Government Of The District of Columbia
Office of Zoning

MEMORANDUM

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

FROM: Alberto P. Bastida, AICP
Secretary to the Zoning Commission

DATE: February 13, 2002

SUBJECT: Publication for the Office of Zoning

Please publish the following in the D.C. Register on March 1, 2002:

1. Notice of Public Hearing, Case No. 01-36C.

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Received By

2/19/02
Date

Attachments

ZONING COMMISSION
District of Columbia
Case 01-36C
Exhibit 13

ZONING COMMISSION
District of Columbia
CASE NO.01-36C
EXHIBIT NO.13

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Thursday, April 18, 2002, @ 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. 01-36C (Consolidated PUD and Map Amendment @ Square S5868, Lot 1 – Unified Communications Center)

THIS CASE IS OF INTEREST TO ANCS 8A & 8C

On December 21, 2001, the Office of Zoning received an application from the Office of the Chief Technology Officer for the District of Columbia (the "Applicant"), requesting consolidated review and approval of a Planned Unit Development ("PUD") and a Zoning Map Amendment under Chapter 24 of the District of Columbia Zoning Regulations, 11 DCMR (July 1995, as amended).

The property that is the subject of this application consists of the northernmost part of the East Campus of St. Elizabeth's Hospital in Ward 8. The property is situated along the east side of Martin Luther King Jr. Avenue near Pomeroy Road, S.E. Suitland Parkway passes near the property to the northeast but does not provide vehicular access to it. The property is substantially vacant except for four woodframe cottages and their associated sheds. The land area of the site is 513,755 square feet or 11.80 acres. The property is unzoned, having been in federal government ownership and use for many years, followed by ownership by the District of Columbia but without a change in use or construction.

The Applicant proposes to construct a building and advanced communications equipment in one secure facility to accommodate the critical communications functions for the District of Columbia. The Unified Communications Center will be a state-of-the-art, three-story (with basement), 144,000 square foot office building, together with specialized communications equipment, dining area, childcare center, landscaping, surface parking, and historic preservation features. The facility will serve the Police, Fire and Emergency Management Agencies and answer all emergency and non-emergency calls. A total of 282

surface parking spaces will be provided on site. The height of the building will be 57 feet and the FAR 0.28.

Because the property is currently unzoned, the Applicant is requesting a map amendment to the C-2-B zone, as well as a consolidated planned unit development in conjunction with C-2-B zoning. The Applicant contends that this zoning is consistent with surrounding uses and densities and consistent with District of Columbia policies for the subject area. The C-2-B District is a medium-density mixed use zone that permits residential and mixed uses to a maximum height of 65 feet and a maximum FAR of 3.5, of which no more than 1.5 FAR may be devoted to nonresidential uses. With a PUD, the maximum building height is 90 feet and the maximum FAR 4.5, of which no more than 2.0 FAR may be devoted to nonresidential uses.

In accordance with the PUD process, the Applicant is proposing to provide the following public benefits and project amenities: 1) Improved Public Safety and Public Services; 2) Economic Development and Community Revitalization; 3) Historic Preservation; 4) First Source Employment Opportunities; 5) Local, Small, or Disadvantaged Business Enterprises Opportunities; and 6) Improvements to the Physical Character of the District of Columbia.

The architect for the Applicant is Daniel, Mann, Johnson & Mendenhall, and the land use counsel is Arnold & Porter.

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.

Interested persons or representatives of organizations will be heard at the public hearing. **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 Rules. Except for the Applicant and the ANC, to participate as a party in a proceeding before the Commission, **any affected person shall file with the Commission, not less than fourteen (14) days prior to the date set for the hearing, the following information**:

(a) The person's name and address;

(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 the legal counsel;

(e) A list of witnesses who will testify on the person's behalf; and

(f) 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 the 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 environmental, 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 interests 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 Commission shall determine who will be recognized as a party. In so determining, the Commission shall consider whether the provisions of § 3022.3 have been complied with and whether the specific information presented qualifies the person as a party.

Any person wishing to be considered a party should clearly state the request, and should also provide a daytime telephone number should it be necessary for the Office of Zoning to obtain additional information or clarification prior to the hearing. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record.

The Zoning Commission hereby gives notice of the following procedures applicable to this case. Any person requesting to appear as a party to this application shall submit the following additional information:

1. A summary of the testimony of each witness.

2. 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 of qualifications of the proposed experts.

3. The total amount of time that will be required to present the case.

The information cited above shall also be submitted by the Applicant. To the extent that the information is not contained in the Applicant's prehearing submission required by 11 DCMR § 3013.1, the information shall be filed no later than 14 days before the date of the hearing.

If an affected Advisory Neighborhood Commission (ANC), pursuant to DCMR § 3012.5, intends to participate at the hearing, the ANC shall also submit the information cited above. However, the written report of the ANC shall be filed no later than seven (7) days before the date of the hearing.

The Zoning Commission gives further notice that it intends to establish time limits for oral presentations of both parties and persons. Accordingly, the following time limits shall apply:

1. Applicant..... 60 minutes
2. Other Parties.....15 minutes
3. Organizations..... 5 minutes
4. Individuals..... 3 minutes

The Commission intends to adhere to the time limits as strictly as possible, in order to hear the case in a reasonable period of time. The Commission reserves the right to change the time limits for presentations if necessary and notes that no time shall be ceded. 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.

Information 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, PETER G. MAY, JAMES H. HANNAHAM ---------- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR AND BY ALBERTO P. BASTID