

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



Z.C. CASE NO.: 08-02

MAY 22 2008

As Secretary to the Commission, I hereby certify that on _____ 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. <i>D.C. Register</i> | 6. Councilmember Jack Evans |
| 2. Mary Carolyn Brown, Esq.
Norman Glasgow, Esq.
Holland & Knight, LLP
2099 Pennsylvania Avenue, N.W.
Washington, D.C. 20006-6801 | 7. Office of Planning (Harriet Tregoning) |
| 3. Ramon Estrada, Chair
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Washington, DC 20036 | 9. Zoning Administrator (Matthew LeGrant) |
| 5. Gottlieb Simon
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General Counsel - DCRA
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| | 11. Office of the Attorney General
(Alan Bergstein) |
| | 12. MLK Library (30 copies) |
| | 13. Property Owners Within 200 Feet
(see attached list provided by
Applicant) |

ZONING COMMISSION
District of Columbia

CASE NO. 08-02

EXHIBIT NO. 15

ATTESTED BY:

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

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

TIME AND PLACE: **Thursday, September 11, 2008, @ 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. 08-02 (Hay-Adams Holdings, LLC – Map Amendment for Lot 809 in Square 186)

THIS CASE IS OF INTEREST TO ANC 2B

On January 29, 2008, the Office of Zoning received an application from Hay-Adams Holdings, LLC (the "Applicant"), requesting review and approval of a proposed zoning map amendment from the SP-2 District to the C-4 District for Lot 809 in Square 186 (the "Subject Property"). The Office of Planning provided its preliminary report on April 4, 2008, and the case was set down for hearing on April 14, 2008.

Proposed amendments to the Zoning 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 Subject Property contains approximately 12,879 square feet of land and is currently improved with the Hay-Adams Hotel. The Subject Property is currently located within the SP-2 Zone District in Advisory Neighborhood Commission 2B. The SP-2 Zone District allows a maximum height of 90 feet and a maximum density of 6.0 FAR as a matter-of-right. The requested map amendment would rezone the Subject Property to the C-4 Zone District, which generally permits a maximum height of 110 feet and a maximum density of 8.5 FAR. On property abutting a street at least 110 feet in width, the C-4 Zone District permits a maximum height of 130 feet and a maximum density of 10.0 FAR.

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 may 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.

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, address, and daytime telephone number;
- (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 or 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 the person, or in which the person has an interest, that will be affected by the action requested of the Commission;

- (2) The legal interest the person has in said 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 § 3012.5 no later than seven (7) days before the date of the hearing. The report shall also 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 collectively |
| 2. | Parties in opposition | 15 minutes each (60 minutes collectively) |
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 210, 441 4th Street, N.W., Washington, D.C. 20001. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, GREGORY N. JEFFRIES, CURTIS L. ETHERLY, JR., PETER G. MAY, 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.



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