Government of the District of Columbia
Office of Zoning

Z.C. CASE NO.: 04-16

As Secretary to the Zoning Commission, I herby certify that on SEP 0 7 2004 copies of this Z.C. Notice of Hearing were mailed first class, postage prepaid or sent by inter-office government mail to the following:

1. *D.C. Register*

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9. City Councilmember Adrian Fenty

10 Office of Planning (Ellen McCarthy)

11. Ken Laden, DOT

12. Zoning Administrator

13. MLK Library (30 Copies)

14. DC Office of Attorney General

ZONING COMMISSION
District of Columbia
CASE NO. 04-16
EXHIBIT NO. 5

ATTESTED BY: Alberto P. Bastida

ALBERTO P. BASTIDA, AICP
Secretary to the Zoning Commission

ZONING COMMISSION
District of Columbia
CASE NO.04-16
EXHIBIT NO.5

ZONINGCOMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Thursday, October 28, 2004, at 6:30 p.m.**
Office of Zoning Hearing Room
441 4th Street, N.W. – Suite 220 South
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Case No. 04-16 (Text and Map Amendments to Establish and Map the Takoma Neighborhood Commercial Overlay Zone)

THIS CASE IS OF INTEREST TO ANCs 4B & 4D

The District of Columbia Office of Planning ("OP") has requested that the Zoning Commission establish and map a new Neighborhood Commercial Overlay over certain portions of the Takoma Central District. The Overlay is proposed to help advance objectives identified in the Takoma Central District Plan, which received final approval from the Council of the District of Columbia on June 4, 2002. The proposed text amendment would add a new § 1310 to Chapter 13 of Title 11 of the District of Columbia Municipal Regulations ("DCMR").

Title 11 DCMR (Zoning) is proposed to be amended as follows:

Add a new § 1310 to Chapter 13, "Neighborhood Commercial Overlay District."

1310 TAKOMA NEIGHBORHOOD COMMERCIAL OVERLAY DISTRICT

1310.1 The Takoma Neighborhood Commercial Overlay District (TK) applies to Squares 3188 and 3278 in their entirety, and certain lots and portions of lots zoned C-2-A on:

(a) Square 3187 along the frontages of Blair Road and Cedar Street, N.W.;

(b) Squares 3275 and 3276 along the frontage of 4th Street, N.W.;

(c) Squares 3352, 3353, 3354, 3356, and 3357 along the frontages of Cedar Street and Carroll Street, N.W.; and

(d) Square 3280 along the frontages of Blair Road, Butternut Street, and 4th Street, N.W.

1310.2 The Overlay begins at the street right-of-way lines abutting the Squares named in § 1310.1, and extends to a depth of one hundred feet (100 ft).

1310.3 In addition to the purposes in § 1300, the purposes of the Takoma Overlay District are to:

(a) Reserve sufficient open space to provide adequate light and air to encourage retail and service uses, and pedestrian circulation in the vicinity of the Takoma Metro station;

(b) Require a minimum clear floor-to-ceiling height on the ground floor sufficient to accommodate the needs of neighborhood-serving retail, service and office uses; and

(c) Allow and encourage residential development to help meet the need for housing, enhance safety, and provide sufficient resident population to support neighborhood-serving retail, service, and office uses.

1310.4 For the purposes of § 1302, the designated use area within the Takoma Overlay District shall coincide with the boundaries of this District, as set forth in §§ 1310.1 and 1310.2.

1310.5 For the purposes of §§ 1302.5 and 1303.2, the designated roadways within the Takoma Overlay District shall be portions of 4th Street, N.W., Blair Road, N.W., Cedar Street, N.W. to the intersection with Carroll Street, N.W., and Carroll Street, N.W. that abut any property zoned C-2-A on Squares named in § 1310.1.

1310.6 The street wall of each new building fronting on Blair Road, N.W., Cedar Street, N.W., and Carroll Street, N.W.; or any addition to an existing building frontage on any of these streets shall set back for its entire height and frontage not less than thirteen feet (13 ft.), measured from the adjacent curbline.

1310.7 The ground floor level of each new building or building addition shall have a minimum clear floor-to-ceiling height of fourteen feet (14 ft.).

1310.8 Those portions of buildings with a minimum clear floor-to-ceiling height of fourteen feet (14 ft.) on the ground floor level shall be permitted a total building height of fifty-five feet (55 ft.).

1310.9 DEFINITION

1310.10 When used in § 1310, the following term has the meaning ascribed:

Clear Floor-to-Ceiling Height: A vertical distance measured from the finished floor to the finished ceiling that is unobstructed by any of the following:

a) Elements of the building structure other than columns and walls;

b) Components of mechanical or plumbing systems; or

c) Components of electrical systems, except lighting fixtures.

If the ceiling is not finished, the distance shall be measured to the lowest point of any of the structural elements or systems referenced in a), b), or c) above.

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

The public hearing on this case will be conducted as a rulemaking in accordance with the provisions of § 3021 of the District of Columbia Municipal Regulations, Title 11, Zoning. 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 the 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.