

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: April 11, 2008  
Petition Date: May 27, 2008  
Hearing Date: June 11, 2008

License No.: 78743  
Licensee: Chix, LLC  
Trade Name: Chix  
License Class: Retailer's Class "D" Restaurant  
Address: 2019 11<sup>th</sup> Street, NW

WARD 1                      ANC 1B                      SMD 1B02

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 hearing date at 10:00 am, 7<sup>th</sup> Floor, Suite 7200, 941 North Capitol Street, NE, Washington, DC 20002. Petition and/or request to appear before the Board must be filed on or before the petition date.

NATURE OF OPERATION

New Restaurant. Summer Garden. No Entertainment

HOURS OF OPERATION

Sunday Closed  
Monday through Thursday, 11:30am-2am  
Friday 11:30am-3am  
Saturday, 12:30pm-3am

HOURS OF SALES OF ALCOHOLIC BEVERAGES

Sunday Closed  
Monday through Thursday, 12pm-12am  
Friday 12pm-2am  
Saturday, 12:30pm-1am

HOURS OF OPERATION FOR SUMMER GARDEN (15 SEATS)

Sunday Closed  
Monday through Thursday, 11:30am-12am  
Friday through Saturday 12:30pm-3am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: April 11, 2008  
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License No.: 78849  
Licensee: Republic Gardens, LLC  
Trade Name: The Republic  
License Class: Retailer's Class "C" Nightclub  
Address: 1355 U Street, NW

WARD 1                      ANC 1B                      SMD 1B02

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 hearing date at 10:00 am, 7<sup>th</sup> Floor, Suite 7200, 941 North Capitol Street, NE, Washington, DC 20002. Petition and/or request to appear before the Board must be filed on or before the petition date.

NATURE OF OPERATION

New Nightclub.

HOURS OF OPERATION

Sunday through Thursday 5:30pm-2am  
Friday through Saturday 5:30pm -3am

HOURS OF SALES OF ALCOHOLIC BEVERAGES

Sunday through Thursday 5:30pm-2am  
Friday through Saturday 5:30pm -3am

HOURS OF OPERATION FOR ENTERTAINMENT

Sunday through Thursday 6pm-2am  
Friday through Saturday 6pm -3am

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION****NOTICE OF PUBLIC HEARING**

Posting Date: April 11, 2008  
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License No.: 3814  
Licensee: Means Corporation  
Trade Name: Marrakesh Restaurant  
License Class: Retailer's "C" Tavern  
Address: 617 New York Avenue, NW  
WARD 2 ANC 2C SMD 2C03

Notice is hereby given for this licensee who has applied for a substantial change to his license under the D.C. Alcoholic Beverage Control Act and for objectors who are entitled to be heard before the granting of such on the hearing date at 10:00 a.m., 7<sup>th</sup> floor, Room 7200, 941 North Capitol Street, NE. A petition or request to appear before the Board must be filed on or before the petition date.

**REQUEST TO EXTEND HOURS OF OPERATION**

Current hours of sales of alcoholic beverages are Sunday through Saturday, 6 pm to 12:30 am.  
Proposed hours of sales of alcoholic beverages are Sunday through Saturday, 6 pm to 2 am.

## ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

## NOTICE OF PUBLIC HEARING

Posting Date: April 11, 2008

Petition Date: May 27, 2008

Hearing Date: June 11, 2008

License No.: 60298

Licensee: Irish Channel, LLC

Trade Name: Irish Channel Restaurant

License Class: Retailer's "C" Tavern

Address: 500 H Street, NW

WARD 6

ANC 6C

SMD 6C09

Notice is hereby given for this licensee who has applied for a substantial change to his license under the D.C. Alcoholic Beverage Control Act and for objectors who are entitled to be heard before the granting of such on the hearing date at 10:00 a.m., 7<sup>th</sup> floor, Room 7200, 941 North Capitol Street, NE. A petition or request to appear before the Board must be filed on or before the petition date.

REQUEST TO EXTEND HOURS OF OPERATION

Current hours of operation are Sunday through Thursday from 6 am to 1:30 am, and Friday and Saturday from 6 am to 2:30 am. Proposed hours of operation are Sunday through Thursday from 6 am to 2 am, and Friday and Saturday from 6 am to 3 am.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: April 11, 2008  
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License No.: 72734  
Licensee: Red & Black LLC  
Trade Name: The Red & Black  
License Class: Retailer's "C" Tavern  
Address: 1212 H Street, NE

WARD 6                      ANC 6A                      SMD 6A01

Notice is hereby given for this licensee who has applied for a substantial change to his license under the D.C. Alcoholic Beverage Control Act and for objectors who are entitled to be heard before the granting of such on the hearing date at 10:00 a.m., 7<sup>th</sup> floor, Room 7200, 941 North Capitol Street, NE. A petition or request to appear before the Board must be filed on or before the petition date.

REQUEST FOR A SUMMER GARDEN WITH 12 SEATS

The proposed hours of operation and the sale of alcoholic beverages for the summer garden are Sunday through Thursday, 5 pm to 2 am, Friday, 4 pm to 3 am, and Saturday, 5 pm to 3 am.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
 941 NORTH CAPITOL STREET, NE, 7<sup>TH</sup> FLOOR, ROOM 7200  
 WASHINGTON, D.C. 20002

PERSONS OBJECTING TO THE APPROVAL OF A RENEWAL APPLICATION ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF THE LICENSE. HEARINGS WILL BEGIN AT 10:00 AM AT 941 NORTH CAPITOL STREET, NE, 7<sup>TH</sup> FLOOR, ROOM 7200, HEARING ROOM.

RENEWAL NOTICES

POSTING DATE 4/11/2008  
 PETITION DATE 5/27/2008  
 HEARING DATE 6/11/2008

THE FOLLOWING ESTABLISHMENTS ARE RENEWING THEIR ABC LICENSES:

License #74461 LHO Tom Joad Circle DC Lessee, LLC

ANC 2F03 Donovan House

Class Retailer CH 02 1155 14TH STREET NW

Endorsement:

	<u>Hours of Operation</u>	<u>Hours of Sales</u>	<u>Entertainment Hours</u>	<u>Sidewalk Hours</u>
MON	24 hours	10 am to 2 am		
TUE	24 hours	10 am to 2 am		
WED	24 hours	10 am to 2 am		
THU	24 hours	10 am to 2 am		
FRI	24 hours	10 am to 2 am		
SAT	24 hours	10 am to 2 am		
SUN	24 hours	10 am to 2 am		

License #71810 Fetawork B. Reta & Kalechristos N. Jima

ANC 1B02 Cafe Collage

Class Retailer CT 01 1346 T STREET NW

Endorsement:

	<u>Hours of Operation</u>	<u>Hours of Sales</u>	<u>Entertainment Hours</u>	<u>Sidewalk Hours</u>
MON	7 am to 12 am	5 pm to 12 am		7 am to 8 pm
TUE	7 am to 12 am	5 pm to 12 am		7 am to 8 pm
WED	7 am to 12 am	5 pm to 12 am		7 am to 8 pm
THU	7 am to 12 am	5 pm to 12 am		7 am to 8 pm
FRI	7 am to 12 am	5 pm to 12 am		7 am to 8 pm

**DISTRICT DEPARTMENT OF THE ENVIRONMENT  
WATER QUALITY DIVISION  
NOTICE OF PUBLIC HEARING**

The District Department of Environment (DDOE) invites the public to present its comments at a public hearing on the fiscal year (FY) 2008 Project Priority List (PPL) for the District of Columbia's Construction Grant Program. The PPL delineate projects likely to receive Federal and D.C. funds to construct or improve wastewater treatment facilities and other related infrastructures for FY 2008 and in future years.

Copies of the Draft FY 2008 PPL and additional information are on file at the Martin Luther King, Jr. Library, 901 G St., NW, Washington, D.C. 20001, and may be inspected during normal business hours. In addition, the document can be downloaded at the following website address <http://ddoe.dc.gov> under the Information section at the Public Notices bullet.

**DATE:** Tuesday, May 13, 2008  
**TIME:** 6:00 p.m.  
**PLACE:** District Department of the Environment  
51 N Street, N.E., Washington, D.C. 20002  
6th Floor Conference Room  
New York Avenue Metro Stop

Persons who wish to testify are requested to furnish in writing, their names, addresses, telephone numbers, and the organization they represent, if any, to the attention of N. Shulterbrandt at the address below, by Thursday, May 8, 2008.

District Department of the Environment  
Water Quality Division  
51 N Street, N.E., 5<sup>th</sup> Floor  
Washington, D.C. 20002

Other persons present at the hearing who wish to be heard, may testify if there is time after those on the witness list have been called and heard. Persons are urged to submit duplicate copies of their written statements. All presentations shall be limited to five minutes. The hearing will end earlier if all persons wishing to make comments have been heard. Persons may submit written testimony by mail to the address above. Such written testimony is to be clearly marked "PPL Public Hearing 2008," and received by Friday, May 16, 2008.

DDOE will consider all comments in its final decision.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
Department of Insurance, Securities and Banking

**Notice of Public Hearing**

Before the Commissioner of the **Department of Insurance, Securities and Banking**

**You are hereby notified** that a Public Hearing on the proposed Acquisition of Control of and Merger with Domestic Insurer, Unison Health Plan of the Capital Area, Inc. ("UHPCA"), by UnitedHealth Group Incorporated, will be held by the Commissioner of Insurance, Securities and Banking for the District of Columbia (the "Department") pursuant to the Holding Company System Act of 1993, effective October 21, 1993 (D.C. Law 10-44; D.C. Official Code § 31-703 *et seq.* (2001)), and subject to the Rules of Practice and Procedures for Hearings found at Chapter 38, Title 26, of the District of Columbia Municipal Regulations ("DCMR"), on **Tuesday, May 13, 2008 at 10:00 a.m.**, 441 4th Street, NW, Old Council Chambers, Washington, D.C. 20001.

On January 23, 2008, pursuant to D.C. Official Code §§ 31-703(a)(2) and 31-3427, UnitedHealth Group Incorporated filed with the Department a Form A Statement concerning the proposed acquisition of UHPCA by UnitedHealth Group, Inc. The Commissioner has been charged with conducting a hearing and reviewing the proposed acquisition pursuant to, and evaluated against the criteria found at, D.C. Official Code § 31-703(g)(1)(A). Under the terms of the Stock Purchase Agreement, UnitedHealth Group, Inc., through its wholly-owned subsidiary AmeriChoice Corporation, will acquire control of UHPCA in an all-cash purchase of 100% of the issued and outstanding capital stock of Three Rivers Holdings, Inc., a Delaware Corporation that owns all of the issued and outstanding capital stock of UHPCA, among other operating subsidiaries. For more information regarding the transaction, please contact the Department to review the Form A filing.

At the public hearing, which will be conducted in accordance with the procedural requirements found at D.C. Official Code § 31-703(g)(2) and 26 DCMR 3800 *et seq.*, the person filing the statement, the domestic insurer being acquired, and any person qualifying as a Party shall have the right to present evidence, examine and cross-examine witnesses, offer oral and written arguments and to conduct discovery generally. Any person who desires to participate in the public hearing as a Party must file a Motion to Intervene, pursuant to 26 DCMR 3806.7, which must be received **no later than 4:30 P.M., on Wednesday, May 7, 2008**. All discovery proceedings must be concluded not later than 3 days prior to the commencement of the public hearing. All inquiries, correspondence and pleadings should be sent to the attention of Mrs. Leslie Johnson, Hearing Officer, District of Columbia Department of Insurance, Securities and Banking, 810 First Street, N.E., #701, Washington, D.C. 20002.

If a party or witness is deaf, or because of hearing impediment cannot readily understand or communicate the spoken English language, the party or witness may apply for the appointment of a qualified interpreter, or if any person requires special accommodations due to disability should notify the Hearing Officer at least 10 business days in advance of the public hearing.

**BOARD OF ZONING ADJUSTMENT  
PUBLIC HEARING NOTICE  
TUESDAY, JUNE 24, 2008  
SECOND FLOOR HEARING ROOM, SUITE 220-S  
441 4<sup>TH</sup> 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 FOUR**

**17787 ANC-4A Application of The Republic of Uganda, pursuant to 11 DCMR §§ 201.1 and 1000.1, to allow the establishment of a chancery (offices of a foreign mission) in the SSH/R-1-B District at premises 5909 16<sup>th</sup> Street, N.W. (Square 2724, Lot 4).**

**WARD FOUR**

**17783 ANC-4C Application of Laurence and Andrea Gibbons, pursuant to 11 DCMR § 3103.2, for a variance from the lot area requirements under section 401.3, to construct a new one-family detached dwelling in the R-1-B District at premises 4301 16<sup>th</sup> Street, N.W. (Square 2698, Lot 37).**

**WARD EIGHT**

**17774 ANC-8E Application of District-Properties.com LLC, pursuant to 11 DCMR § 3104.1, for a special exception to construct a new eight (8) unit multi-family (condominium) building under section 353, in the R-5-A District at premises 930 Bellevue Street, S.E. (Square 5924, Lots 141, 142, and 143).**

**P.M.**

**WARD TWO**

## BZA PUBLIC HEARING NOTICE

JUNE 24, 2008

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17785      **Application of Michael Yochelson**, pursuant to 11 DCMR §  
ANC-2B      3103.2, for a variance from the floor area ratio requirements under  
                 section 402, a variance from the lot occupancy requirements under  
                 section 403, and a variance from the nonconforming structure  
                 provisions under subsection 2001.3, for a third floor addition and  
                 roof deck serving a flat (two-family dwelling), in the R-5-B District  
                 at premises 1776 Willard Street, N.W. (Square 151, Lot 221).

**WARD ONE**

17786      **Application of True Gospel Church**, pursuant to 11 DCMR §  
ANC-1B      3104.1, for a special exception to establish an accessory parking lot  
                 (11 spaces) under section 214, in the R-5-B District at premises 1106  
                 W Street, N.W. (Square 303, Lots 52 and 53).

**WARD FIVE****THIS APPEAL WAS CONTINUED FROM THE MARCH 18, 2008 PUBLIC HEARING SESSION:**

17730      **Appeal of Milton E. Hall**, pursuant to 11 DCMR §§ 3100 and 3101,  
ANC-5B      from a July 19, 2007, decision of the Zoning Administrator to revoke  
                 Certificate of Occupancy No. 40047, for operating a junk yard in the  
                 C-M-1 District at premises 1715 Bladensburg Road, N.E. (Square  
                 4410, Lot 20).

**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.

## BZA PUBLIC HEARING NOTICE

JUNE 24, 2008

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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 4<sup>th</sup> 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.

**RUTHANNE G. MILLER, CHAIRPERSON, MARC D. LOUD, MARY OATES WALKER, SHANE L. DETTMAN, AND A MEMBER OF THE ZONING COMMISSION ----- BOARD OF ZONING ADJUSTMENT, BY JERRILY R. KRESS, FAIA, DIRECTOR.**

PHN 6/24/08.rsn

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

**TIME AND PLACE:** Monday, June 2, 2008, 6:30 P.M.  
Office of Zoning Hearing Room  
441 4<sup>th</sup> Street, N.W., Suite 220-South  
Washington, D.C. 20001

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

**Z.C. CASE NO. 05-24B (Modification to Consolidated PUD -- Eastgate Family Housing)**

**THIS CASE IS OF INTEREST TO ANC 7E**

On February 2, 2008, the Office of Zoning received an application from A&R/THC II LLC (the "Applicant"). The Applicant requested a minor modification to the planned unit development approved by Z.C. Order No. 05-24B. The Office of Planning provided its report on February 6, 2007. The Zoning Commission determined that the modification is not minor, and the case was set down for hearing on March 24, 2008.

The property that is the subject of this application consists of approximately 16.03 acres of land area (698,382 square feet) in the Marshall Heights neighborhood. The site is bounded by Fitch Street, 51<sup>st</sup> Street, Queen's Stroll Place (Drake Place), and Benning Road, S.E. It is rolling hillside that changes in grade by approximately 80 feet, rising from Benning Road and Fitch Street to the level of the rest of the neighborhood at its north and east ends. The property is identified as Lots 9-20 in Square 5318, Lots 20-36 in Square 5319, and Lots 29-36 in Square 5320 (the "PUD Site"). No change in the existing R-5-A zoning was requested.

The approved PUD consists of 186 dwelling units, including 158 townhouses, 20 detached single-family dwellings, and eight units in two grandhomes (each having four units). The overall goal is to create a stable, mixed-income residential community, with the emphasis on affordable housing. Eighty units (43 percent [43%]) will be in the low-income range, 42 units (23 percent [23%]) will be in the moderate-income range and 64 units (34 percent [34%]) will be market rate.

The applicant proposes to modify the previously approved PUD by substituting 45 townhouses for the approved 20 detached houses. The Applicant is also requesting flexibility as to whether off-street parking will be provided for the 45 additional townhouses.

R-5-A is a low-density apartment house zone that allows a variety of residential building types within a height limit of forty feet (40' or three stories) and a maximum density of 0.9 floor area ration ("FAR"). With a PUD, the maximum permitted building height is sixty feet (60') and the maximum density FAR is 1.0 FAR.

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

Z.C. PUBLIC HEARING NOTICE  
Z.C. CASE NO. 05-24B  
PAGE 2

**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.**

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:

Z.C. PUBLIC HEARING NOTICE  
Z.C. CASE NO. 05-24B  
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- (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 modification request as 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) 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 time limits for oral testimony shall be adhered to unless changed by the Commission, and no time may be ceded:

- |    |                                  |   |
|----|----------------------------------|---|
| 1. | Applicant and parties in support | 60 minutes collectively                   |
| 2. | Parties in opposition            | 15 minutes each (60 minutes collectively) |
| 3. | Organizations                    | 5 minutes each                            |
| 4. | Individuals                      | 3 minutes each                            |

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 210, 441 4<sup>th</sup> Street, N.W., Washington, D.C. 20001. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**ANTHONY J. HOOD, GREGORY JEFFRIES, CURTIS ETHERLY, JR., PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.**

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

**TIME AND PLACE:** Thursday, June 5, 2008, at 6:30 P.M.  
Office of Zoning Hearing Room  
441 4<sup>th</sup> Street, N.W., Suite 220-South  
Washington, D.C. 20001

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

**Z.C. CASE NO. 06-40 (Gateway Market Center, Inc. - Consolidated PUD & Related Map Amendment)**

**THIS CASE IS OF INTEREST TO ANC 5B**

On March 31, 2008, the Office of Zoning received an application from Gateway Market Center, Inc. (the "Applicant"). The Applicant is requesting approval of a consolidated planned unit development ("PUD") and related map amendment from C-M-1 to C-3-C. The Office of Planning provided its report on February 29, 2008, and the case was set down for hearing March 24, 2008.

The property that is the subject of this application consists of approximately 39,463 square feet of land. The property is bounded generally by Florida Avenue, N.E. on the south; 4<sup>th</sup> Street, N.E. on the east; Morse Street, N.E. on the north; and adjoining parcels on the west. This property is legally identified as Square 3587, Lots 5, 800, 802, and 809 and Parcels 129/9 and 129/32. A Lot Consolidation has been applied for. The subject property is currently zoned C-M-1.

The Applicant proposes to develop a new mixed use development on the site, consisting of approximately 43,026 square feet of retail on two levels; approximately 55,361 square feet of office space on two levels; and 116 residential rental apartments on six floors. Below-grade parking will be provided for 186 cars and 19 bicycles. Total project area is 285,354 square feet, for a total floor area ratio ("FAR") of 7.2.

The residential component consists of 92 market rate units (of which eight are top floor duplex units), and 24 units affordable to households at between 80% and 120% of the Area Median Income. A minimum of 82 spaces will be provided for the residential units; a ratio of one space for every 1.4 units.

The C-M-1 District permits development of low bulk commercial and light manufacturing uses to a maximum FAR of 3.0, and a maximum height of three (3) stories/forty (40) feet with standards of external effects and new residential prohibited.

Z.C. PUBLIC HEARING NOTICE  
Z.C. CASE NO. 06-40  
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The C-3-C District permits matter-of-right development for major business and employment centers of medium/high density development, including office, retail, housing, and mixed uses to a maximum lot occupancy of 100%, a maximum PUD density of 8.0 FAR for residential and for other permitted uses, and a maximum PUD height of one hundred thirty (130) feet.

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;

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Z.C. CASE NO. 06-40  
PAGE 3

- (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 time limits for oral testimony shall be adhered to unless changed by the Commission, and no time may be ceded:

- |    |                                  |   |
|----|----------------------------------|---|
| 1. | Applicant and parties in support | 60 minutes collectively                   |
| 2. | Parties in opposition            | 15 minutes each (60 minutes collectively) |

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- 3. Organizations 5 minutes each
- 4. Individuals 3 minutes each

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 200/210-S, 441 4<sup>th</sup> Street, N.W., Washington, D.C. 20001. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**ANTHONY J. HOOD, GREGORY N. JEFFRIES, CURTIS L. ETHERLY, JR., MICHAEL G. TURNBULL, AND PETER G. MAY----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.**