

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

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TIME AND PLACE: Thursday, September 19, 2013, 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. 13-05 (Forest City Washington: First-Stage and Second-Stage PUD Approval and Related Map Amendment for Square 744S, part of Lot 805 and Square 744SS, part of Lot 801 (“Property”))

THIS CASE IS OF INTEREST TO ANC 6D

On February 27, 2013, the Office of Zoning received an application from Forest City Washington (the “Applicant”). The Applicant is requesting approval of a first-stage PUD and related map amendment for the Property as well as second-stage (consolidated) PUD approval for the first phase of development, the F1 Parcel. The Office of Planning provided its report on April 19, 2013, and the case was set down for hearing on April 29, 2013. The Applicant provided its prehearing statement on June 28, 2013.

The property that is the subject of this application consists of approximately 235,130 square feet of land area and is located across 1st Street, S.E. from Nationals Park. The Property is zoned CG/W-2 which allows a maximum height of sixty feet and a floor area ratio of 4.0. The Applicant requested PUD related rezoning of the Property to the CG/CR and CG/W-1 Zone Districts would permit heights of up to 130 through a PUD in the CR zone and 45 feet in the W-1 Zone District and a floor area ratio of 8.0 in the CR Zone District and 2.5 in the W-1 Zone Districts.

The Applicant proposes to redevelop the Property into four parcels with a new movie theater, two residential buildings with ground-floor retail, arts and entertainment uses, an expanded Diamond Teague Park and reintroduction of the street grid through private streets and the extension of Potomac Avenue. The second-stage PUD will permit the construction of a 16-screen movie theater on the northeastern parcel of the Property and is proposed at a height of 100 feet and a floor area ratio of 5.5.

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. 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/services/app.shtm>.** This form may also be obtained from the Office of Zoning at the address stated below.

To the extent that the information is not contained in the Applicant's prehearing submission as required by 11 DCMR § 3013.1, the Applicant shall also provide this information not less than 14 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 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-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, 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.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

OFFICE OF ZONING

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Att. Shickel

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