

**BOARD OF ZONING ADJUSTMENT  
PUBLIC HEARING NOTICE  
TUESDAY, FEBRUARY 10, 2009  
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 ONE**

17907      **Application of the Embassy of Spain**, pursuant to 11 DCMR §§ 350.6 and 1001,  
ANC-1B      and section 4306 of the Foreign Missions Act, for a chancery annex (Spanish  
Cultural Center), in the R-5-D District at premises 2801 16<sup>th</sup> Street, N.W. (Square  
2577, Lot 821).

**WARD SIX**

17879      **Application of Lloyd and Libby Doggett**, pursuant to 11 DCMR §§ 3104.1 and  
ANC-6B      1202.1, for a special exception for a rear addition to an existing one-family row  
dwelling under section 223, not meeting the lot occupancy requirements under  
section 403, the nonconforming structure provisions under subsection 2001.3, and  
the court requirements under section 406, in the CAP/R-4 District at premises 138  
D Street, S.E. (Square 733, Lot 40).

**WARD TWO**

17878      **Application of Jeffrey Cohen**, pursuant to 11 DCMR § 3103.2, for a variance  
ANC-2E      from the lot occupancy requirements under section 403, a variance from the alley  
setback requirements under subsection 2300.2(b) and a variance from the rear  
yard occupancy requirement under subsection 2500.3, to construct an accessory  
garage serving a one-family row dwelling in the R-3 District at premises 2903 Q  
Street, N.W. (Square 1283, Lot 801).

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**P.M.**

**WARD TWO**

17877      **Application of Jupiter's Trail LLC**, pursuant to 11 DCMR § 3103.2, for a  
ANC-2E      variance from the lot occupancy requirements under section 772, to construct two  
residential townhouse condominiums as an addition to an existing two-story  
commercial building in the C-2-A District at premises 1626 Wisconsin Avenue,  
N.W. (Square 1279, Lot 232).

**WARD ONE**

17911      **Appeal of Kalorama Citizens Association**, pursuant to 11 DCMR §§ 3100 and  
ANC-1C      3101, from a September 5, 2008, zoning compliance letter from the Zoning  
Administrator, Department of Consumer and Regulatory, for work involving the  
expansion of the existing Washington Hilton Hotel in the R-5-D District at  
premises 1919 Connecticut Avenue, N.W. (Square 2535, Lot 41).

**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, N.W., 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.

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**RUTHANNE G. MILLER, CHAIRPERSON, MARC D. LOUD, MARY OATES  
WALKER, SHANE L. DETTMAN, AND A MEMBER OF THE ZONING COMMISSION  
----- BOARD OF ZONING ADJUSTMENT, BY JERRILY R. KRESS, FAIA,  
DIRECTOR.**

PHN 2/10/09 rsn

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

**TIME AND PLACE:**            **Thursday, January 29, 2009 @ 6:30 p.m.**  
                                         **Office of Zoning Hearing Room**  
                                         **441 4th Street, N.W., Suite 220-S**  
                                         **Washington, D.C. 20001**

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

**Case No. 08-30 Capitol Gateway Overlay District Review @ Square 700, Lots 33, 802, 840, 841, 850, 857, 864, 865, 868, 871, and 872)**

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

On November 12, 2008, the Office of Zoning received an application from West Half 1, LLC; West Half 2, LLC; and West Half 3, LLC (collectively, the "Applicants"). The Applicants are requesting review and approval of new development along M Street, SE and Half Street, SE, pursuant to the Capitol Gateway Overlay District provisions set forth in Chapter 16 of the Zoning Regulations. In addition, the Applicants seek special exception relief from the roof structure requirements set forth in §§ 639 and 411 with regard to the number of roof structures and their varying heights. The Applicants also seek variance relief from the loading requirements set forth in § 2201, the ground floor retail requirements of § 1607, and the step back requirements of § 1607.

The property which is the subject of this application consists of approximately 87,989 square feet of land and is located at 25 M Street, S.E. (Square 700, Lots 33, 802, 840, 841, 850, 857, 864, 865, 868, 871, and 872). The property is bound to the north by M Street, S.E., to the south by N Street, S.E., to the west by Van Street, S.E. and to the east by Half Street, S.E. The property is located in the CG/CR Zone District.

The Applicants propose to develop the property with an approximately 700,000 square foot mixed-use development consisting of residential, office and retail uses. The floor area ratio of the project will be 7.9 and the building will have a maximum height of 110 feet. Vehicular access to required parking and loading will be provided from Van Street, SE.

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

Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Commission. All requests and comments should be submitted to the Commission through Sharon S. Schellin, Secretary to the Zoning Commission, Office of Zoning, 441 4<sup>th</sup> Street, NW, Suite 200/210-S, Washington, D.C. 20001. Please include the case number on all correspondence.

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**Individuals and organizations wishing party status in this case 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 § 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

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proposed zoning action than those of other persons in the general public.

The Applicants shall also provide the information indicated in (e) through (h) 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 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.**

**ANTHONY J. HOOD, GREGORY N. JEFFRIES, PETER G. MAY, 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.**