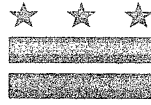


Government of the District of Columbia
OFFICE OF ZONING



Z.C. CASE NO.: 94-01A

As Secretary to the Commission, I hereby certify that MAR 21 2006 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 (Ellen McCarthy) |
| 2. Dennis R. Hughes, Esq.
Holland & Knight, LLP
2099 Pennsylvania Ave., N.W.
Washington, D.C. 20006 | 8. Ken Laden, DDOT |
| 3. Charles Reed, Chair
ANC 2F
Washington Plaza Hotel
10 Thomas Circle, N.W.
Washington, D.C. 20005 | 9. Zoning Administrator |
| 4. Commissioner Christopher Dyer
ANC/SMD 2F03
1420 N Street, N.W., #508
Washington, D.C. 20005 | 10. David Rubenstein
General Counsel
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. Owners Within 200 Feet (see list provided by Applicant) |
| 6. Councilmember Jack Evans | 12. MLK Library (30 copies) |
| | 13. Office of the Attorney General
(Alan Bergstein) |

ATTESTED BY:

Sharon S. Schellin

**Acting Secretary to the Zoning Commission
Office of Zoning**

ZONING COMMISSION
District of Columbia

Case 94-01A
Date 14

1314 Massachusetts LLC
c/o Ste 325
16220 Frederick Avenue
Gaithersburg, MD 20879-4039

1300 Massachusetts Owners Inc
c/o Apt 504
1300 Massachusetts Ave, NW
Washington, DC 20005-4161

1330 Opco LLC
c/o Amer Bapt Homes of Thewest
6120 Stoneridge Mall Rd
Pleasanton, CA 94588-3296

Azure 14th Street Corporation
700 N Brand Blvd Ste 300
Glendale, CA 91203-3233

1111 Associates
c/o Borger Mgt
1111 14th St NW # 00200
Washington, DC 20005-5603

National Association for The Education of
Young Children
1509 16th St NW
Washington, DC 20036-1401

National Association for The Education of
Young Children
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Washington, DC 20036-1401

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Washington, DC 20036-1401

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Young Children
1509 16th St NW
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Jacobson Harvey B Prentice Jackson B
400 17th St NW Ste 200
Washington, DC 20004

Julius Manger
William M Manger
c/o Peter V Wall, Esq.
34 E Putnam Ave., Ste 119
Greenwich, CT 06830-5442

1100 13th Street LLC
c/o Monument Realty LLC
1155 Connecticut Ave., NW FL 7
Washington, DC 20036-4306

Green Court Building LLC
c/o P London Trs
5309 Tuscawawas Rd
Bethesda, MD 20816-3123

Elizabeth Petty LLC
1341 L St NW
Washington, DC 20005

1121 Fourteenth Street LLC
1808 Eye St NW Ste 200
Washington, DC 20006-5423

PNH 14th Street LLC
4725 Wisconsin Ave., NW # 200
Washington, DC 20016-4609

Green Court of Adams Mill Rd LLC
3157 Adams Mill Rd NW
Washington, DC 20010-2611

Service Employees International Union
1343 L St NW
Washington, DC 20005

Frank Schipani, President
Condominium Assn
c/o Unit 209
1312 Massachusetts Ave., NW
Washington, DC 20005-4173

Frank Schipani, President
Condominium Assn
c/o Unit 209
1312 Massachusetts Ave., NW
Washington, DC 20005-4173

Frank Schipani, President
Condominium Assn
c/o Unit 209
1312 Massachusetts Ave., NW
Washington, DC 20005-4173

Frank Schipani, President
Condominium Assn
c/o Unit 209
1312 Massachusetts Ave., NW
Washington, DC 20005-4173

Greenway Inc
c/o Cafritz Co
1825 K St NW
Washington, DC 20006-1202

American Postal Workers Union Holding
Corporation
1300 L St NW
Washington, DC 20005-4107

Franklin Court Inc
c/o Trammell Crow Realty
1099 14th St NW, # 100L
Washington, DC 20005-3419

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

TIME AND PLACE: **Thursday, June 1, 2006, @ 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. 94-01A (Modification to Approved Planned Unit Development @ Square 247,
Lot 96 - 1331 L Street, NW)**

THIS CASE IS OF INTEREST TO ANC 2F

On February 17, 2006, the Office of Zoning received a request for modification to an approved Planned Unit Development (PUD) from 1331 L Street NW, L.P. (the "Applicant"), the holder of leasehold interest in Lot 96 in Square 247. The Applicant requested that the matter be placed on the consent calendar pursuant to 11 DCMR § 3030. The District of Columbia Office of Planning submitted its report on March 3, 2006. Pursuant to 11 DCMR § 3030.11, the Director of the Office of Zoning placed the application on the consent calendar. The application was removed from the consent calendar pursuant to 11 DCMR 3030.12 and then set down for public hearing at the Zoning Commission's March 13, 2006, public meeting.

The property, which is the subject of this modification application, consists of approximately 18,456 square feet of land area located within the southern portion of Square 247, with premises address of 1331 L Street, NW (the "PUD Site"). Square 247 is bounded to the south by L Street, NW, to the north by Massachusetts Avenue, NW, to the east by 13th Street, NW, and to the west by 14th Street, NW. The PUD Site has a current lot designation of Lot 96 in Square 247. The PUD Site presently is unimproved but for a paved surface parking lot.

With Order No. 684, dated February 11, 1991, the Zoning Commission approved an application to rezone the PUD Site from HR/SP-2 to C-4 and to subject the property to a PUD for construction of a 9.25 FAR, 110-foot tall office building with ground floor retail uses. Through Orders No. 684-A, 684-B, and 684-C, the Zoning Commission permitted certain modifications to the PUD approval and extension of the validity of the PUD approval to December 30, 2009, with construction of the project to commence on or before December 30, 2010.

**Z.C. NOTICE OF PUBLIC HEARING
Z.C. CASE NO. 94-01A
PAGE NO. 2**

The modifications to the approved PUD sought by the Applicant involve the architectural design of the exterior of the approved project. The Applicant proposes to revise the design and materials of the four building elevations from the design approved in 1991. The building density (FAR), the permitted building height, and the permitted bulk of the overall project will remain unchanged from the approved density. The proposed modifications to the exterior design will neither increase any aspects of the previously approved zoning envelope nor reduce the size of the areas designated for various uses within the approved project, or any yards, courts or setbacks at grade, or the amount of off-street parking or loading approved. The project will provide a minimum of 94 parking spaces, as approved as part of the PUD. Furthermore, no changes are being requested in the off-site amenities previously offered and accepted by the Zoning Commission as part of the PUD approval.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations 11 DCMR 3022.

Interested persons or representatives of organizations will be heard at the public hearing. **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 Rules. Except for the applicant and the ANC, to participate as a party in a proceeding before the Commission, **any affected person 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 and address;
- (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; and
- (f) 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 such person, or in which the person has an interest, that will be affected by the action requested of the Commission;

**Z.C. NOTICE OF PUBLIC HEARING
Z.C. CASE NO. 94-01A
PAGE NO. 3**

- (2) The legal interest such person has in such 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 environmental, 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;
- (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 Commission shall determine who will be recognized as a party. In so determining, the Commission shall consider whether the provisions of § 3022.3 have been complied with and whether the specific information presented qualifies the person as a party. The Commission shall grant party status only if the person requesting party status has clearly demonstrated 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.

Any person wishing to be considered a party should clearly state the request, and should also provide a daytime telephone number should it be necessary for the Office of Zoning to obtain additional information or clarification prior to the hearing. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusions in the record.

The Zoning Commission hereby gives notice of the following procedures applicable to this case. Any person requesting to appear as a party to this application shall submit the following additional information:

1. A summary of the testimony of each witness.
2. 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 of qualifications of the proposed experts.
3. The total amount of time being requested to present the case.

The information cited above shall also be submitted by the Applicant. To the extent that the information is not contained in the Applicant's prehearing submission 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), pursuant to 11 DCMR 3012.5, intends to participate at the hearing, the ANC shall also submit the information cited above relating to the hearing procedures. The written report of the ANC shall be filed no later than seven (7) days before the date of the hearing.

The Zoning Commission gives further notice that it intends to establish time limits for oral presentations of both parties and persons. Accordingly, the following time limits shall apply:

- | | | |
|----|---------------|------------|
| 1. | Applicant | 60 minutes |
| 2. | Other Parties | 15 minutes |
| 3. | Organizations | 5 minutes |
| 4. | Individuals | 3 minutes |

The Commission intends to adhere to the time limits as strictly as possible, in order to hear the case in a reasonable period of time. The Commission reserves the right to change the time limits for presentations if necessary and notes that no time shall be ceded. 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.

Information should be forwarded to the Director, Office of Zoning, Suite 210, 441 4th Street, N.W., Washington, D.C. 20001. Please include the number of this particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

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