

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning




Z.C. CASE NO.: 11-03

As Secretary to the Commission, I hereby certify that on MAY 26 2011 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. D.C. Register (via e-mail) | 7. Councilmember Tommy Wells |
| 2. Norman M. Glasgow, Esq.
Mary Carolyn Brown, Esq.
Holland & Knight
2099 Pennsylvania Avenue, N.W. Suite 100
Washington, D.C. 20006 | 8. Office of Planning (Harriet Tregoning) |
| 3. ANC 6D
1104 4 th Street, S.W.
Suite W130
Washington, DC 20024 | 9. DDOT (Karina Ricks) |
| 4. Commissioner Bob Craycraft
ANC/SMD 6D01
6D01@anc.dc.gov | 10. Melinda Bolling, Acting General Counsel
DCRA
1100 4 th Street, S.W.
Washington, D.C. 20024 |
| 5. Commissioner Andy Litsky
ANC/SMD 6D04
423 N Street, S.W.
Washington, D.C. 20024 | 11. Office of the Attorney General (Alan Bergstein) |
| 6. Gottlieb Simon
ANC
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004 | 12. DDOE (Nina Albert) |
| | 13. Property Owners w/in 200 Feet (see attached list provided by Applicant) |
| | 14. MLK Library (30 copies) |

ATTESTED BY:


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

CASE NO.

11-03

EXHIBIT NO.

20

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

TIME AND PLACE: **Monday, July 18, 2011, @ 6:30 p.m.**
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. 11-03 (Hoffman-Struever Waterfront, L.L.C. – First Stage PUD & Related Map Amendment @ Southwest Waterfront, Squares 390, 391, 471W, 472, 473, 503, and adjacent riparian areas)

THIS CASE IS OF INTEREST TO ANC 6D

On February 11, 2011, the Office of Zoning received an application from Hoffman-Struever Waterfront, L.L.C., on behalf of the District of Columbia through the Deputy Mayor for Planning and Economic Development, the owner of the property, and the Vestry of St. Augustine's Church, the owner of Lots 83 and 814 in Square 473 (collectively, the "Applicant"). The Applicant is requesting the review and approval of a first-stage planned unit development ("PUD") and a related zoning map amendment to rezone the subject property from the R-3 and W-1 Zone Districts to the W-1 and C-3-C Zone Districts, and R-5-B in the alternative for the St. Augustine's parcel. The Office of Planning provided its report on April 14, 2011, and the case was set down for hearing on April 25, 2011. The Applicant provided its prehearing statement on May 10, 2011.

The property that is the subject of this application consists of portions of Squares 390, 391, 471W, 472, 473, and 503; certain streets to be closed including portions of Water Street, S.W., and limited portions of 7th, 9th, and N Streets, S.W., and M Place, S.W.; and certain riparian rights along the Southwest Waterfront. The site has approximately 991,113 square feet (22.7 acres) of land area, and approximately 817,835 square feet of land area after subtracting out areas to be devoted to private roadways and sidewalks. The PUD site also includes approximately 820,309 square feet (18.8 acres) of riparian area. The property is presently either unzoned or located in the R-3 or W-1 Districts.

The Applicant proposes to redevelop the Southwest Waterfront into a new urban waterfront with maritime, commercial, cultural, residential and neighborhood-serving uses. The project will include approximately 3,165,000 square feet of gross floor area, and an aggregate floor area ratio of 3.87, which excludes the private roadways and sidewalks. Proposed uses will include approximately 1,200 mixed-income residential units; no less than 400,000 square feet of office space; limited- and full-service hotels with a total of approximately 625 sleeping rooms; approximately 200,000 square feet devoted to retail uses; approximately 100,000 square feet devoted to cultural activities; approximately 25,000 square feet of space devoted to maritime activities, and approximately twelve acres of parks and open space.

The R-5-B District permits multi-family residential development as a matter-of-right, to a maximum lot occupancy of 60% for residential use, a maximum density of 1.8 FAR, and a maximum height of 50 feet. Under Chapter 24, the guideline for height in a PUD is 60 feet and the guideline for density in a PUD is 3.0 FAR.

The W-1 District permits a variety of housing and service uses as a matter-of-right, to a maximum lot occupancy of 80% for residential uses, a maximum density of 2.5 FAR, of which no more than 1.0 may be devoted to non-residential uses, and a maximum height of 45 feet. Under Chapter 24, the guideline for height in a PUD is 60 feet and the guideline for density in a PUD is 3.0 FAR, of which no more than 1.0 FAR may be devoted to commercial uses.

The C-3-C Districts permits residential and commercial development as a matter-of-right, to a maximum lot occupancy of 100%, a maximum density of 6.5 FAR, and a maximum height of 90 feet. Under Chapter 24, the guideline for height in a PUD is 130 feet and the guideline for density in a PUD is 8.0 FAR.

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. 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:

- | | |
|-------------------------------------|-------------------------|
| 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 section 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, KONRAD W. SCHLATER, GREG M. SELFRIDGE, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JAMISON L. WEINBAUM, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION



FORM 140 - PARTY STATUS REQUEST



Before completing this form, please review the instructions on the reverse side.

PLEASE NOTE: YOU ARE NOT REQUIRED TO COMPLETE THIS FORM IF YOU SIMPLY WISH TO TESTIFY AT THE HEARING. COMPLETE THIS FORM ONLY IF YOU WISH TO BE A PARTY IN THIS CASE.
(Please see reverse side for more information about this distinction.)

NAME: Last

First

Middle I.

ADDRESS: Street

Apt. # (if any)

City

State

Zip Code

Phone No.

Fax No.

E-Mail

I hereby request to appear and participate as a party.

Signature

Date

Will you appear as a(n)

☐

Proponent

☐

Opponent

Will you appear through legal counsel?

☐

Yes

☐

No

If yes, please enter the name and address of such legal counsel.

NAME: Last

First

Middle I.

ADDRESS: Street

Ste. # (if any)

City

State

Zip Code

Phone No.

Fax No.

E-Mail

WITNESS INFORMATION:

On a separate piece of paper, please provide the following witness information:

1. A list of witnesses who will testify on the person's behalf;
2. A summary of the testimony of each witness (*Zoning Commission only*);
3. 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 (*Zoning Commission only*); and
4. The total amount of time being requested to present your case (*Zoning Commission only*).

PARTY STATUS CRITERIA:

On a separate piece of paper, please answer all of the following questions referencing why the above entity should be granted party status:

1. How will the property owned or occupied by such person, or in which the person has an interest be affected by the action requested of the Commission/Board?
2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)
3. What is the distance between the person's property and the property that is the subject of the appeal or application before the Commission/Board? (Preferably no farther than 200ft.)
4. What are the environmental, economic or social impacts that are likely to affect the person and/or the person's property if the action requested of the Commission/Board is approved or denied?
5. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Commission/Board is approved or denied.
6. Explain how the person's interest will be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than that of other persons in the general public.

Except for the applicant, appellant or the ANC, to participate as a party in a proceeding before the Commission/Board, any affected person shall file with the Zoning Commission or Board of Zoning Adjustment, this Form 140 not less than fourteen (14) days prior to the date set for the hearing.

Person vs. Party in a Proceeding

Any person or representative of an organization may provide written and/or oral testimony at a public hearing. A person who desires to participate as a party in a proceeding, however, must make a request and must comply with the provisions on this form. A party has the right to cross-examine witnesses, submit proposed findings of fact and conclusions of law, receive a copy of the written decision of the Zoning Commission or Board of Zoning Adjustment, and exercise any other rights of parties as specified in the Zoning Regulations. Approval of party status is contingent upon the requester clearly demonstrating that his or her interest will be more significantly, distinctively, or uniquely affected by the proposed zoning action than that of other persons.

INSTRUCTIONS

Any request for party status for action provided in the District of Columbia Zoning Regulations (11 DCMR Zoning) that is not completed in accordance with the following instructions shall not be accepted.

1. All applications shall be made pursuant to this form. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form (drawings and plans may be no larger than 11" x 17").
2. Present this form and supporting documents to the Office of Zoning at 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001, not less than fourteen (14) days prior to the date set for the hearing.



If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete Form 155 - Request for Reasonable Accommodation.

District of Columbia Office of Zoning
441 4th Street, N.W. Ste. 200 S, Washington, D.C. 20001
(202) 727 6311 * (202) 727 6072 fax * www.dcoz.dc.gov * dcoz@dc.gov

District of Columbia
Suite 307
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Nbl Associates LP
Guardian Realty Mgmt Inc.
6000 Executive Blvd - Ste. 400
N Bethesda, MD 20852-3857

Riverside Baptist Church
680 I St., SW
Washington, DC 20024-2432

Tritex Marina View LLC
3424 Peachtree Rd., NE - Ste. 2200
Atlanta, Ga 30326-1156

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Washington, DC 20024-2603

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Bethesda, MD 20817-2746

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K L Owens
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462 M St., SW
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Alice B Wender
458 M St., SW # 9
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James M Johnson
454 M St., SW # 1
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United States of America
Natl Park Service
c/o Peter May
1100 Ohio Drive, SW -- Room 220
Washington, DC 20242

Disabled American Veterans
PO Box 14301
Cincinnati, Oh 45250-0301

Washington Drama Society Inc.
1101 6th St., SW
Washington, DC 20024-2605

Tiber Island Cooperative Homes
c/o Ms Judy Tyrell
429 N St., SW
Washington, DC 20024-3703

Tiber LLC
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Washington, DC 20024-2471

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Ogbonia F Alexis
444 M St., SW # 6
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Cheryl S Smith Trustee
442 M St., SW
Washington, DC 20024-2603

Wilbur A Smith
Charles Magnus
2215 Aloha Dr. - Apt. 5k
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Margaret Scott
451 N St., SW
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Ryan G Segars
453 N St., SW # 2
Washington, DC 20024-3701

Arlene U King Revocable Trust
455 N St., SW
Washington, DC 20024-3701

Barbara H King Trustee
James T King Trustee
457 N St., SW # 4
Washington, DC 20024-3701

Harbour Square Owners Inc.
500 N St., SW
Washington, DC 20024-4502

Advisory Neighborhood Commission 6D
P.O. Box 71156
Washington, DC 20024

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