

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

**TIME AND PLACE:** **Monday, January 5, 2015, @ 6:30 P.M.**  
**Jerrily R. Kress Memorial Hearing Room**  
**441 4<sup>th</sup> Street, N.W., Suite 220**  
**Washington, D.C. 20001**

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

**Z.C. CASE NO. 14-12 (EAJ 1309 5th Street, LLC – First-Stage and Consolidated PUD & Related Map Amendment @ Square 3591, Lot 800 - 1309-1329 5<sup>th</sup> Street, N.E.)**

**THIS CASE IS OF INTEREST TO ANC 5D**

On July 10, 2014, the Office of Zoning received an application from EAJ 1309 5th Street, LLC (the “Applicant”). The Applicant is requesting approval of a first-stage and a consolidated planned unit development (“PUD”) and related map amendment from C-M-1 to C-3-C.

The Office of Planning provided its report on July 18, 2014, which recommended that the case be set down by the Zoning Commission. The case was set down for hearing by the Zoning Commission on July 28, 2014.

The property that is the subject of this application consists of approximately 85,820 square feet of land. The property is bounded by a surface lot to the south, a vacant lot used for maintenance storage to the north, 6<sup>th</sup> Street, N.E. to the east, and 5<sup>th</sup> Street, N.E. to the west. This property is legally identified as Square 3591, Lot 800.

The C-3-C Zone District permits matter-of-right development for major business and employment centers of medium/high density development, including office, retail, housing, and mixed uses to a maximum lot occupancy of 100%, a maximum PUD floor area ratio (“FAR”) of 8.0 for residential and for other permitted uses, and a maximum PUD height of 130 feet.

The Applicant proposes a development that is comprised of two buildings on the property that will be constructed in two phases if approved by the Zoning Commission. In total, up to approximately 541,400 gross square feet, or up to approximately 6.30 FAR, is proposed for the entire project.

For the first phase, the consolidated PUD, the Applicant proposes to construct a new structure above The Market building at Union Market, an existing two-story building on the south portion of the property. The new structure will include an approximately 38,000-42,000 gross square foot theater above the existing Market building, and an approximately 104,000-112,000 gross square foot, four-story office component atop the theater. Once complete, this building will have a total floor area of approximately 204,400-216,400 gross square feet and a building height of approximately 120 feet.

For the second phase, the first-stage PUD, the Applicant proposes to construct a new building containing between approximately 25,000-35,000 gross square feet of retail use and approximately 260,000-290,000 gross square feet of office or residential use on the north portion of the property. This building will have a total floor area of approximately 285,000-325,000 gross square feet and a building height of approximately 120 feet. This building will contain approximately 300-475 parking spaces below grade.

**Z.C. NOTICE OF PUBLIC HEARING  
Z.C. CASE NO. 14-12  
PAGE 2**

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

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 14 days prior to the date set for the hearing, a Form 140 – Party Status Application, a copy of which may be downloaded from the Office of Zoning's website at: <http://dcoz.dc.gov/services/app.shtm>**. This form may also be obtained from the Office of Zoning at the address stated below.

**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 in § 3012.5 (a) through (i). The written report of the ANC shall be filed no later than seven (7) days before the date of 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](mailto: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:

- |    |                                  |                         |
|----|----------------------------------|-------------------------|
| 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 § 3020.3, 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 <http://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4<sup>th</sup> Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to [zcsubmissions@dc.gov](mailto: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, MARCIE I. COHEN, ROBERT E. MILLER, 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.**