

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



Z.C. CASE NO.: 10-19

As Secretary to the Commission, I hereby certify that on AUG 27 2010 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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Washington, D.C. 20004 |
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| 3. ANC 5B
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2100 New York Avenue, NE
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ANC/SMD 6A06
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Washington, DC 20002 | 12. DDOT (Karina Ricks) |
| 6. Commissioner Tina Laskaris
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ZONING COMMISSION
District of Columbia

CASE NO. 10-19
EXHIBIT NO. 3

ATTESTED BY:



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ZONING COMMISSION
District of Columbia
CASE NO.10-19
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**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: **Monday, November 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. 10-19 (Zoning Consistency Map Amendments to Square 1050 and Portions of Squares 1027, 1049, and 4509 and Related Text Amendments)

THIS CASE IS OF INTEREST TO ANCS 5B AND 6A

The Office of Planning ("OP") petitioned the Zoning Commission in a report dated July 16, 2010, to rezone Square 1050 and portions of Squares 1027 and 1049 currently zoned C-3-A to HS-A/C-2-A; to rezone a portion of Lot 157 on Square 4509 from C-2-B to R-5-C; and to amend §§ 1320 and 1324 of the Zoning Regulations. This petition was filed on behalf of Advisory Neighborhood Commission ("ANC") 6A to address concerns that the current zoning of the referenced properties exceeds that normally associated with the existing Moderate Density Residential land use designation in the 2006 Comprehensive Plan Generalized Future Land Use Map.

The Zoning Commission set the case down for a public hearing at its regularly scheduled public meeting held on July 26, 2010. OP requested that its pre-hearing report serve as the submission for the case. The Zoning Commission also waived the requirement of 11 DCMR § 3014.3 that the street frontage of each square affected by the rezoning proposal is posted with a notice of the public hearing.

The proposed zone map amendment would include the following specified properties and actions:

SQUARE	LOTS	REZONING
1027	0141, 0142, 0143, 0804, 0840, 0841 and 0849	C-3-A to HS-A/C-2-A
1049	0019, 0020, 0021, 0803 and 0809	C-3-A to HS-A/C-2-A
1050	0007, 0008, 0009, 0010, 0011, 0014, 0015, 0016, 0022, 0026, 0027, 0028, 0029, 0030, 0031, 0033, 0035, 0036, 0803, 0806, 0807, 0809, 0812 and 0813	C-3-A to HS-A/C-2-A
4509	0157 (portion)	C-2-B to R-5-C
Reservation	RES 02130000	C-3-A to HS-A/C-2-A

Subsequent to the Zoning Commission meeting, the proposed text amendment was further refined to clarify that commercial buildings and multiple-dwellings that front on more than one of the referenced roadways would not be required under § 1324.10 to provide individual public

entrances directly from sidewalks along more than one of these roadways. Accordingly, the specific amendments to the Zoning Regulation that will be the subject of the hearing are as follows:

Title 11 DCMR, ZONING, CHAPTER 13, NEIGHBORHOOD COMMERCIAL OVERLAY DISTRICT would be amended to apply to the referenced portions of Squares 1027, 1049 and 1050, as follows (proposed additions are shown in **bold and underlined** text):

1. Amend § 1320.1 as follows:

1320.1 The H Street Northeast Neighborhood Commercial Overlay District (HS) applies to all lots fronting onto H Street, N.E. from 2nd Street to 15th Street, N.E. and zoned C-2-A, C-2-B, C-2-C, C-3-A, or C-3-B, **as well as lots within Squares 1027 and 1049 fronting onto Maryland Avenue N.E. or 14th Street N.E.; and all of Square 1050.** The Overlay is divided into three sub-districts affecting the following squares:

- (a) H Street Northeast Overlay Housing Sub-district (HS-H) encompasses properties fronting on H Street, N.E. in Squares 751, 752, 776, 777, 808, 809, 832, 833, 858, and 859 from 2nd to 7th Streets, N.E.;
- (b) H Street Northeast Overlay Retail Sub-district (HS-R) encompasses properties fronting on H Street, N.E. in Squares 889, 890, 911, 912, 933, 958, 959, 981, and 982 from 7th to 12th Streets, N.E.; **and**
- (c) H Street Northeast Overlay Arts Sub-district (HS-A) encompasses properties fronting on H Street, N.E. in Squares 1003, 1004, 1026, 1027, 1049N, and 1049 from 12th to 15th Streets, N.E., **as well as lots within Squares 1027 and 1049 fronting onto Maryland Avenue N.E. or 14th Street N.E.; and all of Square 1050.**

2. Amend § 1320.2 by adding a new purpose statement as follows:

- (f) **Encourage residential uses, the reuse of existing buildings, and the redevelopment of those portions of Squares 1027, 1049 and 1050 within the Overlay but not fronting H Street.**

3. Amend specific subsections of § 1324 DESIGN REQUIREMENTS (HS) as follows:

1324.7 Parking structures with frontage on H Street, N.E., **Maryland Avenue NE, 14th Street N.E., or 15th Street N.E.** shall provide not less than sixty-five percent (65%) of the ground level frontage as commercial space.

- 1324.8 Each new building on a lot that fronts on H Street, N.E., Maryland Avenue N.E., 14th Street N.E., or 15th Street N.E. shall devote not less than fifty percent (50%) of the surface area of the streetwall(s) at the ground level of each building to display windows having clear or clear/low-emissivity glass, except for decorative or architectural accent, and to entrances to commercial uses or to the building.
- 1324.10 Each commercial use with frontage on either H Street, N.E., or along Maryland Avenue N.E., 14th Street N.E., or 15th Street N.E., shall have an individual public entrance directly accessible from the public sidewalk along one of the referenced roadways. Multiple-dwellings shall have at least one primary entrance either on H Street or along Maryland Avenue N.E., 14th Street N.E., or 15th Street N.E. that is directly accessible from the sidewalk.

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, GREG M. SELFRIDGE, 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.