

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Jennifer Steingasser,  Deputy Director Development Review & Historic Preservation

DATE: September 24, 2012

SUBJECT: Zoning Commission Case 12-07, Proposed Zoning Map Amendment to Establish Initial Zoning on Square 0323 and a Related Text Amendment to the Zoning Regulations – request to postpone the public hearing, and for a partial waiver of § 3015.4 notification requirements.

At its July 9, 2012 public meeting, the Zoning Commission set down for a public hearing a proposal to establish initial zoning of DD/C-4 on Square 0323, the federal Old Post Office site, along with a related zoning regulations text amendment. The General Services Administration (GSA), which controls the site on behalf of the federal government, is currently in negotiations with a preferred developer on a long-term lease of the building and site for its redevelopment as a mixed use hotel / retail building.

A public hearing date of October 22, 2012 was set. In accordance with § 3015.4 of the zoning regulations, the property is to be posted 40 days in advance of the public hearing, which, in this case, would have been September 12, 2012; while § 3015.5 states that “*The notice required by § 3015.4 ... shall be posted in plain view of the public at each street frontage on the property and on the front of each existing building located on the subject property.*”

However, a representative of the development team has advised OP that the property was not posted. While the GSA does not object to the proposed zoning, it does not wish to permit the placement of the zoning posters on the building itself. The DC Department of Transportation, which has jurisdiction over the public space along the 12th Street and C Street frontages of the building, is willing to permit the signs to be posted in those public spaces. However, the Pennsylvania Avenue public space is under the jurisdiction of the National Park Service, and Park Service rules on signage make it difficult to post the signs in their public space.

All other means of public notification have been pursued (letters to property owners within 200 feet, notice to the Advisory Neighborhood Commission and publication of the notice in the DC Register). In addition, there is an extensive consultation process underway with regard to any proposed changes to the building that affect its historic character, with invitations extended to the DC Preservation League, Advisory Council on Historic Preservation, National Capital Planning Commission, DC Historic Preservation Office, neighboring private entities and federal agencies such as the IRS.

Therefore, OP requests that:

1. The hearing be postponed to the next available public hearing date, which is likely to be in December, and
2. The Commission waive the requirement of street frontage posting requirement of § 3015.5 for the Pennsylvania Avenue NW street frontage only –other frontages would be posted.