*Government of the District of Columbia*
Office of Zoning

**Z.C. CASE NO.: 01-13A**

As Secretary to the Zoning Commission, I herby certify that on NOV - 8 2004 copies of Z.C. Notice of Public Hearing were mailed first class, postage prepaid or sent by inter-office government mail to the following:

1. Whayne S. Quin
   Holland & Knight LLP
   Suite 100
   2099 Pennsylvania Avenue, N.W.
   Washington, D.C. 20006

2. Dorothy Miller, Chair
   ANC 2A
   St. Mary's Court
   725 24th Street, N.W.
   Washington, D.C. 20037

3. West End Citizens Association
   c/o Barbara F. Kahlow
   2555 Pennsylvania Ave., N.W.
   Suite 404
   Washington, D.C. 20037

4. Property Owners Within 200 Feet (list provided by applicant)

5. Gottlieb Simon
   Office of Advisory Neighborhood Commissions
   1350 Pennsylvania Ave., N.W.
   Washington, D.C. 20004

6. Councilmember Jack Evans (Ward 2)

7. Office of Planning (Ellen McCarthy)

8. Zoning Administrator

9. MLK Library (30 copies)

10. Ken Laden, DDOT

11. Office of Attorney General

**ATTESTED BY:** Alberto T. Bastida

**Alberto P. Bastida, AICP**
**Secretary to the Zoning Commission**

ZONING COMMISSION
District of Columbia
CASE NO. 01-13-A
EXHIBIT NO. 9



ZONING COMMISSION
District of Columbia
CASE NO.01-13A
EXHIBIT NO.9

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

**TIME AND PLACE:** **Thursday, January 6, 2005, @ 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. 01-13A (Modification to PUD – International Monetary Fund)**

**THIS CASE IS OF INTEREST TO ANC 2A**

On September 30, 2004, the Office of Zoning received a request from the International Monetary Fund (the "Applicant") for minor modifications to Zoning Commission Order No. 960 (Revised), effective July 12, 2002 (the "Order"). The Applicant requested that two conditions in the Order be modified and that the modification be considered by the Commission on its consent calendar at its October 25, 2004, public meeting. At that meeting, the Zoning Commission determined that the requested modifications should be considered at a public hearing. Upon waiving the regulations related to set down, the Zoning Commission voted to consider the request at a hearing.

The Applicant requests that the Zoning Commission modify Condition No. 8(a), which currently provides for the replacement of benches in the four triangular parks adjacent to the site, to read as follows:

> Condition No. 8(a): IMF shall expend the total sum of $250,000 for (a) the design of a new, segmented park bench prototype; and (b) the ongoing enhanced maintenance and repair of the three (3) triangular parks immediately to the west and northeast of the Site along Pennsylvania Avenue, NW. IMF shall enter into an agreement with the National Park Service regarding the use of these funds prior to the issuance of a certificate of occupancy for HQ2.

The Applicant also requests that the Zoning Commission modify the last sentence of Condition No. 8(e), which relates to the timing of the special neighborhood beautification projects, to read as follows:

> The IMF shall enter into a letter agreement with Green Spaces for D.C. and deposit a check with Green Spaces for D.C. for the special neighborhood beautification projects endorsed by the Department of Transportation or Department of Public Works prior to issuance of a certificate of occupancy for HQ2.

This public hearing will be conducted in accordance with the provisions of § 3022 (Contested Case Hearings), District of Columbia Municipal Regulations (DCMR) Title 11, Zoning. The scope of this hearing is strictly limited to the proposed modifications set forth above. Testimony on any other issue or condition will be outside the scope of this hearing and will not be considered.

How to participate as a witness.

Interested persons or representatives of organizations will 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, 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 such 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:

| | | |
|---|---|---|
| 1. | Applicant and parties in support | 15 minutes each |
| 2. | Parties in opposition | 15 minutes each |
| 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. Please include the number of this particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**CAROL J. MITTEN, ANTHONY J. HOOD, JOHN G. PARSONS, KEVIN L. HILDEBRAND, AND GREGORY N. JEFFRIES ---------- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR AND BY ALBERTO P. BASTIDA, AICP, SECRETARY TO THE ZONING COMMISSION.**

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