

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



Z.C. CASE NO.: 10-01

JAN 27 2010

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

ATTESTED BY:

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

ZONING COMMISSION
District of Columbia

CASE NO. 10-01

EXHIBIT NO. 3

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ZONING COMMISSION
District of Columbia
CASE NO.10-01
EXHIBIT NO.3

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

TIME AND PLACE: **Monday, March 1, 2010, @ 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. 10-01 (Text Amendments to allow increased density for buildings located in a TDR Receiving Zone and either developed as part of an approved New Community Plan or funded by the District for affordable housing purposes).

THIS CASE IS OF INTEREST TO ALL ANCs

On January 4, 2010, the Office of Planning (“OP”) filed a report that served as a petition requesting amendments to the Zoning Regulations. At the Zoning Commission’s January 11, 2010 public meeting, OP amended its petition to request the amendments described in this notice. The proposed text amendments would allow increased density and height for projects that are 1) located in a Receiving Zone as defined in Chapter 17, 11 DCMR, and are 2) either developed as part of a D.C. Council approved New Community Plan or funded by the District for affordable housing purposes. OP further requested that the Commission advertise the hearing as quickly as possible, and hold the hearing on an expedited basis.

On January 11, 2010, the Zoning Commission set down OP’s amended text amendment request for a public hearing. The Zoning Commission also waived its notice rules requiring forty (40) days of the hearing to allow the case to be advertised and heard in the minimum time permitted by the Zoning Act.

The following amendments to Title 11 of the District of Columbia Municipal Regulations (ZONING) are proposed:

(New text is shown in **bold**):

CHAPTER 7, COMMERCIAL DISTRICTS, § 771 Floor Area Ratio, is amended by inserting a new paragraph 771.4 to read as follows:

771.4 As an alternative to purchasing transferable development rights to achieve additional density as permitted in the receiving zones described in §§ 1709.15 through 1709.19, a building or structure located in any such zones that is being developed as part of an approved New Community Plan or that will provide affordable housing funded by the District of Columbia (“Eligible Projects”) may utilize the following additional density as a matter of right,

provided that the Zoning Administrator determines that the proposed building or structure is not inconsistent with the approved New Community Plan, if applicable, or the Comprehensive Plan:

(a) Eligible Projects located in the New Downtown, North Capitol, Capitol South, and Southwest receiving zones may be constructed to a maximum FAR of 10.0 for buildings permitted a height of one hundred thirty feet (130 ft.), and 9.0 for buildings permitted a lesser height; or

(b) Eligible Projects located in the Downtown East receiving zone may be constructed to a maximum FAR of 9.0.

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.

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.