

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Office of Zoning



Z.C. CASE NO.: 02-38A

As Secretary to the Commission, I hereby certify that on APR 18 2007 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   | 7. Councilmember Tommy Wells   |
| 2. Christine Shiker<br>Holland & Knight, LLP<br>2099 Pennsylvania Ave., N.W.<br>Washington, D.C. 20006       | 8. Office of Planning (Harriet Tregoning)  |
| 3. Robert Moffatt, Chair<br>ANC 6D<br>25 M Street, SW<br>Washington, DC 20024                                | 9. DDOT (Ken Laden)  |
| 4. Commissioner Max Skolnik<br>ANC/SMD 6D01<br>700 7 <sup>th</sup> Street S.W., #610<br>Washington, DC 20024 | 10. Zoning Administrator (Bill Crews)  |
| 5. Vacant<br>ANC/SMD 6D03  | 11. Jill Stern, Esq.<br>General Counsel - DCRA<br>941 North Capitol Street, N.E.<br>Suite 9400<br>Washington, D.C. 20002 |
| 6. Gottlieb Simon<br>ANC<br>1350 Pennsylvania Avenue, N.W.<br>Washington, D.C. 20004                         | 12. Office of the Attorney General<br>(Alan Bergstein)   |
|  | 13. MLK Library (30 copies)  |
|  | 14. Owners Within 200 Feet (see<br>attached list provided by Applicant)  |

ZONING COMMISSION  
District of Columbia

CASE NO. 02-38A

EXHIBIT NO. 19

ATTESTED BY:

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



Street, S.W. right-of-way, (referred to as the East and West 4<sup>th</sup> Street Office Buildings) have a maximum height of 94 feet, while the existing buildings on either side, formerly used as offices and now proposed as apartment houses (referred to as the East and West Residential Towers), will maintain their existing height of 130 feet.

The second-stage PUD application requests approval for the central portion of the Site, including the East and West Residential Towers as well as the East and West 4<sup>th</sup> Street Office Buildings.

The C-3-B District permits mixed-use development, including office, retail, and residential uses, with a maximum permitted height of seventy feet and six stories. The maximum permitted floor area ratio ("FAR") for residential uses is 5.0, and the maximum permitted FAR for all other uses is 4.0. Under Chapter 24, the guideline for height in a PUD is ninety feet and the guideline for FAR in a PUD is 5.5, of which no more than 4.5 may be commercial.

The C-3-C District permits mixed-use development, including office, retail and residential uses, as a matter-of-right, with a maximum permitted height of ninety feet. The maximum FAR is 6.5 for any permitted use. Under Chapter 24, the guideline for height in a PUD is 130 feet and the guideline for FAR in a PUD is 8.0 for any permitted use.

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.**

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 fourteen (14) days prior to the date set for the hearing, a written statement containing the following information:**

- (a) The person's name, address, and daytime telephone number;
- (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;
- (f) A summary of the testimony of each witness;
- (g) 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;
- (h) The total amount of time being requested to present their case; and
- (i) 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 the person, or in which the person has an interest, that will be affected by the action requested of the Commission;
  - (2) The legal interest the person has in said 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 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; and
  - (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.

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The applicant shall also provide the information indicated in (e) through (h) to the extent that the information is not contained in the Applicant's prehearing submission as 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) 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 also contain the information indicated in (e) through (h) above.**

**Time limits.**

The following time limits for oral testimony shall be adhered to unless changed by the Commission, and no time may be ceded:

- |    |                                  |   |
|----|----------------------------------|---|
| 1. | Applicant and parties in support | 60 minutes collectively                   |
| 2. | Parties in opposition            | 15 minutes each (60 minutes collectively) |
| 3. | Organizations                    | 5 minutes each                            |
| 4. | Individuals                      | 3 minutes each                            |

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 210, 441 4<sup>th</sup> Street, N.W., Washington, D.C. 20001. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

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



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Atlanta, GA 30308

CBRE  
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Arlington, VA 22204  
Attn: Kelly Harman

Bank of America  
401 M Street, SW  
Washington, DC 22024

CVS  
One CVS Drive  
Woonsocket, RI 02895  
Attn: Property Services (Re: Store #01348-01)

CVS  
401 M Street, SW  
Washington, DC 22024





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Washington, DC 20024-4417

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