Government of the District of Columbia
OFFICE OF ZONING

Z.C. CASE NO.: 02-44

As Secretary to the Zoning Commission, I herby certify that on JAN 3 1 2003 copies of this Z.C. Notice of Public Hearing were mailed first class, postage prepaid or sent by inter-office government mail to the following:

1. *D.C. Register*
2. *Washington Times*
3. District of Columbia Building Industry Association
   5100 Wisconsin Avenue, N.W.
   Suite 301
   Washington, D.C. 20016-4162
4. All Advisory Neighborhood Commissions (see attached list)
5. Gottlieb Simon
   ANC
   1350 Pennsylvania Avenue, N.W.
   Washington, D.C. 20004
6. All Councilmembers (see attached list)
7. Office of Planning (Ellen McCarthy)
8. Ken Laden, DOT
9. Zoning Administrator
10. Corporation Counsel (Alan Bergstein)

ATTESTED BY: _____
Alberto P. Bastida, AICP
Secretary to the Zoning Commission

ZONING COMMISSION
District of Columbia
Case 02-44
Exhibit 9
ZONING COMMISSION
District of Columbia
CASE NO.02-44
EXHIBIT NO.9

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Monday, March 24, 2003, @ 6:30 P.M. (2nd 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. 02-44 (Text Amendment – Retail Arcades)

THIS CASE IS OF INTEREST TO ALL ANCs:

On October 21, 2002, the Office of Zoning received correspondence from the District of Columbia Building Industry Association requesting that the Commission, on its own motion, initiate a text amendment to Title 11 of the District of Columbia Municipal Regulations, Zoning. This case was set down on January 13, 2003. The Commission adopts the Office of Planning report received on January 3, 2003 as the pre-hearing statement for this case. The proposed text amendment is as follows:

Title 11 DCMR (Zoning), Section 2515, EXCEPTIONS TO DENSITY REGULATIONS FOR OPEN ARCADES, is amended by:

1. Amending subsection 2515.3 to read as follows (additions shown in bold and underline):

"2515.3 An open arcade, **constructed prior to [the date on which the Commission's final rule is published in the *D.C. Register*]**, shall be allowed a floor area ratio credit not to exceed twenty-five percent (25%) of the gross floor area of the floor that is adjacent to the arcade."; and

2. Adding a new subsection 2515.13 to read as follows:

"2513.15 Notwithstanding the limitations of § 771.2 of this title, an open arcade existing in a building in a commercial district (C) in the Central Employment Area on [the date on which the Commission's final rule is published in the *D.C. Register*], for which a floor area ratio was previously granted pursuant to § 2515.3, may be enclosed if devoted to retail, entertainment, arts, or service uses permitted as a matter of right."

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.*

The public hearing on this case will be conducted in accordance with the provisions of section 3021 of the District of Columbia Municipal Regulations, Title 11, Zoning. Pursuant to that section, the Commission will impose time limits on testimony presented to it at the public hearing.

All individuals, organizations, or associations wishing to testify in this case should file their intention to testify in writing. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record.

Information should be forwarded to the Secretary of the Zoning Commission, 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, JAMES H. HANNAHAM, AND PETER G. MAY———— ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY ALBERTO P. BASTIDA, AICP, SECRETARY TO THE ZONING COMMISSION.