

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



MEMORANDUM

To: Arnold R. Finlayson, Administrator
Office of Documents and Administrative Issuance

From: Sharon S. Schellin *SS*
Secretary to the Zoning Commission

Date: July 24, 2006

Re: Publication for the Office of Zoning

Please publish the following in the *D.C. Register* on August 4, 2006:

1. Z.C. Notice of Public Hearing (Case No. 06-19); and
- ✓ 2. Z.C. Notice of Public Hearing (Case Nos. 06-11 & 06-12).

Attachments

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ZONING COMMISSION
District of Columbia

CASE NO. 06-12
EXHIBIT NO. 21

The Property currently is located primarily in the R-5-D Zone district. Some properties located near Washington Circle and F Street are in the R-5-E Zone, and some properties located along Pennsylvania Avenue and between 19th and 20th Street are in the C-3-C Zone. The Zoning Map Amendment application requests a PUD-related rezoning of portions of Squares 55, 56, 75, 77, 79, and 101 to the C-3-C Zone, and a PUD-related rezoning of a portion of Square 75, located along Pennsylvania Avenue, to the C-4 Zone. The remainder of the Property will remain in its existing R-5-D or R-5-E Zone, except for Squares 80 and 54, which will be the subject of separate PUD applications. For the portions of the Property located in the C-3-C and C-4 Zones, the maximum height will be 130 feet, or the maximum height permitted under the 1910 Height Act, whichever is less. The FAR will continue to be aggregated, as required under Section 210 of the Zoning Regulations, among the residentially-zoned properties throughout the campus to the maximum FAR set forth in the Zoning Regulations. (The maximum FAR permitted under Section 210 is the subject of a proposed text amendment currently under consideration in Z.C. Case No. 06-19, which will be heard immediately prior to these cases.) The development sites that will be rezoned will be developed to an FAR of no greater than the permitted FAR under the PUD regulations for the C-3-C and C-4 Districts, as reviewed and approved by the Zoning Commission during the Second Stage PUD.

The proposed Foggy Bottom Campus Plan: 2006 - 2025 is intended to address the University's forecasted academic and undergraduate student housing space requirements within the existing Foggy Bottom Campus Plan boundaries, concentrated within the campus core, as well as measures to preserve open spaces and buildings of architectural and historic significance on the campus. The plan calls for the creation of a retail corridor along I Street and proposes mechanisms for monitoring the University's compliance with the campus plan.

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 is 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, 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.

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 fourteen (14) days prior to the date set for the hearing, a written statement containing the following information:**

- (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.

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:

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| 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, JOHN G. PARSONS, MICHAEL G. TURNBULL, AND GREGORY N. JEFFRIES ——— ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR AND BY SHARON SCHELLIN, SECRETARY TO THE ZONING COMMISSION.