

GOVERNMENT OF THE DISTRICT OF COLUMBIA

OFFICE OF ZONING

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ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF RESCHEDULED¹ PUBLIC HEARING

2016 AUG 31 PM 2:39

TIME AND PLACE: **Thursday, October 20, 2016, @ 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. 15-27 (KF Morse, LLC – Consolidated PUD, First Stage PUD, and Related Map Amendment @ Square 3587, Lots 805, 814, and 817)

THIS CASE IS OF INTEREST TO ANCs 5D & 5C

On October 30, 2015, the Office of Zoning received an application from KF Morse, LLC (the "Applicant") requesting approval of a consolidated planned unit development ("PUD"), a first-stage PUD, and a related zoning map amendment from the M and C-M-1 Zone Districts to the C-3-C Zone District for property located at 300, 325, and 350 Morse Street, N.E. (the "Property"). On January 15, 2016, the Applicant submitted revised architectural drawings to supplement the drawings submitted as part of its original application. The Office of Planning submitted a report to the Zoning Commission on April 20, 2016. At its April 25, 2016 public meeting, the Zoning Commission voted to set down the application for a public hearing. The Applicant provided its prehearing statement on May 11, 2016.

Because the case was set down for hearing prior to the September 6, 2016 effective date of the replacement version of Title 11 (the "2016 Regulations"²), all of the substantive requirements of the Zoning Regulations in effect as of September 5, 2016 (the "1958 Regulations") will continue to apply to this application and any construction authorized by the Commission. However, because the hearing has been scheduled after the effective date, all applicable procedural requirements of the 1958 Regulations will apply to this application until September 5, 2016, after which the applicable procedural rules set forth in the 2016 Regulations will apply.

The Property that is the subject of this application is located in Square 3587, which is bounded by New York Avenue, N.E. to the north, 4th Street, N.E. to the northeast, Morse Street, N.E. to the southeast, Florida Avenue to the southwest, and the Amtrak and Metrorail lines to the west. The Property has a land area of approximately 213,044 square feet, is located in Ward 5, and is within the boundaries of Advisory Neighborhood Commission ("ANC") 5D. ANC 5C is directly across the street.

The Property is presently improved with one-story industrial buildings used for wholesale distribution, which the Applicant proposes to raze in connection with redevelopment of the

¹ This case was previously scheduled for September 15, 2016.

² As adopted by the Zoning Commission through a Notice of Final Rulemaking published in Part II of the March 4, 2016 edition of the *District of Columbia Register*.

Property. The Applicant proposes to redevelop the Property with a mixed use project comprised of four buildings (Buildings “A-D”), which will include residential, retail, office, and possibly hotel uses. The project will be constructed in two phases. The consolidated PUD will include (i) the southern portion of Building A (“Building A1”), designated for residential use with ground floor retail; (ii) Building B, designated for residential use with ground floor retail; and (iii) the southern portion of Building C (“Building C1”) designated for office use with ground floor retail. The first-stage PUD will include (i) the northern portion of Building A (“Building A2”), designated for residential use with ground floor retail, and the option for hotel use instead of residential use; (ii) The northern portion of Building C (“Building C2”), designated for residential use with ground floor retail; and (iii) Building D, designated for residential use with ground floor retail.

The overall project will consist of approximately 1,371,258 square feet of gross floor area (6.4 FAR) and will have an overall lot occupancy of 80.5%. Buildings A, C, and D will have a maximum height of 130 feet; Building B will have a maximum height of 78 feet.

The public hearing will be conducted in accordance with the contested case provisions of Subtitle Z § 408 of 2016 Regulations.

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 the Zoning Regulations.

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 Subtitle Z § 403, of the 2016 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) intends to participate at the hearing, the ANC shall submit the written report described in the Zoning Regulations 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).

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 Subtitle Z § 408.4 of the 2016 Regulations, 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.