

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Office of Zoning

2007 MAY 16 PM 3:42



MEMORANDUM

To: Office of Documents and Administrative Issuance
From: Sharon S. Schellin ³
Secretary to the Zoning Commission
Date: May 16, 2007
Re: Publication for the Office of Zoning

Please publish the following in the *D.C. Register* on May 25, 2007:

1. Z.C. Notice of Public Hearing (Case No. 06-48);
~~2. Z.C. Notice of Public Hearing (Case No. 07-09);~~
3. Z.C. Notice of Public Hearing (Case No. 07-15);
4. Z.C. Notice of Proposed Rulemaking (Case No. 06-47); and
5. Z.C. Notice of Proposed Rulemaking (Case No. 07-03).

Attachment

ZONING COMMISSION
District of Columbia

CASE NO. 07-09
EXHIBIT NO. 2

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ZONING COMMISSION

District of Columbia

CASE NO.07-09

EXHIBIT NO.2

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Monday, July 16, 2007, @ 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. 07-09 (Text Map Amendment to amend the administrative procedures for the residential use requirement within the Downtown Development (DD) Overlay District for Square 374, Lot 848, and Square 369 or Square 370, Lots 40, 62, 65 through 67, 801 through 805, 838, 839, 842, 848, 849 and 878.)

THIS CASE IS OF INTEREST TO ALL ANCs

The District of Columbia Office of Planning (“OP”) requested that the Zoning Commission amend the administrative procedures for the residential use requirement within the DD Overlay District. The amendments propose to eliminate the requirement that either a certificate of occupancy be issued or an escrow account established for the residential uses required by chapter 7 of the Zoning Regulations for Square 374, Lot 848, and Square 369 or Square 370, Lots 40, 62, 65 through 67, 801 through 805, 838, 839, 842, 848, 849 and 878.

SUMMARY

The Gould Property Company and the District have negotiated a land swap that will include a portion of the old Convention Center site being transferred to Gould in exchange for land in Square 374, and the proposed location of the new Convention Center headquarters hotel on Square 369 or 370.

Following the land transfer Gould will control a part of Square 374, with the remainder of the combined lot development proposed for Square 374 under the control of the District government. The proposed Gould building will contain nonresidential uses only, with all of the required residential uses provided on the remainder of the square and combined lot development, and outside of the control of the Gould Property Company. The Office of Planning contends that since the remainder of the combined lot development and the new convention center hotel sites are under the control of the District, the District is in a position to guarantee that the residential uses are provided without the need to place money in escrow to ensure their construction.

PROPOSED TEXT AMENDMENT

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

(New text is shown in **bold** and underline and deleted text is shown with ~~strike-through~~):

NOTICE OF PUBLIC HEARING
Z.C. CASE NO. 07-09
PAGE 2

Amend subsection 1706.13 to read:

Except for a nonresidential development on Square 374, Lot 848, Square 369 or Square 370, Lots 40, 62, 65 through 67, 801 through 805, 838, 842, 848, 849 and 878, if a development project includes both nonresidential uses and required residential uses, whether on the same lot or in a combined lot development, no certificate of occupancy shall be issued for the nonresidential space until either:

- (a) A certificate of occupancy has been issued for the residential space; or
- (b) An escrow account has been established and funded in a combined lot development pursuant to § 1708.2.

Amend subsection 1706.23(g) to read:

Except for a nonresidential development on Square 374, Lot 848, Square 369 or Square 370, Lots 40, 62, 65 through 67, 801 through 805, 838, 842, 848, 849 and 878, no certificate of occupancy shall be issued for the nonresidential development within the DD Overlay District until a certificate of occupancy has been issued for the affordable dwelling units.

PROCEDURES

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, GRÈGORY N. JEFFRIES, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.