

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



Z.C. CASE NO.: 09-08

JUN 12 2009

As Secretary to the Commission, I hereby certify that on _____ 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> (via e-mail) | 6. Councilmember Harry Thomas, Jr. |
| 2. Allison Prince, Esq.
David Avitabile, Esq.
Pillsbury Winthrop Shaw Pittman
2300 N Street, N.W.
Washington, D.C. 20037 | 7. Office of Planning (Harriet Tregoning) |
| 3. William Shelton, Chair
ANC5B
c/o Harbor Light Center
2100 New York Avenue, N.E.
Washington, DC 20002 | 8. DDOT (Karina Ricks) |
| 4. Commissioner Jacqueline Manning
ANC/SMD 5B09
2116 R Street, N.E.
Washington, D.C. 20002 | 9. General Counsel - DCRA
941 North Capitol Street, N.E.
Suite 9400
Washington, D.C. 20002 |
| 5. Gottlieb Simon
ANC
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004 | 10. Office of the Attorney General (Alan Bergstein) |
| | 11. DDOE (Shane Farthing) |
| | 12. Property Owners Within 200 Feet (see attached list provided by Applicant) |
| | 13. MLK Library (30 Copies) |

ATTESTED BY: _____

Sharon S. Schellin

Secretary to the Zoning Commission

Office of Zoning

ZONING COMMISSION
District of Columbia

CASE NO. 09-08

EXHIBIT NO. 22

441 4th Street, N.W., Suite 200/210-S, Washington, D.C. 20001

Telephone: (202) 727-6311

Facsimile: (202) 727-6072

E-Mail: dcoz@dc.gov

Web Site: www.dcoz.dc.gov

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
- (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.

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, WILLIAM W. KEATING, III, KONRAD SCHLATER, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY RICHARD S. NERO, JR., ACTING DIRECTOR, AND BY SHARON SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

Washington Math Science Technology
Public Charter High School Inc.
1920 Bladensburg Road, NE
Washington, DC 20002-1812

Mount Olivet Cemetery
c/o Catholic Cemeteries
13801 Georgia Avenue
Silver Spring, MD 20906-5271

1915 New York Avenue LP
c/o Gerald Schaeffer
3341 Benning Road, NE
Washington, DC 20019-1502

Progressive Life Center Inc.
1704 17th Street, NE
Washington, DC 20002-1810

Peter Pappas
c/o Deoudes Magafan Mortg.
7910 Woodmont Ave., Ste 410
Bethesda, MD 20814-7065

Jaiyah Jalarue
2122 Rand Place, NE
Washington, DC 20002-1910

District of Columbia
1350 Pennsylvania Avenue, NW
307
Washington, DC 20004-3003

Southeast W Auto
c/o Earl Scheib
P.O. Box 92148
Los Angeles, CA 90009-2148

Thomas L. Hilliard
2118 Rand Place, NE
Washington, DC 20002-1910

Motiva Enterprises LLC
c/o Dag Realty LLC
6820B Commercial Drive
Springfield, VA 22151-4201

Exxon Corporation
P.O. Box 53
Houston, TX 77001-0053

Janene D. Jackson
1250 N Street, SW
Washington, DC 20024

Exxon Corporation
P.O. Box 53
Houston, Texas 77001-0053

2300 T Street LLC
c/o International Limousine
2300 T Street, NE
Washington, DC 20002-1938

James A. Fenwick, Jr.
2107 S Street, NE
Washington, DC 20002-1914

Golden Arch Realty Corporation
Furr Inc. Mark Furr
8017 Dorsey Run Road # A4
Jessup, MD 20794-9372

United States of America
Nat'l Park Service
Mr. Peter May, Director
Cooperative Activities
1100 Ohio Drive, SW
Washington, DC 20024

L.M. Alston
2111 S Street, NE
Washington, DC 20002-1914

Salvation Army
2626 Pennsylvania Avenue, NW
Washington, DC 20037-1618

Suton One LLC
1960 Gallows Road # 300
Vienna, VA 22182-3827

Jeanette Thomas
2115 S Street, NE
Washington, DC 20002-1914

Sang K. Choi
5999 Stevenson Avenue
Suite 310
Alexandria, Virginia 22304-3302

Carrie M. Hackney
11300 Brandywine Road
Clinton, MD 20735-4101

1729 Bladensburg Road Ltd
1015 31st Street, NW
Washington, DC 20007-4406

Security Trust Company Trustees
c/o Bank of America NA
PO Box 267
Washington, DC 20044-0267

Paulette Q. Britt
3413 Alabama Avenue, SE
Washington, DC 20020-1241

Jacqueline Manning
Commissioner, ANC 5B09
2116 R Street NE
Washington, DC 20002

Uhaul Company of Metro. DC Inc.
P.O. Box 29046
Phoenix, AZ 85038-9046

1801 Bladensburg Road Ltd
11020 S Glen Road
Potomac, MD 20854-1844

ANC 5B
1355 New York Ave NE
Washington, DC 20002