

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

**TIME AND PLACE: Monday, July 15, 2019, @ 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. 19-03 (Masjid Muhammad, Inc. - Map Amendment @ Square 5790, Lots 32-35, 39, 40, 47, 818, & 819)

THIS CASE IS OF INTEREST TO ANC 8A

On January 16, 2019, Masjid Muhammad, Inc. (“Masjid”) filed a petition requesting approval of a Zoning Map amendment to rezone property known as Lots 32-35, 39, 40, 47, 818, and 819 in Square 5790 (“Property”), from the MU-4 zone to the MU-5A zone. On March 1, 2019, the Office of Planning submitted a report in support of setting down the petition for a public hearing. At its public meeting of March 11, 2019, the Zoning Commission voted to set down the petition for a public hearing as a rulemaking. Masjid submitted its prehearing statement on March 14, 2019. On May 16, 2019, the Commission reconsidered its decision to set down the case as a rulemaking and instead decided to conduct the public hearing as a contested case.

The Property consists of approximately 46,859 square feet of land area bounded by approximately Chicago Street, S.E. to the northeast, Martin Luther King Jr. Avenue, S.E. to the southeast, Talbert Street, S.E. to the southwest, and 20-foot wide public alley to the northwest. The Property is currently developed with buildings that contain a mixture of uses such as medical offices, restaurant, private school and general offices as well as one vacant building. Across Chicago Street, S.E. to the northeast are row houses in the RA-1 zone and a portion of the Reunion Square PUD which has been approved for a four-story residential building. Across Martin Luther King Jr. Avenue, S.E. to the southeast is a five-story apartment building with ground floor retail in the MU-7 zone and the five-story Salvation Army mixed-use building, a one-story, car servicing building, and a three-story, apartment building in the MU-4 zone. To the southwest across Talbert Street, S.E. is a two-story building with ground floor retail and offices above in the MU-4 zone. Across the alley to the northwest are two-story detached dwellings, row dwellings and vacant properties in the RF-1 zone. Generally, the surrounding area includes a varied mix of housing, office, retail and institutional uses. The Property is designated Mixed Use (Medium Density Commercial/Medium Density Residential) on the Comprehensive Plan Future Land Use Map, and is designated Main Street Mixed Use Corridor on the Comprehensive Plan Generalized Policy Map.

Masjid seeks a Zoning Map amendment to rezone the Property from the MU-4 zone to the MU-5A zone. The existing MU-4 zone allows moderate-density mixed-use development located in low- and moderate-density residential areas with access to main roadways or rapid transit stops that include office employment centers, shopping centers, and moderate bulk mixed-use centers. The existing MU-4 zone has a maximum building height of 50 feet; a maximum density of 2.5 FAR

(3.0 with Inclusionary Zoning (“IZ”)), and a maximum residential lot occupancy of 60% (75% with IZ). The proposed MU-5A zone allows for medium-density, compact mixed-use development with an emphasis on residential use located on arterial streets, in uptown and regional centers, and at rapid transit stops. The proposed MU-5A zone has a maximum building height of 65 feet (70 feet with IZ); a maximum density of 3.5 FAR (4.2 with IZ), and a maximum residential lot occupancy of 80%.

The Zoning Commission has determined that this public hearing will be conducted in accordance with the contested case provisions of the Zoning Commission’s Rules of Practice and Procedure, 11-Z DCMR Chapter 4.

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-Z DCMR § 404.1.

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 DCMR Title 11-Z. 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 an 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, or 14 days prior to a scheduled public meeting if seeking advanced party status consideration, a Form 140 – Party Status Application, a copy of which may be downloaded from the Office of Zoning’s website at: <https://app.dcoz.dc.gov/help/forms.html>.** This form may also be obtained from the Office of Zoning at the address stated below.

11-Z DCMR § 406.2 provides that the written report of an affected ANC shall be given great weight if received at any time prior to the date of a Commission meeting to consider final action, including any continuation thereof on the application, and sets forth the information that the report must contain. Pursuant to Subtitle Z § 406.3, if an ANC wishes to participate in the hearing, it must file a written report at least seven days in advance of the public hearing and provide the name of the person who is authorized by the ANC to represent it at 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 11-Z DCMR § 408.4, 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 <https://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, ROBERT E. MILLER, PETER A. SHAPIRO, 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.

Do you need assistance to participate? If you need special accommodations or need language assistance services (translation or interpretation), please contact Zee Hill at (202) 727-0312 or Zelalem.Hill@dc.gov five days in advance of the meeting. These services will be provided free of charge.

¿Necesita ayuda para participar? Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Avez-vous besoin d'assistance pour pouvoir participer? Si vous avez besoin d'aménagements spéciaux ou d'une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à Zelalem.Hill@dc.gov cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

참여하시는데 도움이 필요하세요? 특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312 로 전화 하시거나 Zelalem.Hill@dc.gov 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

您需要有人帮助参加活动吗?如果您需要特殊便利设施或语言协助服务(翻译或口译)·请在见面之前提前五天与 Zee Hill 联系·电话号码 (202) 727-0312, 电子邮件 Zelalem.Hill@dc.gov 这些是免费提供的服务。

Quý vị có cần trợ giúp gì để tham gia không? Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc Zelalem.Hill@dc.gov trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

ለመሳተፍ ዕርዳታ ያስፈልግዎታል? የተለየ ጅርዳታ ካስፈለገዎት ወይም የቋንቋ ጅርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እነኚህ አገልግሎቶች የሚሰጡት በነጻ ነው።