

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning




Z.C. CASE NO.: 07-21

As Secretary to the Commission, I hereby certify that on DEC 19 2007 copies of this Z.C. Notice of Public Hearing were mailed first class, postage prepaid or sent by inter-office government mail to the following:

- | | |
|--|---|
| 1. <i>D.C. Register</i> | 8. Office of Planning (Harriet Tregoning) |
| 2. Christopher Collins | 9. DDOT (Ken Laden) |
| 3. Kyrus L. Freeman
Holland & Knight, LLP
2099 Pennsylvania Ave., N.W.
Washington, D.C. 20006 | 10. Zoning Administrator (Matthew LeGrant) |
| 4. Asher Corson, Chair
ANC 2A
c/o West End Library
1101 24 th Street, N.W.
Washington, DC 20037 | 11. Jill Stern, Esq.
General Counsel
941 North Capitol Street, N.E.
Suite 9400
Washington, D.C. 20002 |
| 5. Commissioner Lowell Thomas
ANC/SMD 2A02
2425 L Street, N.W. #312
Washington, DC 20037 | 12. Office of the Attorney General
(Alan Bergstein) |
| 6. Gottlieb Simon
ANC
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004 | 13. DDOE (Corey Buffo) |
| 7. Councilmember Jack Evans | 14. Property Owners Within 200 Feet
(see attached list provided by Applicant) |
| | 15. MLK Library (30 copies) |

ATTESTED BY:


Sharon S. Schellin
Secretary to the Zoning Commission
Office of Zoning

ZONING COMMISSION
District of Columbia

CASE NO.

07-21

EXHIBIT NO.

22

Columbia Realty Venture
5301 Wisconsin Ave., NW - Ste. 600
Washington, DC 20015-2044

M Street Partners LLC
Starwood Cap Group Global LLC
59 W. Putnam Avenue
Greenwich, CT 06830-5328

Millennium Caf, II LLC
c/o Millennium Partners
1995 Broadway
New York, NY 10023-5882

National Osteoporosis Foundation
1232 22nd St., NW
Washington, DC 20037-1202

2213 M. Street Limited Partnership
c/o Noras Restaurant
2132 Florida Ave., NW
Washington, DC 20008-1925

Capitol 50 Associates
c/o Deloitte Tax LLP
PO Box 11338
Mc Lean, VA 22102-9338

District of Columbia
c/o Office Prp. Mgmt.
441 4th St., NW - Ste. 1100s
Washington, DC 20001

RP/HH 22nd St Owner, LLC
Ste 2250
222 Berkeley Street
Boston, MA 02116-3748

22nd M Land Owner, LLC
245 Park Ave. Fl. 26
New York, NY 10167-2699

R.S. Sandi Holdings, LLC
1733 Connecticut Ave., NW
Washington, DC 20009-1108

Condominium Association - 1155 23rd St., NW
1155 23rd St., NW
Washington, DC 20037-3301

Condominium Association - 1111 23rd St., NW
1111 23rd St., NW
Washington, DC 20037-3317

MPE Holdings I. LLC Trustee
1150 22nd St., NW
Washington, DC 20037-1219

BDDC LLC
c/o Ste. 2
1 Tampa City Ct.r
Tampa, FL 33602-5182

Federal Ex Corporation
3630 Hacks Cross Rd. Fl 3
Memphis, Tn 38125-8800

Exxon Corporation
PO Box 53
Houston, TX 77001-0053

Anc 2A
West End Library
1101 24th Street, NW
Washington, DC 20037



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.

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 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. The information shall be filed 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 |

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Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 210, 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, GREGORY N. JEFFRIES, PETER G. MAY, CURTIS L. ETHERLY, JR. AND MICHAEL TURNBULL, ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSIO