

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



Z.C. CASE NO.: 13-08

As Secretary to the Commission, I hereby certify that on September 26, 2014, 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* (09/24/14)
2. Paul Tummonds, Esq. (09/25/14)
3. ANC 8E*
1310 Southern Avenue, S.E. (Room 043)
Washington, D.C. 20032
4. Commissioner Sharece Crawford*
ANC/SMD 8E04
1381 Congress Street, S.E.
Washington, D.C. 20032
5. Gottlieb Simon (09/25/14)
ANC
6. Councilmember Marion Barry (09/25/14)
7. Office of Planning (Jennifer Steingasser) (09/25/14)
8. DDOT (Jamie Henson) (09/25/14)
9. Melinda Bolling, Acting General Counsel
DCRA (09/25/14)
10. Office of the Attorney General (Alan
Bergstein) (09/25/14)
11. Property Owners Within 200 Feet (see
attached list provided by Applicant) *
12. MLK Library (30 Copies) *
13. Jay Wilson (DDOE) (09/25/14)

ATTESTED BY:

A handwritten signature in black 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:

**Thursday, January 22, 2015, @ 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:

CASE NO. 13-08 (Square 5914, LLC and the Washington Metropolitan Area Transit Authority – Consolidated Planned United Development & Related Map Amendment @ Square 5914)

THIS CASE IS OF INTEREST TO ANCs 8E and 8C

On May 2, 2013, the Office of Zoning received an application from Square 5914, LLC (the “Applicant”). The Applicant is requesting approval of a planned unit development (“PUD”) and related Zoning Map Amendment application. The Office of Planning provided its report on June 28, 2013, and the case was set down for hearing on July 8, 2013. The Applicant provided its prehearing statement on September 12, 2014.

The Subject Property is currently improved with an entrance to the Congress Heights Metro Station and four residential buildings. The Kiss and Ride Parking Lot for the Congress Heights Metro station and the Alabama Avenue entrance to the St. Elizabeth's Hospital East Campus property are located across Alabama Avenue from the Subject Property. The Subject Property consists of approximately 88,486 square feet of land area. The Subject Property is currently included in the R-5-A Zone District and is included in the mixed-use medium density residential/medium density commercial land use categories on the District of Columbia's Comprehensive Plan Future Land Use Map. The Applicant proposes to rezone the Subject Property to the C-3-B Zone District.

The Applicant proposes the development of a mixed-use, transit-oriented project consisting of two buildings with frontage along Alabama Avenue, S.E. and 13th Street, S.E. The PUD project will maintain the entrance to the Congress Heights Metro Station and will include an enhanced plaza area around the entrance to the Metro Station. The PUD project will include approximately 205-215 apartment units and ground floor retail in the building located at the intersection of Alabama Avenue and 13th Street. The residential building will have a measured building height of approximately 90 feet. The residential portion of the project will include an amount of affordable housing that will satisfy the District's Inclusionary Zoning requirements. The PUD project will also include an office building, with ground floor retail, located along Alabama Avenue. The office building will include approximately 236,000 square feet and will have a measured building height of approximately 90 feet. Approximately 26,000 square feet of ground floor retail will be provided in the project, with approximately 1,600 square feet of that retail space reserved for local tenants at reduced rent rates.

The proposed project will include a total of approximately 443,470 square feet of gross floor area, resulting in a floor area ratio (“FAR”) of approximately 5.01. The project will include approximately 218 parking spaces which will be accessed from a new private alley at the rear of the Subject Property via Alabama Avenue and 13th Street.

The C-3-B Zone District permits a maximum density of 5.0 FAR (4.0 commercial) as a matter-of-right and 5.5 FAR (4.5 commercial) in a PUD project. The maximum height allowed as a matter-of-right in the C-3-B Zone District is 70 feet. A PUD project in the C-3-B Zone District permits a maximum height of 90 feet.

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>. 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:

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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.

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.

13-08

Fee

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