

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of the license. Hearings will begin at 10:00 am at 1250 U Street, NW, 2nd Floor, Hearing Room, 202-442-4423

RENEWAL NOTICES

POSTING DATE 7/16/2010
 PETITION DATE 8/30/2010
 HEARING DATE 9/13/2010

THE FOLLOWING ESTABLISHMENTS ARE RENEWING THEIR ABC LICENSES:

License # ABRA-024431 **Buruca Brothers, Inc.**
 ANC 2B09 **El Paraiso Restaurant**
 Class Retailer CR 01 **1916 - 1918 14TH STREET NW**

Endorsement:

	<u>Hours of Operation</u>	<u>Hours of Sales</u>	<u>Hours of Entertainment</u>
MON	11 am to 2 am	11 am to 2 am	6 pm to 12:30 am
TUE	11 am to 2 am	11 am to 2 am	6 pm to 12:30 am
WED	11 am to 2 am	11 am to 2 am	6 pm to 12:30 am
THU	11 am to 2 am	11 am to 2 am	6 pm to 12:30 am
FRI	11 am to 3 am	11 am to 3 am	6 pm to 1:45 am
SAT	11 am to 3 am	11 am to 3 am	6 pm to 1:45 am
SUN	11 am to 2 am	11 am to 2 am	6 pm to 12:30 am

License # ABRA-060577 **Chef Geoff's Downtown**
 ANC 2F03 **Chef Geoff's Downtown**
 Class Retailer CR 03 **1301 PENNSYLVANIA AVENUE NW**

Endorsement:

	<u>Hours of Operation</u>	<u>Hours of Sales</u>	<u>Operating Hours of Summer Garden</u>	<u>Hours of Sales for Summer Garden</u>
MON	11:30 am to 12 am	11:30 am to 12 am	11:30 am to 12 am	11:30 am to 12 am
TUE	11:30 am to 12 am	11:30 am to 12 am	11:30 am to 12 am	11:30 am to 12 am
WED	11:30 am to 12 am	11:30 am to 12 am	11:30 am to 12 am	11:30 am to 12 am
THU	11:30 am to 12 am	11:30 am to 12 am	11:30 am to 12 am	11:30 am to 12 am
FRI	11:30 am to 12 am	11:30 am to 12 am	11:30 am to 12 am	11:30 am to 12 am
SAT	11:30 am to 12 am	11:30 am to 12 am	11:30 am to 12 am	11:30 am to 12 am
SUN	11:30 am to 12 am	11:30 am to 12 am	11:30 am to 12 am	11:30 am to 12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of the license. Hearings will begin at 10:00 am at 1250 U Street, NW, 2nd Floor, Hearing Room, 202-442-4423

RENEWAL NOTICES

POSTING DATE 7/16/2010
PETITION DATE 8/30/2010
HEARING DATE 9/13/2010

THE FOLLOWING ESTABLISHMENTS ARE RENEWING THEIR ABC LICENSES:

SAFEKEEPING

License # ABRA-071127
ANC 2E06'
Class Retailer CR 01

R&A Restaurant Development Company, Georgetown, LLC
Five Guys
1335 WISCONSIN AVENUE NW

Endorsement:

	<u>Hours of Operation</u>	<u>Hours of Sales</u>	<u>Operating Hours of Sidewalk Café</u>	<u>Hours of Sales for Sidewalk Café</u>
MON	11 am to 3 am	11 am to 2 am	11 am to 3 am	11 am to 3 am
TUE	11 am to 3 am	11 am to 2 am	11 am to 3 am	11 am to 3 am
WED	11 am to 3 am	11 am to 2 am	11 am to 3 am	11 am to 3 am
THU	11 am to 3 am	11 am to 2 am	11 am to 3 am	11 am to 3 am
FRI	11 am to 4 am	11 am to 3 am	11 am to 4 am	11 am to 4 am
SAT	11 am to 4 am	11 am to 3 am	11 am to 4 am	11 am to 4 am
SUN	11 am to 3 am	11 am to 2 am	11 am to 3 am	11 am to 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: July 16, 2010
Petition Date: August 30, 2010
Hearing Date: September 13, 2010

License No.: ABRA-073951
Licensee: Jun King Provisions, Inc.
Trade Name: Full Kee Restaurant
License Class: Retail Class "C" Restaurant
Address: 509 H Street, N.W.
Contact: Wei Tan, 571-275-1223

WARD 6

ANC 6C

SMD 6C09

Notice is hereby given that this licensee has applied for a substantial change to his 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.

The licensee requests the following substantial change:

EXPANSION OF THE PREMISE TO INCLUDE AN INCREASE TO 82 SEATS

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: July 16, 2010
Petition Date: August 30, 2010
Hearing Date: September 13, 2010

License No.: ABRA-060243
Licensee: Jeon Kwang Bae
Trade Name: Kenny's Smoke House
License Class: Retail Class "C" Restaurant
Address: 732 Maryland Ave., N.E.
Contact: Jeon Kwang Bae, 202-547-4553

WARD 6

ANC 6C

SMD 6C06

Notice is hereby given that this licensee has applied for a substantial change to his 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 operations:

NEW SIDEWALK CAFÉ

PROPOSED HOURS OF OPERATION AND SALE/SERVICE OF ALCOHOLIC BEVERAGES
FOR THE SIDEWALK CAFÉ

Sunday - Closed, Monday through Thursday 11am – 9:30 pm and
Friday & Saturday 11 am – 10 pm

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

Posting Date: July 16, 2010
Petition Date: August 30, 2010
Hearing Date: September 13, 2010

License No.: ABRA-084689
Licensee: Apra1, Inc.
Trade Name: Mayur Kabab House
License Class: Retail Class "C" Restaurant
Address: 1100 K Street, N.W.
Contact: Candace M. Fitch, 202-589-1834

WARD 2

ANC2F

SMD 2F06

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, 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 restaurant with full Indo-Pak menu with lunch buffet. Background music only. Occupancy load is 68.

HOURS OF OPERATION

Sunday through Thursday 11 am – 10 pm and Friday & Saturday 11 am – 12 am

HOURS OF SALE/SERVICE/CONSUMPTION OF ALCOHOLIC BEVERAGES

Sunday through Thursday 11 am – 10 pm and Friday & Saturday 11 am – 12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: July 16, 2010
Petition Date: August 30, 2010
Hearing Date: September 13, 2010

License No: ABRA-085010
Licensee: Maurice A. Grant
Trade Name: Move & Groove
License Class: Retail Class "C" Multi-Purpose Facility
Address: 5119 Georgia Avenue, N.W.
Contact: Maurice A. Grant, 240-351-5790

WARD 45 ANC 4D SMD 4D04

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, 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

Will provide Occupancy for events, Music, and Beverages. We will cater weddings, anniversaries, graduation parties, birthday parties, baby showers, bachelor and bridal showers. There is a small dance floor. Seating is for 40 people, and total occupancy load is 75.

HOURS OF OPERATION

Sunday - Closed, Monday through Thursday 12 pm - 10 pm and Friday & Saturday 12 pm - 2 am

HOURS OF SALE/SERVICE/CONSUMPTION OF ALCOHOLIC BEVERAGES

Sunday Closed, Monday through Thursday 3 pm - 10 pm and Friday & Saturday 3 pm - 2 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: July 16, 2010
Petition Date: August 30, 2010
Hearing Date: September 13, 2010

License No.: ABRA-084978
Licensee: RHBB, LLC
Trade Name: Puro Cafe
License Class: Retail Class "C" Restaurant
Address: 1529 Wisconsin Avenue, N.W.
Contact: Candace M. Fitch, 202-589-1836

WARD 2

ANC 2E

SMD 2E06

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, 2nd Floor, Suite 2000, 1250 U Street, N.W., Washington, D.C. 20009. Petition and/or request to appear before the Board must be filed on or before the petition date.

NATURE OF OPERATION

Coffee house and lounge serving a selection of coffees and teas with light fare menu. Entertainment to include live band, DJ, instrumentalist, and poetry readings. Summer Garden with 60 seats. Seating capacity is 14. Total occupancy is 74

HOURS OF OPERATION FOR INSIDE PREMISE AND SUMMER GARDEN

Sunday through Thursday 8 am – 10 pm and Friday & Saturday 8 am – 12 am

HOURS OF SALE/SERVICE/CONSUMPTION OF ALCOHOLIC BEVERAGES FOR INSIDE PREMISE AND SUMMER GARDEN

Sunday 10 am – 10 pm, Monday through Thursday 8 am – 10 pm and Friday & Saturday 8 am – 12 am

HOURS OF ENTERTAINMENT

Sunday through Thursday 6 pm – 10 pm and Friday & Saturday 6 pm – 12 am

NOTICE OF PUBLIC HEARING**DISTRICT DEPARTMENT OF THE ENVIRONMENT****FY 2010 State Plan for Weatherization Assistance Program**

The District Department of the Environment (DDOE) will hold a public hearing on its energy assistance and weatherization programs for the FY 2010 State Plan for weatherization assistance, in the DDOE Conference Room at 10:00 a.m. on Tuesday, July 27, 2010 at 1200 1st Street NE, Suite 700, Washington, DC 20002. The programs provide energy assistance and energy efficiency services for eligible District of Columbia applicants under the Low Income Home Energy Assistance Program (LIHEAP) the Weatherization Assistance Program (WAP), the Reliable Energy Trust Fund (RETF) and Natural Gas Trust Fund (NGTF).

Program activities are funded and authorized (pending federal approvals) under the U.S. Department of Health and Human Services Low Income Home Energy Assistance Act of 1981, Title XXVI of the Omnibus Budget Reconciliation Act of 1981, Public Law 97-35, by the US Department of Energy as governed by Title IV, Part A, Energy Conservation Policy Act, P.L. 94-385, and as amended by the State Energy Efficiency Programs Improvement Act of 1990, P.L. 101-440, by the Reliable Energy Trust Fund established by the DC Retail Electric Competition and Consumer Protection Act of 1999 and the DC Public Service Commission's Order No. 11876 of Formal Case No. 945, and by other applicable federal and District of Columbia laws and regulations.

Persons wishing to testify are asked to call the number below to have their names placed on the witness list no later than Friday, July 23, 2010. Individual statements at the hearing will be limited to five minutes. Written testimony must be received by the DDOE no later than Friday, July 23, 2010.

The RFGA will not be mailed to requesters. Only one copy will be provided per requestor. Copies of the RFGA will be available for pick-up only, weekdays from 9:00 a.m. to 4:00 p.m. beginning Monday, July 26, 2010 at the DDOE Office on the 5th Floor.

DDOE
(202) 673-6750
Government of the District of Columbia
Mayor Adrian Fenty

**DC DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
NOTICE OF PUBLIC HEARING**

Notice is hereby given that, pursuant to the requirements of D.C. Official Code Section 42-3171.03 (a)(1), the District of Columbia Department of Housing and Community Development (DHCD) has scheduled a public hearing on Wednesday, August 18, 2010 at 6 p.m. at 1800 Martin Luther King, Jr. Avenue, SE, Washington, DC 20020 to consider the proposed disposition of the thirty-two properties noted below and the terms and conditions of the proposed Property Disposition Agreements.

	Ward	Property Address	Square	Lot	Buyer Name
1	6	813 4 th Street, NE	0808	0069	Shah Kahn
2	1	1444 Fairmont Street, NW	2665	0032	Jonathan T. Rubin
3	7	4236 Gault Place, NE	5093	0140	Setty & Associates, LLC
4	8	1444 Alabama Avenue, SE	5889	0815	Jayne D. Wallace
5	7	4338 Douglas Street, NE	5116	0115	Lawal Abdulganiyu
6	7	4906 Jay Street, NE	5176	0989	Eric Allen
7	8	105 Galveston Place, SE	6239	0082	Design Services
8	8	35 Forrester Street, SW	6240	0054	Daria Karimian
9	8	53 Forrester Street, SW	6240	0060	Ziad Kabbani
10	8	61 Forrester Street, SW	6240	0063	DC General Construction
11	2	1713 New Jersey Ave., NW	0507	0016	Klaus Klatt
12	2	922 French Street, NW	0363	0034	Michael John
13	6	805 7 th Street, NW	0889	0015	Manna, Inc.
14	1	627 Keefer Place, NW	3041	0012	Kramer Consulting, Inc.
15	2	1335 R Street, NW	0239	0804	New Heights Development, LLC
16	2	900 block of T Street, NW	0361	0806	Siyama Sadeghi
17	2	501 Rhode Island Ave., NW	0475S	0033	Paramount Dev, LLC
18	5	3022 Channing Street, NE	4355	0058	Abdullah Yildirim & Ahmet Baspehlivan
19	5	1940 Capitol Avenue, NE	4043	0014	Mi Casa, Inc.
20	5	1948 Capitol Avenue, NE	4043	0017	Mi Casa, Inc.
21	5	Capitol Avenue, NE	4045	0009	Mi Casa, Inc.
22	5	1839 Capitol Avenue, NE	4046	0002	Mi Casa, Inc.
23	5	1835 Capitol Avenue, NE	4046	0805	Mi Casa, Inc.
24	5	1828 Kendall Street, NE	4048	0020	Mi Casa, Inc.
25	5	1868 Corcoran Street, NE	4049	0802	Mi Casa, Inc.
26	5	Corcoran Street, NE	4049	0801	Mi Casa, Inc.
27	5	Kendall Street, NE	4048	0802	Manna, Inc.
28	5	1840 Kendall Street, NE	4048	0013	Manna, Inc.
29	5	1849 Kendall Street, NE	4047	0053	Manna, Inc.
30	5	Capitol Avenue, NE	4045	0815	Manna, Inc.
31	5	Capitol Avenue, NE	4044	0017	Manna, Inc.
32	5	Capitol Avenue, NE	4044	0018	Manna, Inc.

The public hearing is being conducted in order to assure that citizens are informed about the selling of the properties identified above to the named buyers, and to ensure that all citizens have the opportunity to present publicly their views concerning such sales.

The Property Disposition Agreements will be available for public examination on the Department of Housing and Community Development website at <http://dhcd.dc.gov/dhcd/site/>.

If you would like to present oral testimony, you are encouraged to register in advance either by e-mailing Andrea Lee at Andrea.Lee@dc.gov, or by calling 202-478-1355. Please provide your name, address, telephone number, and organization affiliation, if any. Telecommunications Device for the Deaf (TDD) relay service is available by calling (800) 201-7165. A sign language interpreter and language translation services are available upon request by calling Pamela Hillsman at 202-442-7251. If you require language translation, please specify which language (Spanish, Vietnamese, Chinese-Mandarin/Cantonese, Amharic, or French). Language translation services will be provided to pre-registered persons only. Deadline for requiring services of an interpreter is 7 days prior to the hearing. Bilingual staff will provide services on an availability basis to walk-ins without registration.

Written statements may be submitted at the hearing, or until 4:45 p.m., Friday, August 20, 2010, and should be addressed to: Leila Finucane Edmonds, Director, DC Department of Housing and Community Development, ATTN: PADD, 1800 Martin Luther King Jr., Ave., SE, Washington, D.C. 20020.

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

TIME AND PLACE: **Thursday, September 30, 2010, @ 6:30 p.m.**
Office of Zoning Hearing Room
441 4th Street, N.W., Suite 220-South
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. Z.C. Case No. 07-02B (Highland Park West, LLC, *et al.* - Modification to PUD @ Square 2672)

THIS CASE IS OF INTEREST TO ANC 1A

On May 13, 2010, the Office of Zoning received an application from Highland Park West LLC, Columbia Heights Ventures Parcel 26, LLC, and the District of Columbia (collectively, the "Applicant"). The Applicant is requesting approval of modifications to an approved planned unit development ("PUD") for part of the subject property. A related zoning map amendment from R-5-B to C-3-A for a portion of the subject property was approved as part of the original PUD. The Office of Planning provided its report on June 4, 2010, and the case was set down for hearing on June 14, 2010. The Applicant provided its prehearing statement on June 16, 2010.

The property that is the subject of this application consists of approximately 101,194 square feet of land area. The overall PUD site consists of Lots 884, 885, and 886 in Square 2672. Lot 884 is improved with the existing Highland Park building, and Lots 885 and 886 are assessment and taxation lots created over an existing record lot known as Lot 726. The property is located in the block bounded by Irving Street, N.W. to the north, 14th Street, N.W. to the east, Columbia Road, N.W. to the south, and 15th Street, N.W. to the west. The subject property is zoned C-3-A pursuant to the original PUD approval.

By Order No. 07-02, dated May 12, 2008, effective June 27, 2008, the Zoning Commission approved the consolidated PUD and related map amendment from R-5-B to C-3-A for the construction of a 69 unit apartment building and an 82 bed community based residential facility ("CBRF") as an addition to the existing Highland Park building located on Lot 884. The initially-approved addition would contain approximately 109,000 square feet of gross floor area, and would be constructed to a maximum height of 86 feet, 2 inches. The overall density of the entire project was approved at 3.96 FAR and was designed to include a total of 64 new parking spaces.

The Applicant now seeks the following modifications to the apartment house to be constructed as an addition to the Highland Park building: to increase the number of residential units from 69 to 143 units; to increase the height from 86 feet, 2 inches to 90 feet; to eliminate the proposed parking spaces for the new construction; and to redesign the exterior facades of the addition in

Z.C. NOTICE OF PUBLIC HEARING
Z.C. CASE NO. 07-02B
PAGE 2

order to help the façade blend with the facades of the existing Highland Park building. The CBRF portion of the approved PUD will remain as approved, and thus this modification application does not apply to or include any changes to the approved CBRF.

The C-3-A Zone District permits mixed residential and commercial development as a matter-of-right, to a maximum lot occupancy of 75% for residential use, a maximum FAR of 4.0, of which no more than 2.5 may be devoted to other than residential uses and a maximum height of 65 feet. Under Chapter 24, the guideline for height in a PUD is 90 feet and the guideline for FAR in a PUD is 4.5, of which no more than 3.0 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;

**Z.C. NOTICE OF PUBLIC HEARING
Z.C. CASE NO. 07-02B
PAGE 3**

- (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 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 |

**Z.C. NOTICE OF PUBLIC HEARING
Z.C. CASE NO. 07-02B
PAGE 4**

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.

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 200/210-S, 441 4th Street, N.W., Washington, D.C. 20001. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, 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 PUBLIC HEARING**

TIME AND PLACE: **Thursday, September 2, 2010 @ 6:30 P.M. (1st Case)**
 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. 10-15 (Office of Zoning - Text Amendment to 11 DCMR, Chapter 30, § 3004, Minutes and Transcripts)

THIS CASE IS OF INTEREST TO ALL ANCs

The Office of Zoning (“OZ”), in a request dated June 1, 2010, petitioned the Zoning Commission for a text amendment to remove all references to meeting minutes and to make other clarifications. The Office of Planning provided its setdown report on July 1, 2010, which was also deemed to be the Petitioner’s supplemental filing.

At its regular public meeting held July 12, 2010, the Zoning Commission setdown this case for a public hearing.

The proposed amendments to the Zoning Regulations, Title 11 DCMR, are as follows:

- A. Chapter 30, ZONING COMMISSION PROCEDURES RULES OF PRACTICE AND PROCEDURE, § 3004, MINUTES AND TRANSCRIPTS, is re-titled “PUBLIC MEETING AND HEARING TRANSCRIPTS” and amended to remove all references to meeting minutes and to make other clarifications so that the provision will read as follows:

3004 PUBLIC MEETING AND HEARING TRANSCRIPTS

- 3004.1 The transcripts of Commission public meetings and hearings are a matter of public record and shall be open for inspection at the Office of Zoning.
- 3004.2 The public meetings and hearings shall be reported under the supervision of the presiding officer, by transcription or by other means, by an official reporter who may be designated from time to time by the Director (or designee) or who may be a regular employee of the Office of Zoning.
- 3004.3 The transcript prepared by the reporter shall be the sole official transcript of the public meetings and hearings.
- 3004.4 Copies of the transcript will be made available in the Office of Zoning fourteen (14) calendar days after the public meeting or hearing.

Z.C. NOTICE OF PUBLIC HEARING
Z.C. CASE NOS. 10-15
PAGE 2

- 3004.5 A motion to correct a transcript may be made only when the alleged error is substantive.
- 3004.6 A motion to correct a transcript shall be filed with the Commission within ten (10) calendar days after the transcript has been made available in the Office of Zoning.
- 3004.7 Copies of the motion to correct a transcript shall be served simultaneously on all parties or their authorized representatives.
- 3004.8 The Commission will rule on a motion to correct a transcript at a public meeting or hearing.
- 3004.9 Objections to the motion to correct a transcript shall be filed with the Commission within five (5) calendar days and served upon the parties.
- 3004.10 The Commission, on its own motion at a public meeting or hearing, may order changes to a transcript at any time for any reason.
- 3004.11 If a motion to correct a transcript is granted, the corrected transcript will be made available in the Office of Zoning fourteen (14) calendar days after the Commission grants the motion.

Proposed amendments to the Zoning Regulations of the District of Columbia are authorized pursuant to the Zoning Act of June 20, 1938, (52 Stat. 797), as amended, 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 11 DCMR § 3021. Pursuant to that section, the Commission will impose time limits on testimony presented to it at the public hearing.

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 Sharon Schellin, the Secretary of the Zoning Commission, Office of Zoning, Suite 200-S, 441 4th 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.**

ANTHONY J. HOOD, KONRAD W. SCHLATER, MICHAEL G. TURNBULL, AND PETER G. MAY -- 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 PUBLIC HEARING**

TIME AND PLACE: Thursday, September 2, 2010, @ 6:30 p.m. (2nd case)
Office of Zoning Hearing Room
441 4th Street, N.W., Suite 220-South
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 10-16 (Proposed Zoning Text Amendment to Allow Closure of Open Arcades)

THIS CASE IS OF INTEREST TO ANCS IN ALL WARDS

The Office of Planning (“OP”), in a report dated June 4, 2010, petitioned the Zoning Commission to repeal § 2515, which incentivized the use of open arcades through the allowance of a FAR credit. A 2004 amendment to that section permitted the closure of open arcades in commercial zones within the Central Employment Area. Because OP has concluded that open arcades are no longer consistent with sound urban planning, it requested that the Commission repeal § 2515 and adopt a new § 2524 that would, among other things, expand that the authority to close open arcades to all SP, W, CR, and C districts, subject to the same limitations as existed in the repealed provision.

The Commission set the case down for a public hearing at its regularly scheduled public meeting held on June 14, 2010. In a subsequent report dated June 16, 2010, OP requested that its previous report serve as the pre-hearing submission for this case.

The specific amendments to the Zoning Regulation that will be the subject of the hearing are as follows:

Title 11 DCMR, ZONING, Chapter 25, MISCELLANEOUS ZONING REQUIREMENTS would be amended as follow:

1. Section 2515, EXCEPTION TO DENSITY REGULATIONS FOR OPEN ARCADES would be repealed.
2. A new § 2524 would be added to read as follows:

2524 EXCEPTIONS TO DENSITY REGULATIONS FOR ENCLOSING OPEN ARCADES

 - 2524.1 Notwithstanding the repeal of § 2515.3, a building constructed with the additional gross floor area authorized by that provision remains a conforming structure.
 - 2524.2 Notwithstanding applicable floor-area-ratio limitations, and subject to §§ 2524.3 and 2524.4, an existing open arcade in a building in the SP, W, CR, and C Districts, may be enclosed.
 - 2524.3 An open arcade area enclosed pursuant to § 2524.2 must be solely devoted to retail, arts, or service uses permitted as a matter of right.

Z.C. NOTICE OF PUBLIC HEARING
Z.C. CASE NO. 10-16
PAGE 2

2524.4 An open arcade may not be enclosed if it is located in a building that:

- (a) Is a historic landmark or has been designated as contributing to a historic district; and
- (b) The Historic Preservation Review Board has determined that the arcade constitutes a feature contributing to the building's historic or architectural significance; or
- (c) If the floor of the open arcade would not be at the same level and continuous with adjacent sidewalk in public space, or would not connect to an existing, adjoining open arcade adjacent to sidewalk in public space.

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.

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 4th 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, 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.