

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: February 19, 2010
Petition Date: April 5, 2010
Hearing Date: April 19, 2010

License No.: ABRA-083794
Licensee: The Knowles Marr Group, LLC
Trade Name: Pete's New Haven Style Apizza
License Class: Retail Class "D" Restaurant
Address: 4940 Wisconsin Avenue, N.W.
Contact: Thomas Marr, 202-332-7383

WARD 3 ANC 3E SMD 3E03

Notice is hereby given that this licensee has applied for a New 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, 2nd Floor, Suite 2000, 1250 U Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the petition date.

NATURE OF OPERATION

New Italian restaurant with 101 seats and a total occupancy load of 125. Request a sidewalk café with a seating capacity of 50.

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

Sunday through Saturday 10 am – 12 am

SIDEWALK CAFÉ HOURS OF OPERATION & SALES/SERVICE/CONSUMPTION OF ALCOHOLIC BEVERAGES

Sunday through Saturday 10 am – 12 am

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

Posting Date: February 19, 2010

Petition Date: April 5, 2010

Hearing Date: April 19, 2010

License No.: ABRA-083808

Licensee: PHO DC, Inc.

Trade Name: Pho DC

License Class: Retail Class "C" Restaurant

Address: 608 H Street, N.W.

Contact: Simon Osnos, 703-356-8233

WARD 2

ANC 2C

SMD 2C03

Notice is hereby given that this licensee has applied for a New 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, 2nd Floor, Suite 2000, 1250 U Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the petition date.

**NATURE OF OPERATION**

Asian and Vietnamese cuisine. 65 seats and total capacity load of 65 on first floor and storage on the second floor.

**HOURS OF OPERATION**

Sunday through Thursday 9 am – 2 am and Friday & Saturday 9 am – 3 am

**HOURS OF SALES/SERVICE/CONSUMPTION OF ALCOHOLIC BEVERAGES**

Sunday 10 am – 2 am, Monday through Thursday 9 am – 2 am and  
Friday & Saturday 9 am – 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: February 19, 2010
Petition Date: April 5, 2010
Hearing Date: April 19, 2010

License No.: ABRA-060559
Licensee: Thai Tanic, Inc.
Trade Name: Thai Tanic Restaurant
License Class: Retail Class "C" Restaurant
Address: 1326 14th Street, N.W.
Contact: Suriyan Scorsat, 202-588-1795

WARD 2 ANC 2F SMD 2F02

Notice is hereby given that this licensee has applied for a New 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, 2nd Floor, Suite 2000, 1250 U Street, N.W., Washington, DC 20009. Petition and/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 EXPANSION OF PREMISE TO INCLUDE 2ND FLOOR WITH SEATING FOR 100 PATRONS AND EXTENSION OF HOURS OF OPERATION AND HOURS OF ALCOHOL 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

**HISTORIC PRESERVATION REVIEW BOARD****NOTICE OF PUBLIC HEARING**

The D.C. Historic Preservation Review Board will hold a public hearing to consider an application to designate the following property as a historic landmark in the D.C. Inventory of Historic Sites. The Board will also consider the nomination of the property to the National Register of Historic Places:

**Case No. 09-07: The James C. Dent Residence**  
**156 Q Street, SW**  
**Square 603, Lot 807 (old Lot 15)**

The hearing will take place at **10:00 a.m. on Thursday, March 25, 2010**, 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 2000 14<sup>th</sup> Street, NW, Fourth Floor, Washington, DC 20009, 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 a property, it 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 property 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 or 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.

For further information, contact Tim Dennee, Landmarks Coordinator, at 202-442-8847.

**DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD****NOTICE OF PUBLIC HEARING**

The District of Columbia Public Charter School Board invites the public to participate in public hearings on thirteen applications to establish public charter schools in Washington, DC. The hearings will be held on Monday, March 15 from 6:00 – 9:30 PM and Tuesday, March 16, 2010 from 6:00 – 8:30 PM at Carlos Rosario International Public Charter School, 1100 Harvard Street, NW, (Columbia Heights Metro – Green Line).

The Board is holding the public hearings as a part of its 2010 application review process. A review of the technical quality of the applications is underway and the Board is now inviting comment from the general public.

During the March 15 and 16 public hearings, proposed public charter schools will be described by applicants. The Board invites the public's participation in the hearing and asks members of the public to testify on the impact proposed public charter schools will have on:

1. students, parents, and the community;
2. other public schools in the District of Columbia; and
3. the quality of education in the city.

Individuals who wish to testify should call the Board's office at (202) 328-2660 by 3:00 PM on the day of the hearing to be placed on the hearing schedule and should send, by April 30, 2010, a written copy of their testimony to the District of Columbia Public Charter School Board, 3333 14<sup>th</sup> St., Suite 210, NW, Washington, DC 20010. Copies of the schedule of applicant presentations and summaries of the applications will be available, beginning February 19, 2010, from the Board's office and at several locations in the city, including:

Martin Luther King Library  
901 G Street, NW

Tenley-Friendship Public Library  
4450 Wisconsin Avenue, NW

Marshall Heights Community Development Corporation  
3917 Minnesota Avenue, NE

Development Corporation of Columbia Heights  
3419 Fourteenth Street, NW

Advisory Neighborhood Commissioners also have been sent copies for distribution to the public.

Sign and/or Spanish language interpretation will be available upon request. Members of the public needing these services are requested to contact the Board no later than March 9, 2010 so that arrangements can be made.

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

**TIME AND PLACE:**                      **Thursday, April 1, 2010, 6:30 p.m. (2<sup>nd</sup> Case)**  
**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. 09-15 (G.K.D. 1412 Chapin Street, LLC – Consolidated PUD and Related Map Amendment @ Square 2661, Lot 152)**

**THIS CASE IS OF INTEREST TO ANC 1B**

On September 25, 2009, the Office of Zoning received an application from G.K.D. 1412 Chapin Street, LLC, *et al.* (the “Applicant”) for approval of a consolidated PUD and related map amendment for the above-referenced property to rezone the subject property from the R-5-B Zone District to the C-2-B Zone District. The Office of Planning provided its report on October 30, 2009, and the case was set down for hearing on November 9, 2009. The Applicant provided its prehearing statement on December 2, 2009.

The property that is the subject of this application consists of approximately 9,000 square feet of land area and is located at 1412 Chapin Street, N.W. (Square 2661, Lot 152). The subject property is zoned R-5-B.

The Applicant proposes to construct a 48,258 square-foot building with five stories (57 feet in height), that will provide 44 units of workforce housing (defined here as housing affordable to families earning no more than 60% of Area Median Income). The density of the building will be a 5.36 floor area ratio (“FAR”) and the lot occupancy will be up to 100% on the ground floor. The project will provide 16 vehicle parking spaces, one loading/delivery space, and 41 bicycle parking spaces in an indoor garage.

The Applicant proposes to rezone the subject property from the R-5-B Zone District to the C-2-B Zone District. The R-5-B Zone District permits all types of urban residential development of a moderate height and density, as well as those institutional and semi-public buildings that would be compatible with adjoining residential uses and that are excluded from the more restrictive Residence Districts. With some exceptions, the maximum permitted height in the R-5-B Zone District is 50 feet, the maximum permitted lot occupancy is 60%, and the maximum density is 1.8 FAR. The proposed C-2-B Zone District permits mixed residential and commercial development as a matter-of-right, to a maximum lot occupancy of 80% for residential use, a maximum density of 3.5 FAR, of which no more than 1.5 may be devoted to other than residential uses, and a maximum height of 90 feet. Under Chapter 24, the guideline for height in

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a PUD is 90 feet and the guideline for density is 6.0 FAR, of which no more than 2.0 may be commercial.

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 are 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;
- (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

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- (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.

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 maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- |    |                                  |                         |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition            | 60 minutes collectively |
| 3. | Organizations                    | 5 minutes each          |
| 4. | Individuals                      | 3 minutes each          |

Pursuant to § 3020.3, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

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Information should be forwarded to the Secretary of the Zoning Commission, Office of Zoning, Suite 200/210-S, 441 4<sup>th</sup> Street, N.W., Washington, D.C. 20001. Please include the number of the particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**ANTHONY J. HOOD, WILLIAM W. KEATING, III, KONRAD W. SCHLATER, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JAMISON L. WEINBAUM, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.**

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

**TIME AND PLACE:**                      **Thursday, April 1, 2010, 6:30 p.m. (1<sup>st</sup> Case)**  
**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. 09-18 (Text Amendment to enable more than one regular monthly Zoning Commission meeting)**

**THIS CASE IS OF INTEREST TO ALL ANCS**

On November 17, 2009, the Office of Planning filed a memorandum that served as a petition requesting amendments to the Zoning Regulations. The proposed text amendment would clarify that the Zoning Commission may advertise and convene more than one regular monthly meeting on a predetermined schedule.

The Zoning Commission set down this case for a public hearing on November 23, 2009. The Office of Planning's memorandum served as its prehearing statement.

The following amendments to Title 11 of the District of Columbia Municipal Regulations (ZONING) are proposed:

(New text is shown in **bold and underline**):

CHAPTER 30 ZONING COMMISSION RULES OF PRACTICE AND PROCEDURE

3005 MEETINGS AND HEARINGS

3005.6 A meeting of the Commission shall be held **at least** once each month in accordance with a schedule to be established by the Commission, and additional meetings as needed may be called by the presiding officer or by three (3) members.

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.*)

The public hearing on this case will be conducted as a rulemaking in accordance with the provisions of § 3021. The Commission will impose time limits on testimony presented to it at the public hearing.

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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 should be forwarded to the Secretary of the Zoning Commission, Office of Zoning, Suite 200/210-S, 441 4<sup>th</sup> Street, N.W., Washington, D.C. 20001. Please include the number of the particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**ANTHONY J. HOOD, WILLIAM W. KEATING, III, KONRAD W. SCHLATER, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JAMISON L. WEINBAUM, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.**