

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

NOTICE OF A PUBLIC HEARING ON THE

Request Filed by
Advisory Neighborhood Commission 5B10 (ANC 5B10) for a
Moratorium on Single Sales of Alcoholic Beverages and to Restrict
Retailers' Class A, B, C, D and F Licenses
Within ANC 5B10 Boundaries (800 to 1500 Blocks of Bladensburg Road, NE)

Wednesday, October 21, 2009
1:00 to 3:00 p.m.

The Alcoholic Beverage Control Board (Board) announces a public hearing to receive testimony on the request of ANC 5B10 for a moratorium on single sales of alcoholic beverages and to restrict retailers' class A, B, C, D, and F licenses within ANC 5B10 boundaries; affecting the 800 to 1500 blocks of Bladensburg Road, NE. ANC 5B10's petition seeks the moratorium to promote the goals of (1) improving the quality of life of ANC 5B10 residents by reducing the negative impact on the community caused by the sale of singles, such as litter, public drunkenness, and loitering; and (2) encouraging and contributing to the economic revitalization of the Bladensburg Road corridor. The moratorium seeks to prohibit any restaurant that is not a part of an established chain of restaurants from obtaining any temporary, conditional or permanent license to serve and sell alcoholic beverages of any kind on its premises.

The hearing will be held on Wednesday, October 21, 2009 at 1:00 p.m. at 941 North Capitol Street, NE, Board Hearing Room, Washington, D.C. 20002. Individuals who wish to testify should contact Cynthia Simms at (202) 442-4496 or by e-mail at cynthia.simms@dc.gov by October 16, 2009. E-mail contacts should include the full name, title, and affiliation – if applicable – of the person(s) testifying. Witnesses should bring nine (9) copies of their written testimony to the Board.

If you are unable to testify and wish to comment, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to Peter Feather, Chairman, Alcoholic Beverage Control Board, 941 North Capitol Street, NE, Suite 7200, Washington, D.C. 20002, no later than 4:00 p.m., Monday, November 2, 2009.

****CORRECTION****

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: August 28, 2009
Petition Date: October 13, 2009
Hearing Date: October 26, 2009

License No.: ABRA-076362
Licensee: Momiji Restaurant Corp.
Trade Name: Momiji
License Class: Retail Class "C" Restaurant
Address: 503 H Street, N.W.
Contact: Leung Lo, 202-408-8110

WARD 6

ANC 6C

SMD 6C09

Notice is hereby given for this licensee who has applied for a substantial change to his license under the D.C. Alcoholic Beverage Control Act and for objectors who are entitled to be heard before the granting of such on the hearing date at 10:00 a.m., 7th floor, Room 7200, 941 North Capitol Street, NE. A petition or request to appear before the Board must be filed on or before the petition date.

Licensee requests the following substantial change to its nature of operation:

LICENSEE REQUESTS EXTENSION OF HOURS OF OPERATION AND SALES

HOURS OF OPERATION

Sunday through Saturday 11 am – 2 am

HOURS OF SALES/SERVICE/CONSUMPTION OF ALCOHOLIC BEVERAGES

Sunday through Saturday 11 am – 2 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: September 18, 2009
Petition Date: November 2, 2009
Hearing Date: November 16, 2009

License No.: ABRA-082969
Licensee: Kahsay Terfneh
Trade Name: Salina Restaurant
License Class: Retail Class "C" Restaurant
Address: 1936 9th Street, N.W.
Contact: Haile M. Danial, 202-498-1249

WARD 1 ANC 1B SMD 1B02

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 7th Floor, Suite 7200, 941 North Capitol Street, NE, Washington, DC 20002. Petition and/or request to appear before the Board must be filed on or before the petition date.

NATURE OF OPERATION

New Italian style restaurant with an entertainment endorsement featuring jazz music, blues music, and dancing. Occupancy load of 16.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Thursday 11 am - 2 am and Friday & Saturday 11 am - 3 am

HOURS OF ENTERTAINMENT ENDORSEMENT

Sunday through Thursday 8 pm - 2 am and Friday & Saturday 10 pm - 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: September 18, 2009
Petition Date: November 2, 2009
Hearing Date: November 16, 2009

License No.: ABRA-021784
Licensee: Bardia's, Inc.
Trade Name: New Orleans Cafe
License Class: Retail Class "C" Restaurant
Address: 2412 18th Street, N.W.
Contact: Bardia P. Ferdowski, 202-234-0420

WARD 1 ANC 1C SMD 1C03

Notice is hereby given for this licensee who has applied for a substantial change to his license under the D.C. Alcoholic Beverage Control Act and for objectors who are entitled to be heard before the granting of such on the hearing date at 10:00 a.m., 7th floor, Room 7200, 941 North Capitol Street, NE. A petition or request to appear before the Board must be filed on or before the petition date.

Licensee requests the following substantial change to its nature of operation:

LICENSEE REQUEST EXTENSION OF HOURS OF OPERATION AND SALES & SERVICE

HOURS OF OPERATION
Sunday through Saturday 11 am - 2 am

HOURS OF SALES/SERVICE/CONSUMPTION OF ALCOHOLIC BEVERAGES
Sunday through Saturday 11 am - 2 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: September 18, 2009
Petition Date: November 2, 2009
Hearing Date: November 16, 2009

License No.: ABRA-076693
Licensee: Grand Central, LLC
Trade Name: Grand Central
License Class: Retail Class "C" Restaurant
Address: 2447 18th Street, N.W.
Contact: Andrew Kline, 202-686-7600

WARD 1

ANC 1C

SMD 1C07

Notice is hereby given for this licensee who has applied for a substantial change to his license under the D.C. Alcoholic Beverage Control Act and for objectors who are entitled to be heard before the granting of such on the hearing date at 10:00 a.m., 7th floor, Room 7200, 941 North Capitol Street, NE. A petition or request to appear before the Board must be filed on or before the petition date.

Licensee requests the following substantial change to its nature of operation:

LICENSEE REQUESTS A REDUCTION IN OCCUPANCY FROM 214 SEATS TO 66

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**NOTICE OF PUBLIC HEARING**

Posting Date: September 18, 2009
Petition Date: November 2, 2009
Hearing Date: November 16, 2009

License No.: ABRA-082933
Licensee: 1323 14th Street, LLC
Trade Name: Café Trabant
License Class: Retail Class "C" Restaurant
Address: 1323 14th Street, NW
Contact: Candace Fitch, 202-625-7700

WARD 2

ANC 2F

SMD 2F02

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 7th Floor, Suite 7200, 941 North Capitol Street, NE, Washington, DC 20002. Petition and/or request to appear before the Board must be filed on or before the petition date.

NATURE OF OPERATION

New restaurant with European continental cuisine and entertainment endorsement with live DJ and no designated dance floor. Occupancy load of 199.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday 10 am – 2 am, Monday through Thursday 5 pm – 2 am and
Friday & Saturday 5 pm – 3 am

HOURS OF ENTERTAINMENT ENDORSEMENT

Sunday through Thursday 6 pm – 2 am and Friday & Saturday 6 pm – 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**NOTICE OF PUBLIC HEARING**

Posting Date: September 18, 2009

Petition Date: November 2, 2009

Hearing Date: November 16, 2009

License No.: ABRA-082973

Licensee: Rudraaksh, LLC

Trade Name: Masala Art

License Class: Retail Class "C" Restaurant

Address: 4441B Wisconsin Avenue, N.W.

Contact: Runan Zhang, Esq., 202-333-1004

WARD 3

ANC 3F

SMD 3F06

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 7th Floor, Suite 7200, 941 North Capitol Street, NE, Washington, DC 20002. Petition and/or request to appear before the Board must be filed on or before the petition date.

NATURE OF OPERATION

New full service fine dining restaurant. Occupancy load of 45.

HOURS OF OPERATION AND SALES/SERVICE/CONSUMPTION OF ALCOHOLIC BEVERAGES

Sunday through Saturday 11 am – 11 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**NOTICE OF PUBLIC HEARING**

Posting Date: September 18, 2009
Petition Date: November 2, 2009
Hearing Date: November 16, 2009

License No.: ABRA-082836
Licensee: Sharcon Hospitality of DC Three, LLC
Trade Name: Holiday Inn Express Hotel & Suites
License Class: Retail Class "C" Hotel
Address: 1917 Bladensburg Road, N.E.
Contact: Lyle Blanchard, 202-452-1410

WARD 5

ANC 5B

SMD 5B09

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 7th Floor, Suite 7200, 941 North Capitol Street, NE, Washington, DC 20002. Petition and/or request to appear before the Board must be filed on or before the petition date.

NATURE OF OPERATION

New Hotel. Standard hotel restaurant operations breakfast, lunch, and dinner. Menu selections include seafood, steaks, and pasta. 125 Hotel Rooms and Summer Garden with 20 seats

HOURS OF OPERATION

Sunday through Saturday, 24 Hours a day

HOURS OF SALES/SERVICE/CONSUMPTION OF ALCOHOLIC BEVERAGES

Sunday 10 am – 2 am, Monday through Thursday 8 am – 2 am and
Friday & Saturday 8 am – 3 am

SUMMER GARDEN HOURS OF OPERATION AND SALES/SERVICE & CONSUMPTION OF ALCOHOLIC BEVERAGES

Sunday 10 am – 2 am, Monday through Thursday 8 am – 2 am and
Friday & Saturday 8 am – 3 am

BOARD OF ELECTIONS AND ETHICS**NOTICE OF PUBLIC HEARING****RECEIPT AND INTENT TO REVIEW INITIATIVE MEASURE**

The Board of Elections and Ethics shall consider in a public hearing whether the proposed measure "Marriage Initiative of 2009" is a proper subject matter for initiative, at the Special Board Meeting on Monday, October 26, 2009 at 10:00a.m., One Judiciary Square, 441 4th Street, N.W., First Floor, Old Council Chambers, Washington D.C., 20001

The Board requests that written memoranda be submitted for the record no later than 4:00 p.m., Friday, October 16, 2009 to the Board of Elections and Ethics, General Counsel's Office, One Judiciary Square, 441 4th Street, N.W., Suite 270, Washington, D.C. 20001.

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 the organization represented (if any) by calling the General Counsel's office at 727-2194 no later than, Friday, October 23, 2009.

The Short Title, Summary Statement and Legislative Text of the proposed initiative read as follows:

SHORT TITLE

"Marriage Initiative of 2009"

SUMMARY STATEMENT

The initiative, if passed, will provide that only marriage between a man and a woman is valid or recognized in the District of Columbia.

LEGISLATIVE TEXT

BE IT ENACTED BY THE ELECTORS OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Marriage Initiative of 2009."

Sec. 2. Chapter Forty-Three of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (Title 46, Subtitle I, Chapter 4 of the District of Columbia Official Code, D.C. Official Code § 46-401 *et seq.*), is amended by adding a new section providing as follows:

Only marriage between a man and a woman is valid or recognized in the District of Columbia.

Sec. 3. Effective Date. This act shall take effect in accordance with the provisions of § 1-1001.16 and § 1-206.02 of the District of Columbia Official Code.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

NOTICE OF PUBLIC HEARING

Monday October 19, 2009 6:00pm
District Department of the Environment,
51 N Street, NE, 6th floor Conference Room
New York Avenue Metro Stop, Washington, D.C.

The District Department of the Environment (DDOE) invites the public to present its views on the proposed triennial revision of the water quality standards as required by the Water Pollution Control Act of 1984 and the federal Clean Water Act. The proposed rulemaking is available in the Friday, September 11, 2009 edition of the *D.C. Register* for comments.

The proposed rulemaking removes the following sections of the water quality standards that were not approved by the Environmental Protection Agency (EPA), and were published in the *D.C. Register* on October 28, 2005, at 52 DCR 9621: the first sentence of Note 1, Table 1 in section 1104.8 (“This criterion shall apply to *E. coli* bacteria determined by the Director to be of non-wildlife origin based on best scientific judgment using available information.”); and the second sentence in the definition of “primary contact recreation” in section 1199 (“Such uses are not expected during times of high current velocity, floods, electrical storms, hurricanes, tornadoes, winter temperature, heavy ice conditions, and other adverse natural conditions.”).

EPA determined that given the potential for risk from bacteria from nonhuman sources, and the limited knowledge in this area, EPA does not exclude any source of fecal bacteria from the application of its recommended criteria. Regarding the District’s modification of the definition of primary contact recreation, EPA determined that the definition could permit broad exemptions in the application of the designated use (primary contact recreation), and such limitation of a designated use should be supported by a Use Attainability Analysis, as required by 40 C.F.R. § 131.10(j). EPA’s disapproval of these two provisions limited or restricted the application of the provisions for the purpose of the federal Clean Water Act. Therefore, DDOE is removing these two provisions to comply with the federal Clean Water Act. DDOE is also deleting the definition for “adverse natural conditions” previously used in the primary contact definition.

This proposed rulemaking also removes the fecal coliform criterion for bacteria, which has been phased in with *E-coli* as the standard. The proposed rulemaking also adds *E. coli* numeric criterion for secondary contact recreation (Section 1104.8, Table 1). Water quality standards are being added for dissolved oxygen criterion for nontidal waters, and Nonylphenol, an organic chemical found to be toxic to aquatic life. The standards for Phenol and Acrolein are being updated based on EPA’s recommended federal water quality criteria (Section 1104.8, Table 3). A definition for “nontidal waters” is also included (Section 1199.1).

In addition, as continued scientific research and management applications have revealed new insights and knowledge, DDOE is updating the guidelines incorporated into the District's water quality standards, documented in the 2003 EPA publication: *Ambient Water Quality Criteria for Dissolved Oxygen, Water Clarity and Chlorophyll a for the Chesapeake Bay and its Tidal Tributaries*, EPA-903-R-03-002, April 2003, to include addenda by EPA in coordination with and on behalf of the Chesapeake Bay Program watershed jurisdictional partners (Section 1104.8, Table 1).

Copies of the Draft Proposed Rulemaking are on file at Martin Luther King, Jr. Library, 901 G St., NW. Washington, D.C 20001, and may be inspected during normal business hours. In addition, the document can be downloaded from the following website address <http://www.ddoe.dc.gov>, under the Information section at the Public Notices & Hearings bullet.

Persons who wish to testify are requested to furnish written statements, including their names, addresses, telephone numbers, and the organization they represent, if any, in writing to the attention of Mr. Collin Burrell at the DDOE address above or email collin.burrell@dc.gov. Written statements are to be clearly marked "2009 Triennial Review of Water Quality Standards" and received by October 14, 2009. Others present at the hearing, who wish to be heard may testify after those on the witness list have been called and heard. DDOE will consider all comments prior to proposing and publishing final rulemaking.

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
TUESDAY, NOVEMBER 24, 2009
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 A.M MORNING HEARING SESSION
1:00 P.M. TO 6:00 P.M. AFTERNOON HEARING SESSION**

A.M.

WARD TWO

17997
ANC-2E **Application of Jane V. Saunders**, pursuant to 11 DCMR § 3104.1, for a special exception to allow a one story rear addition to an existing one-family row dwelling under section 223, not meeting the lot occupancy requirements (section 403), side yard requirements (section 405), and court requirements (section 406) in the D/R-1-B District at premises 1681 32nd Street, N.W. (Square 1281, Lot 19).

WARD SIX

18000
ANC-6B **Application of Christopher and Jean Whaley**, pursuant to 11 DCMR §§ 3104.1, 3103.2 and 1202.1, for a special exception to allow a two-story rear addition to a one-family semi-detached dwelling under section 223, not meeting the lot occupancy (section 403), side yard (section 405), and nonconforming structure (subsection 2001.3) requirements, or in the alternative, variances from sections 403, 405 and 2001.3, in the CAP/R-4 District at premises 321 6th Street, S.E. (Square 844, Lot 810).

WARD ONE

THIS APPLICATION WAS CONTINUED FROM THE MAY 19, 2009, AND JULY 21, 2009, PUBLIC HEARING SESSIONS:

17925
ANC-1A **Application of Carlos M. Henrique et al**, pursuant to 11 DCMR § 3103.2, for a variance from the number of stories limitation under section 400, to allow a fourth floor addition to an existing one-family row dwelling in the R-4 District at premises 1314 Park Road, N.W. (Square 2843, Lot 80).

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NOVEMBER 24, 2009
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P.M.

WARD EIGHT

17998 **Application of Ruth H. Lawrence**, pursuant to 11 DCMR § 3103.2, for a
ANC-8C variance from the floor area ratio requirements under section 771, a
 variance from the side yard requirements under section 775, and a
 variance from the off-street parking requirements under subsection 2101.1,
 to construct (through renovation and addition) a new three story office
 building in the C-2-A District at premises 3010 Martin Luther King, Jr.
 Avenue, S.E. (Square 5952, Lot 44).

WARD THREE

17996 **Application of the Protestant Episcopal Cathedral Foundation of the**
ANC-3C **District of Columbia**, pursuant to 11 DCMR § 3104.1, for a special
 exception to establish a child development center (60 children) as a
 principle use at Beauvoir school, a previously approved private school,
 under section 205, and flexibility to increase the number of Beauvoir
 faculty and staff to 130, in the R-1-B District at premises 3500 Woodley
 Road, N.W. (Square 1944, lot 25).

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 200-S, 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.

**MARC D. LOUD, CHAIRMAN, SHANE L. DETTMAN, MERIDITH H. MOLDENHAUER AND A MEMBER OF THE ZONING COMMISSION -----
----- BOARD OF ZONING ADJUSTMENT, CLIFFORD MOY, SECRETARY TO THE BZA, JAMISON L. WEINBAUM, DIRECTOR, OFFICE OF ZONING.**