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: March 13, 2003

SUBJECT: Publication for the Office of Zoning

Please publish the following in the D.C. Register on March 21, 2003:

1. Z.C. Notice of Public Hearing (Case No. 02-30); and
2. Z.C. Notice of Public Hearing (Case No. 02-31).

Received By

3/14/03
Date

Attachments

ZONING COMMISSION
District of Columbia
Case 02-30
Exhibit 18

441 4th Street, N.W., Suite 210-S, Washington, D.C. 20001
Tel: (202) 727-6311 • Fax: (202) 727-6072
E-Mail: zoning info@dcoz.dcgov.org • Web Site: http://dcoz.dcgov.org/

ZONING COMMISSION
District of Columbia
CASE NO.02-30
EXHIBIT NO.18

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Monday, May 19, 2003 @ 6:30P.M. (1st Case)**
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. 02-30 (Georgetown University & U.S. National Park Service - Map Amendment)

THIS CASE IS OF INTEREST TO ANC 2E

On August 6, 2002, the Office of Zoning received an application from Georgetown University and the U.S. National Park Service (collectively, the "Applicant"), requesting a Zoning Map Amendment in accordance with District of Columbia Zoning Regulations, 11 DCMR (July 1996). The Office of Planning report was received on October 18, 2002. This case was set down for hearing on October 28, 2002. The applicant filed its Pre-Hearing statement on November 25, 2002.

The property that is the subject of this application consists of Tract 102-114. The subject property is a vacant parcel fronting on the Potomac River, approximately ¼ mile west of the Key Bridge. The subject property is approximately 440 feet in length and 94-127 feet in width.

The Zoning Commission will consider two alternative zone classifications for the subject property – the Waterfront-1 (W-1) zone and the Waterfront Open Space (W-0) zone under consideration for adoption by the Zoning Commission, as set forth below.

The applicant applied for a rezoning from unzoned to W-1. This request is not inconsistent with the Comprehensive Plan of the District of Columbia.

The W-1 Zone District permits matter-of-right low-density residential and commercial development in waterfront areas to a maximum lot occupancy of 80% for residential use, a maximum FAR of 2.5 for residential and 1.0 for other permitted uses and a maximum height of forty (40) feet.

The alternative of mapping the W-0 zone on the subject property derives from the Setdown Report by the Office of Planning (OP) to the Zoning Commission dated October 18, 2002, in which OP recommended the W-0 zone as an alternative to the requested W-1 zone. The Zoning Commission concurred in this recommendation and set down the W-0 zone in the alternative for public hearing. The W-0 zone, as advertised, allows open space and

recreational uses as well as a wide variety of low-density recreation, cultural and retail buildings suitable to an open space environment. In accordance with the advertised provisions of the W-0 zone, the applicant has submitted a combined map amendment and special exception application to build a boathouse for consideration by the Commission.

The public hearing on the requested map amendment and special exception request will be conducted in accordance with the provisions of Section 3022 of the District of Columbia Municipal Regulations, Title 11, and Zoning. Pursuant to that section, the Commission will impose time limits on testimony presented to it at the public hearing.

Proposed amendments to the Zoning Regulations and Map of the District of Columbia are authorized pursuant to the Zoning Act of June 20, 1938, (52 Stat. 797), as amended, D.C. Official Code § 6-641.01 (2001), *et seq.*

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, a written statement containing 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 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 such 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 such 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;

(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 that 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. The Commission shall grant party status only if the person requesting party status has clearly demonstrated that the person's interests would likely be more significant, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.

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 inclusions 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 fourteen (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 relating to the hearing procedures. 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, AND JAMES H. HANNAHAM ---------- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY ALBERTO P. BASTIDA, AICP, SECRETARY TO THE ZONING COMMISSION.