

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

TIME AND PLACE: **Monday, May 18, 2014, @ 6:30 p.m.**
Jerrily R. Kress Memorial Hearing Room
441 4th Street, N.W., Suite 220
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 14-01A (Jemal's Hecht's, LLC – PUD Modification and Related Map Amendment @ Square 4037, Portions of Lots 7 and 804)

THIS CASE IS OF INTEREST TO ANC 5D

On December 22, 2014, the Office of Zoning received an application from Jemal's Hecht's, LLC (the "Applicant") requesting modifications to an approved planned unit development ("PUD") located on the western 345.93 feet of Square 4037, and a related zoning map amendment from the C-M-3 Zone District to the C-3-C Zone District for a small portion of Square 4037 adjacent to the approved PUD (together, the "PUD Site"). The original PUD was approved by the Zoning Commission pursuant to Z.C. Order No. 14-01, dated July 17, 2014, and effective on August 8, 2014. The PUD Site is located in Ward 5 and is within the boundaries of Advisory Neighborhood Commission ("ANC") 5D.

By report dated January 30, 2015, the Office of Planning recommended that the Zoning Commission schedule a public hearing on the application. At its public meeting on February 9, 2015, the Zoning Commission voted to set down the application for a public hearing. The Applicant provided its prehearing statement on February 27, 2015.

The PUD Site is located in Square 4037, which is bounded by New York Avenue, N.E. to the north, Fenwick Street, N.E. to the west, Okie Street, N.E. to the south, and 16th Street, N.E. to the east. The Applicant proposes to construct a second building on the southeast corner of the PUD Site, to be leased by a restaurant or other retail establishment as permitted in the C-3-C Zone District. The proposed building is located in an area of the PUD Site that was originally approved for use as a circular driveway with ingress and egress from Hecht Avenue. The Applicant proposes to modify the driveway configuration to provide space for the new building with a one-way drive aisle with ingress from Hecht Avenue and egress onto Okie Street. The building will have approximately 8,074 square feet of gross floor area and a maximum height of 32 feet, 11 inches. The modified application incorporates approximately 1,785.7 square feet of additional land area into the approved PUD Site, for a total of 120,823.6 square feet. The overall density of the project will remain at 4.7 floor area ratio ("FAR").

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.

Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR § 3022.3.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, and 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 dcoz@dc.gov or at (202) 727-6311.

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>. Any documents filed in this case must be submitted through the Interactive Zoning Information System (IZIS) found on the Office of Zoning website.**

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 contain the information indicated in § 3012.5 (a) through (i).

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.

Time limits.

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 § 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.

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 200-S, 441 4th Street, N.W., Washington, D.C. 20001.

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**