

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

TIME AND PLACE: **Monday, July 23, 2018, @ 6:30 p.m. – 2nd Case**
 Jerrily R. Kress Memorial Hearing Room
 441 4th Street, N.W., Suite 220
 Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 17-11 (3200 Penn Ave PJV, LLC – Map Amendment @ Square 5539, Lots 835 and 840)

THIS CASE IS OF INTEREST TO ANC 7B

On May 26, 2017, the Office of Zoning received a petition from 3200 Penn Ave PJV, LLC ("Petitioner") requesting approval of a Zoning Map amendment to rezone the property consisting of Lots 835, 838, 839, and 840 in Square 5539 from MU-3/R-1-B to MU-4. On October 2, 2017, the Commission held a public hearing on the petition. In response to testimony provided by adjacent and nearby neighbors regarding the potential impacts of future mixed-use development on the aforementioned lots immediately adjacent to R-1-B zoned properties, the Commission requested the Petitioner to work with adjacent and nearby neighbors to evaluate whether the creation of a new [custom] zone could alleviate the concerns raised at the public hearing. The Commission scheduled the petition for deliberation for November 13, 2017.

On October 30, 2017, the Petitioner requested the Commission to defer its deliberation on the petition to allow more time to establish a set of development parameters that would address the concerns expressed by adjacent and nearby neighbors, which would be implemented through the creation of a modified version of the MU-4 zone. (Exhibit 50.) The Commission granted the Petitioner's request for deferral.

On April 23, 2018, the Petitioner submitted a request to amend the subject petition to (i) modify the properties included in the requested map amendment, and (ii) modify the specific zone being requested. (Exhibit 51.) To address the concerns expressed regarding the height of future development on Lot 838 and 839, which have an elevation that is substantially higher than the immediately adjacent residential properties, the Petitioner requested to remove Lots 838 and 839 from the subject petition, leaving only Lots 835 and 840 to be rezoned. Secondly, the Petitioner requested that Lots 835 and 840 be rezoned to MU-4A. The requested MU-4A zone is a modified version of the existing MU-4 zone that contains parameters developed by the Petitioner and neighbors in coordination with the Office of Planning ("OP").

On March 24, 2018, OP submitted a text amendment to the Commission that would create the MU-4-A zone, and rename the existing MU-4 zone to MU-4B (Z.C. Case No. 18-06). In its report, OP recommended that the Commission setdown the proposed text amendment for public hearing, and further recommended that the Commission also setdown the Petitioner's amended petition so that the public hearings for both cases could occur on the same date. On March 30,

2018, the Commission voted to setdown Z.C. Case No. 18-06, as submitted by OP, and Z.C. Case No. 17-11, as modified by the Petitioner.

The MU-4A zone would be created within Subtitle G (Mixed Use (“MU”) Zones) of the Zoning Regulations. The general purpose of MU zones is, among other things, to provide for mixed-use developments that permit a broad range of uses at varying densities consisting of housing, shopping, and business needs, including residential, office, service, and employment centers. According to the setdown report submitted by OP in Z.C. Case No. 18-06, as a matter of right the MU-4A zone will permit a maximum building height of 50 feet; a maximum density of 2.0 FAR (2.4 FAR with Inclusionary Zoning), of which no more than 1.5 FAR can be devoted to non-residential uses. Developments within the MU-4A zone will be permitted to have a 12-foot habitable penthouse, and a 15-foot mechanical penthouse. Regarding lot occupancy, except in Square 5539, the maximum permitted lot occupancy for residential use in the MU-4A zone will be 60% (75% with Inclusionary Zoning). In Square 5539, the maximum permitted lot occupancy for both residential and nonresidential use will be 60%, with no increase in lot occupancy provided with Inclusionary Zoning. Finally, the MU-4A zone will contain transition setback requirements that would apply to any lot line that directly abuts any Residential (“R”) zone.

The public hearing for this petition, as amended by the Petitioner, will be conducted in accordance with the rulemaking case provisions of the Zoning Commission’s Rules of Practice and Procedure, 11-Z DCMR Chapter 5.

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.

Time limits.

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning of their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail (donna.hanousek@dc.gov), or by calling (202)727-0789.

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

- | | | |
|----|---------------|----------------|
| 1. | Organizations | 5 minutes each |
| 2. | Individuals | 3 minutes each |

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information

System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Please include the case number on your submission.

FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

ANTHONY J. HOOD, ROBERT E. MILLER, PETER A. SHAPIRO, 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.

Do you need assistance to participate? If you need special accommodations or need language assistance services (translation or interpretation), please contact Zee Hill at (202) 727-0312 or Zelalem.Hill@dc.gov five days in advance of the meeting. These services will be provided free of charge.

¿Necesita ayuda para participar? Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Avez-vous besoin d'assistance pour pouvoir participer? Si vous avez besoin d'aménagements spéciaux ou d'une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à Zelalem.Hill@dc.gov cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

참여하시는데 도움이 필요하세요? 특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312 로 전화 하시거나 Zelalem.Hill@dc.gov 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

您需要有人帮助参加活动吗? 如果您需要特殊便利设施或语言协助服务(翻译或口译)·请在见面之前提前五天与 Zee Hill 联系·电话号码 (202) 727-0312, 电子邮件 Zelalem.Hill@dc.gov 这些是免费提供的服务。

Quý vị có cần trợ giúp gì để tham gia không? Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc Zelalem.Hill@dc.gov trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

ለመሳተፍ ዕርዳታ ያስፈልግዎታል? የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂሊን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እነዚህ አገልግሎቶች የሚሰጡት በነጻ ነው።