

BOOKER T. WASHINGTON PCS FOR TECHNICAL ARTS**REQUEST FOR PROPOSAL**

The Booker T. Washington Public Charter School for Technical Arts, in accordance with section 2204©(XV)(A) of the District of Columbia School Reform Act of 1995 (PL 104-134), is soliciting quotes for the following services:

1. Meal Services:
Delivery of meals for about 150 - 220 children enrolled at the school. All meals must meet, but are not restricted to, minimum National School Breakfast and Lunch Program meal pattern requirements.
2. Special Education Services:
Looking for a company or agency to provide comprehensive diagnostic and educational services for special education students. Services to include psycho-educational services, speech/language services, occupational and physical therapy, clinical and neuro-psychological services, career and vocational assessment, psychiatric evaluation, assistive technology audiological services, and case management. Send executive summary of services, cover letter, and financial requirements to Jaiyah M. Jalarue using contact information listed below.
3. School Supply Services:
Delivery of assorted office and other related supplies to a school of about 1200 - 220 student population.
4. Building Security Services:
Soliciting quotes for 2 officers to work 7:00am to 4pm, 5 days a week, and 2 officers to work 5pm to 10:00pm, 5 days a week.

Interested parties should submit proposals to Mr. Jaiyah M. Jalarue, Business Manager, at 202-232-6090, Ext. 16. -7845. The deadline for all responses is July 26 2007 at 5 pm.

THE CESAR CHAVEZ PUBLIC CHARTER SCHOOLS FOR PUBLIC POLICY**SOLICITATION FOR PROPOSALS****SCHOOL FEEDING 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 solicits proposals for the delivery of meals to children enrolled at its three schools for the 2007-08 school year with a possible extension of (4) one year renewals. Collectively, the campuses serve 1220 students grades 6-12.

The Cesar Chavez Public Charter High Schools for Public Policy will receive bids until July 20, 2007 at 5:00 p.m All meals must meet, but are not restricted to, minimum National School Breakfast, Lunch, and Snack meal pattern requirements. Meal pattern requirements and all necessary forms may be obtained from:

Devin Murphy
709 12th Street, SE
Washington, D.C. 20003
(202)547-3975

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

SCHEDULED MEETINGS OF BOARDS AND COMMISSIONS

July 2007

CONTACT PERSON	BOARDS AND COMMISSIONS	DATE	TIME/ LOCATION
Theresa Ennis	Board of Accountancy	10th	8:30 am-12:30 pm
Dorothy Thomas	Board of Appraisers	18th	10:00 am-12:00 pm
Leon Lewis	Board Architects and Interior Designers	27th	9:30 am-12:00 pm
Dorothy Thomas	Board of Barber and Cosmetology	2nd	10:00 am-12:00 pm
George Beatty	Boxing and Wrestling Commission	Recess	7:00-pm-9:00 pm
Dorothy Thomas	Board of Funeral Directors	12th	1:30 pm-5:00 pm
Theresa Ennis	Board of Professional Engineers	26th	9:30 am-12:00 pm
Leon Lewis	Board of Real Estate	10th	9:00 am-12:00 pm
Pamela Peters	Board of Industrial Trades	17th	9:00 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. Mary Nell Brown at 202-442-4320

D.C. DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS**BUSINESS AND PROFESSIONAL LICENSING ADMINISTRATION****Scheduled Meetings of Boards and Commissions
August 2007**

The following Boards and Commissions are on vacation for the Month of August 2007:

- Board of Accountancy
- Board of Appraisers
- Board of Architects and Interior Designers
- Board of Barber and Cosmetology
- Boxing and Wrestling Commission
- Board of Funeral Directors
- Board of Professional Engineers
- Board of Real Estate
- Board of Industrial Trades
 - Asbestos
 - Electrical
 - Plumbing
 - Refrigeration/ Air Conditioning
 - Steam and Other Operating Engineers

EARLY CHILDHOOD ACADEMY PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Delivery of Meals**

Early Childhood Academy Public Charter School, 4301 9th Street, SE, Washington, DC 20032 will receive bids until **Monday, July 23, 2007 at 7:00 pm** for the delivery of breakfast, lunch, and snack to 160 preschool through first grade children enrolled at the school for the 2007 – 2008 school year, with a possible extension of 4 one-year renewals.

All meals must meet but are not restricted to minimum National School Breakfast, Lunch, and Snack meal pattern requirements.

Meal pattern requirements, production records/delivery tickets and all necessary forms may be obtained from:

Wendy Edwards or Thann Ingraham
Early Childhood Academy Public Charter School
4301 9th Street, SE - Side Entry
Washington, DC 20032
Phone 202-373-0035
Fax 202-373-5586

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS AND ETHICS**

**Certification of Filling Vacancies
In Advisory Neighborhood Commissions**

Pursuant to D.C. Official Code §1-309.06(d)(6)(G) and the resolution transmitted to the District of Columbia Board of Elections and Ethics "Board" from the affected Advisory Neighborhood Commission, the Board hereby certifies that the vacancy has been filled in the following single-member district by the individual listed below:

**Ron McBee
Single-Member District 6D03**

DEPARTMENT OF THE ENVIRONMENT
WATER QUALITY DIVISION

PUBLIC NOTICE

The District of Columbia has prepared Total Maximum Daily Load (TMDL) documents under the requirement of the Clean Water Act, Section 303(d). This document, developed jointly with the Maryland Department of the Environment and Virginia Department of Environmental Quality, proposes to establish TMDLs of Polychlorinated Biphenyls (PCBs) for the entire Potomac River estuary, including the tidal Potomac and Anacostia Rivers in the District to address DC's listings for PCB impairments in these waterbodies. A PCB TMDL was established for the tidal Anacostia River in DC in 2003. The PCB TMDLs developed for the Potomac River estuary in this report, when approved, also replace the 2003 Anacostia PCB TMDLs.

The public is invited to comment on the following TMDL document:

Total Maximum Daily Loads of Polychlorinated Biphenyls (PCBs) for Tidal Portions of the Potomac and Anacostia Rivers in the District of Columbia, Maryland, and Virginia

Copies of the document will be on file on July 17, 2007 and may be inspected at the Martin Luther King, Jr. Library, 901 G St., NW, Washington, D.C. 20001, during normal business hours. In addition, the document can be obtained by calling the Water Quality Division at (202) 535-2226 between the hours of 9:00 am and 3:00 pm.

Additionally, copies of the document can be downloaded from the following website:
http://www.potomacriver.org/water_quality/pcbtml.htm

The Water Quality Division will consider the comments received to finalize the draft documents for transmittal to the U.S. Environmental Protection Agency.

Submit written comments by August 16, 2007 by postal mail or email to:

District Department of the Environment
Water Quality Division
51 N Street NE, 5th Floor
Washington, D.C. 20002
Attn: PCB TMDL
monir.chowdhury@dc.gov

HOWARD UNIVERSITY MIDDLE SCHOOL OF MATHEMATICS & SCIENCE**NOTICE OF REQUEST FOR PROPOSALS**

In Compliance with Section 2204 (c) of the District of Columbia School Reform Act of 1995, Howard University Middle School of Mathematics & Science hereby posts notices that it will be accepting bids for the following five services:

1. **School Food Service:**
Complete preparation of breakfast and lunch for approximately 300 students for the 2007-2008 School year.
2. **Building Security Service:**
The provision of two unarmed security guards from 6 am to 8 pm.
3. **Facility Cleaning Service:**
Complete daily janitorial service for the entire middle school building which consists of four floors and approximately 30 classrooms/offices.
4. **Technology Support Service:**
Tier I & II support for the School's extensive information systems platform
5. **Facility Painting:**
Painting of 12 classrooms and four corridors.

Interested parties should contact Yohance Maqubela at (202) 806-7845, to receive a copy of the bid package. The deadline for all responses is July 27, 2007 at 5 pm.

**LIGHTHOUSE ACADEMIES, INC.
REQUEST FOR PROPOSALS**

Potomac Lighthouse Public Charter Schools is seeking competitive proposals to provide speech therapy for the upcoming school year.

All sealed proposals shall be forwarded to the address listed below:

Attn: Kerri Charron
Lighthouse Academies, Inc.
1661 Worcester Road, Suite 207
Framingham, MA 01701
Phone: 508-626-0901 ext. 27
Fax: 508-626-0905
kcharron@lighthouse-academies.org

Sealed proposals shall be received no later than July 31, 2007, by 11:00 AM EST

Sealed proposals shall be submitted according to the specifications enclosed herein. In addition all sealed proposals shall be submitted in a sealed envelope marked as:

“PLPCS Speech Therapy Proposal 2007-2008.” Indicate the firm name on the envelope. Included with the hard-copy proposals shall be an electronic copy of the proposal.

Late proposals will not be accepted. Proposals submitted via facsimile (Fax) machine will not be accepted.

Lighthouse Academies, Inc., reserves the right to reject any and all proposals without limitation. Lighthouse Academies, Inc. reserves the right to award a contract as it determines to be in the best interest of Lighthouse Academies, Inc. and the schools in the Lighthouse Academies network. To acquire a copy of the proposal specification, please contact Kerri Charron at the above phone number or e-mail address.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF CANCELLED MEETING

DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL CREDIT ENHANCEMENT FUND COMMITTEE

This notice is to announce that the District of Columbia Public Charter School Credit Enhancement Fund Committee meeting scheduled for July 19, 2007, is cancelled.

For further information, please contact:

Stefan Huh
Director, Office of Public Charter School Financing and Support
(202) 724-7803

**OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION
NOTICE OF FUNDING AVAILABILITY**

FY 2007 Truancy Reduction and Technical Assistance Grant

RFA RELEASE DATE: July 13, 2007

APPLICATION SUBMISSION DEADLINE: August 3, 2007

The Office of the State Superintendent of Education (the "OSSE"), on behalf of the Executive Office of the Mayor, is soliciting applications from qualified District of Columbia non-profits to establish a Truancy Reduction Program ("TRP") as well as provide the associated technical assistance training and strategic partnering associated with the TRP for public charter schools in the District of Columbia.

An organization/entity meeting the following criteria is eligible to apply for the Truancy Reduction and Technical Assistance Grant under this Request for Applications:

- Any District of Columbia based 501(c)(3) non-profit organization with direct experience and/or expertise in truancy reduction.

Attendance Recommended

WHEN: Thursday July 19, 2007

WHERE: Office of the State Superintendent of Education
441 4th Street, NW, Room 350 North
Washington, DC 20001

TIME: 3:00 - 4:00

CONTACT PERSON: Matthew Dunkle
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: 202-724-1513
Fax: 202-727-2019
matthew.dunkle@dc.gov

Please visit www.osse.dc.gov or contact Matthew Dunkle to receive a copy of the RFA.

**OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION
NOTICE OF FUNDING AVAILABILITY**

FY 2007 Medicaid Billing and Technical Assistance Grant

RFA RELEASE DATE: July 13, 2007

APPLICATION SUBMISSION DEADLINE: August 3, 2007

The Office of the State Superintendent of Education, on behalf of the Executive Office of the Mayor, is soliciting grant applications from qualified applicants to implement and maintain a Medicaid billing entity to serve public charter schools within the District of Columbia as well as to ensure that all public charter schools are provided the opportunity to secure a Medicaid billing number.

An organization/entity meeting all of the following criteria is eligible to apply for the Medicaid Billing and Technical Assistance grant under this Request for Applications:

- Any District of Columbia based 501(c)(3) non-profit organization with experience and/or expertise in Medicaid billing.

Attendance Recommended

WHEN: Wednesday July 18, 2007

WHERE: Office of the State Superintendent of Education
441 4th Street, NW, Room 350 North
Washington, DC 20001

TIME: 3:00 - 4:00

CONTACT PERSON: Matthew Dunkle
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: 202-724-1513
Fax: 202-727-2019
matthew.dunkle@dc.gov

Please visit www.osse.dc.gov or contact Matthew Dunkle to receive a copy of the RFA.

**OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION
NOTICE OF FUNDING AVAILABILITY**

FY 2007 CO-LOCATION GRANT

RFA RELEASE DATE: July 13, 2007

**APPLICATION SUBMISSION DEADLINE: July 20, 2007 for the first round of reviews
(Thereafter, applications will be reviewed on a rolling basis)**

The Office of the State Superintendent of Education (the "OSSE"), on behalf of the Executive Office of the Mayor, is soliciting applications from qualified District of Columbia public charter schools and non-profits to improve District of Columbia Public School ("DCPS") facilities occupied by District of Columbia Public Charter Schools ("PCSs").

Eligibility

An organization/entity meeting at least one of the following criteria is eligible to apply for the Co-Location Grants under this Request for Applications:

- A District of Columbia Public Charter School that will occupy a DCPS facility in the 2007/2008 School Year and/or beyond;
- A District of Columbia based 501(c)(3) non-profit organization that will make improvements to DCPS facilities occupied by PCSs in the 2007/2008 School Year and/or beyond; or
- A District of Columbia based 501(c)(3) non-profit organization that will hold these funds in escrow for: 1) further distribution to PCSs for improvement of DCPS facilities occupied by PCSs; or 2) to make direct improvements to DCPS facilities occupied by PCSs.

Attendance Recommended

WHEN: Tuesday July 17, 2007

WHERE: Office of the State Superintendent of Education
441 4th Street, NW, Room 350 North
Washington, DC 20001

TIME: 1:00 - 3:00

CONTACT PERSON: Stefan Huh
Office of the State Superintendent of Education
Government of the District of Columbia
441 4th Street, N.W.; Suite 350N
Washington, D.C. 20001
Tele: 202-724-7803; Fax: 202-727-2019
stefan.huh@dc.gov

Please visit www.osse.dc.gov or contact Stefan Huh to receive a copy of the RFA.

**OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION
NOTICE OF FUNDING AVAILABILITY**

FY 2007 City Build Incentive Grant

RFA RELEASE DATE: July 13, 2007

APPLICATION SUBMISSION DEADLINE: August 6, 2007

The Office of the State Superintendent of Education is soliciting grant applications from qualified applicants for the City Build Incentive Grant ("City Build"). City Build is a joint education and neighborhood development initiative that promotes community revitalization with a particular emphasis on strengthening public charter schools. The aim of City Build stretches beyond excellence in academics; it is a focus on encouraging community development, promoting strategic neighborhoods, attracting and retaining residents, and creating partnerships between public charter schools and community organizations through the development of Community Schools.

Eligibility

An organization/entity meeting one of the following criteria is eligible to apply for City Build grant funds under this Request for Applications:

- A public charter school board of trustees, holding a valid District of Columbia charter, with enrolled District of Columbia students; or
- A District of Columbia-based non-profit or for-profit organization, representing a public charter school and benefiting that school.

Attendance Strongly Recommended

WHEN: Thursday July 26, 2007

WHERE: Office of the State Superintendent of Education
441 4th Street, NW, Room 350 North
Washington, DC 20001

TIME: 3:00 - 4:00

CONTACT PERSON: Matthew Dunkle
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: 202-724-1513
Fax: 202-727-2019
matthew.dunkle@dc.gov

Please visit www.osse.dc.gov or contact Matthew Dunkle to receive a copy of the RFA.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA**NOTICE OF SPECIAL PUBLIC MEETING**

The Zoning Commission of the District of Columbia, in accordance with § 3005 of the District of Columbia Municipal Regulations, Title 11, Zoning, hereby gives notice that it has scheduled a Special Meeting for Monday, September 17, 2007, at 6:00 P.M., to consider various items.

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

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 06-29**

Z.C. Case No. 06-29

**Consolidated Planned Unit Development and Related
Zoning Map Amendment for WB/NV Center City Holdings, LLC
(1143 New Hampshire Avenue, N.W.)**

May 14, 2007

Pursuant to notice, the Zoning Commission for the District of Columbia (the "Commission") held a public hearing on March 22, 2007 to consider the application from WB/NV Center City Hotel Holdings, LLC, for consolidated review and approval of a planned unit development and related zoning map amendment from the R-5-E District to the CR District. The Commission considered the application pursuant to Chapters 24 and 30 of the 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 Zoning Commission hereby approves the application.

FINDINGS OF FACT

Application, Parties, and Public Hearing

1. On June 9, 2006, WB/NV Center City Hotel Holdings, LLC (the "Applicant"), owner of 1143 New Hampshire Avenue, N.W., also known as Lot 74 in Square 72 (the "Property" or "Site"), filed an application for the consolidated review and approval of a Planned Unit Development ("PUD") and related Zoning Map amendment to the C-3-C District for the Property. The Applicant later amended its application to request CR rezoning instead.
2. At its September 11, 2006 public meeting, the Commission determined to set down the application for public hearing.
3. The Commission held a public hearing on the application on March 22, 2007. Advisory Neighborhood Commission ("ANC") 2A was an automatic party to the proceeding and testified in support of the proposed PUD and map amendment to the CR District. The Commission granted party status to the West End Citizens Association ("WECA") and the Foggy Bottom Association ("FBA") who testified in support of the PUD and CR rezoning application.
4. At the conclusion of the March 22, 2007 public hearing, the Commission took proposed action by a vote of 5-0-0 to approve with conditions the application and plans presented at the public hearing.

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5. The proposed action of the Zoning Commission was referred to the National Capital Planning Commission ("NCPC") on March 22, 2007, under the terms of § 492 of the Home Rule Act. NCPC gave no response.
6. At its regularly scheduled public meeting held on May 14, 2007, the Commission voted to re-open the record to receive correspondence by the Applicant and the D.C. Public Library.
7. The Commission took final action by a vote of 5-0-0 to approve the application at its public meeting on May 14, 2007.

PUD Site and Surrounding Area

8. The Property is located at 1143 New Hampshire Avenue, N.W., in Square 72. The total land area for the Property is approximately 31,244 square feet, which exceeds the minimum area requirement of 15,000 square feet for a PUD in the R-5-E District established in § 2401.1(a) of the Zoning Regulations.
9. The Property is situated in Ward 2 at the southeast corner of M Street and New Hampshire Avenue, N.W. The Site has approximately 250 feet of frontage along New Hampshire Avenue, N.W. and is currently occupied by a nine-story hotel.
10. The Property is surrounded by a variety of uses. Office buildings are located to the north and east along 21st Street, N.W. Residential uses are located to the south along New Hampshire Avenue, N.W. To the east are hotels and additional office uses with ground floor retail. To the west are residential, hotel, retail, and office uses. Surrounding the Property in all directions are buildings either planned or constructed to heights of 110 feet.
11. The Generalized Land Use Map of the Comprehensive Plan designates the property in the mixed-use high-density residential/medium-density commercial land use category.

Existing and Proposed Zoning

12. The Site is currently zoned R-5-E. The R-5-E District permits matter-of-right high-density development of general residential uses, including single-family dwellings, flats, and apartment buildings, to a maximum lot occupancy of seventy-five percent, a maximum floor area ratio ("FAR") of 6.0 for apartment houses and hotels and 5.0 FAR for other structures, and a maximum height of ninety feet.
13. In its initial submission to the Commission, the Applicant requested rezoning of the Property to C-3-C. After consultation with the ANC and WECA, the Applicant amended its application to include the CR District in the alternative. Prior to the hearing, the

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Applicant withdrew its request for C-3-C rezoning entirely and proceeded only with a request for the CR District.

14. The PUD guidelines for the CR District allow for a maximum height of 110 feet and a maximum density of 8.0 FAR, of which no more than 4.0 FAR may be devoted to non-residential uses. Subsection 631.2 of the Zoning Regulations provides that the guest room areas and service areas of hotels are considered residential uses in the CR Zone District.

Proposed Planned Unit Development

15. The Applicant proposes to renovate and reconfigure the existing hotel and to construct a two-story addition on top of the existing building. The existing hotel contains 350 rooms; the two-story addition will increase the total number of hotel rooms to approximately 440.
16. The expanded building will contain approximately 217,684 square feet of gross floor area and will have a density of 6.97 FAR. The addition will increase the maximum height of the hotel from 90 feet to approximately 110 feet.
17. In order to facilitate the construction of the planned addition, the Applicant has requested that the Commission rezone the property from R-5-E to CR.
18. There will be two phases of construction. Under the first phase, the Applicant will modernize the existing structure by replacing the building's single-glazed windows with new aluminum-framed windows. The concrete shrouds on the upper windows will be removed and new aluminum spandrel panels will be installed between the new windows. The split-faced concrete block will be painted a light gray to provide a more modern appearance. These renovations can proceed as a matter-of-right.
19. The second phase of construction will include the construction of the two-story addition. The addition will be clad in metal and glass, which will distinguish the addition from the existing building's painted masonry façade. The Applicant will also make substantial improvements to the New Hampshire Avenue streetscape, including a reconfigured driveway entrance, a sidewalk café, and extensive landscaping.
20. As a result of withdrawing its request for C-3-C zoning, the Applicant amended its plans to comport with the CR height limitation of 110 feet. The proposed enclosed roof snack bar was replaced with an unenclosed roof terrace and decorative pergola and trellis, which will extend approximately 18.5 feet above the permitted 110-foot height for PUDs in the CR District. Because the trellis is decorative in nature and is not habitable space, the Commission finds that the pergola and trellis constitute a permissible rooftop embellishment.

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Public Benefits and Amenities

21. The Commission finds that the following public benefits and project amenities will be created as a result of the Project:
- a. *Contribution to D.C. Public Library Foundation.* The Applicant will contribute \$462,000 to the D.C. Public Library Foundation to be utilized for the benefit of the West End Branch Public Library, including the following: the design, development, and installation of a computer lab; the cost of space build-out, acquisition of computers, computer stations, and related office equipment and furniture; the design, development, and build-out of facilities for community and civic organizations, including furniture; and the necessary power and lighting modifications to accommodate the added facilities. To the extent feasible, the improvements paid for by this money will be capable of relocation.
 - b. *Urban Design and Architecture.* Section 2403.9(a) lists urban design and architecture as categories of public benefits and project amenities for a PUD. The proposed new façade and two additional floors have been designed to complement the surrounding development and enhance the prominence of the intersection of New Hampshire Avenue and M Street, N.W. The new façade will provide a contemporary, updated look to the older and outdated 1960's façade. In addition to the façade, the Applicant will provide extensive streetscaping, including street trees, new sidewalks, and new driveway paving. A sidewalk café at the north end of the site will further enhance the urban design and architecture of the proposed development.
 - c. *Transportation.* Pursuant to § 2403.9(c) of the Zoning Regulations, “[e]ffective and safe vehicular and pedestrian access” is a representative public benefit and project amenity. The new driveway configuration has been designed to provide improved vehicular access for hotel guests by reversing the direction of the driveway flow so vehicles can pass into the garage directly from the drop-off without circulating back on to the streets.
 - d. *Sustainable Design Features.* Section 2403.9(h) lists environmental benefits as a category of public benefits and/or project amenity. The PUD incorporates numerous “green building” practices into the design. Located in an urban center close to mass transportation, the PUD provides a high level of community connectivity and requires no additional parking for the increase in hotel use. The PUD's specified lighting concept qualifies for light pollution reduction and the new landscape design will promote water efficiency. The building will optimize energy performance through new windows, which incorporate insulated, low-emitting coated glazing, and through new mechanical, electrical, and plumbing systems. The indoor environmental quality is promoted through the use of low-emitting materials and 10% recycled materials. In addition, the PUD has been designed to achieve 18 LEED points through the

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inclusion of the following features: sustainable site; water efficiency in landscape design; improved energy efficiency and refrigerant management; recycled content in building materials; low-emitting materials; and the use of LEED-accredited professionals.

- e. *First Source Employment Agreement.* In furtherance of § 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93, D.C. Official Code § 2-219.03), the Applicant will execute a First Source Employment Agreement with the Department of Employment Services (“DOES”) in order to achieve the goal of utilizing District of Columbia residents for at least fifty-one percent of the jobs created by the PUD. The Applicant intends to use DOES as its first source for recruitment, referral, and placement of new hires for employees whose jobs are created by the PUD.
- f. *Small and Local Business Opportunities.* The Applicant will execute a Memorandum of Understanding with the D.C. Department of Small and Local Business Development in order to achieve, at a minimum, the goal of 35% participation by small, local, and disadvantaged businesses in the contracted development costs for the design, development, construction, maintenance, and security for the project to be created as a result of the PUD. The Applicant’s Memorandum of Understanding with the Department of Small and Local Business Development will contribute to the District’s goal of ensuring adequate opportunities for small and local businesses to participate in development projects throughout the city.

Compliance with the Comprehensive Plan

22. The Commission finds that the Project is consistent with many of the Comprehensive Plan’s major themes as follows:
 - a. *Respecting and Improving the Physical Character of the District.* The PUD process will ensure the development of an exceptional design and appropriate density in this well-developed and established community. The PUD provides the existing building with a contemporary, updated façade that replaces the existing, outdated 1960’s façade. The PUD is consistent and complementary to the density and layout of the immediate neighborhood.
 - b. *Reaffirming and Strengthening District’s Role as the Economic Hub of the National Capital Region.* The Comprehensive Plan encourages maximizing use of the District’s location at the center of the region’s radial Metrorail and commuter rail systems. The PUD takes advantage of this asset by its proximity to the Dupont Circle and Foggy Bottom Metrorail Stations and numerous Metrobus routes, which will promote and stimulate the use of existing mass transit service.

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In addition, the provision of 142 parking spaces on site will greatly reduce parking shortages in this area of the city.

- c. *Preserving and Ensuring Community Input.* The Applicant has met with representatives of the ANC and other community groups, such as WECA and FBA, in an effort to gather community input on the project and to gain community support. Community concerns as to height and density have been thoroughly reviewed by the Applicant and incorporated into the application. The Applicant also submitted the signatures of 45 area residents in support of the application.
23. The Commission finds that the project furthers the objectives and policies of many of the Comprehensive Plan's major elements as follows:
- a. *Land Use Element.* The PUD is consistent with the Generalized Land Use Map of the Comprehensive Plan, which designates the property in the mixed-use high-density residential/medium-density commercial land use category. Pursuant to § 1108.1(t) of the Comprehensive Plan, the proposed development furthers the goal of the District to "encourage the expansion of existing hotels."
 - b. *Environmental Protection Element.* The policy of the Environmental Protection Element, pursuant to § 401.1 of the Comprehensive Plan is "to protect the environment, to resist threats to its overall quality, and to act to maintain and enhance its positive features in the interest of residents, workers and visitors." The proposed development furthers the policy of the Environmental Protection Element through its green elements, renovation of an existing structure, and improved utilization of the Property.
 - c. *Transportation Element.* One of the goals of the District, pursuant to § 503.2 (c) of the Comprehensive Plan, is to "[p]romote the increased use of mass transit, in the District and the region." The PUD is proximate to the Dupont Circle and Foggy Bottom Metrorail Stations and numerous Metrobus routes, which will promote and stimulate the use of existing mass transit.
 - d. *Urban Design Element.* Two objectives of Urban Design Element of the Comprehensive Plan, pursuant to §§ 702.1(b) and 702.1(d), are to "preserve and enhance the outstanding physical qualities of District neighborhoods" and to "encourage new development within areas of strong architectural character to contribute to the physical identity and character of the area." The new building façade and two-story addition have been designed to complement surrounding development and provide a contemporary look to a presently dull façade. In addition, the streetscape plan will complement and enhance the physical qualities and character

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of the neighborhood. As a result, the PUD furthers these two objectives of the Urban Design Element of the Comprehensive Plan.

24. The Project also fulfills and furthers the specific objectives of the Comprehensive Plan for Ward 2, as follows:
- a. *Ward 2 Economic Development Element.* Pursuant to § 1301.1(a) of the Comprehensive Plan, the Ward 2 Economic Development Element seeks to enhance the image of the ward as a place to do business and to reside. The proposed development will create a variety of employment opportunities for District residents, business opportunities for small and local businesses, and significant tax revenues via the District's hotel and income taxes. In addition, the proposed development will enhance the image of the ward as a place to do business.
 - b. *Ward 2 Transportation Element.* The Comprehensive Plan identifies parking within the ward as a major problem due to evening visitors, student parking, and the lack of adequate parking for residential dwellings. The Transportation Element of the Comprehensive Plan encourages strict adherence to the current parking requirements of the Zoning Regulations. The proposed development provides relief to the parking demands of the ward. The proposed development will provide 142 parking spaces, which is 19 more spaces than the number required by the Zoning Regulations. In addition, the Property is close to the Dupont Circle and Foggy Bottom Metrorail Stations, providing excellent public transit access.
 - c. *Ward 2 Urban Design Element.* One of the objectives for the Ward 2 Urban Design Element of the Comprehensive plan is to place special emphasis on the sensitive design of areas around Metrorail stations where new development is likely to occur, respecting the integrity of those areas. This element, pursuant to § 1317.1(c) of the Comprehensive Plan, states that pedestrian amenities, ease of access, lighting, security, and signage befitting a portal to the city should be provided, in addition to adequate buffering and integration of new development into the surrounding area. The PUD satisfies this element by reconfiguring the driveway to the hotel for pedestrian safety and more efficient vehicular access and by providing pedestrian-friendly amenities, such as a sidewalk café. In addition, the architectural plans illustrate that the proposed development will enhance the physical character of the area and complement the surrounding neighborhood.

Office of Planning Report

25. By report dated March 12, 2007, the Office of Planning ("OP") recommended approval of the proposed PUD and related map amendment from R-5-E to the CR District to renovate the existing hotel and to construct two additional floors on top of the existing building. OP further supported the Applicant's request for: (1) flexibility from the rear yard requirements

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to permit a minimal reduction of the rear yard, (2) from the roof structure requirements to permit a roof structure that does not meet the setback requirements, and (3) from the parking requirements to permit the conversion of the existing three-level garage to all-valet parking that will accommodate 142 parking spaces. OP noted that the ANC recommended that the Applicant change its requested zoning from C-3-C to CR in order to protect the residential character of the surrounding neighborhood.

District's Department of Transportation Report

26. By report dated March 21, 2007, the District's Department of Transportation ("DDOT") stated its support for the application, provided that the Applicant implement a valet parking operation to minimize parking overflow into the neighboring residential and retail business area.

Advisory Neighborhood Commission 2A

27. ANC 2A submitted a letter dated February 28, 2007, in support of the application, on the condition that (i) the Applicant request only CR zoning, (ii) that the Applicant contribute \$300,000 to the West End Branch Library for a computer lab, and (iii) that the Applicant contribute \$162,000 to the Department of Housing and Community Development ("DCHD") for use in tenant rental or purchase assistance within the ANC 2A boundaries, excluding properties solely owned by the George Washington University. At the March 22, 2007 public hearing on the application, Michael Thomas, chair of ANC 2A, testified on behalf of the ANC. Mr. Thomas clarified that, as a result of DCHD's inability to direct the assistance funds to tenants within the ANC 2A boundaries, the ANC agreed with the Applicant's proposal to contribute the entirety of the \$462,000 contribution to the D.C. Public Library Foundation for the benefit of the West End Branch Library. Because the conditions of the ANC's approval recommendation had been met, the ANC supported the application.

West End Citizens Association

28. WECA also testified as a party in support of the Applications on the condition that: (i) the Property only be rezoned to CR, (ii) there be no enclosed roof structure, and (iii) the community amenities be the same as those identified in the Applicant's opening remarks. WECA indicated it had worked closely with the Applicant to revise both its requested map amendment and its amenities package to more appropriately protect and benefit the Foggy Bottom/West End community.

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Foggy Bottom Association

29. The FBA likewise testified as a party in support of the application. FBA stated that the Applicant's contribution to the D.C. Public Library Foundation is an amenity that will benefit all residents of the West End community.

CONCLUSIONS OF LAW

1. Pursuant to § 2400.1 of the Zoning Regulations, the PUD process is designed to encourage high-quality development that provides public benefits. The overall goal of the PUD process is to permit flexibility of development and other incentives, provided that a 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. The objective of the PUD process is to encourage high-quality development that provides public benefits and project amenities by allowing applicants greater flexibility in planning and design than may be possible under conventional zoning procedures. Section 2403.9 of the Zoning Regulations provides categories of public benefits and project amenities for review by the Commission. In approving a PUD, the Commission must determine that the impact of a PUD on the surrounding area and on the operation of city services and facilities is either not unacceptable, is capable of being mitigated, or is acceptable given the quality of public benefits provided by said project. (11 DCMR § 2403.3.)
3. Under the PUD process of the Zoning Regulations, the Commission has the authority to consider this application as a consolidated PUD. The Commission may impose development conditions, guidelines, and standards that may exceed or be less than the matter-of-right standards identified for height, FAR, lot occupancy, parking, loading, yards, or courts.
4. The development of this project will carry out the purposes of Chapter 24 of the Zoning Regulations to encourage the construction 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.
5. The PUD meets the minimum area requirements of § 2401.1 of the Zoning Regulations.
6. The proposed project is within the applicable height, bulk, and density standards of the Zoning Regulations. The Project involves the renovation and reconfiguration of an existing hotel and the construction of a two-story addition, consisting of 90 rooms, on top of the existing structure. Pursuant to § 1108.1(t) of the Comprehensive Plan, the project furthers the goal of the District to "encourage the expansion of existing hotels."

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Accordingly, the PUD should be approved. The impact of the project on the surrounding area is not unacceptable. As set forth in the Findings of Fact, the proposed development has been appropriately designed to respect the neighboring properties in terms of height and mass and is complementary to adjacent buildings.

7. The application can be approved with conditions to ensure that any potential adverse effects on the surrounding area from the development will be mitigated.
8. The PUD's benefits and amenities are reasonable for the development proposed on the site.
9. Evaluating the project according to the standards set forth in § 2403 of the Zoning Regulations, the Commission concludes that the application qualifies for approval. Judging, balancing, and reconciling the relative value of amenities and benefits in the application against the nature of the Applicant's request and any potential adverse effects, the Commission is persuaded that the proposed public benefits and project amenities are sufficient to justify the relief requested in this case.
10. Approval of this project is appropriate, because the proposed development is consistent with the present character of the area.
11. Approval of this project and the related change of zoning is not inconsistent with the Comprehensive Plan.
12. Approval of this project and the related change of zoning is not inconsistent with the purposes and objectives of zoning as set forth in § 2 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code § 6-641.02) including as follows:
 - a. The proposed zone is not inconsistent with the Comprehensive Plan;
 - b. The proposed zone will not produce objectionable traffic conditions;
 - c. The proposed rezoning will not lead to the undue concentration of population and the overcrowding of land;
 - d. This project will promote health and general welfare and tend to create conditions favorable to health, safety, transportation, prosperity, protection of property, civic activity, and recreational, educational and cultural opportunities, and as would tend to further economy and efficiency in the supply of public services.
13. The Commission is required under D.C. Official Code § 1-309.10(d)(3)(A) to give great weight to the affected ANC's recommendations. The Commission has carefully considered the ANC's recommendation for approval and concurs in its recommendation.

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14. The Commission is required under §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's recommendations (as reflected in Finding of Fact No. 25). The Commission considered the recommendations for approval and concurs in its recommendation.
15. The application for a PUD and related map amendment will promote the development of the site in conformity with the entirety of the District of Columbia zone plan as embodied in the Zoning Regulations and Map of the District of Columbia.
16. The application for a PUD and related map amendment are subject to compliance with the Human Rights Act of 1977, as amended (D.C. Law 2-38, D.C. Official Code § 2-1401.01).

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 of a Planned Unit Development and for a related Zoning Map amendment from R-5-E to CR for the Property, located at 1143 New Hampshire Avenue, N.W., also known as Lot 74 in Square 72. This approval is subject to the following conditions:

1. The project shall be developed in accordance with the plans prepared by Shalom Baranes Associates, submitted to the Zoning Commission on March 2, 2007, as Exhibits 27 and 27A to the Record, as modified by the guidelines, conditions, and standards herein.
2. The project shall be a hotel development consisting of approximately 217,684 square feet of gross floor area and a total density of approximately 6.97 FAR.
3. The project shall have a maximum height of 110 feet.
4. Landscaping for the project shall be provided consistent with the Landscape Plan provided at Exhibits 5, 14, and 48 in the record.
5. The Applicant shall provide a minimum of 142 parking spaces, consisting of both standard and stacked spaces. The Applicant shall maintain on the premises an all-valet parking program to ensure the efficient parking of automobiles.
6. Prior to the issuance of the building permit for the project, the Applicant shall execute a First Source Employment Agreement with the Department of Employment Services and a Memorandum of Understanding with the Department of Small and Local Business Development.

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7. Prior to the issuance of the Certificate of Occupancy for the project, the Applicant will contribute \$462,000 to the D.C. Public Library Foundation to be utilized for the benefit of the West End Branch Public Library, including the following: the design, development, and installation of a computer lab; the cost of space build-out, acquisition of computers, computer stations, and related office equipment and furniture; the design, development, and build-out of facilities for community and civic organizations, including furniture; and the necessary power and lighting modifications to accommodate the added facilities. To the extent feasible, the improvements paid for by this money will be capable of relocation.
8. No building permit shall be issued for the project until the Applicant has recorded a covenant in the Land Records of the District of Columbia, between the property owner and the District of Columbia, that is satisfactory to the Office of the Attorney General and the Zoning Division of the Department of Consumer and Regulatory Affairs ("DCRA") (the "PUD Covenant"). Such PUD Covenant shall bind the Applicant and all successors in title to construct on and use this property in accordance with this Order or amendment thereof by the Zoning Commission.
9. The PUD approved by the Commission shall be valid for a period of two (2) 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 (3) years of the effective date of this Order.
10. 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 that 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.

On March 22, 2007, the Zoning Commission **APPROVED** the Applications by a vote of 5-0-0 (Carol J. Mitten, Gregory N. Jeffries, Anthony J. Hood, John G. Parsons, and Michael G. Turnbull to approve).

The Order was **ADOPTED** by the Zoning Commission at its public meeting on May 14, 2007, by a vote of 5-0-0 (Carol J. Mitten, Michael G. Turnbull, Anthony J. Hood, Gregory N. Jeffries, and John G. Parsons to approve).

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

CAROL J. MITTEN

Chairman

Zoning Commission

JERRILY R. KRESS, FAIA

Director

Office of Zoning

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