

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



Z.C. CASE NO.: 14-23

As Secretary to the Commission, I hereby certify that on January 7, 2015, 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	<i>D C Register</i> (01/06/15)	6	Councilmember Charles Allen
2	Lyle Blanchard, Esq Kate Olson, Esq Greenstein DeLorme & Luchs 1620 L Street, N W. Suite 900 Washington, D C 20036	7	Office of Planning (Jennifer Steingasser)
3	Commissioner David Garber ANC/SMD 6D07 <u>6D07@anc dc gov</u>	8	DDOT (Jamie Henson)
4	ANC 6D 1101 4 th Street, S W , Suite W130 Washington, D C. 20024	9	Melinda Bolling, Acting General Counsel DCRA 1100 4 th Street, S W Washington, D C 20024
5	Gottlieb Simon ANC 1350 Pennsylvania Avenue, N.W Washington, D C 20004	10	Office of the Attorney General (Alan Bergstein)
		11	Property Owners Within 200 Feet (see attached list provided by Applicant)
		12	MLK Library (30 Copies)

ATTESTED BY:



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

ZONING COMMISSION
District of Columbia

CASE NO. 14-23

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ZONING COMMISSION
District of Columbia

CASE NO.14-23

EXHIBIT NO.15

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

TIME AND PLACE: Thursday, March 12, 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. 14-23 (Forest City SEFC, LLC – Southeast Federal Center Overlay District Review and Special Exception @ Square 826, Lot 27 (Parcel O) (“The Property”) to Permit the Continuation of a Trapeze School Use)

THIS CASE IS OF INTEREST TO ANC 6D

On December 23, 2014, the Office of Zoning received an application from Forest City SEFC, LLC (the “Applicant”) on behalf of the United States of America, through the General Services Administration, owner of the Property. The Applicant seeks Zoning Commission approval, pursuant to the Commission’s review standards and special exception requirements of 11 DCMR §§1804.8, 1808, 1809, and 3104, to permit the continuation of the Trapeze School on the Property (also known as “Parcel O”), after December 31, 2014. Specifically the Applicant is seeking to continue the use until December 31, 2015. The school plans to temporarily relocate to Parcel G, as approved by Z.C. Order 13-16¹, but asserts that Parcel G is not yet ready to accommodate the Trapeze School’s relocation from Parcel O.

The Property is zoned SEFC/CR and is located within The Yards development. It is generally bound by Tingey Street to the north, 4th Street to the west, 5th Street to the east, and Water Street to the south. The Trapeze School currently operates on Parcel O pursuant to § 1804.7, which provides in part, “that a trapeze school and aerial performing arts center may be established and continued as a matter of right in Parcel O until December 31, 2014, during which time no parking shall be required.” Subsection 2804.8 further provides that the, “continuation of the trapeze school and aerial performing arts center use after December 31, 2014 shall require special exception approval by the Zoning Commission in accordance with the standards specified in § 1808 and procedures specified in § 1809 of this Title, and shall include a determination as to whether and what amount of parking should be required.”

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.

¹ Condition 2 of Z.C. Order No. 13-16 provides that the approval is valid for five years after the effective date of the Order. The Order states that it became effective on April 11, 2014.

**Z.C. NOTICE OF PUBLIC HEARING
Z.C. CASE NO. 14-23
PAGE 2**

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/zc/applicationforms.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 also 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.**

ANTHONY J. HOOD, MARCIE I. COHEN, ROBERT E. MILLER, 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.

SET ONE

Sq 0770, Lot 0040
FC BOILERMAKER LLC
PO BOX 94877
CLEVELAND, OH 44101-4877

Sq 0771, Lot 0809
FC LUMBER SHED LLC
PO BOX 94877
CLEVELAND, OH 44101-4877

FC 1212 LLC
c/o FOREST CITY WASHINGTON
PO BOX 94877
CLEVELAND, OH 44101-4877

Sq 0803, Lot 0801 Sq 0771, Lot 815
DISTRICT OF COLUMBIA
1350 PENNSYLVANIA AVE NW,
STE 317
WASHINGTON, DC 20004-3003

Sq 0771, Lots 0807, 0808
UNITED STATES OF AMERICA
7TH D STS SW 2002
WASHINGTON, DC 20407-0001

Sq 0771, Lot 0011
UNITED STATES OF AMERICA
c/o GSA
301 7TH ST SW
WASHINGTON, DC 20407-0001

Sq 0826, Lot 0803, Sq 0827, Lot 0800
UNITED STATES OF AMERICA
c/o GSA PUBLIC BUILDINGS SERVICE
301 7TH ST SW #7080
WASHINGTON, DC 20229-0007