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ID	Status	Register Category	Subject	Register Issue	Action Date
159395	Submitted to ODAI	Public Hearing	Zoning Commission Notice of Public Hearing: Case No. 97-16A (The Lowell School)	5/14/2010 vo 57:21	5/5/2010 12:39:53
257455	Confirmed	Emergency Rulemaking	Zoning Commission Notice of Emergency Rulemaking: Z.C. Case No. 10-07 (Text Amendment - Additional Flexibility for Eating and Drinking Establishments within the ARTS Overlay District)	5/7/2010 vo 57:19	5/4/2010 13:51:43
257552	Confirmed	Proposed Rulemaking	Zoning Commission Notice of Proposed Rulemaking: Z.C. Case No. 10-07 (Text Amendment - Additional Flexibility for Eating and Drinking Establishments)	5/7/2010 vo 57:19	5/4/2010 13:50:37

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ZONING COMMISSION
District of Columbia

CASE NO. 97-16A
EXHIBIT NO. 14

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

TIME AND PLACE: **Thursday, July 1, 2010, @ 6:30 p.m.**
 Office of Zoning Hearing Room
 441 4th Street, N.W., Suite 220-South
 Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 97-16A (The Lowell School to further Modify an Approved Planned Unit Development at 1640 Kalmia Road, NW (Square 2745F, Lots 815 and 817))

THIS CASE IS OF INTEREST TO ANC 4A

On December 14, 2009, the Office of Zoning received an application from the Lowell School (the "Applicant" or "School"). The Applicant is requesting approval to modify a planned unit development ("PUD"). The Office of Planning provided its report on April 2, 2010, and the case was set down for hearing on April 12, 2010. The Applicant provided its prehearing statement on April 23, 2010.

The property that is the subject of this application consists of approximately 361,378 square feet of land area and is located at 1640 Kalmia Road, NW (Square 2745F, Lots 815, 817). The subject property is zoned R-1-A.

The Applicant proposes to expand the School to include 7th and 8th grades, increase the number of faculty and staff to 100 and to renovate and further develop the campus. It does not propose to increase the cap on student enrollment. In addition to expanding its services and increasing the faculty and staff cap, the School is proposing two phases of physical improvements to its campus. The first phase includes the renovation of and addition to the Parkside building along 17th Street to accommodate the 7th and 8th grade classrooms (in addition to the existing 6th grade classrooms). The addition will include computer labs, art studios, a theater, library and gathering places.

The second phase will include the razing of an existing building, Fraser Hall, and replacing it with a below-grade garage with recreational space on top of it, at grade. At the same time, the School will expand its gymnasium. In all, the development results in a net reduction of approximately 7,305 square feet of development and a net gain of 46 parking spaces. The resulting floor area ratio, once the proposed work is completed, will be .34 and the lot occupancy will be 15%.

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.

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 fourteen (14) days prior to the date set for the hearing, a written statement containing the following information:**

- (a) The person's name, address, and daytime telephone number;
- (b) A request to appear and participate as a party;
- (c) Whether the person will appear as a proponent or opponent of the application;
- (d) Whether the person will appear through legal counsel, and if so, the name and address of legal counsel;
- (e) A list of witnesses who will testify on the person's behalf;
- (f) A summary of the testimony of each witness;
- (g) An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts;
- (h) The total amount of time being requested to present their case; and
- (i) A written statement setting forth why the person should be granted party status, including reference to the following:
 - (1) The property owned or occupied by the person, or in which the person has an interest, that will be affected by the action requested of the Commission;
 - (2) The legal interest the person has in said property, such as owner, tenant, trustee, or mortgagee;

- (3) The distance between the person's property and the property that is the subject of the application before the Commission;
- (4) The economic, social, or other impacts likely to affect the person and/or the person's property if the action requested of the Commission is approved or denied; and
- (5) An explanation of how the person's interest as identified in response to paragraph (4) would likely be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.

The Applicant shall also provide the information indicated in (e) through (h) to the extent that the information is not contained in the Applicant's prehearing submission as required by 11 DCMR § 3013.1.

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 also contain the information indicated in (e) through (h) above.

Time limits.

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.

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 200/210-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, KONRAD W. SCHLATER, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JAMISON L. WEINBAUM, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.