

RESCHEDULED

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

HEARING DATE: JUNE 1, 2005

APRIL 1, 2005, NOTICE IS HEREBY GIVEN THAT THE FOLLOWING PERSONS HAVE APPLIED FOR A LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT, THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH LICENSES ON JUNE 1, 2005 10:00 A.M., 7<sup>TH</sup> FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E.

LICENSE NO. 17426, TRINIDAD AND TOBAGO ASSOCIATION OF WASHINGTON T/A T & T ASSOCIATES, RETAILER'S CLASS "CX" CLUB, 5123 GEORGIA AVE., NW WARD 4 ANC 4D04

LICENSEE REQUEST PERMISSION TO EXTEND ITS HOURS OF OPERATION:

CURRENT HOURS

MONDAY THROUGH SUNDAY, 10AM-4AM

PREPOSE HOURS

MONDAY THROUGH SUNDAY, 10AM-5AM

SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES

SUNDAY THROUGH THURSDAY, 10AM-2AM

FRIDAY AND SATURDAY, 10AM-3AM

PETITION AND/OR REQUEST TO APPEAR BEFORE THE BOARD MUST BE FILED ON OR BEFORE MAY 17, 2005

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

HEARING DATE: MAY 25, 2005

MARCH 25, 2005 NOTICE IS HEREBY GIVEN THAT THE FOLLOWING PERSONS HAVE APPLIED FOR A LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT, THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH LICENSES ON MAY 25, 2005 AT 10:00AM, 7<sup>th</sup> FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E.

LICENSE NO. 19249, ETHIOPIC INTERPRISE, INC., T/A MARTHA'S MARKET, RETAILER'S CLASS "B" GROCERY/DELICATESSEN, 2400-MINNESOTA AVE., SE. WARD 8 ANC 8A01

NATURE OF OPERATION

TRANSFER TO NEW LOCATION, GROCERY/DELICATESSEN, TRANSFERING FROM 1919-9<sup>TH</sup> STREET, NW.

SALE AND SERVICE OF ALCOHOLIC BEVERAGES

SUNDAY THROUGH SATURDAY 9:00AM-10:00PM

PETITION AND/OR REQUEST TO APPEAR BEFORE  
THE BOARD MUST BE FILED ON OR BEFORE  
MAY 10, 2005

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

HEARING DATE: JUNE 1, 2005

APRIL 1, 2005, NOTICE IS HEREBY GIVEN THAT THE FOLLOWING PERSONS HAVE APPLIED FOR A LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT, THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH LICENSES ON JUNE 1, 2005 10:00 A.M., 7<sup>TH</sup> FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E.

LICENSE NO. 60581, MATCHBOX LLC T/A MATCHBOX, RETAILER'S CLASS "C" TAVERN, 713 "H" ST., NW WARD 2 ANC 2C03

LICENSEE REQUEST PERMISSION TO EXPAND LICENSED PREMISE TO INCLUDE SPACE AT 711 "H" ST., NW AND 807 - 8<sup>TH</sup> ST., NW

PETITION AND/OR REQUEST TO APPEAR BEFORE  
THE BOARD MUST BE FILED ON OR BEFORE  
MAY 17, 2005

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
941 NORTH ST., NE, 7<sup>TH</sup> FLOOR  
SUITE 7200  
WASHINGTON, DC 20002  
(202) 442-4423  
HEARING DATE: MAY 25, 2005

MARCH 25, 2005 NOTICE IS HEREBY GIVEN THAT THE FOLLOWING PERSONS HAVE APPLIED FOR A LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT, THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH LICENSES ON MAY 25, 2005 10:00 A.M., 7<sup>TH</sup> FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E.

LICENSE NO. 71962 PHARAOH'S ROCK N' & BLUES BAR & GRILL, LLC T/A PHARAOH'S ROCK N' & BLUES BAR & GRILL RETAILER'S CLASS "C" RESTAURANT 1817 COLUMBIA ROAD, NW, WARD 1 ANC 1C03

LICENSEE REQUEST TO CHANGE THE FOLLOWING: CLASS OF LICENSE FROM "C" RESTAURANT TO "C" TAVERN. ADD LIVE MUSIC. CHANGE THE HOURS OF OPERATION, ALCOHOL SALES AND CONSUMPTION, ADD LIVE ENTERTAINMENT:

CURRENT HOURS OF OPERATION, ALCOHOL SALES AND CONSUMPTION

SUNDAY, 12PM-4PM  
MONDAY THRU WEDNESDAY, 6:00PM-11:30PM  
THURSDAY 6:00PM-12:30AM  
FRIDAY 6:00PM-1:30AM  
SATURDAY 11:00AM-1:30AM

PROPOSED HOURS OF OPERATION, ALCOHOL SALES AND CONSUMPTION

SUNDAY THRU THURSDAY, 12PM -2AM  
FRIDAY AND SATURDAY, 12PM-3AM

PROPOSED HOURS OF LIVE ENTERTAINMENT

SUNDAY -THURSDAY, 10PM-2AM  
FRIDAY AND SATURDAY, 10PM-3AM

PETITION AND/OR REQUEST TO APPEAR BEFORE  
THE BOARD MUST BE FILED ON OR BEFORE  
MAY 10, 2005

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

HEARING DATE: MAY 25, 2005

MARCH 25, 2005 NOTICE IS HEREBY GIVEN THAT THE FOLLOWING PERSONS HAVE APPLIED FOR A LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT, THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH LICENSES ON MAY 25, 2005 AT 10:00AM, 7<sup>th</sup> FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E.

LICENSE NO. 72311, HUMPHRIES ENTERPRISE, LLC. T/A H STREET MARTINI LOUNGE  
RETAILER'S CLASS "C" TAVERN, 1236-H STREET, NE.  
WARD 6 ANC 6A01

NATURE OF OPERATION

NEW TAVERN OPERATE AS BAR AND LOUNGE, SERVING AMERICAN CUISINE, WITH DANCE FLOOR, LIVE JAZZ BAND, DJ, FOR R&B MUSIC, HAND DANCING, SALSA AND KARAOKE.

SALE AND SERVICE OF ALCOHOLIC BEVERAGES

SUNDAY	12:00PM-11:00PM
MONDAY THROUGH THURSDAY	12:00PM-2:00AM
FRIDAY THROUGH SATURDAY	12:00PM-3:00AM

PETITION AND/OR REQUEST TO APPEAR BEFORE  
THE BOARD MUST BE FILED ON OR BEFORE  
MAY 10, 2005

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

HEARING DATE: MAY 25, 2005

MARCH 25, 2005, NOTICE IS HEREBY GIVEN THAT THE FOLLOWING PERSONS HAVE APPLIED FOR A LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH LICENSE ON MAY 25, 2005 AT 10:00 A.M., 7<sup>TH</sup> FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E.

LICENSE NO. 72330, BARCOMMAND, LLC T/A MIRRORS, RETAILER'S "C" NIGHTCLUB, 33 NEW YORK AVE., NE

WARD 6 ANC 6C04

NATURE OF OPERATION

NEW TAVERN, SPORTS BAR SERVING FINGER FOODS. LIVE ENTERTAINMENT, WITH DANCING, DANCE FLOOR 25X24. THREE TO FOUR PICES BANDS, LOCAL & POPULAR ARTISTS. DJ OCCASSIONALLY, PLAYING R&B, LATIN, ROCK, RAGGIE AND JAZZ.

SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES

SUNDAY 6:00PM TO 1:45AM

CLOSED MONDAYS

TUESDAY THROUGH THURSDAY 10:30AM TO 1:45AM

FRIDAY 10:30AM TO 2:45AM

SATURDAY 4:00PM TO 2:45AM

PETITION AND/OR REQUEST TO APPEAR BEFORE  
THE BOARD MUST BE FILED ON OR BEFORE  
MAY 10, 2005

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

HEARING DATE: MAY 25, 2005

MARCH 25, 2005, NOTICE IS HEREBY GIVEN THAT THE FOLLOWING PERSONS HAVE APPLIED FOR A LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH LICENSE ON MAY 25, 2005 AT 10:00 A.M., 7<sup>TH</sup> FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E.

LICENSE NO. 72360, JRC GROUP, LLC T/A MONGOLIAN GRILL / TOKYO SUSHI BAR, RETAILER'S "D" RESTAURANT, 1207 9<sup>TH</sup> STREET, NW

WARD 2 ANC 2F06

NATURE OF OPERATION

NEW RESTAURANT, SERVING ASIAN AND JAPANESE CUISINE.  
TELEVISION AND ELECTRONIC GAMES, SUMMER GARDEN.

SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES

SUNDAY THROUGH SATURDAY 10:30AM TO 2:00AM

PETITION AND/OR REQUEST TO APPEAR BEFORE  
THE BOARD MUST BE FILED ON OR BEFORE  
MAY 10, 2005

**BOARD OF ZONING ADJUSTMENT**  
**CORRECTED PUBLIC HEARING NOTICE**  
**TUESDAY, MAY 17, 2005**  
**SECOND FLOOR HEARING ROOM, SUITE 220-S**  
**441 4<sup>TH</sup> STREET, N.W.**  
**WASHINGTON, D.C. 20001**

**Note:** This notice has been corrected to reflect the insertion of "and R-5-B Districts" in the description of Application No. 17322, 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 THREE**

17318      **Application of Ronald and Katherine Stewart**, pursuant to 11  
ANC-3G      DCMR § 3103.2, for a variance from the lot occupancy requirements  
under section 403, the side yard requirements under section 405, the  
court requirements under section 406, and the nonconforming  
structure provisions under subsection 2001.3, to allow additions to a  
single-family dwelling in the R-1-B District at premises 3130  
Worthington Street, N.W. (Square 2349, Lot 815).

**WARD FIVE**

17321      **Application of Darcy E. Flynn**, pursuant to 11 DCMR § 3103.2,  
ANC-5A      for variances 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 rear yard requirements under  
section 404, a variance from the side yard requirements under  
section 405, and a variance from the off-street parking requirements  
under subsection 2101.1, to allow the construction of a new single-  
family detached dwelling in the R-2 District at premises 1000 block  
(south side) of Taussig Place, N.E. (Square 3890, Lot 117).

**WARD**

P.M.

WARD ONE

THIS APPEAL WAS CONTINUED FROM THE MARCH 8, 2005 PUBLIC HEARING SESSION AND WILL BE HEARD UNDER § 1803.03 of the DCRA CIVIL INFRACTION ACT OF 1985, D.C. Code § 2-1803.03 (2001)"

03-0002      **Civil Infraction Appeal No. 03-OAD-2800G & 03-OAD-2801G of James McRae v. Department of Consumer and Regulatory Affairs for storage of vehicles without a certificate of occupancy permit in the R-4 District at premises rear of 3213 11<sup>th</sup> Street, N.W. (Square 2845, Lot 813).**

WARD TWO

17322      **Application of Intrepid 2501 Acquisition LLC, pursuant to 11 ANC-2A      DCMR § 3104.1, for a special exception to allow the regulations applicable to that portion of the lot to be located in a less restrictive use district to be extended to that portion of the lot in a more restrictive use district under section 2514, and a special exception from the roof structure set-back requirements under subsection 411.11, and pursuant to 11 DCMR § 3103.2, a variance from the floor area ratio requirements under section 771, a variance from the lot occupancy requirements under section 772, a variance from the residential recreation space requirements under section 773, a variance from the rear yard requirements under section 774, and a variance from the court width requirements under section 776, for the construction of a mix-use residential/retail building in the C-2-C and R-5-B Districts at premises 2501 Pennsylvania Avenue, N.W. (Square 14, Lot 73).**

**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.

**DISTRICT OF COLUMBIA REGISTER**  
**BZA PUBLIC HEARING NOTICE**  
**MAY 17, 2005**  
**PAGE NO. 3**

**ADD 1 - 2005**

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 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.**

**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 5/17/05 rsn

**BOARD OF ZONING ADJUSTMENT  
PUBLIC HEARING NOTICE  
TUESDAY, JUNE 7, 2005  
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.

**1:00 P.M. TO 6:00 P.M. AFTERNOON SESSION**

**P.M.**

**WARD ONE**

17326  
ANC-1B      **Application of Daniel Huck**, pursuant to 11 DCMR § 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 requirements (section 403), in the R-5-B District at premises 2027 13<sup>th</sup> Street, N.W. (Square 273, Lot 62).

**WARD TWO**

17327  
ANC-2E      **Application of 1812 35<sup>th</sup> Street Assoc. LLC**, pursuant to 11 DCMR § 3104.1, for a special exception to allow an 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-3 District at premises 1812 35<sup>th</sup> Street, N.W. (Square S-1296, and Lot 27).

**WARD SIX**

17328  
ANC-6D      **Application of Multi-Employer Property Trust**, pursuant to 11 DCMR § 3103.2, for a variance from the side yard requirements under subsection 775.5, to permit the construction of an office development in the C-3-C District. The subject property occupies all of Square 537, which is bounded by 3<sup>rd</sup> and 4<sup>th</sup> Streets, S.W., E Street, S.W., and Virginia Avenue, S.W. (Square 537, Lot 30).

**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 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.

**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 6/7/05 rsn

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

**TIME AND PLACE:** Monday, May 23, 2005, 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:**

**CASE NO. 04-37 (Eastgate Senior Residences) Zoning Map Amendment and Consolidated PUD; B Street, S.E. (Square 5409, Lots 22-25)**

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

The District of Columbia Housing Authority (DCHA) in partnership with A&R Development and The Henson Development Company (Applicant) seek approval for a consolidated Planned Unit Development (PUD) and related map amendment for the development of an apartment building that will be affordable to low to moderate income seniors. The related map amendment requests that the property be rezoned from the R-5-A District to the R-5-B District to accommodate the proposed development. The Application was filed on December 17, 2004, and the Zoning Commission set down the case for public hearing at its meeting of January 13, 2005. On February 22, 2005, the Office of Zoning received a Pre-Hearing Submission and materials for the case.

The proposed PUD site is located between Anacostia Road, SE to the north, Ridge Road, SE to the west and B Street, SE to the south and east. The property is also known as Lots 22, 23, 24 and 25 in Square 5409 (pending processing of application for consolidation of lots into Lot 26, Square 5409). The property is triangular in shape with a limited amount of natural vegetation. The proposed building will be situated generally in the eastern portion of the lot with parking and open space occupying the western-most side. Roughly one-third (1/3) of an acre at the intersection of Anacostia Road, SE and B Street, SE will remain open space.

The proposed project is for a new senior housing facility on the subject property, to be known as the "Eastgate Senior Residences". This new 100-unit senior housing development will consist of a three-story building with a basement.. The development will be a secure building with controlled access that provides housing and supportive services to low-income elderly residents who are capable of independent living. The building's amenities shall include a wellness center, fitness facility, multi-purpose room, game room, grandparents' room, laundry facilities, a library/computer room, an activity room, a resident service room, a police office and a conference room. The remainder of

the lot will contain a parking lot with green space devoted to a pocket park and a private courtyard between the two building wings.

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;

APR 1 - 2005

- (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:

**DISTRICT OF COLUMBIA REGISTER**  
**NOTICE OF PUBLIC HEARING**  
**Z.C. CASE NO. 04-37**  
**PAGE 4**

**APR 1 - 2005**

- |    |                                  |   |
|----|----------------------------------|---|
| 1. | Applicant and parties in support | 75 minutes collectively                   |
| 2. | Parties                          | 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.**

**CAROL J. MITTEN, ANTHONY J. HOOD, JOHN G. PARSONS, KEVIN L. HILDEBRAND, AND GREGORY N. JEFFRIES, ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY CLIFFORD MOY, ACTING SECRETARY TO THE ZONING COMMISSION.**

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

**TIME AND PLACE:** **Thursday, June 2, 2005, 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:**

**CASE NO. 05-08 (Text Amendment - Capitol Gateway Overlay District)**

**THIS CASE IS OF INTEREST TO ANC 6D**

On March 4, 2005, 2004, the Office of Planning, on behalf of the District of Columbia, petitioned, through a set down report, for a text amendment to amend the Capitol Gateway Overlay (CG Overlay) as it would apply to Squares 702, 703, 704, 705, and 706 and Reservation 247, the "Ballpark Site". The Zoning Commission set down the case for public hearing at its meeting of March 14, 2005. The Office of Planning set down report also served as the pre-hearing statement for this case.

The property that is the subject of this application is approximately 20 acres in size, including internal roads, and is zoned CG/CR zoning, which permits medium to high density commercial, residential, or mixed use development. The subject site is within the Near Southeast area of the Anacostia Waterfront Initiative, and has been chosen as the location for a new sport stadium for use by the Washington Nationals Major League Baseball Team.

The proposed text amendment is as follows:

Title 11 DCMR (Zoning) is proposed to be amended as follows:

- A. Chapter 16 CAPITOL GATEWAY OVERLAY DISTRICT Section 1600, PREAMBLE, subsection 1600.2 is amended to add the following new purpose:
  - “(f) Provide for development of Squares 702-706 and Reservation 247 as a ballpark for major league sport and entertainment and associated uses.”
- B. Chapter 16, CAPITOL GATEWAY OVERLAY DISTRICT, is amended to add the following new Section 1606: to read as follows:

“1606 BALLPARK

- 1606.1 A Ballpark may be constructed and operated within Squares 702, 703, 704, 705 and 706 and Reservation 247 (the “Ballpark Area”).
- 1606.2 For the purposes of this section, the term Ballpark means a stadium or arena, including accessory buildings or structures (including, but not limited to office and transportation facilities) that has as its primary purpose the hosting of professional athletic team events.
- 1606.3 The Ballpark may also be used to host events customarily held in such facilities including, but not limited to performances, amateur sporting events, municipal functions, and public or private ceremonies.
- 1606.4 Notwithstanding § 631.1 of this Title, no portion of the FAR need be used for residential purposes within the Ballpark Area.
- 1606.5 The Ballpark’s maximum permitted height shall be that permitted by the Act to Regulate the Height of Buildings in the District of Columbia, approved June 1, 1910 (36 Stat. 452; D.C. Official Code §§ 6-601.01 to 6-601.09), as amended.
- 1606.6 In addition to the streetwall setbacks of §1606.15, any portion of the Ballpark that exceeds 110 feet in height shall provide an additional one-to-one (1:1) step back from the building line along South Capitol Street.
- 1606.7 All parking spaces shall be provided underground. At or above grade parking spaces shall be permitted if approved by the Zoning Commission pursuant to §1606.17; subject to the applicant demonstrating:
- (a) Practical difficulty with the provision of underground parking; and
  - (b) Compliance with the provisions of § 1606.18.
- 1606.8 Eleven-hundred (1,100) parking spaces shall be provided for the Ballpark use within the Ballpark Area. Any parking spaces in addition to this amount shall be permitted if approved by the Zoning Commission pursuant to §1606.17; subject to the applicant demonstrating:
- (a) That the parking spaces are needed to satisfy parking demand generated by the Ballpark not met by existing or approved but not yet constructed parking facilities; and
  - (b) Compliance with the provisions of § 1606.18.
- 1606.9 In considering whether to approve additional above ground parking spaces under §1606.8, the Commission shall judge, balance, and reconcile the need for additional off-street parking against any adverse

APR 1 - 2005

impacts the presence of the parking structure will have on traffic, and the aesthetics and development of the surrounding neighborhood.

- 1606.10 Any bus parking and loading platforms and berths shall be located internal to a building, with doors and entrance ways designed to compliment the building façade, and shall permit safe and convenient vehicular and pedestrian movement.
- 1606.11 The Zoning Commission may grant relief from the requirements of § 1606.10 if necessary to the economic viability of the Ballpark and if consistent with the purposes of the CG Overlay as stated in §1600.2.
- 1606.12 A minimum of one pedestrian entrance gate shall be provided on each street frontage.
- 1606.13 The Ballpark shall devote not less than twenty percent (20%) of the building's exterior perimeter façade to neighborhood serving retail, service, entertainment, or arts uses ("preferred uses") as permitted in §1807.2 of this Title, with the addition of "museum" and "office associated with baseball use".
- (a) Preferred uses shall have a street orientation;
  - (b) Preferred uses shall provide direct exterior access at ground level;
  - (c) Not less than fifty percent (50%) of area devoted to preferred uses shall be devoted to display windows having clear or low-emissivity; and
  - (d) The minimum floor to ceiling height of area devoted to preferred uses shall be 14 feet clear.
  - (e) The average depth from the exterior façade in towards the center of the building for space devoted to preferred retail shall be 50 feet.
- 1606.14 The Zoning Commission may grant relief from the any or all of the requirements of § 1606.13 if necessary to the economic viability of the Ballpark and if consistent with the purposes of the CG Overlay as stated in §1600.2 and the provisions of §1606.18.
- 1606.15 Each building or structure in the Ballpark Area shall be set back for its entire height and frontage not less than the following amounts, measured from the property line:
- (a) South Capitol Street – 15 feet minimum, provided that a minimum of 60% of the street-wall shall be constructed on the setback line
- 1606.16 No private driveway may be constructed or used from either South Capitol Street or P Street SE to any parking or loading berth areas in or

APR 1 - 2005

adjacent to a building or structure constructed after *{Effective Date Of This Section}*].

1606.17 The Ballpark and all other proposed buildings or structures within the Ballpark Area shall be subject to the approval of the Zoning Commission.

1606.18 An applicant requesting approval under this section must prove that the proposed siting, architectural design, site plan, landscaping, and sidewalk treatment for the building or structure will:

- (a) Be of a superior quality;
- (b) Help achieve the objectives of the CG Overlay District as set forth in §1600.2;
- (c) Be in context with the surrounding neighborhood and street patterns;
- (d) Provide for openness of views and vistas toward the Capitol Dome, and between the Ballpark, other federal monumental buildings, the waterfront, and the surrounding neighborhood;
- (e) Provide for safe and convenient movement to and through the site, including to public transit and to the Anacostia River;
- (f) Minimize conflict between vehicles and pedestrians;
- (g) Encourage the design and development of properties in a manner that is sensitive to the establishment of South Capitol Street as a monumental civic boulevard;
- (i) Encourage safe and active streetscapes through the provision of active ground level uses including retail, entertainment, cultural, and pedestrian concourse space;
- (j) Minimize unarticulated blank walls adjacent to public spaces through facade articulation;
- (k) Promote the use of best practice environmental design
- (l) Minimize associated noise;
- (m) Minimize light spill; and
- (n) Utilize signage design and location to maximize effectiveness while minimizing adverse visual impact on streetscape character.

1606.19 The Commission may impose requirements pertaining to building or structure design, appearance, landscaping, signage, lighting, and other such requirements, as it deems necessary to protect neighboring property and to achieve the purposes of the Capitol Gateway Overlay District.

APR 1 - 2005

1606.20 The Commission may hear and decide any additional requests for relief from Zoning Regulations for the subject site. Such requests may be advertised, heard, and decided together with the application for Zoning Commission review and approval.

1606.21 At the time of filing an application with the Commission, the applicant shall pay the filing fee specified in § 3180.1(b)(16), plus such fees as apply to any additional zoning relief requested. The provisions of § 3181 relating to the administration of fees shall apply, except that the applicant may appeal any decision of the Director regarding the fee schedule to the Commission, which shall decide the appeal as a preliminary matter to hearing the application.”

- C. Chapter 30 ZONING COMMISSION RULES OF PRACTICE AND PROCEDURE, Section 3011 REVIEW AND PROCESSING OF APPLICATIONS AND PETITIONS, subsection 3011.1 is amended to add a clause to the end of the subsection to read as follows:

“The exception from the requirements of this subsection shall not apply to an application for Zoning Commission approval pursuant to § 1606 unless accompanied by a written report of the Office of Planning certifying that the application is compliant with the standards of that section.”

Proposed amendments to the Zoning Regulations and Map of the District of Columbia are authorized pursuant to the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797; D.C. Official Code § 6-641.01 *et seq.*) (2001 Ed.).

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 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.**

**CAROL J. MITTEN, ANTHONY J. HOOD, GREGORY JEFFRIES, JOHN G. PARSONS, AND KEVIN HILDEBRAND, ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY CLIFFORD MOY, ACTING SECRETARY TO THE ZONING COMMISSION.**