

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
941 NORTH CAPITOL ST., NE, 7TH FLOOR, SUITE 7200
WASHINGTON, DC 20002
(202) 442-4423

POSTING DATE: MARCH 16, 2007
PETITION DATE: APRIL 30, 2007
HEARING DATE: MAY 16, 2007

LICENSE#: 60695
LICENSEE: BOUZID, INC
TRADE NAME: MARRAKESH PALACE PASHA LOUNGE
LICENSE CLASS: RETAILER'S "C" TAVERN
ADDRESS: 2147 P ST., NW

WARD 2 ANC 2B02

NOTICE IS HEREBY GIVEN THAT THIS LICENSEE HAS APPLIED FOR A SUBSTANTIAL CHANGE TO HIS LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT AND THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH ON THE HEARING DATE AT 10:00 A.M., 7TH FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E. PETITION AND/OR REQUEST TO APPEAR BEFORE THE BOARD MUST BE FILED ON OR BEFORE THE PETITION DATE.

LICENSEE REQUESTS PERMISSION TO EXPAND LICENSE PREMISE TO INCLUDE THE THIRD FLOOR, SEATING INCREASE FROM 169 TO 243.

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WASHINGTON, DC 20002
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POSTING DATE: MARCH 16, 2007
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LICENSE#: 72672
LICENSEE: THE ARGONAUT LLC
TRADE NAME: THE ARGONAUT
LICENSE CLASS: RETAILER'S "C" RESTAURANT
ADDRESS: 1433 H ST., NE

WARD 6 ANC 6A06

NOTICE IS HEREBY GIVEN THAT THIS LICENSEE HAS APPLIED FOR A SUBSTANTIAL CHANGE TO HIS LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT AND THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH ON THE HEARING DATE AT 10:00 A.M., 7TH FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E. PETITION AND/OR REQUEST TO APPEAR BEFORE THE BOARD MUST BE FILED ON OR BEFORE THE PETITION DATE.

LICENSEE REQUESTS PERMISSION TO ADD SIDEWALK CAFÉ ENDORSEMENT WITH SEATING CAPACITY FOR 36 TO THE ALCOHOLIC BEVERAGE LICENSE.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGES FOR THE SIDEWALK CAFÉ
SUNDAY THROUGH THURSDAY, 5PM-11PM
FRIDAY, 4PM-12AM
SATURDAY, 5PM-12AM

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
941 NORTH CAPITOL ST., NE, 7TH FLOOR, SUITE 7200
WASHINGTON, DC 20002
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POSTING DATE: MARCH 16, 2007
PETITION DATE: APRIL 30, 2007
HEARING DATE: MAY 16, 2007

LICENSE#: 74456
LICENSEE: SUPERCLUB IBIZA, LLC
TRADE NAME: IBIZA
LICENSE CLASS: RETAILER'S "C" NIGHTCLUB
ADDRESS: 1222 1ST ST., NE

WARD 6 ANC 6C04

NOTICE IS HEREBY GIVEN THAT THIS LICENSEE HAS APPLIED FOR A SUBSTANTIAL CHANGE TO HIS LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT AND THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH ON THE HEARING DATE AT 10:00 A.M., 7TH FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E. PETITION AND/OR REQUEST TO APPEAR BEFORE THE BOARD MUST BE FILED ON OR BEFORE THE PETITION DATE.

LICENSEE REQUESTS PERMISSION TO ADD SUMMER GARDEN ENDORSEMENT WITH SEATING CAPACITY FOR 115 TO THE ALCOHOLIC BEVERAGE LICENSE.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGES FOR THE SUMMER GARDEN

SUNDAY, 12PM-2AM
MONDAY THROUGH THURSDAY, 11:30AM-2AM
FRIDAY, 11:30AM-3AM
SATURDAY, 5PM-3AM

READVERTISEMENT*

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
941 NORTH CAPITOL ST., NE, 7TH FLOOR SUITE 7200
WASHINGTON, DC 20002
(202) 442-4423**

***POSTING DATE: MARCH 16, 2007**

***PETITION DATE: APRIL 30, 2007**

***HEARING DATE: MAY 16, 2007**

LICENSE#: 76330

LICENSEE: JVLHC, LLC

**TRADE NAME: JIMMY VALENTINE'S LONELY HEARTS
CLUB**

LICENSE CLASS: RETAILER'S "C" TAVERN

ADDRESS: 1103 BLADENSBURG ROAD, NE

WARD 5 ANC 5B10

**NOTICE IS HEREBY GIVEN THAT THIS APPLICANT HAS APPLIED FOR A
LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT AND
THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE
GRANTING OF SUCH LICENSE ON THE ABOVE HEARING DATE AT 10:00
A.M., 7TH FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E. PETITION
AND/OR REQUEST TO APPEAR BEFORE THE BOARD MUST BE FILED ON
OR BEFORE THE ABOVE PETITION DATE.**

NATURE OF OPERATION

NEW TAVERN, PIZZA, AND RECORDED MUSIC.

HOURS OF OPERATION

SUNDAY THRU THURSDAY 4:00PM - 2:00AM

FRIDAY AND SATURDAY 4:00PM - 3:00AM

SALE, SERVICE OR CONSUMPTION OF ALCOHOLIC BEVERAGES

SUNDAY THRU THURSDAY 4:00PM - 2:00AM

FRIDAY AND SATURDAY 4:00PM - 3:00AM

DISTRICT OF COLUMBIA

OFFICE OF THE DEPUTY MAYOR FOR PLANNING AND ECONOMIC DEVELOPMENT

NOTICE OF PUBLIC HEARING

Notice is hereby given that, pursuant to the requirements of Housing Act of 2002, as amended, D.C. Official Code Section 42-3171.03(a)(1), the Office of the Deputy Mayor for Planning and Economic Development (ODMPED) has scheduled a public hearing on Tuesday, April 24, 2007 at 10:30 a.m. in the Board Room (9th Floor) of the Department, located at 801 North Capitol Street, N.E., Washington, D.C. 20002.

The purpose of this public hearing is to consider (1) the proposed disposition of 744 Harvard Street, NW and 1428 Perry Place, NW, and (2) the terms and conditions of the proposed Disposition Agreement.

The public hearing is being conducted in order to assure that citizens are informed about the selling of the identified property to Case Capitol Corporation, a Maryland corporation licensed in the District of Columbia., and to ensure that all citizens have the opportunity to present, publicly, their views concerning such sale.

All disposition documents, will be available for public examination at this public hearing or at the Department (2nd Floor), during its regular office hours from 8:15 am to 4:45 pm, for ten (10) days prior to the public hearing.

Interested persons or representatives of organizations desiring to testify or to present written testimony at the public hearing are requested to so indicate by calling (202) 478-1355 or by email at Margaret.Segears@DC.GOV, not later than close of business Friday, April 20, 2007. Please provide your name, address, telephone number and organizational affiliation, if any. Testimony shall be limited to five minutes per participant. For Telecommunications Device for the Deaf (TDD) relay service, call (800) 201-7165. A sign language interpreter and Spanish translation services will be provided. If additional language translation services are required, call (202) 478-1355 by close of business Thursday, April 19, 2007. Written statements may be submitted for the record at the hearing or until close of business, Friday, April 27, 2007. Written statements may be mailed to: Erik Johnson, Director Home Again Program, ODMPED, 801 North Capitol Street, NE, Washington, DC 20002.

Adrian M. Fenty, Mayor
Neil O. Albert, Acting Deputy Mayor for Planning and Economic Development
www.dcbiz.dc.gov

**DISTRICT OF COLUMBIA
HISTORIC PRESERVATION REVIEW BOARD**

NOTICE OF PUBLIC HEARING

The D.C. Historic Preservation Review Board will hold a public hearing to consider applications to designate the following properties as historic landmarks in the D.C. Inventory of Historic Sites. The Board will also consider the nomination of the properties to the National Register of Historic Places:

Case No. #07-19

**United States Department of Agriculture South Building
1351 C Street, SW (aka 300-400 14th Street, SW); entire Square 264 (Lot 846)**

Case No. #07-20

**Federal Home Loan Bank Board Building
101 Indiana Avenue, NW (aka 300 and 320 1st Street, NW); Square 573, Lot 9**

Case No. #07-21

**United States Public Health Service Building
1951 (aka 1901 and 1925) Constitution Avenue, NW; entire Square 128 (Lots 13,
14, 800, 802, 803 and 804)**

Case No. #07-22

**U.S. Courthouse of the District of Columbia (E. Barrett Prettyman U.S.
Courthouse) 333 Constitution Avenue, NW; Square 533-S, Lots 800, 801 and 802
(old Reservation 10)**

Case No. #07-23

**United States Government Central Heating Plant
325 (aka 301) 13th Street, SW; entire Square 297 (Lot 832)**

Case No. #07-24

**Social Security Administration Building
330 Independence Avenue, SW; entire Square 534 (Lot 879)**

Case No. #07-25

**United States Railroad Retirement Board Building
330 (aka 350) C Street, SW; entire Square 535 (Lot 847)**

The hearing will take place at **10:00 a.m. on Thursday, April 26, 2007**, at 441 Fourth Street, NW (One Judiciary Square), in Room 220 South. It will be conducted in accordance with the Review Board's Rules of Procedure (10 DCMR 26). A copy of the rules can be obtained from the Historic Preservation Office at 801 North Capitol Street, NE, Room 3000, Washington, DC 20002, or by phone at (202) 442-8800.

The Board's hearing is open to all interested parties or persons. Public and governmental agencies, Advisory Neighborhood Commissions, property owners, and interested organizations or individuals are invited to testify before the Board. Written testimony may also be submitted prior to the hearing. All submissions should be sent to the address above.

For each property, a copy of the historic designation application is currently on file and available for inspection by the public at the Historic Preservation Office. A copy of the staff report and recommendation will be available at the office five days prior to the hearing. The office also provides information on the D.C. Inventory of Historic Sites, the National Register of Historic Places, and Federal tax provisions affecting historic property.

If the Historic Preservation Review Board designates a property, it will be included in the D.C. Inventory of Historic Sites, and will be protected by the D.C. Historic Landmark and Historic District Protection Act of 1978. The Review Board will simultaneously consider the nomination of the property to the National Register of Historic Places. The National Register is the Federal government's official list of prehistoric and historic properties worthy of preservation. Listing in the National Register provides recognition and assists in preserving our nation's heritage. Listing provides recognition of the historic importance of properties and assures review of Federal undertakings that might affect the character of such properties. If a property is listed in the Register, certain Federal rehabilitation tax credits for rehabilitation and other provisions may apply. Public visitation rights are not required of owners. The results of listing in the National Register are as follows:

Consideration in Planning for Federal, Federally Licensed, and Federally Assisted Projects: Section 106 of the National Historic Preservation Act of 1966 requires that Federal agencies allow the Advisory Council on Historic Preservation an opportunity to comment on all projects affecting historic properties listed in the National Register. For further information, please refer to 36 CFR 800.

Eligibility for Federal Tax Provisions: If a property is listed in the National Register, certain Federal tax provisions may apply. The Tax Reform Act of 1986 (which revised the historic preservation tax incentives authorized by Congress in the Tax Reform Act of 1976, the Revenue Act of 1978, the Tax Treatment Extension Act of 1980, the Economic Recovery Tax Act of 1981, and the Tax Reform Act of 1984) provides, as of January 1, 1987, for a 20% investment tax credit with a full adjustment to basis for rehabilitating historic commercial, industrial, and rental residential buildings. The former 15% and 20% Investment Tax Credits (ITCs) for rehabilitation of older commercial buildings are combined into a single 10% ITC for commercial and industrial buildings built before 1936. The Tax Treatment Extension Act of 1980 provides Federal tax deductions for charitable contributions for conservation purposes of partial interests in historically important land areas or structures. Whether these provisions are advantageous to a property owner is dependent upon the particular circumstances of the property and the owner. Because the tax aspects outlined above are complex, individuals should consult legal counsel or the appropriate local Internal Revenue Service office for assistance in determining the tax consequences of the above provisions. For further information on certification requirements, please refer to 36 CFR 67.

Qualification for Federal Grants for Historic Preservation When Funds Are Available: The National Historic Preservation Act of 1966, as amended, authorizes the Secretary of the Interior to grant matching funds to the States (and the District of Columbia) for, among other things, the preservation and protection of properties listed in the National Register.

Owners of private properties nominated to the National Register have an opportunity to concur with or object to listing in accord with the National Historic Preservation Act and 36 CFR 60. Any owner or partial owner of private property who chooses to object to listing must submit to the State Historic Preservation Officer a notarized statement certifying that the party is the sole or partial owner of the private property, and objects to the listing. Each owner or partial owner of private property has one vote regardless of the portion of the property that the party owns. If a majority of private property owners object, a property will not be listed. However, the State Historic Preservation Officer shall submit the nomination to the Keeper of the National Register of Historic Places for a determination of eligibility for listing in the National Register. If the property is then determined eligible for listing, although not formally listed, Federal agencies will be required to allow the Advisory Council on Historic Preservation an opportunity to comment before the agency may fund, license, or assist a project which will affect the property. If an owner chooses to object to the listing of the property, the notarized objection must be submitted to the above address by the date of the Review Board meeting.

DISTRICT OF COLUMBIA TAXICAB COMMISSION

NOTICE OF PUBLIC HEARING

The Commission will conduct a public hearing on its proposed rulemaking which adds a new section §1201.7 to Chapter 12 of Title 31 of the District of Columbia Municipal Regulations to require limousine drivers to maintain a written or printed manifest of their itinerary. The hearing will take place immediately following the Commission's regular meeting that will be held at the following time, date and location:

D.C. Taxicab Commission
Wednesday, April 18, 2007
11:00 AM
2041 Martin Luther King Avenue, S.E.
Suite 204-Hearing Room

The public hearing will provide an opportunity for interested persons to appear and present their views and data regarding the Commission's proposed rulemaking actions. All persons desiring to comment at the public hearing or who wish to submit written comments to the Commission should notify the Commission by telephoning 645-6019. All written comments must be received at the Commission office no later than close of business Wednesday, April 11, 2007.

BOARD OF ZONING ADJUSTMENT
***CORRECTED PUBLIC HEARING NOTICE**
TUESDAY, MAY 8, 2007
SECOND FLOOR HEARING ROOM, SUITE 220-S
441 4TH STREET, N.W.
WASHINGTON, D.C. 20001

*** See underlined and bolded correction in Application No. 17606 below.**

TO CONSIDER THE FOLLOWING: The Board of Zoning Adjustment will adhere to the following schedule, but reserves the right to hear items on the agenda out of turn.

9:30 A.M. TO 12:00 P.M. MORNING SESSION
1:00 P.M. TO 6:00 P.M. AFTERNOON SESSION

A.M.

WARD SIX

17610 **Application of Leslie Nayson and Brian Paxson, pursuant to 11**
ANC-6A **DCMR § 3104.1, for a special exception to allow a basement**
 addition to an existing single-family row dwelling under section 223,
 not meeting the lot occupancy requirements (section 403), in the R-4
 District at premises 1404 Constitution Avenue, N.E. (Square 1055,
 Lot 43).

WARD THREE

17602 **Application of National Presbyterian Church, pursuant to 11**
ANC-3E **DCMR § 3104.1, for a special exception to establish a child**
 development center (16 children, ages infant to 4 years, and 5 staff),
 in the R-1-B District, on the first floor of the multi-purpose building,
 at premises 4101 Nebraska Avenue, N.W. (Square 1724, Lot 805).

WARD SIX

17604 **Application of NJA Associates LLC, pursuant to 11 DCMR §**
ANC-6D **3104.1, for a special exception for a waiver of the rear yard**
 requirement under subsection 774.2, to allow the construction of an
 office building in the C-3-C District at premises 1111 New Jersey
 Avenue, S.E. (Square 743-N, Lot 78).

BZA PUBLIC HEARING NOTICE
MAY 8, 2007
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P.M.

WARD SEVEN

17603 **Application of Johnson Kunlpe**, pursuant to 11 DCMR § 3104.1,
ANC-7E for a special exception to allow the development of four - 4 unit
apartment buildings under section 353, in the R-5-A District at
premises 5206 and 5208 F Street, S.E. and 5210 & 5212 F Street,
S.E. (Square 5316, Lots 25 & 26, and Lots 805 & 807).

WARD FOUR

17606 **Application of Dakota Points LLC**, pursuant to 11 DCMR §
ANC-4B 3104.1, for a special exception from the roof structure uniform
height provisions under section 411, to construct a **four story**
residential building in the C-2-A District at premises 5545-5549
South Dakota Avenue, N.E. (Square 3760, Lot 10) and 5553-5575
South Dakota Avenue, N.E. (Parcel 137/86).

PLEASE NOTE:

Failure of an applicant or appellant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Board.

Failure of an applicant or appellant to be adequately prepared to present the application or appeal to the Board, and address the required standards of proof for the application or appeal, may subject the application or appeal to postponement, dismissal or denial.

The public hearing in these cases will be conducted in accordance with the provisions of Chapter 31 of the District of Columbia Municipal Regulations, Title 11, and Zoning. Pursuant to Subsection 3117.4 of the Regulations, the Board will impose time limits on the testimony of all individuals.

Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Board. Individuals and organizations wishing party status in any case before the Board must request that status and should do so in writing not less than fourteen (14) days prior to the date set for the public hearing on the particular application in accordance with Subsection 3106.2. All requests and comments should be submitted to the Board

BZA PUBLIC HEARING NOTICE

MAY 8, 2007

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through the Director, Office of Zoning, 441 4th Street, NW, Suite 210, Washington, D.C. 20001. Please include the case number on all correspondence. FOR FURTHER INFORMATION, CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

GEOFFREY H. GRIFFIS, CHAIRPERSON, RUTHANNE G. MILLER, VICE CHAIRPERSON, CURTIS L. ETHERLY, JR., JOHN A. MANN II, AND A MEMBER OF THE ZONING COMMISSION ----- BOARD OF ZONING ADJUSTMENT, BY JERRILY R. KRESS, FAIA, DIRECTOR.

PHN 5/8/07 rsn

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
TUESDAY, MAY 22, 2007
SECOND FLOOR HEARING ROOM, SUITE 220-S
441 4TH STREET, N.W.
WASHINGTON, D.C. 20001**

TO CONSIDER THE FOLLOWING: The Board of Zoning Adjustment will adhere to the following schedule, but reserves the right to hear items on the agenda out of turn.

**9:30 A.M. TO 12:00 P.M. MORNING SESSION
1:00 P.M. TO 6:00 P.M. AFTERNOON SESSION**

A.M.

WARD TWO

17633 **Application of the Government of the Republic of Montenegro,**
ANC-2B **pursuant to 11 DCRA § 1002, to permit the use of a chancery in the**
DC/SP-1 District at premises 1610 New Hampshire Avenue, N.W.
(Square 134, Lot 141).

WARD SIX

17611 **Application of Jon and Julie Mitchiner, pursuant to 11 DCMR §**
ANC-6A **3104.1, for a special exception to allow a garage addition serving an**
existing single-family row dwelling under section 223, not meeting
the lot occupancy requirements (section 403), in the R-4 District at
premises 314 - 12th Street, N.E. (Square 986, Lot 53).

WARD SIX

THIS APPLICATION WAS CONTINUED FROM THE SEPTEMBER 19,
2006, AND JANUARY 30, 2007, PUBLIC HEARING SESSIONS:

17509 **Application of Bernard L. Renard, pursuant to 11 DCMR §**
ANC-6B **3103.2, for a variance from the lot area and lot width requirements**
under section 401, a variance from the lot occupancy requirements
under section 403, a variance from the court area and width
requirements under section 406, a variance from the nonconforming
structure provisions under subsection 2001.3, and a variance from
the accessory structure alley setback requirements under subsection

BZA PUBLIC HEARING NOTICE
MAY 22, 2007
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2300.2(b), to allow an addition to one of two row dwellings sharing the same lot proposed for subdivision in the R-4 District at premises 521-523 11th Street, S.E. (Square 973, Lot 67).

P.M.

WARD SIX

17613 **Application of Sonja Sweek, pursuant to 11 DCMR § 3104.1, for a**
ANC-6B **special exception to establish a child development center (100**
 children and 18 staff) under section 205, in the R-4 District at
 premises 1359 C Street, S.E. (Square S-1039, Lot 801).

WARD TWO

17614 **Application of 1825 19th Street LLC, pursuant to 11 DCMR §**
ANC-2B **3103.2, for a variance from the prohibition against enlarging a**
 nonconforming structure under subsection 2001.3, and a variance
 from the off-street parking requirements under subsection 2101.1,
 allowing a four (4) unit residential building in the DC/R-5-B
 District, at premises 1825 19th Street, N.W. (Square 132, lot 218).

PLEASE NOTE:

Failure of an applicant or appellant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Board. Failure of an applicant or appellant to be adequately prepared to present the application or appeal to the Board, and address the required standards of proof for the application or appeal, may subject the application or appeal to postponement, dismissal or denial. The public hearing in these cases will be conducted in accordance with the provisions of Chapter 31 of the District of Columbia Municipal Regulations, Title 11, and Zoning. Pursuant to Subsection 3117.4 of the Regulations, the Board will impose time limits on the testimony of all individuals.

Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Board. Individuals and organizations wishing party status in any case before the Board must request that status and should do so in writing not less than fourteen (14) days prior to the date set for the public hearing on the particular application in accordance with Subsection 3106.2. All requests and comments should be submitted to the Board through the Director, Office of Zoning, 441 4th Street, NW, Suite 210, Washington, D.C. 20001. Please include the case number on all correspondence.

BZA PUBLIC HEARING NOTICE

MAY 22, 2007

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

**GEOFFREY H. GRIFFIS, CHAIRPERSON, RUTHANNE G. MILLER,
VICE CHAIRPERSON, CURTIS L. ETHERLY, JR., JOHN A. MANN II,
AND A MEMBER OF THE ZONING COMMISSION ----- BOARD
OF ZONING ADJUSTMENT, BY JERRILY R. KRESS, FAIA, DIRECTOR.**

PHN 5/22/07 rsn

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF RESCHEDULED¹ PUBLIC HEARING**

TIME AND PLACE: **Monday, June 18, 2007, @ 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:

Z.C. CASE NO. 06-34 (Comstock East Capitol, L.L.C. – Consolidated PUD and Related Map Amendment @ Square 1096, Lots 51, 52, 53, 54, and 55)

THIS CASE IS OF INTEREST TO ANC 6B

On June 23, 2006, the Office of Zoning received applications from Comstock East Capitol, L.L.C. (the "Applicant"), owner of Lots 51, 52, 53, 54 and 55 in Square 1096 (the "Property"), requesting approval of a consolidated planned unit development (PUD) and a related zoning map amendment from R-4 to R-5-B for the Property. The case was set down for hearing by the Zoning Commission at its November 13, 2006 public meeting. The Applicant provided its pre-hearing statement as part of its applications on November 28, 2006.

Square 1096 is bounded to the north by East Capitol Street, to the east by 18th Street, SE, to the south by A Street, SE, and to the west by 17th Street, SE. The Property, consisting of approximately 42,629 square feet of land area, fronts the south side of East Capitol Street and is bounded to the east by an existing apartment building owned by the Mt. Moriah Baptist Church, to the west by the Drummond Condominium, and to the south by a 20-foot wide public alley running through Square 1096. The Property is improved with a vacant apartment building that contained 80 dwelling units.

The Applicant proposes to demolish the existing building and construct a new apartment house on the Property containing 134 dwelling units and garage parking for a total of approximately 113 cars. The floor area ratio ("FAR") of the Project will be approximately 2.73 FAR. The building height will measure approximately 50 feet.

The R-4 District permits detached, semi-detached and row single family dwellings and flats as a matter-of-right, as well as the conversion to multi-family use of a building built prior to 1958. Detached dwellings require a minimum lot area of 4,000 square feet and a minimum lot width of 40 feet, semi-detached dwellings require a minimum lot area of 3,000 square feet and a minimum lot width of 30 feet, row dwellings require a minimum lot area of 1,800 square feet and a minimum lot width of 18 feet and conversions to multifamily use requires a minimum lot area of 900 square feet per unit. The maximum permitted height is 3 stories and 40 feet and the

¹ The hearing was previously scheduled for Thursday, March 29, 2007.

Z.C. PUBLIC HEARING NOTICE
Z.C. CASE NO. 06-34
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maximum permitted lot occupancy is 60 percent for row dwellings and flats and 40 percent for other structures. Each dwelling requires a 20 foot rear yard and a minimum of 1 parking space.

The R-5-B District permits matter-of-right moderate density development of general residential uses, including single family dwellings, flats, and apartment buildings, to a maximum lot occupancy of 60%, a maximum FAR of 1.8 and a maximum height of 50 feet. Under Chapter 24, the guideline for height in a PUD is 60 feet and the guideline for FAR in a PUD is 3.0.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR §3022.

Interested persons or representatives of organizations will be heard at the public hearing. **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 Rules. Except for the applicant and the ANC, to participate as a party in a proceeding before the Commission, **any affected person 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 and address;
- (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; and
- (f) 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 such person, or in which the person has an interest, that will be affected by the action requested of the Commission;
 - (2) The legal interest such person has in such property, such as owner, tenant, trustee, or mortgagee;

Z.C. PUBLIC HEARING NOTICE
Z.C. CASE NO. 06-34
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- (3) The distance between the person's property and the property that is the subject of the application before the Commission;
- (4) The environmental, 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;
- (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 Commission shall determine who will be recognized as a party. In so determining, the Commission shall consider whether the provisions of §3022.3 have been complied with and whether the specific information presented qualifies the person as a party. The Commission shall grant party status only if the person requesting party status has clearly demonstrated 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.

Any person wishing to be considered a party should clearly state the request, and should also provide a daytime telephone number should it be necessary for the Office of Zoning to obtain additional information or clarification prior to the hearing. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusions in the record.

The Zoning Commission hereby gives notice of the following procedures applicable to this case. Any person requesting to appear as a party to this application shall submit the following additional information:

1. A summary of the testimony of each witness.
2. 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 of qualifications of the proposed experts.
3. The total amount of time being requested to present the case.

The information cited above shall also be submitted by the Applicant. To the extent that the information is not contained in the Applicant's prehearing submission required by 11 DCMR § 3013.1, the information shall be filed no later than fourteen (14) days before the date of the hearing.

If an affected Advisory Neighborhood Commission (ANC), pursuant to 11 DCMR 3012.5, intends to participate at the hearing, the ANC shall also submit the information cited above

Z.C. PUBLIC HEARING NOTICE
Z.C. CASE NO. 06-34
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relating to the hearing procedures. The written report of the ANC shall be filed no later than seven (7) days before the date of the hearing.

The Zoning Commission gives further notice that it intends to establish time limits for oral presentations of both parties and persons. Accordingly, the following time limits shall apply:

- | | | |
|----|-------------------|------------|
| 1. | Applicant | 60 minutes |
| 2. | Any Other Parties | 15 minutes |
| 3. | Organizations | 5 minutes |
| 4. | Individuals | 3 minutes |

The Commission intends to adhere to the time limits as strictly as possible, in order to hear the case in a reasonable period of time. The Commission reserves the right to change the time limits for presentations if necessary and notes that no time shall be ceded. 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.

Information should be forwarded to the Director, 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.**

CAROL J. MITTEN, ANTHONY J. HOOD, JOHN G. PARSONS, GREGORY N. JEFFRIES, MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON SCHELLIN, SECRETARY TO THE ZONING COMMISSION.