

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

HEARING DATE: JUNE 2, 2004

APRIL 2, 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 JUNE 2, 2004, 10:00 A.M., 7TH FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E.

APPLICATION NO. 34676, TEKHA M. ABEBE T/A LEIGHT CAFÉ & BAR, RETAILER'S "C" RESTAURANT, 2305 - 18TH ST., NW WARD 1 SMD 1C07

LICENSEE REQUEST PERMISSION TO OPEN EARLY TO SERVE BREAKFAST. ALCOHOLIC BEVERAGE WILL NOT BE SERVED DURING THE BREAKFAST HOURS.

REQUESTED HOURS ARE:
MONDAY THROUGH THURSDAY, 6AM TO 11AM
FRIDAY, SATURDAY AND SUNDAY, 3AM-11AM

PETITION AND/OR REQUEST TO APPEAR BEFORE
THE BOARD MUST BE FILED ON OR BEFORE
MAY 18, 2004

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

HEARING DATE: JUNE 2, 2004

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APPLICATION NO. 35534, SMART AZIKEN T/A SMARTA/BROADWAY, RETAILER'S CLASS "C" NIGHTCLUB, 1919 9TH STREET, NW WARD 1 ANC 1B01

NATURE OF OPERATION

NEW RESTAURANT WITH DANCING, LIVE MUSIC, 4 PIECE BAND, DISCO, HIP-HOP, REGGAE, CALYPSO, AFRICAN SOUKOUS, AND JAZZ.

SALE AND SERVICE OF ALCOHOLIC BEVERAGES

SUNDAY THROUGH THURSDAY, 11:00AM-2:00 AM
FRIDAY AND SATURDAY, 11:00AM-3:00 AM

PETITION AND/OR REQUEST TO APPEAR BEFORE
THE BOARD MUST BE FILED ON OR BEFORE
MAY 18, 2004

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
941 NORTH CAPITOL STREET, NE, 7th FLOOR, ROOM 7200
WASHINGTON, D.C. 20002

HEARING DATE 6/2/2004

PETITION DATE 5/18/2004

POSTING DATE 4/2/2004

RENEWALS

THE FOLLOWING ABC ESTABLISHMENTS ARE RENEWING THEIR LICENSE

APP. NO. 7454	WHEELER MARKET INC	RET " B "
ANC 8C02	T/A WHEELER ROAD MARKET	
	4135 WHEELER ROAD	SE

**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 as historic landmarks in the D.C. Inventory of Historic Sites. The Board will also consider the nomination of the properties to the National Register of Historic Places:

- Case No. 02-01: Multiple property nomination, pre-World War II District of Columbia firehouses**
- Case No. 02-02: Saint Elizabeths Hospital Engine House
2700 Martin Luther King, Jr. Boulevard, SE (ANC 8C)
Parcel 231**
- Case No. 02-03: Old Engine House 10
1341 Maryland Avenue, NE (ANC 6A)
Square 1028, Lot 830**
- Case No. 02-04: Old Engine Company 12
1626 North Capitol Street, NW (ANC 5C)
Square 3101, Lot 1**
- Case No. 02-05: Engine Company 22
5760 Georgia Avenue, NW (ANC 4C)
Square 2935, Parcel 87/5**
- Case No. 02-07: Old Engine Company 11
1336 Park Road, NW (ANC 1A)
Square 2843, Lot 12**
- Case No. 02-08: Engine Company 17
1235 Monroe Street, NE (ANC 5A)
Square 3929, Lot 18**
- Case No. 02-09: Engine Company 25
3203 Martin Luther King, Jr. Boulevard, SE (ANC 8C)
Square 5990, Lot 803**
- Case No. 02-10: Engine Company 27
4235 Minnesota Avenue, NE (ANC 7D)
Square 5076, Lot 800**
- Case No. 02-11: Old Engine Company 26
2715 22nd Street, NE (ANC 5B)
Square 4253, Lot 809**

- Case No. 02-12: Engine Company 19**
2825 Pennsylvania Avenue, SE (ANC 7B)
Square 5582, Lot 800
- Case No. 02-13: Engine Company 23**
2119 G Street, NW (ANC 2A)
Square 79, Lot 5
- Case No. 02-14: Engine Company 29**
4811 MacArthur Boulevard, NW (ANC 3D)
Square 1372, Lot 808
- Case No. 02-15: Engine Company 10**
1300 Florida Avenue, NE (ANC 5B)
Square 4068, Lot 828
- Case No. 02-16: Engine Company 31**
3601 Everett Street, NW (ANC 3F)
Square 1983, Lot 807
- Case No. 02-17: Engine Company 16 and Truck Company 3**
1018 13th Street, NW (ANC 2F)
Square 248, Lot 814
- Case No. 02-18: Engine Company 26**
1340 Brentwood Road, NE (ANC 5B)
Square 3956, Lot 802
- Case No. 02-19: Fire Alarm Headquarters**
300 McMillan Drive (2400 1st Street), NW (ANC 1B)
Square 3126, Lot 800
- Case No. 02-20: Engine Company 14**
4801 North Capitol Street, NE (ANC 5A)
Parcel 124, Lot 155
- Case No. 02-31: Skyland Shopping Center**
2818, 2824, 2830-1832 and 2834 Alabama Avenue, SE (ANC 7B)
Square 5632, part of Lot 1
- Case No. 04-03: 1224 13th Street, NW (ANC 2F)**
Square 245, Lot 838

Case No. 04-07: Hockemeyer's Hall
719 6th Street, NW (ANC 6C)
Square 486, Lot 10

The hearing will take place at 9:00 a.m. on Thursday, April 29, 2004, 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 properties, they 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 properties 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, JUNE 15, 2004
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 THREE

17169
ANC-3D **Application of Karen Epstein, pursuant to 11 DCMR § 3104.1, for a special exception to allow a one-car garage addition to an existing single-family detached dwelling under section 223, not meeting the side yard requirements (section 405), in the R-1-A District at premises 4470 Dexter Street, N.W. (Square 1341, Lot 45).**

WARD TWO

17168
ANC-2C **Application of Ann Spiegel, pursuant to 11 DCMR § 3103.2, for a variance from the residential recreation space requirements under section 773, a variance from the nonconforming structure provisions under subsection 2001.3, and a variance from the off-street parking requirements to allow the renovation (including deck addition) of an existing building into a four (4) unit apartment house in the C-2-A District at premises 500 and 502 Florida Avenue, N.W. (Square 475, Lot 19).**

WARD TWO

17167
ANC-2C **Application of the Welch Family Limited Partnership Sixteen, on behalf of FCD-Development LLC, pursuant to 11 DCMR §§3104.1 and 3103.2, for a special exception from the roof structure requirements (§411), a special exception and variance to extend the DD/C-2-C zoning regulations by forty feet onto the portion of the premises zoned C-2-A (§2514.2), and for variances from the width**

PUBLIC HEARING NOTICE

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of court requirements (§776), the building setback requirements (§1706.15), the lot occupancy requirements (§772.1), and the rear yard requirements (§774.1) to permit the development of an apartment house in the DD/C-2-C District at 910 M Street, NW (Square 369, Lots 834, 861, 862, 865, 866, 872, 873 and 876)

P.M.

WARD THREE

**THIS APPLICATION WAS POSTPONED FROM THE MAY 11, 2004,
PUBLIC HEARING SESSION:**

17149 **Application of Sidwell Friends School, pursuant to 11 DCMR §
ANC-3C 3104.1, for a special exception allowing additions and enhancements
 to an existing private school and to increase enrollment from 780 to
 825 students under section 206, in the R-1-B and C-2-A Districts at
 premises 3825 Wisconsin Avenue, N.W. (Square 1825, Lot 816).**

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.

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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 III, AND A
MEMBER OF THE ZONING COMMISSION ----- BOARD OF ZONING
ADJUSTMENT, BY JERRILY R. KRESS, FAIA, DIRECTOR.**

PHN 6/15/04 rsn