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Government of the District of Columbia
OFFICE OF ZONING

MEMORANDUM

TO: Arnold R. Finlayson, Administrator
Office of Documents and Administrative Issuance

FROM: Alberto P. Bastida, AICP
Secretary to the Zoning Commission

DATE: July 24, 2002

SUBJECT: Publication for the Office of Zoning

Please publish the following in the D.C. Register on August 2, 2002:

1. Re-Notice of Pubic Hearing (Z.C. Case No. 00-27);
2. Notice of Public Hearing (Z.C. Case No. 02-24); and
3. Notice of Proposed Rulemaking and Notice of Public Hearing (Z.C. Case No. 96-3/89-1).

Received By

7/25/02
Date

Attachments

441 4th Street, N.W., Suite 210-S, Washington, D.C. 20001
Tel: (202) 727-6311 • Fax: (202) 727-6072
E-Mail: zoning info@dcoz.dcgov.org • Web Site: http://dcoz.dcgov.org/

ZONING COMMISSION
District of Columbia
Case 96-3
Exhibit 132

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Thursday, September 26, 2002 @ 6:30 P.M.**
Office of Zoning (Hearing Room)
441 4th Street, N.W., - Suite 220
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Case No. 96-3/89-1 (Map Amendment & Overlay District @ Buzzard Point – Capitol Gateway) Revisions to the Rule as Advertised

THIS CASE IS OF INTEREST TO ADVISORY NEIGHBORHOOD COMMISSION (ANC) 2D & 6B:

The Zoning Commission of the District of Columbia hereby gives notice of its intent to hold a further public hearing at the above-stated date, time and place concerning Zoning Commission Case No. 96-3/89-1. This case involves the proposed establishment of the Capitol Gateway (CG) Overlay District (formerly advertised as the Buzzard Point Overlay District).

The purpose of the hearing is to consider three revisions to the advertised rule. The Commission added these revisions when it took proposed action on April 19, 2001, and when it determined to set down these issues for hearing on June 10, 2002. The revisions have been incorporated into the full text of the proposed rule, which is published elsewhere in this volume of the *D.C. Register*. Although the Commission made other revisions to the advertised text, the Commission determined that these revisions may not have been contemplated by those offering testimony. The Commission is therefore offering an opportunity for public testimony on these issues.

The first revision would provide that guest room areas and service areas within hotels located or proposed to be located on CR zoned property in the Capitol Gateway Overlay District would not be considered "residential purposes", as that term is used in the regulations pertaining to the underlying CR zone district. As a consequence of this change, these areas would be counted towards the 3.0 FAR limit on commercial uses in the CG\CR zone district. This proposed change would be accomplished by amending 11 DCMR 631.2 to read as follows (new language shown in bolded and underline text):

631.2 For the purposes of this section, the term "residential purposes" shall include dwellings, flats, multiple dwellings, rooming and boarding houses, community-based residential facilities, inns, and guest room areas and service areas within hotels, **except that this term shall not include guest**

room areas and service areas within hotels located or proposed to be located on CR zoned property in the Capitol Gateway Overlay District established by chapter 13 of this title.

~~The following conforming change to the definitions section would also be made:~~

1699.1 When used in this chapter, the term "residential uses" shall have the same meaning as the term "residential purposes" as set forth in §631.2.

The second revision would provide that a building or combined lot development used for hotel purposes could not earn the bonus density that is authorized by section 1601 of the proposed rule. The proposed text would be codified as 11 DCMR 1601.1 and would read as follows:

1601.1 A building or combined lot development used for hotel purposes is not eligible for the bonus density authorized in this section.

The third revision would authorize the Zoning Commission, as part of its review and approval processes set forth in proposed new sections 1603 and 1604, to grant any other zoning relief needed for the subject property. This change would be accomplished through use of the following text in both proposed new sections 1603.7 and 1604.9:

The Commission may hear and decide any additional requests for special exception or variance relief needed for the subject property. Such requests shall be advertised, heard, and decided together with the application for Zoning Commission review and approval.

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 to the Zoning Commission, Office of Zoning, Suite 210, 441 4th Street, N.W., Washington, D.C., 20001. Please include the number of this particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

_____ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR AND ALBERTO P. BASTIDA, AICP, SECRETARY TO THE ZONING COMMISSION.

RULEMAKING TRANSMITTAL FORM

DATE AND TIME RECEIVED
Office of Documents use only

TYPE OF RULEMAKING ACTION: [ ] EMERGENCY RULES [ ] FINAL RULES [x] PROPOSED RULES [ ] COMBINED

AGENCY: OFFICE OF ZONING

AGENCY REPRESENTATIVE:

ADDRESS: 441 4th Street, N.W., Suite 210 South TELEPHONE: (202) 727-6311

TITLE AND DESCRIPTION OF RULES:
Case No. 96-3/89-1 (Map Amendment & Overlay District @ Buzzard Point – Capitol Gateway)

If this rulemaking action will amend or repeal existing rules, give a complete citation to the rules being amended or repealed: Title 11 (Zoning) §§ 631, 3010 through 3012, 3015, 3022, 3028 and 3028. A new Chapter 13 is added.

FINAL RULES ONLY: Give the D.C. REGISTER citation and date of publication of the Notice of Proposed Rulemaking for these rules: DCR _____ DATE: _____

COMPLETE CITATION to the statute, regulation, or other legal authority which specifically authorizes the issuance of the substance of these rules: Section 1 and 8 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, 799 D.C. Official Code §§ 6-641.01 and 6-641.07).

LEGAL CERTIFICATION: I certify that I have reviewed the attached rulemaking and, in my opinion, the substance of the text of the rules is legally sufficient.
DATE: JULY 24, 2002 SIGNED: [signature] PHONE: (202) 442-9777

[ ] FINAL [ ] CONDITIONAL NAME: ROBERT R. RIGSBY TITLE: CORPORATION COUNSEL

PROMULGATOR: Name and title of the person legally authorized to adopt and promulgate these rules (or the name of the board or other body authorized to adopt rules by vote)
Zoning Commission For The District Of Columbia Title:

COMPLETE CITATION to the statute, regulation, order, or other legal authority that specifically authorizes this person or agency to adopt and promulgate these rules. Section 1 and 8 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, 799 D.C. Official Code §§ 6-641.01 and 6-641.07).

SIGNATURE OF THE PERSON AUTHORIZED TO ADOPT RULES OR ATTEST TO THE ADOPTION OF RULES

DATE OF APPROVAL OF VOTE:

APPROVAL OF ATTEST: [signature]
TITLE: Secretary to the Zoning Commission PHONE: (202) 727-0330

Office of Documents use only: THIS NOTICE PUBLISHED AT: VOL: DCR: DATE:

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PROPOSED RULEMAKING

Case No. 96-3/89-1 (Map Amendment & Overlay District @ Buzzard Point – Capitol Gateway)

The Zoning Commission for the District of Columbia, pursuant to its authority under §§ 1 and 8 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, as amended; D.C. Code §§ 6-641.01 and 6-641.07 (2001)), hereby gives notice of its intent to amend the text of the Zoning Regulations (Title 11 DCMR) and to amend the Zoning Map of the District of Columbia so as to establish the Capital Gateway Overlay District. Final rulemaking action shall be taken in not less than thirty (30) days from the date of publication of this notice in the D.C. Register or upon completion of a hearing with respect to the proposed amendment to § 631.2 and proposed addition of §§ 1603.7 and 1604.9, whichever is the last to occur. A Notice of Hearing with respect to these three sections appears elsewhere in this volume.

The following rulemaking action is proposed:

A. Amend the Zoning Map of the District of Columbia as follows:

1. Rezone from C-M-1 to C-2-C:

Those lots now zoned C-M-1 in squares 651 and 653.

2. Rezone from C-3-C to CG/C-3-C:

Square 698, lots 1, 20, 23, 801, 805, 807 and 813.

Square 699, lots 816 and the southern part of Lot 28, to a depth of 145 feet from M Street, S.E.

Square N743, lots 44 through 53, 58, 59, 63 through 66, 800, 816 and 817.

Square 742, lots 27 through 29, 36, 37 and the southern part of Lot 826, to a depth of 145 feet from M Street, S.E.

Square 769, the southern parts of lots 18, 20, 21 and 821, to a depth of 145 feet from M Street, S.E.

Square 800, Lot 22.

3. Rezone from C-M-2 to CG/CR:

All of squares 603, 657, 658, 700, 701, 702, 704 and those lots now zoned C-M-2 in squares 601 and 656.

4. Rezone from M to CG/CR:

All of squares 605, 607, 609, 611, 660, 661, 662, E662, 664, 703, 705, 706 and the northern half of Square 665.

5. Rezone from M to CG/W-2:

Squares 612, 613, E667, S667, ES667, 666, E664, 707, 708, S708, E708, S744, Lot 800 in Square 771 and the southern part of Square 665, for a distance of 400 feet north of the right-of-way line of V Street, SE.

6. Rezone from W-1 and W-3 TO CG/W-1 and CG/W-3:

Square 602.

B. Title 11 DCMR, ZONING, is amended as follows. Deleted wording is shown in strike-through lettering and added wording is shown bolded and underlined:

1. Amend chapter 6, Mixed Use Districts, section 631.2 to read as follows:

631.2 For the purposes of this section, the term "residential purposes" shall include dwellings, flats, multiple dwellings, rooming and boarding houses, community-based residential facilities, inns, and guest room areas and service areas within hotels, **except that this term shall not include guest room areas and service areas within hotels located or proposed to be located on CR zoned property in the Capital Gateway Overlay District established by chapter 13 of this title.**

2. Amend chapter 30, Zoning Commission Rules on Practice and Procedure, as follows:

a. Section 3010.2 is amended to read as follows:

3010.2 Contested cases are adjudicatory in nature; present issues for resolution at a public hearing that potentially will affect a relatively small number of persons or properties; and involve primarily questions of fact applicable to a small number of persons or properties, while broader issues of public policy are secondary concerns. Contested cases include, without limitation, the following:

(a) Planned unit developments filed according to chapter 24 of this title;

(b) Requests for zoning map amendments filed by the property owner or owners for a single property or for multiple properties that are contiguous or are only separated by a street or alley;

(c) Applications for air space development; and

(d) Applications for Zoning Commission review and approval pursuant to chapter 13 of this title.

b. Section 3011,1 is amended to read as follows:

3011.1 As soon as an application or petition is accepted for filing by the Director of the Office of Zoning the Director shall place a copy of the application or petition in the public record of the Commission and refer a copy to the D.C. Office of Planning for review and recommendation on whether the matter should be processed further, **except that applications for Zoning Commission review and approval filed pursuant to Chapter 13, which are deemed complete by the Director, shall be immediately scheduled for hearing consistent with the notice provisions of this Chapter.**

c. Section 3012.1 is amended to read as follows:

3012.1 As soon as an application or petition is set down **or scheduled** for a public hearing the matter shall be referred to the D.C. Office of Planning and any other public agencies that may be requested to provide information and assistance, depending on the nature of the case.

d. Section 3015.4 is amended to read as follows:

3015.4 When a Zoning Map amendment, planned unit development, ~~or~~ air space development, **or Zoning Commission review and approval pursuant to Chapter 13** is requested by a property owner for the property owned, the applicant shall give additional notice of the public hearing by posting the property with notice of hearing at least forty (40) days in advance of the hearing.

e. Section 3022.1 is amended to read as follows:

3022.1 The contested case procedures in § 10 of the D.C. Administrative Procedure Act, D.C. Code, 2001 Ed. § 2-509 (formerly codified at D.C. Code § 1-1509 (1999 Repl.)), and this section shall apply to applications for a change in the Zoning Map pursuant to § 102 and to applications for planned unit developments, air space developments, and similar plan

review activities of the Commission, **including those required by chapter 13 of the title,** except as otherwise provided in § 3010.7.

f. Section 3027 is amended by adding a new subsection 3027.4 to read as follows:

3027.4 **The Commission need not take proposed action with respect to an application for Zoning Commission review and approval pursuant to Chapter 13, but may take final action in accordance with section 3028,, either at the close of the hearing, or at a subsequent public meeting.**

g Section 3028.4 is amended to read as follows:

3028.4 To take final action that does not amend the Zoning Map, **that grants or denies an application for Zoning Commission review and approval pursuant to Chapter 13,** or that denies a planned unit development, the Commission may proceed without a referral to or report from the National Capital Planning Commission.

2. Add a new Chapter 16, to read as follows:

CHAPTER 16 CAPITOL GATEWAY OVERLAY DISTRICT

1600 PREAMBLE

1600.1 The Capitol Gateway (CG) Overlay District is applied to the Buzzard Point and Capitol Gateway areas, which are designated for mixed use development in the Comprehensive Plan for the National Capital. The following squares and portions of squares in the Southwest and Southeast quadrants of the District of Columbia are included in the CG Overlay District: 601, 602, 603, 605, 607, 609, 611, 612, 613, 656, 657, 658, 660, 661, 662, E662, 664, E664, 665, 666, E667, S667, 700 through 708, E708, S708, S744, 771, 698, 699, N743, 742 and 769.

1600.2 The purposes of the CG Overlay District are to:

(a) Assure development of the area with a mixture of residential and commercial uses, and a suitable height, bulk and design of buildings, as generally required by the Comprehensive Plan and planning studies of the area;

(b) Encourage a variety of support and visitor-related uses, such as retail, service, entertainment, cultural and hotel or inn uses;

(c) Allow for continuation of existing industrial uses, which are important economic assets to the city, during the extended period projected for redevelopment;

(d) Provide for a reduced height and bulk of buildings along the Anacostia riverfront in the interest of ensuring views over and around waterfront buildings, and provide for continuous public open space along the waterfront with frequent public access points; and

(e) Require suitable ground-level retail and service uses and adequate sidewalk width along M Street, S.E., near the Navy Yard Metrorail station.

1600.3 The CG Overlay District and the underlying CR, W-1, W-2, W-3, and C-3-C Districts shall constitute the Zoning Regulations for the geographic area referred to in §1600.1. Where there are conflicts between this chapter and the underlying zoning, the provisions of the CG Overlay District shall govern.

1601 BONUS DENSITY AND HEIGHT

1601.1 A building or combined lot development used for hotel purposes is not eligible for the bonus density authorized in this section.

1601.2 In the CG/CR and CG/W-3 districts, a building or combined lot development shall be allowed a maximum density of 7.0 FAR; Provided that the additional 1.0 FAR in excess of the matter-of-right maximum of 6.0 FAR shall be devoted solely to residential uses.

1601.3 For the purpose of accommodating bonus density as authorized by § 1601.1, the maximum permitted building height shall be that permitted by the Act to Regulate the Height of Buildings in the District of Columbia, approved June 1, 1910 (36 Stat. 452; D.C. Code §§ 5-401 to 5-409), as amended; Provided that in squares 601, 656 and 657 those lots abutting or separated only by a street or alley from residentially zoned property shall provide a 1:1 building setback for any part of a building that exceeds 90 feet in height on the side abutting the residential zone.

1601.4 In the CG/W-1 District, a building or combined lot development shall be allowed a maximum density of 3.5 FAR and a maximum height of 55 feet; Provided that:

(a) The additional 1.0 FAR in excess of the matter-of-right maximum of 2.5 FAR shall be devoted solely to residential uses; or,

(b) The additional 1.0 far may be devoted to any permitted use in the w-1 zone if the building or the combined lot development includes at least 2.0 far of residential development.

1601.5 The Zoning Commission MAY grant additional density to lots in the CG/W-2 District, as part of the special exception process applicable to that area, in the manner set forth in §§ 1603.5 and 1603.6.

1601.6 A building that qualifies as a Capitol South Receiving Zone site under § 1601.3(b) shall be subject to the maximum height and bulk limits of §1709.21 of this title.

1602 COMBINED LOT DEVELOPMENT

1602.1 Two or more lots within the Overlay District may be combined for the purpose of allocating residential and nonresidential uses regardless of the normal limitation on floor area by uses on each lot; Provided, that the aggregate residential and nonresidential floor area shall not exceed the matter-of-right maximum height or FAR of the underlying zone district(s), except when bonus density is being constructed.

1602.2 No allocation of gross floor area shall be effective unless an instrument, legally sufficient to effect such a transfer, is filed with the Zoning Administrator and recorded by the Recorder of Deeds in the land records against all lots included in the combined lot development;

1602.3 The instrument shall be in the form of a declaration of covenants that:

(a) Is signed by the owners of all affected lots;

(b) Runs with the land in perpetuity;

(c) Burdens all lots involved in the allocation of gross floor area;

(d) Binds the present and future owners of the lot sending nonresidential FAR to forgo the nonresidential development and occupation of an on-site area equal to the amount of gross floor area of nonresidential uses transferred;

(e) States the maximum permitted gross floor areas for all uses in all lots, the maximum allowed gross floor area for nonresidential uses in all lots, and the gross floor area of nonresidential uses allocated. The covenant shall further state that, after the transfer, the combined lots conform with the maximum gross floor area limitations for nonresidential uses on the lots before the transfer.

1602.4 The declaration of covenants shall expressly state that it may be amended or terminated only with the approval of the Zoning Commission, after public hearing and only upon a finding that the proposed modification or termination is fully justified and consistent with the purposes of this chapter

1602.5 The declaration of covenants shall be approved in content by the Zoning Administrator and certified for legal sufficiency by the Office of the Corporation Counsel. The declaration shall also contain a written statement by the Director of the D.C. Office of Planning attesting to:

(a) The lots' eligibility to allocate residential and nonresidential uses;

(b) The accuracy of the computations with respect to the amount of residential and nonresidential uses ~~re~~allocated; and

(c) Whether, after the transfer, the combined lots will conform with the maximum gross floor area limitations on nonresidential uses for the lots before any such transfer.

1603 ZONING COMMISSION REVIEW OF BUILDINGS, STRUCTURES AND USES IN THE CG/W-2 DISTRICT

1603.1 All proposed uses, buildings and structures in the CG/W-2 District, or any proposed exterior renovation to any existing buildings or structures in the CG\W-2 District that would result in an alteration of the exterior design, shall be subject to review and approval by the Zoning Commission.

1603.2 In addition to proving that the proposed use, building or structure meets the standards set forth in § 3104, the applicant shall further demonstrate that the use, building or structure:

(a) Will help achieve the desired mixture of uses in the CG Overlay District as set forth in §§ 1600.2(a) and (b), with the identified preferred uses specifically being residential, hotel or inn, cultural, entertainment, retail or service uses; and

(b) In the case of waterfront lots, provides suitably designed public open space along the waterfront, as specified in § 1603.3.

1603.3 With respect to a building or structure to be constructed on a lot that faces or abuts the Anacostia River:

(a) The building or structure shall be set back by no less than seventy-five (75) feet, unless the Commission finds that such setback renders development infeasible and in no case less than fifty (50) feet, from the bulkhead.

(b) The application shall include a plan for suitable open space treatment of the setback area for such uses as walkway and bikeway, passive or active recreational use, and including provisions assuring private maintenance of the space, convenient and permanent public access to the

space, and suitable connections to adjacent public space along the waterfront.

1603.4 With respect to all applications, the proposed building or structure shall be designed with a height, bulk and siting so as to provide for openness of views and vistas to and from the waterfront and, where practical, maintain views of federal monumental buildings.

1603.5 The Zoning Commission, at its discretion, may also provide for additional on-site or off-site bonus density to be earned for setbacks required under this section, based on the land area of the setback and the proposed features for public open space uses; Provided, that 2.0 FAR based on the land area of the open space setback shall be used as a general guideline.

1603.6 In the CG/W-2 District, the Zoning Commission, at its discretion, may grant bonus density for residential development in a building or a combined lot development, using a guideline of 1.0 FAR in excess of the normally allowed maximum of 4.0 FAR and an additional ten (10) feet in excess of the normally allowed maximum height of sixty (60) feet; Provided that:

(a) The building or combined lot development shall include at least 2.0 FAR of residential development;

(b) The Zoning Commission, at its discretion, may allow construction of such bonus density on the property zoned CG/W-2 or may allow only for the bonus density to be transferred off-site to a lot or lots zoned CG/CR by means of a combined lot development; and

(c) The provisions of § 1709 shall govern the prerequisites and procedures for transferring bonus density off site if permitted by the Commossion.

1603.7 The Commission may hear and decide any additional requests for special exception or variance relief needed for the subject property. Such requests shall be advertised, heard, and decided together with the application for Zoning Commission review and approval.

1603.8 At the time of filing an application with the Commission, the applicant shall pay the filing fee specified in § 3180.1(16) plus such fees as apply to any additional zoning relief requested. The provisions of § 3181 relating to the administration of fees shall apply, except that the applicant may appeal any decision of the Director regarding the fee schedule to the Commission, which shall decide the appeal at a meeting or hearing as a preliminary matter to hearing the application.

1604 ZONING COMMISSION OF BUILDINGS AND STRUCTURES ON M STREET, S.E.

1604.1 Any proposed building on a lot that abuts M Street, S.E., between South Capitol Street and 4th Street, S.E. shall be subject to review and approval by the Zoning Commission. 1604.2 An applicant requesting approval under this section must prove that the proposed building's architectural design, site plan, landscaping and sidewalk treatment are of a superior quality, pursuant to the design and use requirements set forth in §§ 1604.3 through 1604.7.

1604.3 The streetwall of each new building shall be set back for its entire height and frontage along M Street not less than fifteen feet (15') measured from the face of the adjacent curb along M Street, S.E.;

1604.4 Each new building shall devote not less than fifty percent (35%) of the gross floor area of the ground floor to retail, service, entertainment or arts uses ("preferred uses") as permitted in §§701.1 through 701.5 and §§721.1 through 721.6 of this title; Provided, that the following uses shall not be permitted: automobile laundry, drive through accessory to any use, gasoline service stations, and office uses (other than those accessory to the administration, maintenance, or leasing of the building). Such preferred uses shall occupy 100% of the building's street frontage along M Street, except for space devoted to building entrances or required to be devoted to fire control.

1604.5 For good cause shown, the Commission may authorize interim occupancy of the preferred use space required by § 1604.4 by non-preferred uses for up to a five (5) year period; Provided that the ground floor space is suitably designed for future occupancy by the preferred uses.

1604.6 Not less than fifty percent (50%) of the surface area of the streetwall of any new building along M Street shall be devoted to display windows having clear or low-emissivity glass except for decorative accent, and to entrances to commercial uses or the building;

1604.7 Notwithstanding §2117.8(c)(1), no driveway may be constructed or used from M Street to required parking spaces or loading berths in or adjacent to a new building;

1604.8 A building that qualifies as a Capitol South Receiving Zone site under § 1601.3(b) and for which a building permit has been applied for prior to August 31, 2001 shall not be subject to the requirements of this Section.

1604.9 The Commission may hear and decide any additional requests for special exception or variance relief needed for the subject property. Such requests shall be advertised, heard, and decided together with the application for Zoning Commission review and approval.

1604.10 At the time of filing an application with the Commission, the applicant shall pay the filing fee specified in § 3180.1(b)(16), plus such fees as apply to any

additional zoning relief requested. The provisions of § 3181 relating to the administration of fees shall apply, except that the applicant may appeal any decision of the Director regarding the fee schedule to the Commission, which shall decide the appeal at a meeting or hearing as a preliminary matter to hearing the application.

1605 EXISTING INDUSTRIAL USES

1605.1 A commercial or industrial use that is first permitted in the CM or M districts and that is in existence with a valid Certificate of Occupancy as of (date), shall be deemed a conforming use, but shall not be entitled to expand.

1699 DEFINITIONS

1699.1 When used in this chapter, the term "residential uses" shall have the same meaning as the term "residential purposes" as set forth in §631.2.

All persons desiring to comment on the subject matter of this proposed rulemaking action should file comments in writing no later than thirty (30) days after the date of publication of this notice in the D.C. Register. Comments should be filed with Alberto P. Bastida, Secretary to the Zoning Commission, Office of Zoning, 441 4th Street, N.W., Suite 210-S, Washington, D.C. 20001. Copies of this proposed rulemaking action may be obtained at cost by writing to the above address.