

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



Z.C. CASE NOS.: 10-18

JUL 19 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:

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ATTESTED BY:


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

ZONING COMMISSION
District of Columbia

CASE NO. 10-18
EXHIBIT NO. 3

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ZONING COMMISSION
District of Columbia
CASE NO.10-18
EXHIBIT NO.3

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

TIME AND PLACE: **Thursday, October 14, 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. 10-18 (Text Amendment to Chapter 17, §§ 1703 & 1711, to Allow Additional Flexibility for Fast Food Establishments & Prepared Food Shops within Square 375)

THIS CASE IS OF INTEREST TO ALL ANCS

On July 12, 2010, the Office of Zoning received a report from the Office of Planning requesting a text amendment to allow additional flexibility for fast food establishments and prepared food shops within Square 375. The amendment would amend the list of arts and arts-related uses in § 1711 and the ground floor use requirements in § 1703 to allow fast food establishments and prepared food shops as restaurant uses within Square 375.

This case was set down for hearing on July 12, 2010. The Office of Planning's report filed on July 2, 2010 served as its prehearing submission.

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

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

Amend Chapter 17, DOWNTOWN DEVELOPMENT OVERLAY, § 1703, Downtown Shopping District (Retail Core) by adding new language to § 1703.3, as follows:

- 1703.3 Each new or altered building that faces or abuts a public street shall devote all of the ground floor leasable space to the retail and service uses listed in § 1710 or the arts and arts-related uses listed in § 1711; provided:
- (a) The gross floor area devoted to the retail, service, arts and arts-related uses listed in §§ 1710 and 1711 shall be no less than 0.5 FAR on the ground floor;
 - (b) Not more than 20% of the required gross floor area on the ground floor shall be occupied by banks, loan offices, other financial institutions, travel agencies, or other transportation ticket office, prepared food shops, fast food establishments, printing or fast copy services, newsstands, dry cleaners, or any combination thereof; **except that on Square 375 fast**

food establishments and prepared food shops shall not be subject to the 20% limit;

- (c) This ground floor use requirement shall not apply to a building that is devoted entirely to hotel or apartment house use or to a church or other place of worship; and
- (d) In the applicable sector of the Downtown Arts District, that is Squares 254, 290, 321, 347, 377, 376, and 375 (south of G Place), uses that are listed in § 1711 shall comprise not less than 50% of the gross floor area required to be devoted to preferred uses.

Amend § 1711, Arts Uses and Arts-Related Uses, by adding new language to § 1711.1 as follows:

1711.1 For the purpose of this chapter, the following uses are preferred arts uses and arts-related retail and support uses:

***.

- (y) **Fast food establishments (excluding drive-through) and prepared food shops, only within Square 375.**

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-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, 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.

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