.W. Washington, D.C. 20004	11. Office of the Attorney General (Alan Bergstein)
6. Councillor Tommy Wells	12. Property Owners Within 200 Feet (see attached list provided by Applicant)
	13. MLK Library (30 Copies)

ATTESTED BY:

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

ZONING COMMISSION
District of Columbia

CASE NO. 06-41
EXHIBIT NO. 45

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CASE NO.06-41
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ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Thursday, May 31, 2007, @ 6:30 PM (2nd Case)**
Office of Zoning Hearing Room
441 4th Street, N.W., Suite 220-South
Washington , D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Case No. 06-41 (Camden Development, Inc. – Consolidated Planned Unit Development and Related Zoning Map Amendment)

THIS CASE IS OF INTEREST TO ANC 6D

On September 8, 2006, the Office of Zoning received an application from Camden Development, Inc. (the “Applicant”) for design review pursuant to the Capitol Gateway Overlay. The Office of Planning provided its reports in support of the application on February 12, 2007, and supplemental reports dated March 12, 2007 and March 30, 2007. A public hearing was held on February 22, 2007, and the Zoning Commission was scheduled to take final action on the case at its meeting on April 9, 2007. At its public meeting, the Zoning Commission proposed that in place of its application for design review, the Applicant submit an identical application but for a consolidated planned unit development and related zoning map amendment to the C-3-C Zone District. The Zoning Commission waived the requirement that the application be set down at a public meeting for a hearing and authorized the Office of Zoning to immediately provide thirty days notice of a hearing once a PUD and map amendment application were received, provided that there were no changes to the plans and no additional zoning flexibility requested. On April 13, 2007, the Office of Zoning received an application requesting consolidated review and approval of a planned unit development that was similar in all respects to the prior application, except that it requested the related zoning map amendment suggested by the Commission.

The property that is the subject of this application has frontage on O Street, S.W. and South Capitol, Street, S.W. and is known as Square 653, Lot 111 (the “Subject Property”). The Subject Property is located in the Southwest neighborhood of Ward 6 and consists of approximately 41,019 square feet of land area.

The Subject Property is currently located in the C-2-C Zone District and within the Capitol Gateway Overlay. The Zoning Map Amendment application requests a rezoning of the Subject Property to the C-3-C District to accommodate the height and density of the proposed development plan.

The proposed PUD seeks consolidated approval to develop one new residential building with a height of 110 feet along South Capitol Street and a height of 70 feet, 8 inches along its western facade. In total, the project will include approximately 276 residential units, including 11,250 square feet of workforce affordable housing, and approximately 260 parking spaces.

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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 is 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 fourteen (14) days prior to the date set for the hearing, a written statement containing the following information:**

- (a) The person's name, address, and daytime telephone number;
- (b) A request to appear and participate as a party;
- (c) Whether the person will appear as a proponent or opponent of the application;
- (d) Whether the person will appear through legal counsel, and if so, the name and address of legal counsel;
- (e) A list of witnesses who will testify on the person's behalf;
- (f) A summary of the testimony of each witness;

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- (g) An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts;
- (h) The total amount of time being requested to present their case; and
- (i) A written statement setting forth why the person should be granted party status, including reference to the following:
 - (1) The property owned or occupied by the person, or in which the person has an interest, that will be affected by the action requested of the Commission;
 - (2) The legal interest the person has in said property, such as owner, tenant, trustee, or mortgagee;
 - (3) The distance between the person's property and the property that is the subject of the application before the Commission;
 - (4) The economic, social, or other impacts likely to affect the person and/or the person's property if the action requested of the Commission is approved or denied; and
 - (5) An explanation of how the person's interest as identified in response to paragraph (4) would likely be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.

The applicant shall also provide the information indicated in (e) through (h) to the extent that the information is not contained in the Applicant's prehearing submission as required by 11 DCMR § 3013.1. The information shall be filed no later than fourteen (14) days before the date of 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 also contain the information indicated in (e) through (h) above.

Time limits.

The following time limits for oral testimony shall be adhered to unless changed by the Commission, and no time may be ceded:

1. Applicant and parties in support	60 minutes collectively
2. Parties in opposition	15 minutes each (60 minutes collectively)

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3. Organizations	5 minutes each
4. Individuals	3 minutes each

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 210, 441 4th Street, N.W., Washington, D.C. 20001. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

CAROL J. MITTEN, ANTHONY J. HOOD, JOHN G. PARSONS, MICHAEL G. TURNBULL, AND GREGORY N. JEFFRIES ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR AND BY SHARON SCHELLIN, SECRETARY TO THE ZONING COMMISSION.