

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



Z.C. CASE NO.: 12-07

As Secretary to the Commission, I hereby certify that on AUG 6 2012 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) | 6. Office of Planning (Harriet Tregoning) |
| 2. Commissioner Samuel Gockjian
ANC/SMD 2F03
1330 Massachusetts Ave., N.W. # 923
Washington, D.C. 20005 | 7. DDOT (Jamie Henson) |
| 3. ANC 2F
5 Thomas Circle
Washington, D.C. 20005 | 8. Melinda Bolling, Acting General Counsel
DCRA
1100 4 th Street, S.W.
Washington, D.C. 20024 |
| 4. Gottlieb Simon
ANC
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004 | 9. Office of the Attorney General (Alan Bergstein) |
| 5. Councilmember Jack Evans | 10. Property Owners Within 200 Feet (see attached list provided by Petitioner) ¹⁵³ |
| | 11. MLK Library (30 Copies) |

ATTESTED BY:

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

ZONING COMMISSION
District of Columbia
CASE NO. 12-07
EXHIBIT NO. 4

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

TIME AND PLACE: **Monday, October 22, 2012, @ 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. 12-07 (Map Amendment to Establish Initial Zoning on Square 323, Lot 800 and Parcels 1, 2, and 3, for the site of the Old Post Office Building)

THIS CASE IS OF INTEREST TO ANC 2F

On June 30, 2012, the Office of Planning (“OP”) filed a report with the Office of Zoning that served as OP’s application requesting initial zoning for the site of Old Post Office Building at 1100 Pennsylvania Avenue NW, Lot 800, Square 323, and Parcels 1, 2 and 3 being part of Squares 349 and 350 (hereinafter referred to as the “Subject Property”). The Office of Planning report also served as the Pre-Hearing submission for this case. The case was set down for hearing on July 9, 2012

The Subject Property is currently unzoned. OP requested that the Zoning Commission map the Subject Property within the C-4 Central Business District and the Downtown Development (DD) Overlay, so that its map designation would be DD/C-4.

The Subject Property is owned by the United States and administered by the General Services Administration (“GSA”), which has selected the “preferred “developer” for the commercial redevelopment of the building and site. The anticipated redevelopment would include hotel, accessory office and retail components.

Pursuant to § 165 of the Zoning Act of 1938, D.C. Official Code § 6-641.15, the provisions of the Act do not apply to “federal public buildings.” Because the building will be used for private rather than governmental purposes, it will no longer be considered a federal public building and, therefore, will become subject to the provision of the Act. Among those provisions is the requirement that all construction requires building permits and all new uses require certificates of occupancy. D.C. Official Code § 6-641.09. The Zoning Regulations disallow the issuance of any building permit or certificate of occupancy “until after the Zoning Commission has designated zoning for the property.” Therefore, until zoning has been designated for this site, no building permit or certificate of occupancy can be issued for its private redevelopment.

The C-4 District is designated for the downtown core that comprises the retail and office centers for both the District of Columbia and the metropolitan area. The C-4 District also shall contain high-density residential and mixed-use developments and would permit a maximum Floor-Area Ratio of 10.0 and a height of 130 feet for this site.

The DD Overlay District was created to help accomplish the varied Comprehensive Plan land use and development policies related to the Downtown, which include the creation of a balanced mixture of uses by means of incentives and requirements for critically important land uses identified in the Plan.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR § 3022.

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 § 3022.3.

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.

To the extent that the information is not contained in the Applicant's prehearing submission as required by 11 DCMR § 3013.1, the Applicant shall also provide this information not less than 14 days prior to the date set for the hearing.

If an affected Advisory Neighborhood Commission (ANC) intends to participate at the hearing, the ANC shall submit the written report described in § 3012.5 no later than seven

(7) days before the date of the hearing. The report shall contain the information indicated in § 3012.5 (a) through (i).

Time limits.

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

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| 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.

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 200-S, 441 4th Street, N.W., Washington, D.C. 20001. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, MARCIE I. COHEN, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.