*Government of the District of Columbia*
**Office of Zoning**

**Z.C. CASE NO.: 96-03/89-01**

As Secretary to the Zoning Commission, I herby certify that on JUL 31 2002 copies of this Notice of Public Hearing were mailed first class, postage prepaid or sent by inter-office government mail to the following:

1. D.C. Register (Alberto P. Bastida)
2. The Washington Times (Sharon Sanchez)
3. Andy Litsky, Chair
   ANC 2D
   400 I Street, S.W.
   Washington, D.C. 20024

   Kenan P. Jarboe, Chair
   ANC 6B
   921 Pennsylvania Avenue, S.E.
   Washington, D.C. 20003
4. Councilmember Jack Evans (Ward 2)
5. Councilmember Sharon Ambrose (Ward 6)
6. Office of Planning (Ellen McCarthy)
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10. 30 copies to MLK Library (Sheryl Thorpe)
11. Alan Bergstein (Corporation Counsel)
12. Office of Zoning Bulletin Board
13. Reminder Schedule to Protective Service Security

**ATTESTED BY:** Alberto P. Bastida

**Alberto P. Bastida, AICP**
**Secretary to the Zoning Commission**

ZONING COMMISSION
District of Columbia
Case 96-03
Exhibit 133

**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.**