

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



Z.C. CASE NO.: 11-07C

As Secretary to the Commission, I hereby certify that on December 10, 2014, 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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8	Commissioner Joe Wisniewski ANC/SMD 3D10 4201 Massachusetts Ave , N W , #4041C Washington, D C 20016	15	Property Owners Within 200 Feet (see attached list provided by Applicant)
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ATTESTED BY:

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

ZONING COMMISSION
District of Columbia

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

TIME AND PLACE:

**Monday, February 2, 2015, @ 6:30 p.m.
Jerrily R. Kress Memorial Hearing Room
441 4th Street, N.W., Suite 220-South
Washington, D.C. 20001**

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 11-07C (American University – Modification of Approved Further Processing Application)

THIS CASE IS OF INTEREST TO ANC 3D and ANC 3E

On November 20, 2014, the Office of Zoning received an application from American University (the “Applicant”) requesting what it characterized as a minor modification of an approved Campus Plan Further Processing application related to the development of American University’s East Campus. Minor modifications may be considered by the Zoning Commission on its Consent Calendar without a hearing pursuant to 11 DCMR 3030. At the Zoning Commission’s December 8, 2014 Public Meeting, the Zoning Commission removed this application from the Consent Calendar and scheduled this application for a limited scope public hearing. Subsection 3129.9 provides that the scope of a modification hearing is limited to impact of the modification on the subject of the original application, and does not permit the Commission to revisit its original decision.

Z.C. Order No. 11-07 approved the American University Campus Plan for the period from 2011-2022 and approved a Further Processing application for the construction of six buildings on the East Campus. The East Campus is located across Nebraska Avenue, N.W. from the central campus, and is bounded by Nebraska Avenue, N.W., Massachusetts Avenue, N.W., a shared property line with the Westover Place Townhomes, and New Mexico Avenue, N.W. The Applicant is proposing a modification to the number of below-grade parking levels, by providing two rather than one level of parking - while maintaining the required 150 below-grade parking spaces, and imposing a prohibition on charter buses or motor coaches entering the East Campus property.

Consistent with 11 DCMR § 3129.8, the scope of the public hearing is limited and shall not permit the Zoning Commission to revisit its original decision.

PLEASE NOTE:

- Failure of the Applicant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Commission.
- Failure of the Applicant to be adequately prepared to present the application to the Commission, and address the required standards of proof for the application, may subject the application to postponement, dismissal, or denial.

The public hearing in this case will be conducted in accordance with the provisions of Chapter 31 of the District of Columbia Municipal Regulations, Title 11, Zoning. Pursuant to § 3117.4 of the Zoning Regulations, the Commission will impose time limits on the testimony of all individuals.

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.

Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR § 3106.2

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. If you are still unsure of what it means to participate as a party and would like more information on this, please contact the Office of Zoning at dcoz@dc.gov or at (202) 727-6311.

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 14 days prior to the date set for the hearing, a Form 140 – Party Status Application, a copy of which may be downloaded from the Office of Zoning's website at: <http://dcoz.dc.gov/services/app.shtm>**. This form may also be obtained from the Office of Zoning at the address stated below.

If an affected Advisory Neighborhood Commission (ANC), pursuant to 11 DCMR 3012.5, intends to participate at the hearing, the ANC shall also submit the information cited in § 3012.5 (a) through (i). The written report of the ANC shall be filed no later than seven (7) days before the date of the hearing.

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail (donna.hanousek@dc.gov), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- | | | |
|----|----------------------------------|-------------------------|
| 1 | Applicant and parties in support | 60 minutes collectively |
| 2 | Parties in opposition | 60 minutes collectively |
| 3. | Organizations | 5 minutes each |
| 4 | Individuals | 3 minutes each |

Pursuant to § 3020.3, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. Written statements may be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, DC 20001, by e-mail to zcsubmissions@dc.gov, or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

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