

ADVISORY NEIGHBORHOOD COMMISSION SECURITY TRUST FUND  
BOARD OF TRUSTEES

Notice of Public Hearing  
ANC SECURITY TRUST FUND APPLICATION NO. 04-01  
Application of ANC 8D for Reimbursement from the ANC Security Trust Fund  
HEARING DATE: NOVEMBER 9, 2004

Pursuant to D.C. Official Code § 1-309.14(d), the Board of Trustees of the Advisory Neighborhood Commission Security Trust Fund must publish a notice in the *District of Columbia Register* "no later than 30 days prior to the meeting" at which it will consider an application for reimbursement from the ANC Security Trust Fund. The Board of Trustees of the Advisory Neighborhood Commission Security Trust Fund announces that a public hearing will be held on Tuesday, November 9, 2004, on the application of ANC 8D for reimbursement in the amount of \$9,488.18 from the Security Trust Fund. The application states that the amount was disallowed during an audit by the District of Columbia Auditor and resulted from malfeasance by the past Chairperson and Treasurer of ANC 8D. The Commissioners and officers of ANC 8D are entitled to be heard before the Advisory Neighborhood Commission Security Trust Fund Board of Trustees before a decision is made on the application on November 9, 2004 at 10:00 a.m., Room 104, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

REQUEST FROM ANC 8D COMMISSIONERS AND OFFICERS  
TO APPEAR BEFORE THE BOARD OF TRUSTEES  
MUST BE FILED ON OR BEFORE  
NOVEMBER 5, 2004

ATTENTION: Charlotte Brookins-Hudson, General Counsel  
District of Columbia Council  
1350 Pennsylvania Avenue, N.W., - Suite 4  
Washington, D.C. 20004

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

HEARING DATE: DECEMBER 8, 2004

OCTOBER 8, 2004 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 DECEMBER 8, 2004 10:00 A.M., 7<sup>TH</sup> FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E.

LICENSE NO. 71603 GRACE BAMBOO, INC.T/A GRACE BAMBOO RETAILER'S CLASS "C"RESTAURANT 3206 GRACE STREET, NW WARD 2 ANC 2 E05

NATURE OF OPERATION

TRANSFER TO NEW LOCATION, INTERNATIONAL CUISINE,  
BACKGROUND AND LIVE JAZZ MUSIC  
NO DANCING. TRANSFERRING FROM 1055 THOMAS JEFFERSON STREET, NW (SAFEKEEPING)

SALE AND SERVICE OF ALCOHOLIC BEVERAGES

SUNDAY THRU THURSDAY 10:30A.M.-1:00A.M.  
FRIDAY AND SATURDAY 10:30 A.M. – 2:00 A.M.

PETITION AND/OR REQUEST TO APPEAR BEFORE  
THE BOARD MUST BE FILED ON OR BEFORE  
NOVEMBER 23, 2004

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

HEARING DATE: DECEMBER 8, 2004

OCTOBER 8, 2004 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 DECEMBER 8, 2004 10:00 A.M., 7<sup>TH</sup> FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E.

LICENSE NO. 16323 HWAN P. EUN T/A WEST END MARKET  
RETAILER'S CLASS "A" LIQUOR STORE, 2424 PENNSYLVANIA AVENUE,  
NW  
WARD 2 ANC 2 A03

LICENSEE REQUEST TO CHANGE THE CLASS OF LICENSE FROM  
RET CLASS "B" GROCERY STORE TO A RETAILER CLASS "A" LIQUORS  
STORE WITH A DELICATESSEN.

SALE AND SERVICE OF ALCOHOLIC BEVERAGES  
SUNDAY - CLOSED  
MONDAY THROUGH SATURDAY 9:00 A.M. TO 10:00 P.M.

PETITION AND/OR REQUEST TO APPEAR BEFORE  
THE BOARD MUST BE FILED ON OR BEFORE  
NOVEMBER 23, 2004

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

HEARING DATE 12/08/2004  
PETITION DATE 11/23/2004  
POSTING DATE 10/08/2004

THE FOLLOWING ABC ESTABLISHMENTS ARE RENEWING THEIR LICENSES.

APP. NO. 536 LIC. NO. 9238 ANC 6B02 Retailer CNO1	Pennsylvania Rail Inc. T/A REMINGTON'S 639 Pennsylvania Ave SE
APP. NO. 958 LIC. NO. 19333 ANC 2B07 Retailer CT 03	1345 Corporation T/A THE BIG HUNT 1345 Connecticut Ave NW
APP. NO. 8890 LIC. NO. 14419 ANC 2B02 Retailer CT 02	The Fireplace Restaurant, Inc. T/A THE FIREPLACE 2161 P St NW
APP. NO. 8990 LIC. NO. 5957 ANC. 5A07 Retailer CT 02	Hugh Kelly Inc. T/A JOHNNY K' S 3514 12 <sup>th</sup> St NE
APP. NO. 9051 LIC. NO. 60457 ANC 6C08 Retailer CT 03	Lounge 201 LLC T/A LOUNGE 201 201 D St NE
APP. NO. 9140 LIC. NO. 869 ANC 4B01 Retailer CT 01	The New 7307 Inc T/A CHARLIES 7307 Georgia Ave NW
APP. NO. 9276 LIC. NO. 899 ANC 3B02 Retailer CN 01	3124 Corporation T/A THE GOOD GUYS RESTAURANT 2311 Wisconsin Ave NW
APP. NO. 8071 LIC. NO. 14941 ANC 2B02 Retailer CT 03	Marifex Company Inc T/A THE BRICKSKELLER 1523 22 <sup>nd</sup> St NW

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APP. NO. 8225 LIC. NO. 704 ANC 2B01 Retailer CN 01	Fabwill Inc. T/A ROYAL PALACE 1805 Connecticut Ave NW
APP. NO. 8455 LIC. NO. 21837 ANC 1B11 Retailer CN 03	Sledge Inc. T/A 930 CLUB 815 V St NW
APP. NO. 8589 LIC. NO. 755 ANC 2B06 Retailer CT 01	Crv Corporation T/A THE BOTTOM LINE 1716 I St NW, A
APP. NO. 10400 LIC. NO. 19587 ANC 7B02 Retailer CN 01	Ronald Dickerson T/A RON DEE'S 2840 Alabama Ave SE
APP. NO. 10468 LIC. NO. 1271 ANC 8C02 Retailer CN 01	Georgene Thompson T/A PLAYER'S LOUNGE 2737 M.L. King Jr., Ave SE
APP. NO. 10617 LIC. NO. 1330 ANC 6A01 Retailer CT 02	Dubliner Inc. T/A THE DUBLINER 4 F St NW
APP. NO. 11000 LIC. NO. 11430 ANC 6B04 Retailer CT 01	Back Door Pub Inc T/A THE PATIO 406 8 <sup>th</sup> St SE
APP. NO. 11371 LIC. NO. 1686 ANC 1A08 Retailer CN 02	Linda & A Inc T/A PENTHOUSE (THE) 3530 Georgia Ave NW

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THE FOLLOWING ABC ESTABLISHMENTS ARE RENEWING THEIR LICENSES.

APP. NO. 11623 LIC. NO. 24778 ANC 4C01 Retailer CT 01	Mec Inc T/A TURNTABLE RESTAURANT 5802 Georgia Ave NW
APP. NO. 11670 LIC. NO. 1875 ANC 6B02 Retailer CT 01	M J P Inc. T/A LI'L PUB 655 Pennsylvania Ave SE
APP. NO. 11689 LIC. No. 23167 ANC 2B06 Retailer CN 02	19 <sup>th</sup> & K, Inc. T/A OZIO 1813 M St. NW
APP. NO. 22904 LIC. NO. 6869 ANC 4B02 Retailer CT 02	Sweet And Bitters, Inc. T/A TAKOMA STATION TAVERN 6914 4 <sup>th</sup> St. NW
APP. NO. 26268 LIC. NO. 60286 ANC 2C03 Retailer CN 03	Nine F Inc. T/A HOME 911 F St. NW
APP. NO. 27836 LIC. NO. 12509 ANC 6C05 Retailer CN 04	Gibson Associates Incorporated T/A COLUMBUS CLUB 50 Massachusetts Ave NE, B
APP. NO. 28220 LIC. NO. ANC 2C03 Retailer CN 04	Polly Esther's Dc Inc T/A POLLY ESTHERS 605 12 <sup>th</sup> St NW
APP. NO. 28418 LIC NO. 13377 ANC 6C05 Retailer CT 03	Pizzeria Uno of Union Station, Inc T/A PIZZERIA UNO 50 Massachusetts Ave NE, F

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THE FOLLOWING ABC ESTABLISHMENTS ARE RENEWING THEIR LICENSES.

APP. NO. 29514 LIC. NO. 60162 ANC 1C07 Retailer CT 01	Timehri International Inc T/A TIMEHRI INTERNATIONAL 2439 18 <sup>TH</sup> St NW
APP. NO. 29673 LIC. NO. 15251 ANC 2A04 Retailer CN 01	C/O O'Brien & Long T/A 1720 CLUB 2600 Virginia Ave NW
APP. NO. 10023 LIC. NO. 1107 ANC 2B06 Retailer CT 02	Kimheid Corporation T/A MADHATTER RESTAURANT 1831 M St NW
APP. NO. 10270 LIC. NO. 1200 ANC 6B03 Retailer CT 01	Allen J. Carroll T/A PHASE I 525 8 <sup>th</sup> St. SE
APP. NO. 10374 LIC. NO. 71202 ANC 1A06 Retailer CN 02	The Wonderland Ballroom, Llc T/A THE WONDERLAND BALLROOM 1101 Kenyon St NW
APP. NO. 10718 LIC. NO. 1368 ANC 6D07 Retailer CN 02	C J Enterprises Inc T/A ZIEGFIELDS 1345 Half St SE
APP. NO. 30198 LIC. NO. 21692 ANC 1B02 Retailer CT 01	U Bar Inc T/A POLLY'S CAFÉ 1342 U St NW
APP. NO. 30565 LIC. NO. 16642 ANC 2B06 Retailer CT 03	Pmf, Inc. T/A THE IMPROVISATION 1140 Connecticut Ave NW

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THE FOLLOWING ABC ESTABLISHMENTS ARE RENEWING THEIR LICENSES.

APP. NO 30608 LIC. NO. 16698 ANC 2A05 Retailer CT 01	The Trustees Of The Corcoran Gallery Of Art T/A THE CAFÉ AT THE CORCORAN 500 17 <sup>th</sup> St NW
APP. NO. 30909 LIC. NO. 21418 ANC 5A11 Retailer CN03	Solar Eclipse, Inc T/A ECLIPSE 2820 Bladensburg Rd NE
APP. NO. 32795 LIC. NO. 20480 ANC 2B06 Retailer CT 03	Buffalo Billiards Corporation T/A BUFFALO BILLIARDS CORPORATION 1330 19 <sup>th</sup> St NW
APP. NO. 32911 LIC. NO. 60583 ANC 2C03 Retailer CT 03	Love The Beer, Inc. T/A R F D WASHINGTON 810 7 <sup>th</sup> St NW
APP. NO. 33144 LIC. NO. 21211 ANC 2B06 Retailer CT 01	Yfe Inc T/A 18 <sup>TH</sup> STREET LOUNGE 1212 18 <sup>th</sup> St NW
APP. NO. 34251 LIC. NO. 23601 ANC 6B01 Retailer CT 01	Am & Eve Corporation T/A CAPITOL LOUNGE (THE) 229 Pennsylvania Ave SE
APP. NO. 34821 LIC. NO. 24563 ANC 4C04 Retailer DT 01	Bertram W. Keller T/A AROMA 3417 Connecticut Ave NW
APP. NO. 35401 LIC. NO. 60464 ANC 2C03 Retailer CT 03	Levy Premium Food Service Limited Partnership T/A LEVY RESTAURANTS AT MCI CENTER-CAPITOL CLUB 601 F St NW, C

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THE FOLLOWING ABC ESTABLISHMENTS ARE RENEWING THEIR LICENSES.

APP. NO. 35509 Jah Inc  
LIC. NO. 25595 T/A DRAGONFLY  
ANC 2B05 1215 Connecticut Ave NW  
Retailer CT 03

APP. NO. 35680 Trade Center Management Associates Lic  
LIC. NO. 25542 T/A THE INTERNATIONAL TRADE CENTER/AIR  
ANC 2F03 1300 Pennsylvania Ave. NW  
Retailer CN 04

APP. NO. 50006 U Street, Inc  
LIC. NO. 60014 T/A BOHEMIAN CAVERNS  
ANC 1B02 2001 11<sup>th</sup> St NW, A  
Retailer CT 02

APP. NO. 50007 U Street, Inc  
LIC. NO. 60015 T/A CLUB 2001  
ANC 1B02 2001 11<sup>th</sup> St NW, B  
Retailer CN 03

APP. NO. 50109 Market Lounge, Inc.  
LIC. NO 60280 T/A MARKET LOUNGE  
ANC 5B06 1309 5<sup>th</sup> St NE, B  
Retailer CN 01

APP. NO. Palisades Pizzeria Inc  
LIC. NO. T/A PREMIUM DISTRIBUTORS  
ANC 3D05 4885 Macarthur Blvd NW  
Retailer DR 01

APP. NO. 50145 Okie Dokie, Inc.  
LIC. NO. 6039 T/A DREAM  
ANC 5B09 1350 Okie St NE  
Retailer CN 04

APP. NO. 50201 Logan Circle Spectrum, LLC  
LIC. NO. 60588 T/A HALO  
ANC 2F01 1435 P St NW  
Retailer CT 02

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THE FOLLOWING ABC ESTABLISHMENTS ARE RENEWING THEIR LICENSES.

APP. NO. 60753      Rose's Dream, Inc.  
LIC. NO. 70659      T/A ROSES DREAM BAR AND LOUNGE  
ANC 6A06            1370 H St NE  
Retailer CT 01

APP. NO. 60757      Shabuy, Inc  
LIC. NO. 70707      T/A TABAQ  
ANC 1B02            4051 U St NW  
Retailer CT 03

APP. NO. 31472      Luigino, Inc.  
LIC. NO. 17832      T/A RISTORANTE LUIGINO  
ANC 2F06            1100 New York Ave NW, B  
Retailer CR 02

APP. NO. 31635      Atomic Billiards, Inc.  
LIC. NO. 19007      T/A BEDROCK BILLIARDS  
ANC 3C04            1841 Columbia Rd NW, B  
Retailer CT 01

APP. NO. 31636      Bedrock Billiards, Inc.  
LIC. NO. 19008      T/A BEDROCK BILLIARDS  
ANC 6D07            1841 Columbia Rd NW, B  
Retailer CT 01

APP. NO. 31975      55 K Inc  
LIC. NO. 19569      T/A CLUB 55  
ANC 6D07            55 K St SE  
Retailer CN 01

APP. NO. 60823      Yamfa, Inc.  
LIC. NO. 71168      T/A RED  
ANC 2B06            1216 18<sup>th</sup> St NW  
Retailer CN 02

APP. NO. 60867      Down Under Inc.  
LIC. NO. 71564      T/A BRAVO BRAVO  
ANC 2B05            1001 Connecticut Ave NW  
Retailer CN 03

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APP. NO. 3243 LIC. NO. 24974 ANC 6B01 Retailer CR 03	Df Restaurant Inc. T/A IL RADICCHIO/BAROLLO 223 Pennsylvania Ave SE
APP. NO. 4475 LIC. NO. 9267 ANC 2B05 Retailer CT 01	Tcr Inc T/A JR'S BAR AND GRILL 1519 17 <sup>th</sup> St NW
APP. NO. 60875 LIC. NO. 71638 ANC 2B06 Retailer CT 01	Garage Door, Inc T/A 5 1214 B 18 <sup>th</sup> St NW
APP. NO. 6864 LIC. NO. 604 ANC 2E05 Retailer CT 03	1218 Wisconsin Incorporated T/A THIRD EDITION 1218 Wisconsin Ave NW

**D.C. BOARD OF EDUCATION**

**NOTICE OF PUBLIC HEARING**

Monday, October 25, 2004  
6:30 p.m. – 9:00 p.m.  
D.C. Board of Education  
5<sup>th</sup> Floor Board room  
825 N. Capitol St., NE, Washington, DC 20002

The D.C. Board of Education is reviewing the proposed FY 06-11 Capital Budget for the District of Columbia Public Schools.

The D.C. Board of Education will conduct a public hearing to receive comments and input on the capital budget, including testimony regarding facilities and technology.

A copy of the Notice of the Public Hearing on the FY 06-11 Capital Budget will be available for public review on October 8, 2004 at the following locations:

D.C. Public Schools  
Offices of the Superintendent, room 9026, and D.C. Board of Education, room 9108  
825 N. Capitol Street, NE

Each individual or representative of an organization who wishes to present testimony at the public hearing is requested to furnish his or her name, address, telephone number, and name of organization represented (if any) by calling 202-442-4289 no later than Friday, October 22 at 5:00 p.m.

All oral presentations shall be limited to three (3) minutes. Written statements may be submitted for the record until Monday, October 25, 2004. Written statements should be addressed to: Russell Smith, Executive Director, D.C. Board of Education, 825 N. Capitol St., NE, Washington, DC 20002.

**BOARD OF ZONING ADJUSTMENT**  
**PUBLIC HEARING NOTICE**  
**TUESDAY, NOVEMBER 30, 2004**  
**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**

17243      **Application of Everna Brown**, pursuant to 11 DCMR § 3104.1, for  
 ANC-4B      a special exception to construct a one story rear addition to an  
                  existing single-family semi-detached dwelling under section 223, not  
                  meeting the side yard requirements (section 405), in the R-2 District  
                  at premises 246 Nicholson Street, N.E. (Square 3710, Lot 131).

**WARD TWO**

17244      **Application of Alejandro Soriano**, pursuant to 11  
 ANC-2C      DCMR § 3104.1, for a special exception to construct a third story  
                  addition to a flat (two-family) row dwelling under section 223, not  
                  meeting the lot occupancy requirements (section 403), and  
                  nonconforming structure provisions (subsection 2001.3), in the R-4  
                  District at premises 1555 9<sup>th</sup> Street, N.W. (Square 397, Lot 819).

**WARD TWO**

**THIS APPLICATION WAS CONTINUED FROM THE SEPTEMBER 21,  
 2004, PUBLIC HEARING SESSION:**

17204      **Application of Richard and Christina Donnell**, pursuant to 11  
 ANC-2A      DCMR § 3103.2, for a variance from the lot occupancy requirements  
                  under section 403, a variance from the rear yard requirements under  
                  section 404, and a variance from the nonconforming structure  
                  provisions under subsection 2001.3, to construct a three story rear

## BZA PUBLIC HEARING NOTICE

NOVEMBER 30, 2004

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addition to a single-family row dwelling in the FB/R-3 District at premises 2512 I Street, N.W. (Square 17, Lot 35).

**P.M.****WARD THREE**

17245      **Application of Geoff and Sharon Kuck**, pursuant to 11 DCMR §  
ANC-3D      3103.2, for a variance from the lot area requirements under section  
401, a variance from the lot occupancy requirements under section  
403, and a variance from the rear yard requirements under section  
404, to construct a new single-family detached dwelling in the R-1-B  
District at premises 5144 Cathedral Avenue, N.W. (Square 1439, Lot  
21).

**WARD FOUR**

17246      **Application of Donatelli & Klein, on behalf of the D.C.**  
ANC-4C      **Government**, pursuant to 11 DCMR § 3103.2, for a variance from  
the residential recreation space requirements under section 773 and  
pursuant to 11 DCMR § 3104.1, for special exceptions to extend the  
provisions of a less restrictive zone district into a more restrictive  
zone district under subsection 2514.2, to permit a 25 percent parking  
reduction for the retail uses under subsection 2108.2, and to permit  
accessory parking spaces serving residential and commercial uses in  
the R-4 zone district under section 214, in order to construct a multi-  
family residential development with ground level retail in the R-4/C-  
3-A District at premises west side of the 3700 block of Georgia  
Avenue, N.W. (between Rock Creek Church Road, N.W. and  
Quincy Street, N.W.)(Square 2900, Lots 42, 43, 805, 806, 812, 816,  
817, 818, and 819).

**WARD THREE**

17238      **Application of Sibley Memorial Hospital (Grand Oaks)**, pursuant  
ANC-3D      to 11 DCMR § 3104.1, for a special exception to add 36 independent  
living units to an existing community residence facility under section  
358, and pursuant to 11 DCMR § 3103.2, a variance from the  
building height and number of stories limitations under section 400,  
and a variance from the rear yard requirement under section 404, to  
allow the expansion of the residence's dining facilities in the R-5-A

## BZA PUBLIC HEARING NOTICE

NOVEMBER 30, 2004

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District at premises 5255 Loughboro Road, N.W. (Square 1448N,  
Lot 26).

**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 11/30/04 rsn

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

**TIME AND PLACE:**                    **Monday, November 22, 2004, @ 6:30 P.M.**  
**Office of Zoning Hearing Room**  
**441 4<sup>th</sup> Street, N.W., Suite 220**  
**Washington, D.C. 20001**

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

**CASE NO. 04-11 (PUD and Related Map Amendment @ Square 3788, Part of Lot 811 - 611 Emerson Street, NE)**

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

On April 16, 2004, the Office of Zoning received an application from Rocky Gorge at Fort Totten, LLC (the "Applicant"), owner of Lot 811 in Square 3788. The Applicant is requesting approval of a consolidated PUD and related Map Amendment for a portion of Lot 811 in Square 3788. This matter was referred to the Office of Planning (OP) on April 20, 2004; OP provided its report on June 4, 2004; the case was set down for hearing on June 14, 2004. The Applicant provided its supplemental statement as part of its application on September 8, 2004.

The property, which is the subject of this application, consists of approximately 255,975 square feet of land area and is located at 611 Emerson Street, NE (Square 3788, Lot 811). The property is irregularly shaped and bounded to the north by Emerson Street, to the west by CSX tracks, to the south by the Thos. Somerville Co. property and to the east by a strip of properties fronting on 7<sup>th</sup> Street, NE, which are owned by the Applicant. The property is currently occupied by an abandoned concrete plant. The underlying zoning of the property is a combination of R-2, FT/M, and FT/C-M-1. Residential uses are not permitted as a matter of right in the M and C-M Districts. A map amendment of the property is necessary to permit the proposed residential use. The proposed zoning is R-4.

The Applicant proposes to redevelop the property with construction of 75 three-story single-family row dwellings with garage parking, and an average of 1,725 finished square feet (excluding garage) per dwelling. Parking for a total of approximately 156 cars will be provided throughout the PUD Site. The floor area ratio ("FAR") of the property will be approximately 0.69 FAR. The building height will measure approximately 30 feet. The property will be extensively landscaped. Vehicular access to the PUD Site will be from Emerson Street, NE.

Z.C. PUBLIC HEARING NOTICE  
Z.C. CASE NO. 04-11  
PAGE NO. 2

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

Interested persons or representatives of organizations will be heard at the public hearing. **Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR 3022.3.** A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Rules. Except for the applicant and the ANC, to participate as a party in a proceeding before the Commission, **any affected person shall file with the Commission, not less than fourteen (14) days prior to the date set for the hearing, a written statement containing the following information:**

- (a) The person's name and address;
- (b) A request to appear and participate as a party;
- (c) Whether the person will appear as a proponent or opponent of the application;
- (d) Whether the person will appear through legal counsel, and if so, the name and address of legal counsel;
- (e) A list of witnesses who will testify on the person's behalf; and
- (f) A written statement setting forth why the person should be granted party status, including reference to the following:
  - (1) The property owned or occupied by such person, or in which the person has an interest, that will be affected by the action requested of the Commission;
  - (2) The legal interest such person has in such property, such as owner, tenant, trustee, or mortgagee;
  - (3) The distance between the person's property and the property that is the subject of the application before the Commission;
  - (4) The environmental, economic, social, or other impacts likely to affect the person and/or the person's property if the action requested of the Commission is approved or denied;

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- (5) An explanation of how the person's interest as identified in response to paragraph (4) would likely be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.

The Commission shall determine who will be recognized as a party. In so determining, the Commission shall consider whether the provisions of § 3022.3 have been complied with and whether the specific information presented qualifies the person as a party. The Commission shall grant party status only if the person requesting party status has clearly demonstrated that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public.

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

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

1. A summary of the testimony of each witness.
2. An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes of qualifications of the proposed experts.
3. The total amount of time being requested to present the case.

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

**If an affected Advisory Neighborhood Commission (ANC), pursuant to 11 DCMR 3012.5, intends to participate at the hearing, the ANC shall also submit the information cited above relating to the hearing procedures. The written report of the ANC shall be filed no later than seven (7) days before the date of the hearing.**

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

1. Applicant 90 minutes

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|----|---------------|------------|
| 2. | Other Parties | 15 minutes |
| 3. | Organizations | 5 minutes  |
| 4. | Individuals   | 3 minutes  |

The Commission intends to adhere to the time limits as strictly as possible, in order to hear the case in a reasonable period of time. The Commission reserves the right to change the time limits for presentations if necessary and notes that no time shall be ceded. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points.

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

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