

THE CESAR CHAVEZ PUBLIC CHARTER SCHOOLS FOR PUBLIC POLICY
SOLICITATION FOR PROPOSALS

General Contractor Services

The Cesar Chavez Public Charter Schools for Public Policy, in accordance with section 2204 (c) (1) (A) of the DC School Reform Act of 1995 (Public Law 104-134), hereby posts public notification of an extension of the deadline for its solicitation of proposals for a general contractor to conduct a school renovation project.

The original announcement was posted on November 2, 2007 and revised on November 23, 2007. The Cesar Chavez Public Charter Schools will now receive bids until COB December 19, 2007. All necessary forms and a full RFP may be obtained by calling 202-547-3975 ext. 11.

Send Proposals to:

Attn: Roc Blakeney
709 12th Street, SE
Washington, D.C. 20003.

**D.C. DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUSINESS AND PROFESSIONAL LICENSING ADMINISTRATION**

SCHEDULED MEETINGS OF BOARDS AND COMMISSIONS

December 2007

CONTACT PERSON	BOARDS AND COMMISSIONS	DATE	TIME/ LOCATION
Theresa Ennis	Board of Accountancy	04	8:30 am-12:30 pm
Leon Lewis	Board of Appraisers	19	10:00 am-12:00 pm
Leon Lewis	Board Architects and Interior Designers	14	9:00 am-1:00 pm
Dorothy Thomas	Board of Barber and Cosmetology	03	10:00 am-12:00 pm
George Beatty	Boxing and Wrestling Commission	11	7:00-pm-9:00 pm
Dorothy Thomas	Board of Funeral Directors	13	1:30 pm-5:00 pm
Theresa Ennis	Board of Professional Engineers	No Meeting	
Leon Lewis	Board of Real Estate	11	10:30 am-12:30 pm
Pamela Peters	Board of Industrial Trades	18	10:00 am-1:00 pm
	Asbestos Electrical Plumbing Refrigeration/Air Conditioning Steam and Other Operating Engineers		

Dates and Times are subject to change. All meetings are held at 941 North Capitol Street, NE., Suite 7616, Washington, DC 20001. For further information on this schedule, please contact Ms. Jackie Wright at 202-442-4435.

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS**BOARD FOR****THE CONDEMNATION OF INSANITARY BUILDINGS****NOTICE OF PUBLIC INTEREST**

The Director of the Department of Consumer and Regulatory Affairs, in accordance with section 742 of the District of Columbia Home Rule Act of 1973, as amended, D.C. Code section 1-1504 (1999 Repl.), hereby gives notice that the Board for the Condemnation of Insanitary Buildings' (BCIB) regular meetings will be held on the dates listed below for calendar year 2007, (the second and fourth Wednesday of each month). The meetings will begin at 10:00 a.m. in Room 7100 of 941 North Capitol Street, NW, Washington, D.C. 20002. These regularly scheduled meetings of the BCIB are open to the public. Please call the Building Condemnation Division on (202) 442-4322 or 442-4486 for further information or for changes in this schedule.

The BCIB is charged with examining the sanitary condition of all buildings in the District of Columbia, determining which buildings are in such insanitary condition as to endanger the health or lives of its occupants or persons living in the vicinity, and issuing orders of condemnation requiring the owners to remedy the insanitary condition. Should the owner fail to remedy the cited conditions, the BCIB shall cause the building to be made habitable, safe and sanitary or razed and removed. The cost of work performed by the District of Columbia Government shall be assessed to the property.

Calendar Year 2007 Meeting Dates

December 19th

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DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS**BOARD FOR****THE CONDEMNATION OF INSANITARY BUILDINGS****NOTICE OF PUBLIC INTEREST**

The Director of the Department of Consumer and Regulatory Affairs, in accordance with section 742 of the District of Columbia Home Rule Act of 1973, as amended, D.C. Code section 1-1504 (1999 Repl.), hereby gives notice of a change in the regularly scheduled meetings of the Board for the Condemnation of Insanitary Buildings (BCIB) 2007. The BCIB meetings are regularly held on the second and fourth Wednesdays of each month. However, the meeting scheduled for December 26, 2007, has been cancelled. The BCIB will resume its regular scheduled meeting on January 9, 2008. The meeting will begin at 10:00 a.m. in Room 7100 a 941 North Capitol Street, NW, Washington, D.C. 20002. The BCIB meetings are open to the public. Please call the Building Condemnation Division on (202) 535-1859 or 535-1651 for further information.

The BCIB is charged with examining the sanitary condition of all buildings in the District of Columbia, determining which buildings are in such insanitary condition as to endanger the health or lives of its occupants or persons living in the vicinity, and issuing orders of condemnation requiring the owners to remedy the insanitary condition. Should the owner fail to remedy the cited conditions, the BCIB shall cause the building to be made habitable, safe and sanitary or razed and removed. The cost of work performed by the District of Columbia Government shall be assessed to the property.

BCIB meeting scheduled for December 26, 2007, has been cancelled. The BCIB will resume its regular scheduled meeting on January 9, 2008

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**Department of Consumer and Regulatory Affairs
Licensing & Permitting Division
NOTICE OF PUBLIC INTEREST**

Forwarded for your information is the listing of **raze permit applications** filed with the Permit Service Center/ Licensing & Permitting Division requesting a permit to raze the following listed structures:

Application Date	Address	Lot	Square	Use
7/27/07	4226 Dix St, NE	0017	5089	1-Story SFD
	101 New York Ave, NE	0023	3584	1-Story Gas Station
8/3/07	1204*06 Queen St, NE	0208	4057	1-Story Retail
	945 52 nd St, NE	0803	5199	2-Story SFD
8/9/07	5025 Linnean Ave, NW	0009	2274	2 ½-Story SFD
	5509 33 rd St, NW	0831	2024	2-Story SFD w/Garage
8/13/07	945 "G" St, NW	0823	0375	3-Story Church & Bell Tower
8/15/07	4810 36 th St, NW	0812	1980	1-Story Classroom Trailer
8/22/07	1000 Conn Ave, NW	0847	0163	13-Story Comm Bldg
	1725 "K" St, NW	803*804 805*806	0163	13-Story Comm Bldg
	31 "K" St, NW	13 & 14	0697	1-Story Auto Repair
8/23/07	620 Michigan Ave, NE/Bonaventure Hall			3-Story Dormitory
	620 Michigan Ave, NE			1-Story Office Bldg
8/24/07	1824 47 th PI, NW		1371	3-Story SFD
8/27/07	1611 Wisc Ave, NW	0101	1280	2-Story Retail Bldg
	1 K Terr, NW	0245	0621	2-Story SFD
	2 K Terr, NW	0245	0621	2-Story SFD
	3 K Terr, NW	0245	0621	2-Story SFD
	4 K Terr, NW	0245	0621	2-Story SFD
	5 K Terr, NW	0245	0621	2-Story SFD
	6 K Terr, NW	0245	0621	2-Story SFD
	7 K Terr, NW	0245	0621	2-Story SFD
	8 K Terr, NW	0245	0621	2-Story SFD
	9 K Terr, NW	0245	0621	2-Story SFD
	10 K Terr, NW	0245	0621	2-Story SFD
8/30/07	1132 3 rd St, NE	0812	0748	1-Story Auto Repair
9/7/07	1839 6 th St, NW	0043	047	2-Story SFD
9/10/07	704 26 th St, NE/Bldg	0160	0043	1-Story Greenhouse

	#1			
	704 26 th St, NE/Bldg #2	0160	0043	1-Story Storage Shed
	704 26 th St, NE/Bldg #3	0160	0043	1-Story Storage
	5136 Sherrier Pl, NW	0826	1415	2-Story SFD
9/12/07	1528 "K" St, NW	0814	0199	2-Story Retail
9/26/07	419 1 st St, SE	0830	0694	2-Story SFD
	1620 S Cap St, SE	0808	0708	2-Story Fuel Warehouse & Canopy
9/28/07	#1 DC Village Ln, SW	0019	0253	2 1-Story Dormitories
10/3/07	1406 "S" St, NW	0064	0207	Rear Addition/SFD & Accessory Bldg (Saving Façade)
	1260 Talbert St, SE	0815	5505	2-Story SFD
10/17/07	1000 1 st St, NW	0872	0559	School Bldg
10/20/07	11 K Terr, NW	0245	0621	2-Story SFD
	12 K Terr, NW	0245	0621	2-Story SFD
	13 K Terr, NW	0245	0621	2-Story SFD
	14 K Terr, NW	0245	0621	2-Story SFD
	15 K Terr, NW	0245	0621	2-Story SFD
	16 K Terr, NW	0245	0621	2-Story SFD
	17 K Terr, NW	0245	0621	2-Story SFD
	18 K Terr, NW	0245	0621	2-Story SFD
	19 K Terr, NW	0245	0621	2-Story SFD
	20 K Terr, NW	0245	0621	2-Story SFD
	35 "K" St, NW	0245	0621	3-Story Comm Bldg
10/24/07	2925 S Dakota Ave, NE	0028	4339	2-Story SFD w/Bsmt
10/25/07	471 New York Ave, NW	0852	0514	2-Story Comm Bldg
11/6/07	1909 MLKing Jr Ave, SE	829 (804)	5770	2-Story Comm Bldg
	1911 MLKing Jr Ave, SE	829 (805)	5770	2-Story Comm Bldg
	1913 MLKing Jr Ave, SE	829 (805)	5770	2-Story Comm Bldg
11/8/07	3910 GA Ave, NW	0849	2906	2-Story Comm Bldg

OFFICE OF THE DEPUTY MAYOR FOR PLANNING AND ECONOMIC DEVELOPMENT

NEIGHBORHOOD INVESTMENT FUND (NIF)

NOTICE OF FUNDING AVAILABILITY

NIF Government Projects

The District's Office of the Deputy Mayor for Planning and Economic Development (ODMPED) invites submissions from DC Government Agencies, Boards or Commissions for the NIF Government Projects authorized under R17-433 "Neighborhood Investment Act Spending Plan for Fiscal Year 2008 Emergency Approval Resolution of 2007."

The purpose of the NIF Government Projects fund is to provide funding for projects proposed by DC Government Agencies, Boards or Commissions ("Eligible Applicants") that fulfill the goals of the Neighborhood Investment Act of 2004 of promoting economic development and revitalization in the NIF Target Area. There is \$2.7 million dollars available for this round of funding; project funds must be encumbered in fiscal year 2008 ("FY2008").

Use of the Funds

Eligible projects must fall into one the following five categories: (1) Housing (not acquisition, predevelopment or construction); (2) Education, Job Training and Job Placement; (3) Commercial District Revitalization and Small Business Assistance; (4) Senior and Youth Initiatives; (5) Proposals that directly fulfill a target area goal stated in Section 4 of the Neighborhood Investment Act of 2004. Funds can be used to directly implement projects by Eligible Applicants or make grants, provided the Eligible Applicant has grant making authority.

Target Area

Proposed projects must be physically located within the boundaries of one of the NIF target areas: Anacostia, Bellevue, Bloomingdale/Eckington, Brightwood/Upper Georgia Ave., Brookland/Edgewood, Columbia Heights, Congress Heights, Deanwood Heights, H Street, Logan Circle, Shaw, Washington Highlands. Detailed target area maps and boundaries are available on the Neighborhood Investment Fund page at www.dcbiz.dc.gov.

Additional Requirements

Proposed projects must meet the objectives of the NIF program of stimulating economic development and revitalization in the targeted neighborhoods. Additionally, projects shall provide a public benefit that addresses a recognized need. ***NIF funds can not supplant operating and capital dollars already appropriated to agencies for similar purposes.*** Proposed projects that leverage other resources or provide gap funding shall be given special consideration.

Review Process & Award

Eligible Applicants will be objectively reviewed against the following selection criteria: Project Feasibility (25pts); Applicant Track Record and Relevant Experience (20pts); Need and Public Benefit (20pts); Synergy with the NIF program and other government initiatives (15pts); Resource Leveraging Factor (15 pts); Neighborhood Involvement and Partnerships (5pts). Selected applicants shall be required to execute a Memorandum of Understanding (MOU) with

the ODMPED. The MOU requires selected applicants to submit quarterly expenditure and progress reports to ODMPED. ODMPED intends to make awards within 20 days of the response deadline. If all available funds are not awarded, additional rounds of funding will be released.

Format of Response

Responses to this NOFA shall take the form of a Statement of Interest submitted in writing on agency letterhead with an authorizing signature from the director or designee. The statement shall not exceed 4 single-spaced typed spaces. The statement shall include the following:

1. Proposed use of funds, including the project scope, implementation timeline, staffing capacity, intended outcomes and relationship to the Applicant's core mission;
2. Budget, including proposed sources and uses;
3. Discussion of the applicant's experience in implementing projects of similar size and scope;
4. Discussion of the project's public benefit;
5. Discussion of the project's synergy with NIF program goals and other DC Government initiatives (Great Streets, New Communities, etc.); and
6. Discussion of community involvement and/or partnership in the project.

Please be aware that all Government Project funds awarded that are not expended and returned by Grantees at the end of the FY08 impact the NIF budget for the following year and hinder our ability to provide funding for agency projects prepared to move forward.

Please provide a project description and implementation plan and project budget for project(s) requiring funding in ("FY08"). A complete list of projected projects can be provided but note that only projects reasonably certain to be completed or substantially completed in FY08 will be considered for funding. For projects that will not be completed in FY08 please indicate the amount of funds, out of the total project budget, that is reasonably certain to be expended in FY08.

Statement of interest should be submitted to Eric Scott, NIF Program Manager, Office of the Deputy Mayor of Planning & Economic Development. Submissions may be hand delivered to 1350 Pennsylvania Ave., NW, Suite 317, or emailed to Eric.Scott@dc.gov.

The Notice of Funding Availability is released on Friday, December 14, 2007 and the deadline for submission is Friday January 11, 2008 at 4:00pm.

Additional information about the NIF Program and Target Area boundaries can be found on the ODMPED website: www.dcbiz.gov. Inquires or questions should be directed to Eric Scott at Eric.Scott@dc.gov.

DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS

Public Notice of Proposed Polling Place Relocation

The Board of Elections and Ethics hereby gives public notice, in accordance with D.C. Official Code §1-309.10, of proposed action taken at its December 5, 2007 meeting in relocating Precinct #1, Ward 6 Polling Place.

The public is advised that the proposed voting area for Precinct #1 will be changed from:

**R. H. Terrell Middle School
1000 1st Street, N.W.
Recreation Room**

and moved to:

**Walker-Jones Elementary School
100 L Street, N.W.
Auditorium**

The precinct change will provide adequate space to accommodate voters on election day. Further, the precinct is accessible and will accommodate voters with disabilities. **This action will be effective beginning with the upcoming February 12, 2008, Presidential Preference Primary Election.** If you have any comments on this matter, please contact Mr. Arlin Budoo at 727-2525 **no later than Monday, December 31, 2007** so that they may be considered before official notice is given to registered voters in the precinct. The Board will take final action on this matter at its regular board meeting scheduled for 10:30 a.m. Wednesday, January 2, 2008. The Board will individually notify all registered voters in the precinct of this change, subsequent to the Board's Final action.

For further information, members of the public may contact the Board of Elections and Ethics at 727-2525.

DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD**NOTICE OF AVAILABILITY OF APPLICATION GUIDELINES
& APPLICATION REVIEW PROCESS TIMELINE**

The District of Columbia Public Charter School Board hereby gives notice of the availability on January 7, 2008 of guidelines for preparing and submitting applications to establish and operate a public charter school in the District of Columbia. The guidelines set a deadline of March 31, 2008 for the Board's receipt of applications and establish criteria for the evaluation of applicants' plans for establishing and operating a public charter school. Additionally, applicants submitting proposals to convert an existing school must submit parental conversion endorsement signatures on one of two dates—March 31 for students enrolled in Spring 2008 or September 29 for students enrolled in Fall 2008. The Board's decisions will be announced publicly on June 16, 2007. The Board is authorized to approve up to 10 charter awards in any given year.

Those interested in learning more about the application review process are invited to attend public information meetings held on January 24, 2008 and February 7, 2008 in the Board conference room. For more information or to obtain a copy of the Application Guidelines, contact the District of Columbia Public Charter School Board by mail or telephone:
District of Columbia Public Charter School Board, 3333 14th St. NW, Suite 210,
Washington, DC 20010, (202) 328-2660.

FRIENDSHIP PUBLIC CHARTER SCHOOL**NOTICE OF REQUEST FOR PROPOSAL FOR****E-PROCUREMENT SYSTEM & FACILITIES /IT SERVICE TRACKING SYSTEM**

Friendship Public Charter School (FPCE) requests proposals from prospective vendors to provide an integrated solution to streamline and automate purchasing, requisition, facilities/IT service tracking and/or related processes, in accordance with requirements and specifications detailed in the Request for Proposal.

EDUCATIONAL CONSULTANTS /ACADEMIC SUPPORT SERVICES

Friendship Public Charter School (FPCS) requests proposals from prospective candidates to provide Educational Consultant/Academic Support Services in accordance with requirements and specifications detailed in the Request for Proposal.

COMMISSIONING AGENT

Friendship Public Charter Schools (FPCS) requests proposals from qualified and duly licensed commissioning agents to provide commissioning services for Friendship Technology Preparatory Academy. The commissioning services will adhere to the prerequisite requirements for US Green Building Council (USGBC) LEED Certified certification.

An electronic copy of the full Request for Proposal (RFP) may be requested by contacting:

Valerie Holmes
vholmes@friendshipschools.org
202-281.1722

**DEPARTMENT OF HEALTH
HIV/AIDS ADMINISTRATION**

NOTICE OF FUNDING AVAILABILITY #1214-07

FY 2008 Ryan White CARE Act Part B – District of Columbia Grant

The Government of the District of Columbia, Department of Health/ HIV/AIDS Administration is soliciting applications from qualified applicants to provide a variety of clinical and medical support services to indigent, uninsured and under-insured persons who are HIV-infected in the District of Columbia.

These funds will be awarded to the District of Columbia HIV/AIDS Administration (HAA) by the U.S. Health Resources & Services Administration (HRSA) under the CARE Act Part B program contingent upon availability of funds. Services under the FY 2008 CARE Act Part B – District of Columbia Grant program includes case management (medical, family-centered, and discharge planning), early intervention services, insurance premium payment services, psychosocial support for peri-incarcerated, and treatment adherence services.

Approximately \$6,000,000 in funds will be able to support these services.

The RFA will be available in the District of Columbia for pick up at 64 New York Avenue, NE, 5th Floor, Suite 5001 and on the following website www.opgd.dc.gov under the District Grants Clearinghouse on Friday, December 14, 2007. Deadline is Thursday, January 24, 2008

Applicants obtaining this RFA through the Internet must provide the HIV/AIDS Administration with the following c/o T'Wana Holmes (twana.holmes@dc.gov):

- Name of organization;
- Key contact;
- Mailing address;
- Telephone and fax numbers; and E-mail address.

The Pre-Application meeting will be held in the District of Columbia at HIV/AIDS Administration, 64 New York Avenue, NE, 5th Floor, Suite 5001, Tuesday, December 19, 2007, from 10:00am – 12:00pm.

Please contact T'Wana Holmes at (202) 671-4900 for additional information.

PROJECT LABOR AGREEMENT STADIUM TASK FORCE**NOTICE OF PUBLIC MEETING**

The Project Labor Agreement Stadium Task Force of the District of Columbia will hold monthly public meetings on the following dates in January, February and March of 2008. The following meetings will be held at:

One Judiciary Square
441 4th Street, N.W., 11th Floor, Conference Room 1117
Washington, D.C. 20001

The meeting date and time is as follows:

Thursday, December 20, 2007
6:30 – 8:00 P.M.

The public is invited to present questions and comments regarding the Stadium's Project Labor Agreement. All questions and comments are limited to five minutes and must be submitted at least two weeks prior to the meeting date. Presentation of public questions and comments must be confirmed in advance by the Project Labor Agreement Task Force.

To submit your comments, write, fax or email:

Noel F. Meekins, PLA Staff Liaison
District of Columbia Government
64 New York Avenue, NE, Room 3075
Washington, D.C. 20002
Fax (202) 671-2931
noel.meekins@dc.gov.

MEETING AGENDA

1. Call to order
2. Roll call of task force members
3. Consideration and vote of minutes of last meeting
4. Reports
5. Unfinished business
6. New business
7. Public comments
8. Announcements
9. Adjournment

Office of the Secretary of the District of Columbia

December 4, 2007

Notice is hereby given that the following named persons have been appointed as Notaries Public in and for the District of Columbia, effective on or after December 15, 2007.

Alfred,	Alycia K.	New	3120 Berry Rd,NE	20018
Berkeley,	Aisha	New	St. Coletta of Greater Wash 1901 Independence Ave,SE	20003
Blumenstock,	Olga Q.	Rpt	O'Toole Rothwell et al 1350 Conn Ave,NW#200	20036
Boone,	Ingrid	Rpt	Electronic Data Systems 1331 Pa Ave,NW#1300N	20004
Braswell,	Gail M.	New	Bates White 1300 I St,NW#600E	20005
Braxton,	Linda J.	Rpt	Center City Community Corp 128 M St,NW#310	20001
Broady,	Rocquel	Rpt	N F I B 1201 F St,NW#200	20004
Brown,	Edith C.	New	Ballard Spahr et al 601 13th St,NW#1000S	20005
Bryant,	Julie	New	Ballard Spahr et al 601 13th St,NW#1000S	20005
Carlyle,	Donna M.	New	Dow Lohnes 1200 N H Ave,NW#800	20036
Chan,	Wai Lun	New	Stern Investment Advisory 4401A Conn Ave,NW PMB#2	20008
Clark,	John J.	New	Dept of Air Force 11th Wing 20th MacDill St,#240	20032
Coffer,	Rodney	New	Leonard Street & Deinard 1627 I St,NW#610	20006
Coffey,	Stephanie	New	315 14th Pl,NE	20002

Coia,	Albert	Rpt	Tompkins Builders 1333 H St,NW#200	20005
Cole,	DeGeta A.	Rpt	Comptroller of the Currency 250 E St,SW	20219
Cruz,	Nestor E.	Rpt	Carr Morris & Graeff 1120 G St,NW#930	20005
Cunningham,	Christina R.	New	U S A C 2000 L St,NW#200	20036
Czyz,	Jason	Rpt	Troutman Sanders 401 9th St,NW#1000	20004
Davis,	Mark S.	New	218 16th St,SE	20003
Dekle,	Teresa	New	IREX 2121 K St,NW#700	20037
DiRaimo,	Edgar F.	Rpt	G S A/P B S/P G A 1800 F St,NW#5022	20405
Douglas,	Joyce D.	Rpt	Federal Energy Regulatory Com 888 First St,NE	20426
Eft,	Natalie D.	New	Lowe Enterprises 1101 Conn Ave,NW#250	20036
Ellis,	Lisa M.	New	Zuckerman Spaeder 1800 M St,NW#1000	20036
Fello,	Belinda B.	New	Dept of Air Force 11th Wing 20th MacDill St,#240	20032
Glover,	Antoinette M.	Rpt	Amer Univ/Wash College of Law 4801 Mass Ave,NW	20016
Gottfried,	Kurt	Rpt	Skadden Arps 1440 N Y Ave,NW	20005
Harwood,	Deborah H.	New	Natl Wildlife Refuge Assoc 1901 Pa Ave,NW#407	20006

Hennasey,	Jennifer Clague	New	DLA Piper US LLP 500 8th St,NW 6th Fl HR	20001
James,	Maxwell	Rpt	State Farm Insurance 2301 Ga Ave,NW#R	20001
Katz,	Jeanne G.	Rpt	Caplin & Drysdale 1 Thomas Circle,NW#1100	20005
Kesterson,	Leslie A.	New	HOR/Office of the Clerk 1718 Longworth HOB	20515
Kinnaman,	Donna B.	Rpt	First American Title 1801 K St,NW#200 K-1	20006
Lopez,	Maria Elena	New	1245 Evarts St,NE	20018
Lutes,	Barbara A.	Rpt	Miller & Van Eaton 1155 Conn Ave,NW#1000	20036
McCarn,	Stephanie A.	New	Capital Reporting 1821 Jefferson Pl,NW 3rdFl	20036
McKenzie,	Nickoline S.	Rpt	773 19th St,NE	20002
MacPherson, IV,	Frank B.	New	Capital Reporting 1821 Jefferson Pl,NW 3rdFl	20036
Madison,	Linda R.	Rpt	Van Ness Feldman 1050 ThomJeff St,NW 7thFl	20007
Makell,	Charmian P.	New	Lenders First Choice 5603 2nd St,NW	20011
Marshall,	Brenda F.	Rpt	Winston & Strawn 1700 K St,NW	20006
Marshall,	Linda L.	Rpt	Fannie Mae 3900 Wis Ave,NW	20016
Mincey,	Steven J.	New	B S A 1150 18th St,NW#700	20036
Murnane,	Barbara A.	New	Powell Goldstein	

			901 N Y Ave,NW 3rdFl	20001
Norwood,	Lynn E.	New	Postal Regulatory Commission 901 N Y Ave,NW#200	20268
Olin,	S.E. Johana	Rpt	Law Office of Edward Gonzalez 2405 I St,NW#1A	20037
O'Sullivan,	Maura	Rpt	Nixon Peabody 401 9th St,NW#900	20004
Parker,	Brenda	New	Leonard Street & Deinard 1627 I St,NW#610	20006
Parker,	Candas E.	Rpt	D.C. Housing Authority 1133 N Cap St,NE	20002
Patnogie,	Miroslava	New	Wachovia Bank 2000 L St,NW	20036
Riker,	Roxanne B.	Rpt	Kirkland & Ellis 655 15th St,NW	20005
Robles,	Liza M.	New	Holland & Knight 2099 Pa Ave,NW #100	20006
Saunders,	Catherine	New	Sterne Kessler et al 1100 N Y Ave,NW	20005
Scott,	Candice	New	Preferred Offices 1701 Pa Ave,NW#300	20006
Short,	Donald K.	New	Universal Serv Admin Co 2000 L St,NW#200	20036
Sirleaf,	Mary F.	Rpt	Howard Univ School of Law 2900 Van Ness St,NW	20008
Smith,	Mary Carter	Rpt	McLeod Watkinson Miller 1 Mass Ave,NW#800	20001
Smith,	Petra	New	B R P US 1808 I St,NW 4thFl	20006
Sneed,	Stephanie K.	New	St. Coletta of Greater Wash 1901 Independence Ave,SE	20003

Thompson,	Chanta	New	Natl Parks Conservation Assoc 1300 19th St,NW#300	20036
Treakle,	Vivian	New	Cushman & Wakefield 1801 K St,NW#1100L	20006
Tucker,	Andrea	New	Pillar of Truth Bible Church 4200 E Cap St,NE	20019
Tucker,	Ashiya	New	Wachovia Bank 1901 7th St,NW	20001
Ugbomah,	Elizabeth	New	O'Connell & Glock 1100 Conn Ave,NW 9thFl	20036
Walsh,	Kennesha S.	New	Wachovia Bank 3200 Pa Ave,SE	20019
White,	Demetria	New	1151 45th Pl,SE	20019
Williams,	Jeanna K.	New	3341 22nd St,SE#J	20020
Williams,	Piper A.	Rpt	Georgetown Univ Hospital 3800 Reservoir Rd,NW	20007
Word,	Margie S.	Rpt	808 Nicholson St,NE	20011
Zulager,	Ried R.	Rpt	Cogent Communications 1015 31st St,NW	20007

**OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION
OFFICE OF PUBLIC CHARTER SCHOOL FINANCING AND SUPPORT**

**ANNOUNCES A CHANGE IN MEETING DATE
FOR THE DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL CREDIT
ENHANCEMENT FUND COMMITTEE**

The Office of the State Superintendent of Education hereby announces that the December meeting for the District of Columbia Public Charter School Credit Enhancement Fund Committee, originally scheduled for December 20, 2007, will be held on December 18, 2007.

The meeting will take place at 441 4th Street, NW, Suite 350 North, Conference View Room, Washington, DC 20001 from 12:30 pm to 1:30 pm. For additional information, please contact:

Vanessa Carlo-Miranda
Program Manager
Office of the State Superintendent of Education
Government for the District of Columbia
441 4th Street, N.W.; Suite 350N
Washington, D.C. 20001
Tele: 202-442-4022
Fax: 202-727-2019
vanessa.miranda@dc.gov

**WASHINGTON CONVENTION CENTER AUTHORITY (WCCA)
ADVISORY COMMITTEE**

MEETING CANCELLATION

Please be advised that the Washington Convention Center Authority (WCCA) Advisory Committee meeting scheduled at 5:00 pm on Thursday, December 20, 2007, has been cancelled.

The next WCCA Advisory Committee meeting will be held at:

5:00 pm

Thursday, January 17, 2008



**Walter E. Washington Convention Center
801 Mount Vernon Place, NW
Dr. Charlene Drew Jarvis Board Room
Washington, DC 20001**

For additional information, please contact Theresa DuBois, WCCA External Affairs Manager and Liaison to the WCCA Advisory Committee, at (202) 249-3042 or via e-mail at tdubois@dcconvention.com.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17684 of Mid-Atlantic Realty Partners LLC, pursuant to 11 DCMR §§ 3104.1 and 3102.2, for variances from the rear yard requirements under section 774, the limitation on compact parking space requirements under subsection 2115.2, and the off-street loading facility requirements under section 2201, and a special exception from the required number of off-street parking spaces under section 2108, to permit the development of an office building with retail space on the ground floor, in the DD/C-2-C District at the southeast corner of the intersection of 6th and K Streets, N.W. (Square 484, Lots 23, 811-813, and 826).

HEARING DATE: November 20, 2007
DECISION DATE: November 20, 2007 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 6C and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6C, which is automatically a party to this application. ANC 6C submitted a report in support of the application. The Office of Planning (OP) also submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for a special exception under section 2108. No parties appeared at the public hearing in opposition to this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports the Board concludes that the Applicant has met the burden of proof,

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pursuant to 11 DCMR §§ 3104.1 and 2108, that the requested relief can be granted being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Based upon the record before the Board and having given great weight to the ANC and the Office of Planning reports filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2, (774, 2115 and 2201) that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application be **GRANTED**, **SUBJECT to the following CONDITIONS:**

1. There shall be loading restrictions during rush hours, 7 a.m. to 10 a.m. and 4 p.m. to 7 p.m.
2. Operations personnel or "flaggers" must be present to guide the loading maneuvers to and from 6th Street at all times to mitigate conflicts with pedestrian and vehicular traffic.

VOTE: 3-0-2 (Ruthanne G. Miller, Shane L. Dettman, and Marc D. Loud to approve; the 4th Board member and the Zoning Commission member not present, not voting)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: NOV 30 2007

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT

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TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

PURSUANT TO 11 DCMR § 3205, FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART, SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE §§ 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17686 of Burton H. Finkelstein, pursuant to 11 DCMR § 3104.1, for a special exception to allow an addition to a one-family detached dwelling under section 223, not meeting the nonconforming structure provisions (subsection 2001.3), in the WH (Wesley Heights)/R-1-B District at premises 4516 Garfield Street, N.W. (Square 1339, Lot 34).

Note: The Board found at the hearing that relief was not needed from the front yard setback provisions under subsection 1543.4.

HEARING DATE: November 27, 2007
DECISION DATE: November 27, 2007 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 3D and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 3D, which is automatically a party to this application. ANC 3D submitted a report in support of the application. The Office of Planning (OP) submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception under section 223. No parties appeared at the public hearing in opposition to this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 223, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

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Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application (pursuant to Exhibit No. 27 tab G – Plans) be **GRANTED**.

VOTE: 4-0-1 (Ruthanne G. Miller, Marc D. Loud, Anthony J. Hood and Shane L. Dettman to Approve, the third Mayoral Appointee not present, not voting)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: November 28, 2007

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ., (ACT) THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, FAMILY

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RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER. RSN

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA**12-Month Schedule of Monthly Meeting Dates**

The Zoning Commission of the District of Columbia, in accordance with subsection 3005.1 of the District of Columbia Municipal Regulations, Title 11, Zoning, hereby gives notice that it has scheduled the following meetings. Meetings are held in Suite 220 South of 441 4th Street, N.W., #1 Judiciary Square, beginning at 6:30 p.m.

The dates of the Regular Monthly Meetings for the following year of the Zoning Commission of the District of Columbia are as follows:

January 14, 2008

February 11, 2008

March 10, 2008

April 14, 2008

May 12, 2008

June 9, 2008

July 14, 2008

August 11, 2008* (subject to cancellation)

September 8, 2008

October 20, 2008

November 10, 2008

December 8, 2008

*There are no hearings held in the month of August.

Please note that these dates are subject to change.

For additional information, please contact Sharon S. Schellin, Secretary to the Zoning Commission at (202) 727-6311.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 06-34**

Z.C. Case No. 06-34

**Consolidated Planned Unit Development and Related Zoning Map Amendment for
Comstock East Capitol, LLC
(1705-1729 East Capitol Street, S.E.)
September 10, 2007**

Pursuant to notice, the Zoning Commission for the District of Columbia (the "Commission") held a public hearing on June 18, 2007 to consider an application from Comstock East Capitol, L.L.C. (the "Applicant") for consolidated review and approval of a planned unit development ("PUD") and related zoning map amendment from R-4 to R-5-B. The Commission considered the application pursuant to Chapters 24 and 30 of the District of Columbia Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations ("DCMR"). The public hearing was conducted in accordance with the provisions of 11 DCMR § 3022. For the reasons stated below, the Commission hereby approves the application.

FINDINGS OF FACT

Application, Parties, and Hearing

1. On June 23, 2006, the Applicant filed an application with the Commission for consolidated review and approval of a planned unit development ("PUD") for property located at 1705-1729 East Capitol Street, S.E., consisting of Lots 51, 52, 53, 54, and 55 in Square 1096 (the "Property"), as well as a related amendment of the Zoning Map from the R-4 District to the R-5-B District for the site.
2. The Office of Planning ("OP") submitted a report, dated October 6, 2006 and marked as Exhibit 10 of the record, recommending that the application be set down for a public hearing. At its public meeting on October 16, 2006, the Commission directed the Applicant to further refine its plans in consultation with OP.
3. The Applicant submitted a revised set of architectural plans and elevations on October 31, 2006 (Exhibit 11A). These plans addressed the concerns previously raised by the Commission. OP submitted a second report on November 3, 2006 (Exhibit 12) and once again recommended that the Commission schedule a public hearing on the application. At its public meeting on November 13, 2006, the Commission voted to set down the application for a public hearing.

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4. After proper notice, the Commission held a public hearing on the application on June 18, 2007.¹ The parties to the case were the Applicant, Advisory Neighborhood Commission ("ANC") 6B (the ANC in which the subject property is located) and ANC 6A (the ANC that includes properties across East Capitol Street from the Property).
5. The Applicant presented four witnesses at the Commission's hearing on June 18, 2007, including Mark Beckett, Comstock East Capitol, L.L.C.; Jeff Goins, PGN Architects, PLLC, an expert in architecture; Chad Baird, Gorove/Slade Associates, Inc., an expert in transportation planning and management; and Steven E. Sher, Holland & Knight LLP, an expert in zoning and land planning.
6. The Applicant submitted supplemental information in a letter dated June 25, 2007 (Exhibit 52; "Applicant's Post-Hearing Submission") that clarified the commitments made by the Applicant at the hearing regarding the sustainable design features of the PUD, the Applicant's commitments to plant and maintain landscaping, construct alley improvements and lighting, institute certain construction traffic management measures, and include certain commitments in the condominium documents.
7. At its public meeting held on July 9, 2007, the Commission took proposed action by a vote of 4-0-1 to approve with conditions the application and plans that were submitted for the record.
8. The proposed action of the Commission was referred to the National Capital Planning Commission ("NCPC") under the terms of the District of Columbia Home Rule Act. NCPC, by action dated July 26, 2007, found that the proposed PUD would not affect the federal establishment or other federal interests in the National Capital, nor be inconsistent with the Comprehensive Plan for the National Capital.
9. The Commission took final action to approve the application on September 10, 2007 by a vote of 4-0-1.

PUD Project

10. The Property consists of Lots 51, 52, 53, 54, and 55 in Square 1096 and contains 42,629 square feet of land. The site has approximately 320 linear feet of frontage on the south side of East Capitol Street.
11. The Property is presently improved with a vacant apartment building that contains 81 units. The building was constructed in 1921 and is a nonconforming structure. The

¹ The application was initially scheduled for a public hearing on March 29, 2007. The Commission subsequently postponed the hearing until June 18, 2007.

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Applicant intends to demolish the existing structure to allow the construction of a 133-unit apartment building containing approximately 112,599 square feet of gross floor area. The new building will have an overall density of 2.64 FAR and will rise to a maximum height of 49.9 feet. Eleven of the 133 units will be set aside for households earning not more than 80 percent of Metropolitan Washington, DC Area Median Income ("AMI"). The project will also include a below-grade garage containing approximately 113 parking spaces.

12. The Property is located in Ward 6 and is currently zoned R-4. The Property is bounded by East Capitol Street on the north and a twenty-foot public alley on the south. An apartment building owned by the Mt. Moriah Baptist Church is located directly to the west of the Property, and the Drummond Condominium is situated to its east. The Farthing Condominium is located to the immediate south of the Drummond. Rowhouses fronting on A Street, S.E. are located across the public alley to the south.

Matter-of-Right Development Under Existing Zoning

13. The Property is currently zoned R-4. The R-4 District is designed to include those areas now developed primarily with row dwellings, but within which there have been a substantial number of conversions of those dwellings into dwellings for two or more families. (11 DCMR § 330.1.) The R-4 District permits a maximum height of forty feet and three stories. (11 DCMR § 400.1.) A maximum density is not prescribed in the R-4 District. (11 DCMR § 402.4.) Parking is required at a rate of one space for every three dwelling units. (11 DCMR § 2101.1.) Under the PUD guidelines for the R-4 District, the maximum permitted height for a residential use is sixty feet, and the maximum density is 1.0 FAR. (11 DCMR §§ 2405.1-2405.2.)

Matter-of-Right Development Under the Proposed Zoning

14. Under the proposed PUD, the zoning of the Property would become R-5-B. The R-5 Districts are General Residence Districts designed to permit flexibility of design by permitting in a single district all types of urban residential development if they conform to the established height, density, and area requirements. (11 DCMR § 350.1.) The R-5-B District is designed to permit developments of moderate height and density. (11 DCMR § 350.2.) The R-5-B District permits a maximum height of 50 feet and a maximum density of 1.8 FAR for all structures. (11 DCMR §§ 400.1, 402.4.) Parking in the R-5-B District is required at a rate of one space for every two dwelling units in an apartment house. (11 DCMR § 2101.1.) The PUD standards for the R-5-B District allow a maximum permissible height of sixty feet and a maximum density of 3.0 FAR for residential uses. (11 DCMR §§ 2405.1-2405.2.)

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Development Incentives and Flexibility

15. The Applicant requested the following areas of flexibility from the Zoning Regulations:

- a. *Flexibility from the Minimum Area Requirements.* Section 2401.1 of the Zoning Regulations provides that any PUD within the R-5-B District must have a minimum land area of one acre or 43,560 square feet. (11 DCMR § 2401.1(b).) The Property, however, contains 42,629 square feet of land. The Applicant, therefore, seeks a deviation of 931 square feet—representing a reduction of approximately two percent—from the area requirements of § 2401.1.

Section 2401.2 of the Zoning Regulations provides that the Commission may waive up to 50 percent of the minimum area requirement, provided the Commission finds that: (1) the development is of exceptional merit and in the best interest of the city or country; and (2) either (a) at least 80 percent of the development's gross floor area is devoted to residential uses if located outside of the Central Employment Area or (b) at least 2.0 FAR of the building is devoted to hotel or apartment house use if located within the HR Overlay District of the Central Employment Area. (11 DCMR § 2401.2.)

As set forth in more detail below, the Commission finds that the proposed project is indeed one of "exceptional merit" and is in the best interests of the city and country. The subject property is not located in the Central Employment Area and 100 percent of the building's gross floor area will be devoted to residential uses. The Commission is thus authorized to waive up to 50 percent of the minimum area requirements pursuant to § 2401.2.

- b. *Flexibility from the Lot Occupancy Requirements.* Section 403 of the Zoning Regulations provides that a building's lot occupancy may not exceed 60 percent in the R-5-B District. (11 DCMR § 403.2.) The proposed apartment building will cover approximately 66 percent of the subject property. The Applicant, therefore, seeks flexibility from the strict requirements of § 403.2.

Although the proposed project does not technically comply with the lot occupancy requirements of the R-5-B District, the building's design—which includes large side yards and four separate courtyards—will provide adequate light and ventilation for the building's occupants and for adjacent properties. The Commission finds that the requested flexibility is consistent with the underlying purposes of the lot occupancy requirement.

- c. *Flexibility from the Rear Yard Requirements.* Section 404.1 of the Zoning Regulations provides that any structure within the R-5-B District must provide a rear yard that has at least four inches of depth for each foot of vertical distance between

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the mean finished grade at the middle of the building's rear wall and the top of the main roof or parapet wall. (11 DCMR § 404.1.) In this case, the proposed building would be required to provide a rear yard with a depth of 16 feet, seven-and-a-half inches. The proposed apartment building, however, will have a rear yard that is three feet deep. The Applicant thus seeks flexibility from the rear yard requirements of § 404.1.

As noted above, the proposed building will be set back significantly from the property line on its east and west sides. Although side yards are not required for an apartment house in the R-5-B District, the Applicant is providing a 21-foot side yard on the west side of the proposed building and a 29-foot side yard on its east side, a significant amount of light and air access for the building's occupants and for adjacent properties. Additionally, the rowhouses located across the public alley to the south of the Property will be separated from the rear wall of the proposed building by a distance of at least 120 feet. The nonconforming rear yard of the proposed building, moreover, will be landscaped to minimize the building's appearance from the rowhouses to the south. The new building's rear façade also will be finished with the same attractive masonry construction and architectural details that are being employed on the building's north façade. Finally, the Applicant will provide an additional landscape buffer for a number of rowhouses along A Street, S.E., by planting trees along an unpaved area off the public alley that is located to the north of the detached garages for those rowhouses.

- d. *Flexibility from the Loading Requirements.* Under § 2201.1 of the Zoning Regulations, the proposed building must provide one 55-foot loading berth, one 20-foot service/delivery space, and one 200-square-foot loading platform. (11 DCMR § 2201.1.) Although the proposed project will provide the required loading platform, it will include only one combined service and loading berth that is 45 feet deep.

As noted in the Applicant's Traffic Impact and Parking Study (part of Exhibit 13), the new building will be adequately served by the combined loading/service facility. Indeed, the provision of a separate 55-foot loading berth as required by § 2201.1 would result in no functional improvement over the facilities that are currently envisioned for the project. Because of the width of the public alley and the geometry of the alley's access points from 17th and 18th Streets, a tractor trailer—the only type of vehicle that would require a 55-foot loading berth—would be unable to enter the alley to access the building's loading facilities. The proposed loading berth will be more than sufficient to accommodate 34-foot garbage trucks and single-unit box trucks of almost any size. In the rare event that a tractor trailer needs to access the site, it may obtain a permit from the District Department of Transportation (“DDOT”) for a temporary loading zone on the street. In addition, the Applicant has committed to including within the condominium rules and regulations for the proposed building, where appropriate, language creating a schedule for resident moves and directing that

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the maximum permissible size for delivery trucks to access the loading facilities is 34 feet in length and that a temporary permit will be needed to allow parking/loading from East Capitol Street for any vehicle exceeding the maximum length.

- e. *Flexibility from the Prohibition on Multiple Roof Structures.* Section 411.3 of the Zoning Regulations provides that all rooftop penthouses and mechanical equipment must be placed within a single enclosure. The Applicant seeks flexibility from this requirement to allow the use of three separate enclosures for the building's penthouses and mechanical equipment. The Commission finds that the use of superfluous screen walls to connect the three separate enclosures would only serve to increase the structure's mass and its visibility from the street. The strict application of the single-enclosure requirement in this case would undermine the very purposes it is designed to achieve.

Public Benefits and Amenities

16. The Commission finds that the following benefits and amenities will be created as a result of the PUD:
 - a. *Housing and Affordable Housing.* The proposed development will provide a significant benefit to the surrounding community and the District as a whole through the provision of more than 112,500 gross square feet of new residential space. The creation of new housing furthers the goals of the Zoning Regulations and the Comprehensive Plan. Importantly, the Applicant has agreed to set aside 11 units—containing approximately 9,008 square feet of gross floor area—for households earning not more than 80 percent of Metropolitan Washington, DC AMI. These affordable units will be distributed vertically and horizontally throughout the building, with the exception of the top floor. The affordable units will be priced such that monthly housing costs for eligible households shall not exceed 30 percent of specified income limits by family size and unit type and will be subject to a 20-year control period. The affordable housing program will be administered per the program details submitted in the Applicant's Post-Hearing Submission.
 - b. *Urban Design, Architecture, and Landscaping.* The proposed building has been designed to reflect the architectural character of the neighborhood's historic rowhouses, while incorporating elements of the Eastern High School building across the street. The new building will become the architectural anchor of the Hill East neighborhood and will provide benefits to the surrounding area. The Applicant intends to provide attractive new landscaping on the subject property and in the adjacent public space along East Capitol Street. The Applicant also has committed to a series of public space landscaping installations along 17th and 18th Streets, S.E., within Square 1096.

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- c. *Public Space and Alley Improvements.* The Applicant has agreed to make a number of significant public space improvements in connection with the proposed project. In consultation with DDOT, the Applicant will repair and provide an asphalt overlay of the 20-foot-wide public alley to the south in anticipation that the alley will be recirculated for one-directional vehicular traffic. The Applicant also will install alley lighting on the rear of the proposed building. The Applicant will install—and maintain in perpetuity—two trash receptacles in public space along East Capitol Street. These public space and alley improvements are described in further detail in the Applicant's Post Hearing Submission.
- d. *Sustainable Design Elements.* The building will incorporate a number of environmentally-sustainable and energy-efficient design features, including a cool roof, on-site stormwater filtration system, low-flow plumbing fixtures, low-emissivity windows, Energy Star appliances, Energy Star lighting in public areas of the building, and a high-efficiency HVAC system. The Applicant also intends to employ low-impact demolition, waste disposal, and construction practices during the development of the project.
- e. *Local Business Opportunities.* The Applicant has executed a Memorandum of Understanding with the D.C. Department of Small and Local Business Development ("DSLBD") in order to achieve, at a minimum, the goal of 35 percent participation by small, local, and disadvantaged businesses in the contracted development costs related to the design, development, construction, maintenance, and security for the project. This memorandum contributes to the District's goal of ensuring adequate opportunities for small and local businesses to participate in development projects throughout the city.
- f. *First Source Employment Opportunities.* The Applicant also has executed a First Source Employment Agreement with the Department of Employment Services ("DOES") in order to achieve the goal of utilizing District residents for at least 51 percent of the jobs created by the PUD project. The Applicant will use DOES as its first source for recruitment, referral, and placement of new hires for employees whose jobs are created by the PUD.
- g. *Other Public Benefits and Project Amenities.* The Applicant has agreed to provide a number of other public benefits and amenities in connection with the proposed project (the following is a summary of the PUD's other public benefits and amenities, the complete proffer is contained in the Applicant's Post-Hearing Submission):
1. The Applicant will undertake the resurfacing and replacement of equipment for two community outdoor basketball courts at Eastern High School, in coordination with D.C. Public Schools.

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2. The Applicant will sponsor the installation of up to \$500 of landscaping for each house located on the north side of A Street, S.E., between 17th and 18th Streets, S.E., up to a total contribution of \$11,000.
3. The Applicant will contribute \$15,000 for landscaping and exterior improvements to the proposed Mt. Moriah Baptist Church senior housing building to the west of the Property.
4. The Applicant will contribute \$15,000 for landscaping and exterior improvements to the Drummond Condominium building to the east of the Property.
5. The Applicant will contribute \$10,000 to the Brig Owens "Super Leaders" mentoring and youth leadership program at Eastern High School.
6. The Applicant will provide \$25,000 for renovations to the grounds and exterior playing fields of Eastern High School or Eliot Junior High School, subject to approval by the D.C. Public Schools.

Compliance with the Comprehensive Plan

17. The Framework Element of the District's recently enacted Comprehensive Plan sets forth five "Guiding Principles" for future development in the city. The Commission finds that the proposed PUD and related map amendment are consistent with each of those principles:
 - a. *Managing Growth and Change.* This principle provides, *inter alia*, that "[r]edevelopment and infill opportunities along corridors and near transit stations will be an important component of reinvigorating and enhancing our neighborhoods." (10 DCMR § 217.6.) Such growth, however, "must not compromise the integrity of stable neighborhoods and must be designed to respect the broader community context." (10 DCMR § 217.6.) The proposed project will provide an important new residential development along a major transportation corridor and in close proximity to a Metrorail station. The project has been designed to respect the residential character of the surrounding neighborhood. The Commission finds that the project and map amendment are consistent with this principle of the Comprehensive Plan.
 - b. *Creating Successful Neighborhoods.* The Comprehensive Plan states that the "residential character of neighborhoods must be protected, maintained, and improved." (10 DCMR § 218.1.) The proposed redevelopment project will replace a vacant, nonconforming structure with a new residential development that is designed to complement the architecture of Capitol Hill's historic

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rowhouses. This principle also emphasizes the importance of a diverse housing stock to the success of the District's neighborhoods and notes that "[a]ffordable renter- and owner-occupied housing production and preservation is central to the idea of growing more inclusively." (10 DCMR § 218.3.) The proposed project will include more than 9,000 square feet of housing reserved for families earning less than 80 percent of AMI. The Commission finds that the project is consistent with this principle of the Comprehensive Plan.

- c. *Increasing Access to Education and Employment.* This guiding principle provides that "[i]ncreasing access to jobs and education by District residents is fundamental to improving the lives and economic well-being of District residents." (10 DCMR § 219.1.) The proposed PUD is consistent with this principle and will further its objectives in a number of ways. First, the Applicant has executed a First Source Employment Agreement with DOES with a goal of using District residents for at least 51 percent of the new jobs created by the project. Second, the Applicant has executed a Memorandum of Understanding with the DSLBD for the purpose of achieving a minimum of 35 percent participation by small, local, and disadvantaged businesses in the contracted costs of the development. Finally, the Applicant has agreed to make a number of contributions that will benefit the local public schools, including a \$10,000 contribution to the Brig Owens "Super Leaders" program at Eastern High School, resurfacing and repairing equipment for two basketball courts at Eastern High School, and a \$25,000 contribution towards physical renovations at Eastern High School and/or Eliot Junior High School. These agreements and contributions will provide significant educational and employment benefits to District residents and are fully consistent with this guiding principle of the Comprehensive Plan.
- d. *Connecting the City.* This principle of the Comprehensive Plan reflects the District's goal of increasing connectivity between the city's neighborhoods, open spaces, commercial centers, and civic institutions. The Plan encourages increased investment in public transportation and economic development along major transportation corridors as the primary means of achieving that objective. The proposed PUD is located along a major transportation corridor that provides an important connection between Capitol Hill and the neighborhoods east of the Anacostia River. This connection will be strengthened by the replacement of a dilapidated apartment house with an attractive new residential development.
- e. *Building Green and Health Communities.* This principle provides that "construction and renovation should minimize the use of non-renewable resources, promote energy and water conservation, and reduce harmful effects on the natural environment." (10 DCMR § 221.3.) As discussed above, the Applicant has incorporated a number of environmentally-sustainable and energy-efficient design features and construction materials into the proposed

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development. Development on the site will also employ sustainable demolition, waste-disposal, and construction practices. The Commission finds that the proposed PUD will further the environmental objectives of the Framework Element.

18. The Future Land Use Map of the Comprehensive Plan designates the Property for moderate-density residential uses, which include "the District's row house neighborhoods, as well as its low-rise garden apartment complexes." (10 DCMR § 224.7.) The Plan further provides that the "R-3, R-4, R-5-A Zone districts are generally consistent with the Moderate Density Residential category [and that] the R-5-B district and other zones may also apply in some locations." (10 DCMR § 224.7.)

In this case, the Property is located along a heavily traveled transportation corridor in close proximity to a Metrorail station. Given the District's stated policy of channeling new growth into areas around transit stations and along bus routes, the Commission finds that the proposed project and map amendment are consistent with the property's moderate-density residential designation on the Future Land Use Map.

19. The Commission finds that the proposed PUD is also consistent with the major elements of the Comprehensive Plan:
- a. *Land Use Element.* The proposed project will further the policies and objectives set forth in the Land Use Element of the Comprehensive Plan. The Land Use Element is designed to "[e]nsure the efficient use of land resources to meet long-term neighborhood, city-wide, and regional needs; to help foster other District goals; to protect the health, safety, and welfare of District residents and businesses; to sustain, restore, or improve the character and stability of neighborhoods in all parts of the city; and to effectively balance the competing demands for land to support the many activities that take place within District boundaries." (10 DCMR § 302.1.) The proposed PUD will help achieve these objectives by providing a significant new residential development that will be served by a nearby Metrorail station and multiple bus routes. This pedestrian-friendly project will have a catalytic effect on the surrounding neighborhood and will help achieve the District's policy of creating "transit villages" near Metrorail stations.
 - b. *Transportation Element.* The goal of the Transportation Element of the Comprehensive Plan is to "[c]reate a safe, sustainable, efficient multi-modal transportation system that meets the access and mobility needs of District residents, the regional workforce, and visitors; supports local and regional economic prosperity; and enhances the quality of life for District residents." (10 DCMR § 401.1.) Development of the proposed project at the present site, which is proximate to the Stadium/Armory Metrorail Station and numerous bus routes, will promote and stimulate the use of existing mass transit service. Additionally, the provision of 113

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parking spaces on a site that does not currently provide any parking will help reduce demand for on-street parking. Finally, the improvements to the public alley behind the proposed building—particularly its conversion to a one-way alley—will significantly improve traffic circulation in the surrounding area. All of these features will advance the objectives of the Transportation Element.

- c. *Housing Element.* The stated goal of the Housing Element is to "[d]evelop and maintain a safe, decent, and affordable supply of housing for all current and future residents of the District of Columbia." (10 DCMR § 501.1.) The proposed project will help achieve this goal by providing 116,474 square feet of residential gross floor area located on an important transportation corridor. In providing more than 9,000 square feet of affordable housing, moreover, the proposed development will promote the Housing Element's policy of encouraging the production of housing targeted for low- and moderate-income households.
- d. *Environmental Protection Element.* The Environmental Protection Element is designed to "[p]rotect, restore, and enhance the natural and man-made environment in the District of Columbia, taking steps to improve environmental quality, prevent and reduce pollution, and conserve the values and functions of the District's natural resources and ecosystems." (10 DCMR § 601.1.) As set forth in detail in the Applicant's Post-Hearing Submission, the proposed project will incorporate a number of environmentally-sustainable and energy-efficient design features, building materials, and construction methods. These components will further the objectives of the Environmental Protection Element.
- e. *Urban Design Element.* The goal of the Urban Design Element is to "[e]nhance the beauty and livability of the city by protecting its historic design legacy, reinforcing the identity of its neighborhoods, harmoniously integrating new construction with existing buildings, and the natural environment, and improving the vitality, appearance, and security of streets and public spaces." (10 DCMR § 901.1.) The proposed project has been designed to provide sizeable new residential development while respecting the historic architecture of neighborhood's existing rowhouses. The new building will enliven the streetscape, protect the natural environment, and have a positive effect on the vitality of the Hill East community.
- f. *Capitol Hill Area Element.* In addition to its consistency with the citywide elements of the Comprehensive Plan, the proposed project will further the policies set forth in the Capitol Hill Area Element. Many of the specific objectives contained in this element reflect the District's general policy of retaining and expanding the housing supply in the Capitol Hill neighborhood and protecting existing residential uses from incompatible commercial development. In accordance with the Capitol Hill Area Element, the proposed PUD will "[m]aintain the integrity and quality of Capitol Hill's residential uses, and recognize the importance of its historic architecture and housing

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stock to the entire District of Columbia." (10 DCMR § 1608.2.) The Applicant seeks to demolish a dilapidated apartment house in order to construct a new residential development that is more compatible with the architectural character of the surrounding neighborhood. The Commission finds that the proposed PUD will advance the objectives of the Capitol Hill Area Element.

ANC Reports

20. By letter dated February 21, 2007 (Exhibit 26), ANC 6B noted its unanimous support for the PUD project and map amendment. The Commission affords the views of ANC 6B the "great weight" to which they are entitled.
21. By letter dated March 23, 2007 (Exhibit 37), ANC 6A requested to participate as a party in opposition to the PUD and map amendment. ANC 6A then submitted a letter dated June 18, 2007 (Exhibit 47), stating that it voted to authorize two of its commissioners to "negotiate the Commission's position" with the applicant, that the ANC "had a pending negotiated agreement with the applicant", and listed the general terms of that agreement. The listed terms of the agreement are that the applicant will: (1) enter into a construction traffic management plan with DDOT; (2) designate a representative to serve as a community contact regarding construction; (3) makes reasonable attempts to provide community representatives with information about large deliveries; (4) make reasonable attempts to implement an identification system for construction vehicles; (5) contribute \$25,000 to an organization for use in the repair and maintenance of athletic fields at Eastern Senior High School and Eliot Junior High School; and (6) revise the design of the building's balconies to include a plinth element. The Commission treats the list of general terms of the ANC's agreement with the applicant in its June 18, 2007 letter as its issues and concerns for purposes of giving it the "great weight" to which it is entitled, and notes that the Applicant informed the Commission that it agreed to all of the terms through the Applicant's Post-Hearing Submission. The Commission therefore affords the views of ANC 6A the "great weight" to which they are entitled.

Office of Planning Report

22. By report dated June 8, 2007 (Exhibit 44), OP noted that the proposed development was not inconsistent with the Comprehensive Plan and recommended approval of the PUD application and related map amendment, subject to certain conditions. The Commission finds that the Applicant has satisfied the conditions set forth in OP's report.

Other Agency Reports and Community Comments

23. DDOT submitted a report to the Commission (Exhibit 34), expressing no objections to the proposed project. DDOT's report noted that the proposed project would have no significant impacts on traffic conditions in the surrounding area, and further stated that

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the proposed alley improvements would actually improve traffic circulation on adjacent streets. DDOT submitted a supplemental report dated September 10, 2007 (Exhibit 57). The DDOT supplemental report requested that the Applicant undertake additional alley light work and alley improvements in conjunction with the PUD. Rather than repair the alley surface, DDOT requested that the Applicant completely rebuild the alley. In response, the Applicant indicated that it would agree to this much more expensive activity, if necessary to gain final approval. The Commission however concluded that the amenities proffered by the Applicant were sufficient in view of the degree of zoning flexibility sought.

24. The Commission received a large number of letters and signed petitions from community members expressing support for the proposed project. Those letters are marked as Exhibits 24, 25, and 28. The Commission also received two letters from community members expressing opposition to the project (Exhibits 42 and 43), one of whom attended the public hearing and withdrew her opposition, testifying as a person in support of the application that her concerns had been satisfied by the Applicant.

CONCLUSIONS OF LAW

1. Pursuant to the Zoning Regulations, the PUD process is designed to encourage high-quality development that provides public benefits. (11 DCMR § 2400.1.) The overall goal of the PUD process is to permit flexibility of development and other incentives, provided that the PUD project "offers a commendable number or quality of public benefits, and that it protects and advances the public health, safety, welfare and convenience." (11 DCMR § 2400.2.)
2. Under the PUD process, the Commission has the authority to consider this application as a consolidated PUD. The Commission may impose development conditions, guidelines, and standards that exceed or are less than the matter-of-right standards identified for the height, FAR, lot occupancy, off-street parking, loading, yards, and courts. The Commission may also approve uses that are permitted as special exceptions and would otherwise require approval by the Board of Zoning Adjustment.
3. The proposed PUD project and related map amendment carry out the purposes of Chapter 24 of the Zoning Regulations to encourage the development of well-planned developments that offer a variety of building types with more attractive and efficient overall planning and design, not achievable under matter-of-right development.

The proposed PUD does not meet the minimum area requirements of § 2401.1 of the Zoning Regulations. As noted above, however, the Commission is authorized to reduce this requirement by up to 50 percent if the project meets the requirements set forth in § 2401.2. The Commission is persuaded that those requirements have been satisfied in

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this case. The proposed project is one of exceptional merit, and the development is in the best interests of the city and country. The new apartment building is located outside of the Central Employment Area, and 100 percent of its gross floor area will be devoted to residential uses. Because the requirements of § 2401.2 have been satisfied in this case, the Commission is authorized to reduce the minimum area required under the PUD regulations. The Commission concludes that such a reduction is warranted in this case.

4. The PUD is within the applicable height and bulk standards of the Zoning Regulations and will not have any significant adverse effects on neighboring properties. On the contrary, the project will provide a number of benefits to the surrounding community. Approval of the PUD is appropriate, because the proposed development is compatible with the residential character of the neighborhood and is consistent with the policies and objectives of the Comprehensive Plan. In addition, the proposed project will promote the orderly development of the site in conformity with the District of Columbia zone plan as embodied in the Zoning Regulations and Map of the District of Columbia.
5. The proposed PUD is consistent with and fosters the goals and policies enumerated in the District of Columbia Comprehensive Plan.
6. The project benefits and amenities—particularly the community amenities package, affordable housing, sustainable design features, and public space improvements—are a reasonable tradeoff for the requested flexibility from the strict requirements of the Zoning Regulations.
7. The Commission is required to give "great weight" to the recommendation of the affected ANC. D.C. Official Code § 1-309.10(d) (3) (A). The Commission has carefully considered the views of ANC 6B expressed in its written report dated February 21, 2007 and concurs in its recommendation to approve the application. The Commission has also given great weight to the issues and concerns expressed by ANC 6A (as detailed above in Finding of Fact ¶ 21). The Commission notes that the Applicant agreed to all the terms expressed in the ANC 6A's written recommendation.
8. The Commission is required under Section 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163, D.C. Official Code §6-623.04) to give great weight to OP recommendations (as reflected in ¶ 21). The Commission has carefully considered the views of OP and concurs in its recommendation.
9. This PUD application is subject to compliance with the D.C. Human Rights Act of 1977 (D.C. Law 2-38, as amended, D.C. Official Code § 2-1401.01 et seq.).

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DECISION

In consideration of the Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission for the District of Columbia orders **APPROVAL** of the application for consolidated review and approval of a planned unit development and a related amendment to the Zoning Map from the R-4 District to the R-5-B District for the Property. This approval is subject to the following conditions:

1. The PUD shall be developed substantially in accordance with the plans prepared by PGN Architects, dated June 21, 2006, and as amended or supplemented by drawings dated October 23, 2006, November 28, 2006, May 29, 2007, and June 25, 2007, marked as Exhibits 3, 11A, 13B, and 38A, respectively, in the record, the Applicant's written submissions to the record, including its post-hearing submission dated June 25, 2007, and as further modified by the guidelines, conditions, and standards herein.
2. The PUD shall be a residential development consisting of no more than 112,599 square feet of gross floor area. The project shall not exceed an overall density of 2.64 FAR, nor shall it exceed a height of 49.9 feet, with setbacks as shown on the approved plans.
3. Approximately 9,008 square feet of the building shall be provided as affordable housing, to be administered as specified in the Affordable Housing Commitment Standards included as part of the Applicant's Post-Hearing Submission filed on June 25, 2007 and marked as Exhibit 52 of the record in this case.
4. The project shall include a minimum of 113 off-street parking spaces.
5. Landscaping and improvements in public space along East Capitol Street shall be installed in accordance with the plans submitted to the record and subject to approval by the Public Space Division of DDOT and the applicant must demonstrate Public Space approval to the Zoning Division of the Department of Consumer and Regulatory Affairs ("DCRA") prior to the issuance of the Certificate of Occupancy. The Applicant or its successors shall maintain all landscaping located in the public space immediately adjacent to the subject property fronting along East Capitol Street. Other landscaping installed by the Applicant shall be maintained as provided as part of the Applicant's Post-Hearing Submission filed on June 25, 2007 (Exhibit 52).
6. The Applicant shall undertake or fund, as appropriate, the items identified in the community benefits package, included as part of its Post-Hearing Submission filed on June 25, 2007 (Exhibit 52), consistent with the terms entered into between the Applicant and the respective recipients thereunder. In addition, prior to issuance of the final certificate of occupancy for the building, the Applicant must demonstrate to the Zoning

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Division of DCRA that the Applicant has purchased, or provided the funding to purchase, the items identified in the community benefits package, and has completed the work it has undertaken.

7. The Applicant shall have flexibility with the design of the PUD in the following areas:
 - a. to vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, mechanical rooms, elevators, and toilet rooms, provided that the variations do not change the exterior configuration of the building;
 - b. to vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction, without reducing the quality of the materials;
 - c. to make refinements to the garage configuration, including layout, number of parking spaces, and/or other elements, as long as the number of parking spaces does not decrease below the minimum number specified and the parking garage otherwise complies with the area standards of Chapter 21 of the Zoning Regulations;
 - d. to make refinements to exterior materials, details, and dimensions, including belt courses, sills, bases, cornices, railings, roof, skylights, architectural embellishments and trim, or any other minor changes to comply with the District of Columbia Building Code or that are otherwise necessary to obtain a final building permit or any other applicable approvals. Only those exterior changes initiated by the Building and Land Regulation Administration ("BLRA") will be permitted within the context of this element of design flexibility.
8. The Office of Zoning shall not release the record of this case to the Zoning Division of DCRA and no building permit shall be issued for this planned unit development until the Applicant has recorded a covenant in the land records of the District of Columbia, between the owners and the District of Columbia, that is satisfactory to the Office of the Attorney General and the Zoning Division of DCRA. Such covenant shall bind the Applicant and all successors in title to construct on and use the Property in accordance with this Order or amendment thereof by the Commission. The Applicant shall file a certified copy of the covenant with the records of the Office of Zoning.
9. The change of zoning from the R-4 Zone District to the R-5-B Zone District for the Property shall be effective upon the recordation of the covenant discussed in Condition No. 8, pursuant to 11 DCMR § 3028.9.

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10. The PUD approved by the Zoning Commission shall be valid for a period of two years from the effective date of this Order. Within such time, an application must be filed for a building permit as specified in 11 DCMR § 2409.1. Construction shall begin within three years of the effective date of this Order.
11. The Applicant is required to comply fully with the provisions of the Human Rights Act of 1977, D.C. Law 2-38, as amended, and this Order is conditioned upon full compliance with those provisions. In accordance with the D.C. Human Rights Act of 1977, as amended (D.C. Official Code § 2-1401.01 et seq. ("Act")), the District of Columbia does not discriminate on the basis of actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, familial status, family responsibilities, matriculation, political affiliation, disability, source of income, or place of residence or business. Sexual harassment is a form of sex discrimination, which is also prohibited by the Act. In addition, harassment based on any of the above protected categories is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action. The failure or refusal of the Applicant to comply shall furnish grounds for denial or, if issued, revocation of any building permits or certificates of occupancy issued pursuant to this Order.

On July 9, 2007, the Zoning Commission **APPROVED** the application by a vote of 5-0-0 (Carol J. Mitten, Gregory N. Jeffries, Anthony J. Hood, and Michael G. Turnbull to approve; John G. Parsons, having not participated, not voting).

This Order was **ADOPTED** by the Zoning Commission at its public meeting on September 10, 2007, by a vote of 4-0-1 (Carol J. Mitten, Michael G. Turnbull, and Anthony J. Hood to adopt; Gregory N. Jeffries to adopt by absentee ballot; John G. Parsons, having not participated, not voting).

In accordance with the provisions of 11 DCMR § 3028, this Order shall become final and effective upon its publication in the D.C. Register; that is, on **DEC 14 2007**, 2007.

DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Washington, D.C., June 26, 2006

Plat for Building Permit of SQUARE 1096 LOTS 51-55

Scale: 1 inch = 40 feet Recorded in Book 64 Page 90

Receipt No. 01227 & 01221

Furnished to: AMT

[Signature]
Surveyor, D.C.

By: L.M.A. *[Signature]*

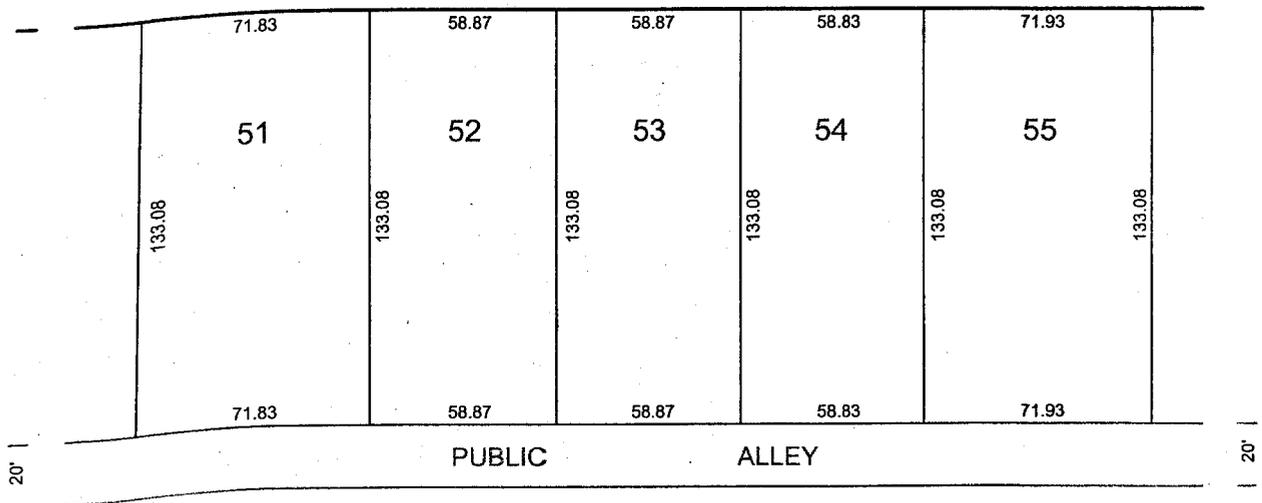
I hereby certify that all existing improvements shown hereon, are completely dimensioned, and are correctly platted; that all proposed buildings or construction, or parts thereof, including covered porches, are correctly dimensioned and platted and agree with plans accompanying the application; that the foundation plans as shown hereon is drawn, and dimensioned accurately to the same scale as the property lines shown on this plat; and that by reason of the proposed improvements to be erected as shown hereon the size of any adjoining lot or premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified and agreed that accessible parking area where required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon. It is further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb and alley grade will not result in a rate of grade along centerline of driveway at any point on private property in excess of 20% for single-family dwellings or flats, or in excess of 12% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property.)

Date: _____

(Signature of owner or his authorized agent)

NOTE: Data shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.

EAST CAPITOL STREET



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