

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



Z.C. CASE NO.: 09-17A

OCT 28 2009

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> (via e-mail) | 6. Office of Planning (Harriet Tregoning) |
| 2. Kinley Bray, Esq.
Arent Fox, LLP
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036 | 7. DDOT (Karina Ricks) |
| 3. All ANC Chairpersons (see attached list) | 8. General Counsel - DCRA
941 North Capitol Street, N.E.
Suite 9400
Washington, D.C. 20002 |
| 4. Gottlieb Simon
ANC
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004 | 9. Office of the Attorney General (Alan Bergstein) |
| 5. All Councilmembers (see attached list) | 10. MLK Library (30 Copies) |

ATTESTED BY: _____

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

ZONING COMMISSION
District of Columbia

CASE NO. 09-17A
EXHIBIT NO. 3

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

Telephone: (202) 727-6311

Facsimile: (202) 727-6072

E-Mail: dcoz@dc.gov

Web Site: www.dcoz.dc.gov
ZONING COMMISSION
District of Columbia
CASE NO. 09-17A
EXHIBIT NO. 3

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

TIME AND PLACE: **Thursday, December 3, 2009, 6:30 P.M. (1st Case)**
 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. 09-17A (Text Amendments Related to Public Libraries in the R Zone District)

THIS CASE IS OF INTEREST TO ALL ANCs

On October 13, 2009, the Office of Zoning received a petition from the District of Columbia Public Library for a text to amend the Zoning Regulations as they apply to public libraries. An accompanying application for a map amendment and special exception were also received and are the subject of a separate notice of public hearing published elsewhere in this volume of the *D.C. Register*. The amendments would permit public libraries in the R-5-A and R-5-B Zone District's to achieve a maximum density of 2.0 FAR, authorize the Board of Zoning Adjustment to allow a public library in any R District to exceed matter of right lot occupancy and have less than the amount of parking spaces required, and eliminate the need for a rear yard or side yard under certain circumstances.

The Office of Planning provided its report on October 13, 2009, which serves as the petitioner's supplemental statement.

The case was set down for hearing on October 19, 2009. At that time, the Commission authorized a waiver 11 DCMR § 3014.1 to permit this hearing to be scheduled less than forty calendar days after the publication of this notice. This waiver is unrelated to the requirement under District law that the Commission is required to give affected ANCs thirty business days notice before taking final action to amend the text of the Zoning Regulations.

The proposed text of the amendments summarized above is as follows:

- A. Chapter 4, RESIDENCE DISTRICT: HEIGHT, AREA, AND DENSITY REGULATIONS, § 402, Floor Area Ratio (R), is amended as follows:
 - 1. By amending the chart appended to § 402.4 to insert specific FAR limitations for public libraries as follows:

ZONE DISTRICT AND STRUCTURE	MAXIMUM FLOOR AREA RATIO (FAR)
R-1-A, R-1-B, R-2, R-3, R-4	None prescribed
R-5-A <u>Public libraries</u> All <u>Other</u> Structures	<u>2.0</u> 0.9
R-5-B <u>Public libraries</u> All <u>Other</u> Structures	<u>2.0</u> 1.8
R-5-C All structures	3.0
R-5-D All structures	3.5
R-5-E Apartment house and hotel	6.0
Any other structure	5.0

2. By adding a new § 403.4 to read as follows:

403.4 A public library may be permitted a lot occupancy in excess of that allowed by § 403.2 if approved by the Board of Zoning Adjustment, pursuant to § 3104.1.

3. By amending § 404.3 to insert the phrase “public library” as follows:

404.3 In the case of a lot proposed to be used by a public library, public school or a public recreation center that abuts or adjoins along the rear lot line a public open space, recreation area, or reservation, the required rear yard may be reduced or omitted.

4. By adding a new § 405.10 to read as follows:

405.10 In the case of a lot in an R District proposed to be used by a public library that abuts or adjoins along one (1) or both side lot lines a public open space, recreation area, or reservation, the required side yards may be reduced or omitted.

- B. Chapter 21, OFF-STREET PARKING REQUIREMENTS, is amended as follows.

1. Section 2104, EXCEPTIONS TO THE SCHEDULE OF REQUIREMENTS: NEAR METRORAIL STATIONS, is amended as follows:

- (a) Subsection 2104.1 is amended by striking the phrase "Except as provided in § 2104.2."
- (b) Subsection 2104.2 is repealed.

2. Subsection 2108.2 is amended by inserting the phrase "for a public library may be reduced by up to 100%, but for all other uses" as follows:

2108.2 The amount of required parking spaces for a public library may be reduced by up to 100%, but for all other uses shall not be reduced by more than twenty-five percent (25 %); provided, that for a use that is in the category of "All Other Uses" in the table in § 2101.1, the amount of required parking spaces shall not be reduced by more than fifty percent (50%).

- C. Chapter 34, BOARD OF ZONING ADJUSTMENT RULES OF PRACTICE AND PROCEDURE, Section 3104, Special Exceptions, is amended by inserting alphabetically the following new special exception into the chart appended to 3104.1.

TYPE OF SPECIAL EXCEPTION	ZONE DISTRICT	SECTIONS IN WHICH THE CONDITIONS ARE SPECIFIED
Public library with a lot occupancy in excess of that permitted by § 403.2.	Any R District	§ 403.4

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. 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.

**Z.C. PUBLIC HEARING NOTICE
Z.C. CASE NO. 09-17A
PAGE 4**

Information should be forwarded to the Secretary of the Zoning Commission, Office of Zoning, Suite 200/210-S, 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.**

ANTHONY J. HOOD, WILLIAM W. KEATING, III, KONRAD W. SCHLATER, PETER G. MAY, AND MICHAEL G. TURNBULL ——— ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JAMISON L. WEINBAUM, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

Cliff Valenti, Chair
ANC 1A
2905 11th Street, NW
Washington, DC 20001

Brianne Nadeau, Chair
ANC 1B
P.O. Box 73710
Washington, DC 20056

Byran Weaver, Chair
ANC 1C
P.O. Box 21009
Washington, DC 20009

Angelina Scott, Chair
ANC 1D
1380 Monroe Street, N.W. #117
Washington, DC 20010

Armando Irizarry, Chair
ANC 2A
West End Branch Library
1101 24th Street, NW
Washington, DC 20037

Mike Silverstein, Chair
ANC 2B
9 Dupont Circle, NW
Washington, DC 20036

Doris Brooks, Chair
ANC 2C
P.O. Box 26182
Washington, DC 20001

Dana Greenwald, Chair
ANC 2D
2126 Connecticut Avenue, NW #55
Washington, DC 20008

Ron Lewis, Chair
ANC 2E
3265 S Street, NW
Washington, DC 20007

Charles Reed, Chair
ANC 2F
5 Thomas Circle, NW
Washington, DC 20005

Melissa Lane, Chair
ANC 3B
P.O. Box 32312
Washington, DC 20007

Ann-Marie Bairstow, Chair
ANC 3C
4025 Brandywine Street, NW
Washington, DC 20016

Elizabeth Sandza, Chair
ANC 3D
P.O. Box 40846
Washington, DC 20016

Jonathan Bender, Chair
ANC 3E
Lisner Home
5425 Western Avenue, NW
Washington, DC 20015

Jane Solomon, Chair
ANC 3F
4401-A Connecticut Ave., NW - Box 244
Washington, DC 20008

Gary Thompson, Chair
ANC 3G
P.O. Box 6252
Washington, DC 20015

Stephen Whatley, Chair
ANC 4A
7600 Georgia Avenue, NW, Suite 404
Washington, DC 20012

Douglass Sloan, Chair
ANC 4B
6856 Eastern Ave., NW, #314
Washington, DC 20012

Joseph Martin, Chair
ANC 4C
P.O. Box 60847
Washington, DC 20039-0847

Lamont Akins, Chair
ANC 4D
143 Kennedy Street, NW
Washington, DC 20011

Angel Alston, Chair
ANC 5A
1322 Irving Street, NE
Washington, DC 20017

William C. Shelton, Chair
ANC 5B
c/o Harbor Light Center
2100 New York Avenue, NE
Washington, DC 20002

Anita Bonds, Chair
ANC 5C
P.O. Box 77761
Washington, DC 20013

Joseph V. Fengler, Chair
ANC 6A
P.O. Box 75115
Washington, DC 20013

David Garrison, Chair
ANC 6B
921 Pennsylvania Avenue, SE
Washington, DC 20003

Karen Wirt, Chair
ANC 6C
P.O. Box 77876
Washington, DC 20013

Andy Litsky, Chair
ANC 6D
P.O. Box 71156
Southwest Station
Washington, DC 20024

Pride Hiatt, Chair
ANC 7A
4201 D Street, SE
Washington, D.C. 20019

L. Yvonne Moore, Chair
ANC 7B
3200 S Street, SE
Washington, DC 20020

Khaliq Elhillali, Chair
ANC 7C
4651 Nannie Helen Burroughs Rd., NE #2
Washington, DC 20019

Willette Seaward, Chair
ANC 7D
3939 Benning Road, NE
Washington, DC 20019

Mary D. Jackson, Chair
ANC 7E
5001 Hanna Place, SE
Washington, DC 20019

Anthony Muhammad, Chair
ANC 8A
2100-D M.L.K. Jr. Avenue, SE
Washington, DC 20020

David S. Brewer, Chair
ANC 8B
P.O. Box 30949
Washington, DC 20030-0949

Mary Cuthbert, Chair
ANC 8C
3125 MLK Jr., Avenue, SE
Washington, DC 20032

Theresa Jones, Chair
ANC 8D
4601 M.L.K. Jr. Avenue, SW
Washington, DC 20032

Sandra Seegars, Chair
ANC 8E
P.O. Box 7050
Washington, DC 20032

Vincent C. Gray, Chair
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Room 504
Washington, D.C. 20004

Michael A. Brown, At Large
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Room 406
Washington, D.C. 20004

Phil Mendelson, At Large
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Room 402
Washington, D.C. 20004

Jack Evans – Ward 2
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Room 106
Washington, D.C. 20004

Muriel Bowser – Ward 4
Council of the District of Columbia
Room 110
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Tommy Wells – Ward 6
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Room 408
Washington, D.C. 20004

Marion Barry – Ward 8
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Room 102
Washington, D.C. 20004

Kwame R. Brown, At Large
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Room 506
Washington, D.C. 20004

David A. Catania, At Large
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Room 404
Washington, D.C. 20004

Jim Graham – Ward 1
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Room 105
Washington, D.C. 20004

Mary M. Cheh – Ward 3
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Room 108
Washington, D.C. 20004

Harry Thomas, Jr. – Ward 5
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Room 107
Washington, D.C. 20004

Yvette M. Alexander – Ward 7
Council of the District of Columbia
Room 400
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004