

**Government of the District of Columbia**  
**OFFICE OF ZONING**



**Z.C. CASE NO.: 06-44**

As Secretary to the Commission, I hereby certify that on JAN 18 2007 copies of this Z.C. ~~Corrected~~ Notice of Public Hearing were mailed first class, postage prepaid or sent by inter-office government mail to the following:

- |                                                                                                                    |                                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| 1. D.C. Register                                                                                                   | 6. Councilmember Tommy Wells                                                                                             |
| 2. Norman M. Glasgow, Jr., Esq.<br>Holland & Knight, LLP<br>2099 Pennsylvania Ave., N.W.<br>Washington, D.C. 20006 | 7. Office of Planning (Ellen<br>McCarthy)                                                                                |
| 3. Andy Litsky, Chair<br>ANC 6D<br>25 M Street, SW<br>Washington, DC 20024                                         | 8. Ken Laden, DDOT                                                                                                       |
| 4. Commissioner Robert Siegel<br>ANC/SMD 6D07<br>919 5 <sup>th</sup> Street, SE<br>Washington, DC 20003            | 9. Bill Crews, Zoning Administrator                                                                                      |
| 5. Gottlieb Simon<br>ANC<br>1350 Pennsylvania Avenue, N.W.<br>Washington, D.C. 20004                               | 10. Jill Stern, Esq.<br>General Counsel - DCRA<br>941 North Capitol Street, N.E.<br>Suite 9400<br>Washington, D.C. 20002 |
|                                                                                                                    | 11. Office of the Attorney General<br>(Alan Bergstein)                                                                   |
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ATTESTED BY:

**Sharon S. Schellin**  
**Secretary to the Zoning Commission**  
**Office of Zoning**

**ZONING COMMISSION**  
**District of Columbia**

CASE NO. 06-44  
EXHIBIT NO. 5

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
NOTICE OF PUBLIC HEARING**

**TIME AND PLACE:**           **Monday, April 23, 2007, @ 6:30 P.M.**  
                                  **Office of Zoning Hearing Room**  
                                  **441 4<sup>th</sup> Street, N.W., Suite 220-South**  
                                  **Washington, D.C. 20001**

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

**Case No. 06-44 – (Text Amendment to Permit Temporary Accessory Bus Parking Lot for the Use of Washington Metropolitan Area Transit Authority on Square 700, Lot 46)**

**THIS CASE IS OF INTEREST TO ANC 6D**

This proceeding was initiated by a petition filed on behalf of MR N Street Southeast, LLC, MR Ballpark 5, LLC and the Washington Metropolitan Area Transit Authority (“WMATA”) (collectively, the “Petitioner”), requesting a text amendment to the Zoning Regulations to permit the temporary use of an accessory parking lot for WMATA busses on Square 700, Lot 46. The property is zoned CR and mapped within one of the portions of the Capitol Gateway Overlay District where Zoning Commission approval of all new uses is required. The Zoning Commission recently issued a notice of proposed rulemaking in Z.C. Case No. 06-20 to temporarily allow accessory bus parking on Square 661, Lot 805 (98 R Street S.W.). Both proceedings stem from WMATA’s need to relocate parking for 76 busses currently housed at M and Half Streets, S.E. because that property is included within the site of the major league baseball stadium that is now under construction.

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

Chapter 6, MIXED USE (COMMERCIAL RESIDENTIAL) DISTRICTS, is amended by adding new section 601.7, to read as follows (new language not proposed as part of Z.C. Case No. 06-20 is shown in bold and underlined text):

601.7 Notwithstanding § 602.1, and not subject to any otherwise applicable proximity requirement, a surface parking lot accessory to the Washington Metropolitan Area Transit Authority garage facility located on Square 700, Lot 857, is permitted as a temporary use on:

- (a) Square 661, Lot 805, for a period of five (5) years maximum, beginning from the date of issuance of a certificate of occupancy for such use, with the 5-year period renewable by the Zoning Commission; **and**

- (b) Square 700, Lot 46, for a period of three (3) years maximum, beginning from the date of issuance of a certificate of occupancy for such use, with the 3-year period renewable by the Zoning Commission.

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 *et seq.* (2001).

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. 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 in writing their intention to testify. 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-S, 441 4<sup>th</sup> Street, N.W., Washington, D.C. 20001. Please include the number of this particular case and your daytime phone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**ANTHONY J. HOOD, GREGORY JEFFRIES, JOHN G. PARSONS, AND MICHAEL G. TURNBULL, ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON SCHELLIN, SECRETARY TO THE ZONING COMMISSION.**