

COUNCIL OF THE DISTRICT OF COLUMBIA

Notice of Reprogramming Request

Pursuant to DC Code Sec 47-361-et.seq of the Reprogramming Policy Act of 1990, the Council of the District of Columbia gives notice that the Mayor has transmitted the following reprogramming request(s).

A reprogramming will become effective on the 15th day after official receipt unless a Member of the Council files a notice of disapproval of the request which extends the Council's review period to 30 days. If such notice is given, a reprogramming will become effective on the 31st day after its official receipt unless a resolution of approval or disapproval is adopted by the Council prior to that time.

Comments should be addressed to the Secretary to the Council, Room 5, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. Copies of reprogramming requests are available in Legislative Services, Room 10. Telephone: 724-8050

Reprog. 16-88: Request to reprogram \$1,400,000 of local funds budget authority within the Office of the Chief Financial Officer (OCFO) was received in the Chairman's Office on July 25, 2006. The reprogramming will help cover higher costs related to financial systems enhancements.

RECEIVED: 14 day review began July 26, 2006

Reprog. 16-89: Request to reprogram \$2,592,558 of special purpose revenue budget authority within the Office of the Chief Financial Officer (OCFO) was received in the Chairman's Office on July 25, 2006. The reprogramming will reallocate budget authority across several programs so that it conform to the agency's spending plan.

RECEIVED: 14 day review began July 26, 2006

Reprog. 16-90: Request to reprogram \$1,000,000 of special purpose revenue funds budget authority from the Department of Housing and Community Development (DHCD) to the Department of Employment Services (DOES) was received in the Chairman's Office on July 25, 2006. The reprogramming will reallocate budget authority to cover contractual services costs.

RECEIVED: 14 day review began July 26, 2006

Reprog. 16-91: Request to reprogram \$681,298 of special purpose revenue funds budget authority from the Office of the City Administrator (OCA) to the Office of Cable Television and Telecommunications (OCTT) was received in the Chairman's Office on July 25, 2006. The reprogramming will help cover specialized contractual services costs that will allow OCTT to broadcast in high definition and for higher than anticipated rent.

RECEIVED: 14 day review began July 26, 2006

Reprog. 16-92: Request to reprogram \$250,000 of local funds budget authority from the Office of the City Administrator (OCA) and the Office of the Deputy Mayor for Planning and Economic Development to the Executive Office of the Mayor (EOM) was received in the Chairman's Office on July 25, 2006. The reprogramming will help provide funds to create a new program within EOM, the Office of Baseball.

RECEIVED: 14 day review began July 26, 2006

Reprog. 16-93: Request to reprogram \$30,000 of local funds budget authority from the Office of the Secretary (OS) to the Office of Veterans Affairs (OVA) was received in the Chairman's Office on July 25, 2006. The reprogramming will cover higher than anticipated spending in personal services and fixed costs.

RECEIVED: 14 day review began July 26, 2006

Reprog. 16-94: Request to reprogram \$2,900,000 of capital budget authority within the Office of the Chief Technology Officer (OCTO) was received in the Chairman's Office on July 25, 2006. The reprogramming will cover related to the construction and implementation of certain modules of the Administrative Services Modernization project.

RECEIVED: 14 day review began July 26, 2006

RE-ADVERTISED

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

POSTING DATE: AUGUST 4, 2006
PETITION DATE: SEPTEMBER 18, 2006
HEARING DATE: OCTOBER 4, 2006

LICENSE NO. 19970
LICENSEE: PARASI, IINC.
TRADE NAME: TUSCANA WEST
LICENSE CLASS: RETAILER "C" RESTAURANT
ADDRESS: 1350-I STREET, NW
WARD 2 SMD 2F03 ANC 2F

NOTICE IS HEREBY GIVEN THAT THE ABOVE LICENSEE HAS APPLIED FOR AN ENTERTAINMENT ENDORSEMENT PURSUANT TO SECTION 1001 OF TITLE 23 OF DCMR AND THAT OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH ENDORSEMENT ON THE ABOVE HEARING DATE AT 10:00AM, 7TH FLOOR, SUITE 7200, 941-NORTH CAPITOL ST., NE. PETITION AND/OR REQUEST TO APPEAR BEFORE THE BOARD MUST BE FILED ON OR BEFORE THE ABOVE PETITION DATE.

THE LICENSEE IS REQUESTING AN ENTERTAINMENT ENDORSEMENT FOR THE FOLLOWING:

ENTERTAINMENT, COVER CHARGE AND DANCING

HOURS OF LIVE ENTERTAINMENT

SUNDAY THRU THURSDAY	NONE
FRIDAY AND SATURDAY	11:00PM-2:30AM

**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 an application to designate the following property as an historic landmark in the D.C. Inventory of Historic Sites. The Board will also consider the nomination of the property to the National Register of Historic Places:

**Case No. 06-08: The Bulletin Building
717 6th Street, NW
Square 486, Lot 9**

The hearing will take place at **10:00 a.m. on Thursday, September 28, 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, OCTOBER 17, 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 SIX

17528 **Application of Jerry Weinberger, pursuant to 11 DCMR § 3104.1,**
ANC-6B for a special exception to allow a rear addition to an existing single-
family row dwelling under section 223, not meeting the lot
occupancy requirements under section 403, in the R-4 District at
premises 743 10th Street, S.E. (Square 950, Lot 74).

WARD TWO

17524 **Application of Andrew and SukYang Johnson, pursuant to 11**
ANC-2E DCMR § 3103.2, for a variance from the floor area ratio
requirements under section 771.2, to establish a dry cleaners (drop-
off and pick-up only) in the C-1 District at premises 1425 27th Street,
N.W. (Square 1262, Lot 76).

WARD TWO

17525 **Application of Braxton Hotel and Condominium LLC, pursuant**
ANC-2F to 11 DCMR § 3103.2, for a variance from the lot occupancy
provisions under section 403, a variance from the rear yard
requirements under section 404, a variance from the court
requirements under section 406, and variances from the
nonconforming structure and use provisions under subsections
2001.3 and 2002.5, to allow the enlargement of an existing hotel or
transient rooming house to an inn in the R-5-E District at premises
1440 Rhode Island Avenue, N.W. (Square 211, Lot 839).

P.M.

WARD THREE

17527 **Application of John R. Klein**, pursuant to 11 DCMR § 3104.1, for
ANC-3F a special exception to continue the use of an accessory parking lot
under sections 213 and 2303 (the parking lot was last approved
under BZA Order No. 16659, dated June 13, 2001), in the R-1-B
District at premises 4418-4420 Connecticut Avenue, N.W. (Square
1971, Lot 825).

WARD TWO

17519 **Appeal of Advisory Neighborhood Commission 2E**, pursuant to
ANC-2E 11 DCMR §§ 3100 and 3101, from the administrative decision of the
Zoning Administrator (ZA), Department of Consumer and
Regulatory Affairs (DCRA) to issue Building Permit No. 89770,
allowing conversion of an existing single-family semi-detached
dwelling into a row dwelling. Appellant alleges that issuance of the
permit violated the lot occupancy (section 403) provisions of the
Zoning Regulations and that the ZA should have required the BZA
approval for the conversion. The subject property is located in the R-
3 District at premises 1812 35th Street, N.W. (Square 1296, Lot 802).

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

OCTOBER 17, 2006

PAGE NO. 3

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 10/17/06 rsn

The Property currently is located primarily in the R-5-D Zone district. Some properties located near Washington Circle and F Street are in the R-5-E Zone, and some properties located along Pennsylvania Avenue and between 19th and 20th Street are in the C-3-C Zone. The Zoning Map Amendment application requests a PUD-related rezoning of portions of Squares 55, 56, 75, 77, 79, and 101 to the C-3-C Zone, and a PUD-related rezoning of a portion of Square 75, located along Pennsylvania Avenue, to the C-4 Zone. The remainder of the Property will remain in its existing R-5-D or R-5-E Zone, except for Squares 80 and 54, which will be the subject of separate PUD applications. For the portions of the Property located in the C-3-C and C-4 Zones, the maximum height will be 130 feet, or the maximum height permitted under the 1910 Height Act, whichever is less. The FAR will continue to be aggregated, as required under Section 210 of the Zoning Regulations, among the residentially-zoned properties throughout the campus to the maximum FAR set forth in the Zoning Regulations. (The maximum FAR permitted under Section 210 is the subject of a proposed text amendment currently under consideration in Z.C. Case No. 06-19, which will be heard immediately prior to these cases.) The development sites that will be rezoned will be developed to an FAR of no greater than the permitted FAR under the PUD regulations for the C-3-C and C-4 Districts, as reviewed and approved by the Zoning Commission during the Second Stage PUD.

The proposed Foggy Bottom Campus Plan: 2006 - 2025 is intended to address the University's forecasted academic and undergraduate student housing space requirements within the existing Foggy Bottom Campus Plan boundaries, concentrated within the campus core, as well as measures to preserve open spaces and buildings of architectural and historic significance on the campus. The plan calls for the creation of a retail corridor along I Street and proposes mechanisms for monitoring the University's compliance with the campus plan.

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 is 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;
- (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.

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

**NOTICE OF PUBLIC HEARING
Z.C. CASE NO. 06-19
PAGE 2**

The public hearing on this case will be conducted in accordance with the provisions of § 3021 of the District of Columbia Municipal Regulations, Title 11, Zoning. Pursuant to § 3020, the Commission will impose time limits on testimony presented to it at the public hearing.

All individuals, organizations, or associations wishing to testify in this case should file their intention to testify in writing. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record.

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 G. TURNBULL, ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON SCHELLIN, SECRETARY TO THE ZONING COMMISSION.