ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA NOTICE OF PUBLIC HEARING

TIME AND PLACE: Monday, July 22, 2019, @ 6:30 p.m.

Jerrily R. Kress Memorial Hearing Room 441 4th Street, N.W., Suite 220-South

Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 19-02 (Milestone East Capitol 2, LLC, et al. – Map Amendment @ Square 5411, Lot 802 [3610 Minnesota Avenue, S.E.]; Square 5412, Lot 801 [3501-3547 East Capitol Street, S.E.]; Square 5413, Lot 802 [127 35th Street, S.E.]; and Square 5413N, Lot 801 [3425 East Capitol Street, S.E.])

THIS CASE IS OF INTEREST TO ANC 7F

On January 7, 2019, Milestone East Capitol 2, LLC, Milestone East Capitol 3, LLC, Milestone East Capitol 4, LLC, and Milestone East Capitol 5, LLC (together, the "Applicant") submitted an application (the "Application") for approval of a map amendment to rezone Lot 802 in Square 5411, Lot 801 in Square 5412, Lot 802 in Square 5413, and Lot 801 in Square 5413N in southeast Washington, D.C. (Ward 7), with addresses of 3610 Minnesota Avenue, S.E., 3501-3547 East Capitol Street, S.E., 127 35th Street, S.E., and 3425 East Capitol Street, S.E. from the RA-1 zone to the RA-2 zone.

The RA-1 and RA-2 zones are intended to permit flexibility of design by permitting all types of urban residential development if they conform to the height, density, and area requirements established for these districts and to permit the construction of those institutional and semi-public buildings that would be compatible with adjoining residential uses and that are excluded from the more restrictive residential zones.

The RA-1 zone provides for areas predominantly developed with low- to moderate-density development, including detached dwellings, rowhouses, and low-rise apartments and allows a maximum height of 40 feet (and three stories), a maximum lot occupancy of 40%, and a maximum density of 0.90 floor area ratio ("FAR").

The RA-2 zone provides for areas developed with predominantly moderate-density residential uses, and allows a maximum height of 50 feet, a maximum lot occupancy of 60%, and a maximum density of 1.8 FAR.

The Office of Planning submitted its report to the Office of Zoning on February 15, 2019. On February 25, 2019, the Zoning Commission voted 5-0-0 to approve set down of the Application for a public hearing. The Applicant filed its pre-hearing statement with the Commission on May 7, 2019.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Commission's Rules of Practice and Procedure, 11 DCMR Subtitle Z, 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 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 Zoning 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 the Office of Zoning at <a href="mailto:document-decision-legged-color: blue contact-decision-legged-color: decision-legged-color: decision-leg

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.

Subtitle Z \S 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 \S 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:

Applicant and parties in support
Parties in opposition
Organizations
Individuals
Applicant and parties in support
60 minutes collectively
5 minutes each
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.

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 <u>Zelalem.Hill@dc.gov</u> 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。

Quí vị có cần trợ giúp gì để tham gia không? Nếu quí 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.