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D.C. OFFICE OF ZONING

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

2007 MAY 21 AM 10:21

NOTICE OF PUBLIC HEARING

TIME AND PLACE:

**Thursday, June 7, 2007, 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. 02-38A (Applications for a Modification to a First-Stage PUD, a Second-Stage PUD, and a Zoning Map Amendment)

THIS CASE IS OF INTEREST TO ANC 6D

On November 15, 2006, the Office of Zoning received an application from Waterfront Associates, LLC and RLA Revitalization Corporation (collectively the "Applicant"). The Applicant is requesting a modification to an approved first-stage Planned Unit Development ("Approved First-Stage PUD") for the entire site, second-stage review and approval of a Planned Unit Development ("PUD") for the central portion of the site, and a change to the District of Columbia Zoning Map. The Office of Planning provided its report on February 2, 2007, and the case was set down for hearing on February 12, 2007. The Applicant provided its prehearing statement as part of its application on March 30, 2007.

The subject property (the "PUD Site") is located at 401 M Street, S.W., known as Lot 89 in Square 542. The PUD Site contains approximately 13.42 acres and is on the north side of M Street, S.W., between 3rd and 6th Streets, S.W. The PUD Site is currently improved with the Waterside Mall and two high-rise towers. The PUD Site is currently split zoned C-3-B/C-3-C under the Approved First-Stage PUD. As part of this application, the Applicant requests that the entire PUD Site be rezoned to C-3-C.

The Applicant proposes to construct a mixed-use project of office, residential and retail uses, including an option for a grocery store. The modification to the Approved First-Stage PUD proposes a project containing approximately 2,526,500 square feet of gross floor area, having an aggregate FAR of 4.33, with approximately 1,296,895 square feet of gross floor area, or 2.22 FAR, devoted to office and retail uses and approximately 1,229,605 square feet of gross floor area, or 2.11 FAR, devoted to residential uses. The modification application requests the flexibility to convert one residential building to office use. The PUD contemplates that the structure that occupies the former 4th Street right of way will be demolished and that the District will improve and reopen the street at its own expense. The project provides a minimum of 110,000 square feet of ground floor retail along the proposed 4th Street right-of-way and M Street. The overall FAR of the proposed modification is the same as that approved in the Approved First-Stage PUD; however, the modification incorporates more residential use.

The maximum height of the buildings on the south and north ends of the PUD Site are 114 feet. The office buildings in the center of the PUD Site abutting the area of the contemplated 4th

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- (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 4th 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.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF ZONING
441 4th STREET, N.W. SUITE 200-S/210-S
WASHINGTON, DC 20001

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