

**D.C. Board of Education
Announces a Public Hearing on a
Proposed Rulemaking to Amend Chapter 22 of the
Board Rules on Grades, Promotion and Graduation Requirements**

**Friday, June 2, 2006
4:00 p.m. - 6:30 p.m.
5th Floor Board Room
825 North Capitol Street, NE
Washington, DC 20002**

The D.C. Board of Education will hold a public hearing to solicit comments on a proposed rulemaking to amend Chapter 22 of the Board rules on grades, promotion and graduation requirements.

The Board of Education adopted a proposed rulemaking that would change Board rules on grades, promotion standards and graduation requirements that will ensure that all District of Columbia students meet the highest expectations for knowledge and skills at each grade level and affirmed its commitment to ensuring that the children of the District of Columbia are competitive regionally and nationally. The rulemaking is available on the Board's website www.k12.dc.us/dcps/boe/boehome.html

The Board of Education extends an invitation to the public to testify at the Public Hearing on Friday, June 2, 2006. Those who wish to testify should contact Heather Reynolds at (202) 442-4289 by the close of business, June 1, 2006. Witnesses should bring 10 copies of their written testimony to the Public Hearing. Public testimony will be limited to three (3) minutes for oral presentations.

If you are unable to testify at the Public Hearing, written statements are encouraged and will be part of the official record. Copies of written statements should be submitted to Ms. Peggy Cooper Cafritz, President to the D.C. Board of Education, 825 North Capitol Street, N.E., Washington, DC 20002.

**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 to the D.C. Inventory of Historic Sites as historic landmarks and as a southward extension of the boundaries of the existing Sixteenth Street Historic District. The Board will also consider the nomination of the properties to the National Register of Historic Places:

Case No. 06-10: Saint Martin's School and Convent

62 and 116 T Street and 65 Todd Place, NE
Square 375, Lot 825

Case No. 91-05: Third Church of Christ, Scientist

1601-1605 I Street and 900-918 16th Street, NW
Square 185, Lot 41

Case No. 00-04: Sixteenth Historic District expansion

800, 801, 815, 901, 900-918, 920, 923, 1000-1006, 1001, 1010, 1016, 1020, 1026, 1100-1102, 1101, 1106-1110, 1111, 1112, 1114-1126, 1115, 1119-1125, 1126, 1128, 1133-1135, 1142, 1146, 1152-1156, 1155, 1200-1210, 1201-1227, 1212, 1214, 1216, 1218, 1220, 1222, 1226-1230 16th Street, NW;

1525 and 1601 H Street, NW;

1600, 1601-1605 I Street, NW

1600-1602, 1601-1617 K Street, NW;

1600 L Street, NW;

1600-1620 M Street, NW;

1145-1155 17th Street, NW and

1500 and 1600 Massachusetts Avenue, NW; also known as:

Square 182, Lots 55, 56, 57, 826, 829 and 830;

Square 183, Lots 91, 105, 106, 111, 881 and 882;

Square 184, Lots 17, 59, 68, 74 and 830;

Square 185, Lots 41, 811, 812 and 813;

Square 186, Lots 39 and 809;

Square 196, Lots 35 and 832;

Square 197, Lots 80, 84, 820, 840, 841 and 853;

Square 198, Lot 39;

Square 199, Lots 824 and 833; and

Square 200, Lots 26 and 810; also known as:

The hearing will take place at **10:00 a.m. on Thursday, June 22, 2006**, 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 landmark 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 the 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.

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
TUESDAY, JULY 25, 2006
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 ONE

17506 Application of Scott D. Greenwald, pursuant to 11 DCMR §
ANC-1D 3104.1, for a special exception to allow a rear addition to an existing
single-family dwelling under section 223, not meeting the lot
occupancy (section 403) and side yard (section 405) requirements in
the R-4 District at premises 1834 Park Road, N.W. (Square 2606,
Lot 82).

WARD TWO

**THIS APPLICATION WAS CONTINUED FROM THE MARCH 21, 2006,
PUBLIC HEARING SESSION:**

17447 Application of 2142 O Street LLC, pursuant to 11 DCMR §
ANC-2B 3103.2, for a variance from the floor area ratio requirements under
subsection 402.4, and a variance from the nonconforming structure
provisions under subsection 2001.3, to allow the enlargement of an
existing vacant former apartment building from 10 units to 8-9
condominium units in the DC/R-5-B District at premises 2142 O
Street, N.W. (Square 69, Lot 218).

WARD EIGHT

17507 Application of Brownstein Commons LP, pursuant to 11 DCMR §
ANC-8E 3103.2, for a variance from the off-street parking requirements under

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subsection 2101.1, and pursuant to 11 DCMR § 3104.1, for a special exception to allow the construction of a new 240 unit residential condominium development consisting of 12 buildings under sections 353 and 410, in the R-5-A District at premises 1100-1204 Mississippi Avenue, S.E. and 3401-3411 10th Place, S.E. (Square 5933, Lot 45, and Square 5934, Lots 14-18 and 801).

P.M.

WARD SIX

17505
ANC-6C **Application of Trammel Crow Company**, pursuant to 11 DCMR § 3104.1, for a special exception from the roof structure requirements under section 411, and a special exception for a partial waiver of the rear yard requirements under subsections 774.2 and 774.9(c) and pursuant to 11 DCMR § 3103.2, a variance from the court width requirements under section 776, to allow the construction of a hotel in the C-3-C District at premises 201 Florida Avenue, N.E. (Square E-710, Lot 810).

WARD SIX

17501
ANC-6C **Application of Cynthia A. Jones on behalf of Jones & Araque LLC**, pursuant to 11 DCMR § 3104.1, for a special exception to establish a fast food restaurant under section 733, in the C-2-A District at premises 605 2nd Street, N.E. (Square 753, Lot 94).

WARD SIX

17504
ANC-6C **Appeal of JMM Corporation**, pursuant to 11 DCMR §§ 3100 and 3101, from the administrative decision of Administrative Law Judges, Department of Consumer and Regulatory Affairs (DCRA) for a revocation of certificates of occupancy, and the issuance of a cease and desist order directed at Fun Fair Video for operating a sexually oriented business. The subject property is located in the DD/C-2-C District at premises 919 5th Street, N.W. (Square 516, Lot 825.)

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. 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 7/25/06 rsn

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

TIME AND PLACE: **Thursday, July 6, 2006, at 6:30 P.M.**
Office of Zoning Hearing Room
441 4th Street, N.W., Suite 220-South
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 06-01 (3rd and H Streets, N.E. – Steuart Investment Company and Steuart-H Street LLC)

THIS CASE IS OF INTEREST TO ANC 6C

On January 6, 2006, the Office of Zoning received an application from the Steuart Investment Company and Steuart-H Street LLC. The Applicants are requesting approval of a planned unit development (PUD) and a related zoning map amendment from C-2-A to C-2-B for a portion of the subject property. The Office of Planning provided its report on March 3, 2006, and the case was set down for hearing on March 13, 2006. The Applicant provided its prehearing statement as part of its application on April 28, 2006.

The property that is the subject of this application consists of approximately 60,870 square feet of land area and is located in the block bounded by 3rd, 4th, H and I Streets, N.E. The property fronts on 3rd, 4th and H Streets and is known as Square 776, lots 9, 25-31, 51-53, 800 and 821 and portions of public alleys proposed to be closed. The subject properties are currently zoned C-2-B and C-2-A.

The Applicant proposes to construct a mixed-use development containing approximately 210 to 250 apartment units and approximately 69,000 square feet of gross floor area devoted to retail and service uses., including a grocery store of approximately 45,000 square feet plus additional loading and support space. The building will have a maximum height of 90 feet, stepping down to the north and east sides of the project. The total gross floor area of the project is approximately 307,299 square feet; the proposed overall floor area ratio (FAR) of the project is 5.05. The project will contain a total of 365 parking spaces.

The C-2-A District permits mixed residential and commercial development as a matter-of-right, to a maximum lot occupancy of 60% for residential use, a maximum FAR of 2.5, of which no more than 1.5 may be devoted to other than residential uses and a maximum height of fifty feet.

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Under Chapter 24, the guideline for height in a PUD is sixty-five feet and the guideline for FAR in a PUD is 3.0, of which no more than 2.0 may be commercial.

The C-2-B District permits mixed residential and commercial development as a matter-of-right, to a maximum lot occupancy of 80% for residential use, a maximum FAR of 3.5, of which no more than 1.5 may be devoted to other than residential uses and a maximum height of ninety feet. Under Chapter 24, the guideline for height in a PUD is ninety feet and the guideline for FAR in a PUD is 6.0, of which no more than 2.0 may be commercial.

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.

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;

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- (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:
 - (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. 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.

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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 4th Street, N.W., Washington, D.C. 20001. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

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