

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

TIME AND PLACE: **Monday, November 25, 2019, @ 6:30 p.m.**
Office of Zoning Hearing Room
441 4th Street, N.W., Suite 220
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 14-12E (Clarion Gables Multifamily, L.P. and EAJ 1309 5th Street, LLC – Second-Stage Planned Unit Development for 1309 5th Street, N.E. (Square 3591, Lots 808, 809, and 7020-7033))

THIS CASE IS OF INTEREST TO ANC 5D

On June 3, 2019, Clarion Gables Multifamily, L.P. and EAJ 1309 5th Street LLC (collectively, the “Applicant”) filed an application (the “Application”) with the Office of Zoning (“OZ”) requesting that the Zoning Commission (the “Commission”) review and approve a second-stage planned unit development (“PUD”) pursuant to the first-stage PUD (the “First-Stage PUD”) approved by the Commission in Z.C. Order No. 14-12 for property located at 1309 5th Street, N.E. (Square 3591, Lots 808, 809, and 7020-33; the “North Parcel”). Z.C. Order No. 14-12 also approved a consolidated PUD for property to the south of the Property (the “South Parcel”) and a PUD-related map amendment for the North and South Parcels from the C-M-1 zone district to the C-3-C zone district. The North Parcel includes approximately 42,078 square feet of land area between 5th Street, N.E. and 6th Street, N.E., with frontage on both streets. The North Parcel is improved with an existing, predominantly vacant warehouse building. The South Parcel houses the existing, unique, artisanal ground floor market and second-story event space respectively known as “The Market” at Union Market and “Dock 5.” Immediately to the north of the North Parcel is a site that is subject to a separate PUD approved in Z.C. Case No. 15-24.

The Application seeks approval to construct:

- a new eleven-story mixed-use building of approximately 317,950 gross square feet (the “North Building”) with street-activating ground floor retail/commercial uses and a ground floor residential lobby and amenities leading to upper-story residential uses;
- a new urban plaza separating the North Building from the South Parcel; and
- approximately 310 vehicle parking spaces on three-and-a-half levels below grade.

The Applicant filed the Application pursuant to Subtitle X, Chapter 3 and Subtitle Z, Chapter 3 of Title 11 of the District of Columbia Municipal Regulations (Zoning Regulations of 2016, the “Zoning Regulations,” to which all references are made unless otherwise specified).

On July 19, 2019, the Office of Planning filed a report recommending that the Commission set the Application down for a public hearing. At its July 29, 2019, public meeting, the Commission voted to set the Application down for public hearing. The Applicant filed its prehearing statement with the Commission on September 20, 2019.

This public hearing will be conducted in accordance with the contested case provisions of Subtitle Z, Chapter 4. The First-Stage PUD is vested under the substantive provisions of the 1958 Zoning Regulations pursuant to Subtitle A § 102.6.

How to participate as a witness – oral presentation

Interested persons or representatives of organizations may be heard at the public hearing. All individuals, organizations, or associations wishing to testify in this case are encouraged to inform OZ of 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 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 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 Subtitle Z § 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.

How to participate as a witness – written statements

Written statements, in lieu of personal appearances or oral presentation, 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.

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 Subtitle Z § 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 Commission, and to exercise the other rights of parties as specified in the Zoning Regulations. If you are still unsure of what it means to participate as a party and would like more information on this, please contact OZ 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 OZ’s website at: <https://app.dcoz.dc.gov/Help/Forms.html>. This form may also be obtained from OZ at the address stated below.

“Great weight” to written report of ANC

Subtitle Z § 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, an ANC that wishes to participate in the hearing 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.

FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

ANTHONY J. HOOD, ROBERT E. MILLER, PETER G. MAY, PETER A. SHAPIRO, 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.

ለሙሉ ቅጽ ማሙላት ያስፈልግዎታል? የተለየ እርዳታ ከስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም) ከስፈለገዎት እባክዎን ከስተባባሪው አምስት ቀናት በፊት ዚ ሂሊን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እንኳን አገልግሎቶች የሚሰጡት በነጻ ነው።