

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Office of Zoning



ZONING COMMISSION  
District of Columbia

CASE NO. 14-14

EXHIBIT NO. 26

MEMORANDUM

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

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

**Date:** July 9, 2006

**Re:** Publication for the Office of Zoning

10:03 AM 7/10/06  
OFFICE OF ZONING  
DISTRICT OF COLUMBIA

Please publish the following in the *D.C. Register* on July 21, 2006:

1. Z.C. Notice of Filing (Case No. 06-30);
2. Z.C. Notice of Filing (Case No. 06-31);
3. Z.C. Notice of Filing (Case No. 06-32);
4. Z.C. Notice of Filing (Case No. 06-34);
5. Z.C. Notice of Emergency Rulemaking (Case No. 06-06);
6. Z.C. Notice of Final Rulemaking & Order No. 05-20 (Case No. 05-20); *2 copies*
7. Z.C. Notice of Public Hearing (Case No. 04-14);
8. Z.C. Notice of Public Hearing (Case No. 05-02);
9. Z.C. Notice of Public Hearing (Case No. 05-42);
10. Z.C. Notice of Public Hearing (Case Nos. 06-11 & 06-12);
11. Z.C. Notice of Public Hearing (Case No. 06-19);
12. Z.C. Notice of Public Hearing (Case No. 06-25);
13. Z.C. Order No. 05-15 (Case No. 05-15); and
14. Z.C. Order No. 05-19 (Case No. 05-19).

The Final Rulemaking (item 6 above) is also included on the enclosed diskette.

Attachments

441 4<sup>th</sup> Street, N.W., Suite 200/210-S, Washington, D.C. 20001

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ZONING COMMISSION  
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CASE NO. 04-14  
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As part of the PUD, the Applicant is seeking to proceed under the PUD-related C-3-C zoning approved by the Zoning Commission in the first-stage PUD order. The C-3-C District is designed to accommodate important sub-centers supplementary to the Central Business District. The C-3-C District permits medium-high density development, including office, retail, housing

and mixed-use development which is compact in area. The C-3-C District permits a maximum height of ninety feet and a maximum FAR of 6.5. A PUD in the C-3-C District is permitted to have a maximum height of 130 feet and a maximum FAR of 8.0.

The owner and development of the project is Florida Rock Properties, Inc.; the architect is Davis Buckley, Architects and Planners; and the land use counsel is Holland & Knight LLP.

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 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 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;
- (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 of 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 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 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 DCMR § 3012.5 no later**

**than seven (7) days before the date of the hearing. The report shall 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 | 60 minutes |
| 2. | Parties in opposition            | 15 minutes |
| 3. | Organizations                    | 5 minutes  |
| 4. | Individuals                      | 3 minutes  |

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 210, 441 4<sup>th</sup> 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, OFFICE OF ZONING, AND BY SHARON SCHELLIN, SECRETARY TO THE ZONING COMMISSION**