

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



Z.C. CASE NO.: 04-14B

As Secretary to the Commission, I hereby certify that on MAY 25 2012 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:

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|--|---|
| 1. D.C. Register (via e-mail) | 6. Councilmember Tommy Wells |
| 2. Allison Prince, Esq.
Christine Roddy, Esq.
Goulston & Storrs
1999 K Street, N.W. Suite 500
Washington, D.C. 20006 | 7. Office of Planning (Harriet Tregoning) |
| 3. ANC 6D
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Washington, DC 20024 | 8. DDOT (Martin Parker) |
| 4. Commissioner David Garber
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6D07@anc.dc.gov | 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. DDOE (Nina Albert) |

ATTESTED BY:

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

ZONING
CASE NO. 04-14B
EXHIBIT NO. 22

seeks relief from the penthouse requirements of Section 411, and the setback requirements along Potomac Avenue in Section 1608.2.¹

Florida Rock is also proposing to convert the second-stage approvals for the remaining three phases of development to first-stage approvals. The designs of the three buildings will be refined in a future application. For the entirety of the four phases, the current proposal seeks approval of a maximum height of 130 feet, a total gross floor area of approximately 1,165,000 square feet, and a lot occupancy of 44.4%.

The public hearing for this case will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR § 3022. Pursuant to 11 DCMR 2409.9, the proposed modification must meet the requirements for and be processed as a second-stage application as is relevant.

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 Form 140 f Party Status Application, a copy of which is attached hereto.** This form may also be obtained from the Office of Zoning at the address stated below or downloaded from the Office of Zoning's website at www.dcoz.dc.gov.

¹ The Applicant initially indicated that it needed relief to permit more than one building on a single record lot; however, that form of development is permitted as a matter of right within the C-3-C zone district. See 11 DCMR 2517.1.

To the extent that the information is not contained in the Applicant's pre-hearing submission as required by 11 DCMR § 3013.1, the Applicant shall also provide this information not less than 20 days prior to the date set for the hearing.

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 § 3012.5 (a) through (i).

Time limits.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

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| 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, MARCIE I. COHEN, 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.

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