

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

SCHEDULED MEETINGS OF BOARDS AND COMMISSIONS

June 2007

CONTACT PERSON	BOARDS AND COMMISSIONS	DATE	TIME/ LOCATION
Theresa Ennis	Board of Accountancy	05	8:30 am-12:30 pm
Dorothy Thomas	Board of Appraisers	20	10:00 am-12:00 pm
Leon Lewis	Board Architects and Interior Designers	08	9:30 am-12:00 pm
Dorothy Thomas	Board of Barber and Cosmetology	04	10:00 am-12:00 pm
George Beatty	Boxing and Wrestling Commission	12	7:00-pm-9:00 pm
Dorothy Thomas	Board of Funeral Directors	07	1:30 pm-5:00 pm
Theresa Ennis	Board of Professional Engineers	28	9:30 am-12:00 pm
Leon Lewis	Board of Real Estate	12	9:00 am-12:00 pm
Pamela Peters	Board of Industrial Trades	19	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

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

June 13th
June 27th

July 11th
July 25th

August 8th
August 22nd

September 12th
September 26th

October 10th
October 24th

November 14th
November 28th

December 12th
December 26th

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BOARD FOR THE CONDEMNATION OF INSANITARY BUILDING

NOTICE OF PUBLIC INTEREST
LIST OF CONDEMNED BUILDINGS

Find enclosed a list of buildings against which condemnation proceedings have been instituted. This list is current as of April 2007. The following paragraphs will give some insight into why these buildings were condemned and the meaning of condemnation for insanitary reasons.

Each listed property has been condemned by the District of Columbia Government's Board for the Condemnation of Insanitary Buildings (BCIB). The authority for this board is Title 6, Chapter 9, of the District of Columbia Code, 2001 Edition. The BCIB has examined each property and has registered with the record owner (via condemnation) a strong disapproval of the condition in which the property is being maintained. The BCIB has recorded at the Office of the Recorder of Deeds an Order of Condemnation against each property for the benefit of purchasers and the real estate industry.

These properties were condemned because they were found to be in such an insanitary condition as to endanger the health and lives of persons living in or in the vicinity of the property. The corrective action necessary to remove the condemnation order could take the form of demolition and removal of the building by the owner or the BCIB. However, most buildings are rendered sanitary, i.e., the insanitary conditions are corrected by the owner or the BCIB.

The administration of the condemnation program does not take title to property. The title to each property remains with the owner. Accordingly, inquiries for the sale or value of these properties should be directed to the owner of record. Inquiries regarding the owner or owner's address should be directed to the Office of Tax and Revenue, Customer Service, Office of Real Property Tax (202) 727-4829, 941 North Capitol Street, NE, 1st floor.

For further assistance, contact the Support Staff of the BCIB on 442-4486.

THE BOARD FOR THE CONDEMNATION OF INSANITARY BUILDING

Enclosure:

**BOARD FOR
THE CONDEMNATION OF INSANITARY BUILDINGS**

LIST OF CONDEMNED BUILDINGS

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northwest</u>			
6412 Barnaby Street	0091	2352	4
811 Butternut Street	0006	2967	4
1126 Columbia Road	0056	2853	1
5109 Connecticut Avenue	0048	1989	3
5109 Connecticut Avenue-Rear	0048	1989	3
410 Florida Avenue	0040	0507	5
1461 Florida Avenue	0147	2660	1
3003 Georgia Avenue	0111	3052	1
3919 Georgia Avenue	0035	3027	4
4419 Georgia Avenue	0815	3020	4
4607 Georgia Avenue	0016	3015	4
723 Girard Street	0214	2886	1
1710 Irving Street	0001	2771	4
1301 Kalmia Road	0001	2771	4
806 Kennedy Street	0812	2994	4
508 M Street	0071	0482	2
1002 M Street	0056	0341	2
1006 M Street	0051	0341	2
223 Missouri Avenue	0043	3331	4
1824 Monroe Street	0813	2614	1
212 Morgan Street	0083	0555	6
216 Morgan Street	0018	0555	6
450 N Street	0513	0075	2
3642 New Hampshire Ave.-Rear	0032	2898	1
52 New York Avenue	0155	0619	6
1443 Newton Street	0430	2677	1
1454 Newton Street	0430	2677	1
1320 North Capitol Street	0154	0617	5
1424 North Capitol Street	0010	0616	5
1426 North Capitol Street	0836	0616	5
405 O Street	0802	0511	2
509 O Street	0479	2001/2002	2
3421 Oakwood Terr.	0768	2621	1
3421 Oakwood Terr.-Rear	0768	2621	1
605 P Street	0154	0445	2
1429 Parkwood Place	2688	0062	1

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northwest (Con't)</u>			
1433 Parkwood Place	0064	2688	1
1427 Q Street	0009	0208	2
53 S Street	0039	3106	5
1605 S Street	0019	0177	2
423 Shepherd Street	0038	3238	4
423 Shepherd Street-Rear	0038	3238	4
920 Shepherd Street-Rear	0067	2907	4
901 U Street	0100	0360	2
1359 U Street	0805	0236	1
1361 U Street	0805	0236	1
613 Upshur Street	0072	3226	4
613 Upshur Street-Rear	0072	3226	4
1321 V Street	0182	0235	1
1943 Vermont Avenue	0011	0361	1
1943 Vermont Avenue-Rear	0011	0361	1
215 Whittier Street-Rear	0820	3363	4
1401 1 st Street	0814	0616	5
1821 1 st Street	0137	3110	5
1837 1 st Street	0126	3110	5
1202 3 rd Street	0837	0523	2
1506 3 rd Street	0818	0521	5
1859 3 rd Street	0810	3096	1
1922 3 rd Street-Rear	0010	3089	1
1209 4 th Street	0810	0523	6
1211 4 th Street	0502	2026	6
1417 5 th Street	0054	0511	2
1425 5 th Street	0511	0817	2
2206 6 th Street	0033	3065	1
1905 8 th Street	0802	0416	1
1905 8 th Street -Rear	0802	0416	1
6216 8 th Street	2980	0031	4
1301 9 th Street	0801	0399	2
1303 9 th Street	0062	0399	2
1305 9 th Street	0063	0399	2
1307 9 th Street	0803	0399	2
1309 9 th Street	0804	0399	2
1416 9 th Street	0059	0366	2
1819 10 th Street	0212	0362	1
1819 10 th Street-Rear	0212	0362	1
715 11 th Street	0010	0335	2

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northwest (Con't)</u>			
3007 11 th Street	0099	2851	1
1316 12 th Street	0824	0280	2
5113 13 th Street-Rear	0019	2929	4
5749 13 th Street-Rear	58/818	2935	4
2208 14 th Street	0030	0202	1
3405 14 th Street	0115	2836	1
3431 14 th Street	0133	2836	1
3509 14 th Street	0053	2827S	1
4024 14 th Street	0053	2694	4
5209 14 th Street	0105	2804	4
2423 18 th Street	0093	2560	1
3222 19 th Street	0817	2604	1

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northeast</u>			
4611 Clay Street	0011	5134	7
4615 Clay Street	0012	5134	7
4226 Dix Street	0017	5089	7
4226 Dix Street-Rear(North)	0017	5089	7
4226 Dix Street-Rear(South)	0017	5089	7
1334 Downing Place	0039	4027	5
4710 Eads Street	0011	5144	7
1350 East Capitol Street	0087	1035	6
2800 Evart Street	0009	4346	5
837 Florida Avenue	0063	0908	6
1369 Florida Avenue-Rear	0129	1026	6
1654 Gales Street	0122	4510	6
4037 Grant Street	0053	5078	7
4037 Grant Street-Rear East	0054	5078	7
4037 Grant Street-Rear West	0054	5078	7
413 H Street	0812	0809	6
1309 H Street	0088	1027	6
1311 H Street	0089	1027	6
311 I Street	0048	0776	6
1826 I Street	0032	4488	5

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northeast (Con't)</u>			
1826 I Street	0032	4488	5
1830 I Street	0031	4488	5
1511 Isherwood Street	0176	4544	6
1712 Montello Avenue	0029	4053	5
1712 Montello Avenue-Rear	0029	4053	5
978 Mt. Olivet Road	4039	0814	5
4813 Jay Street	0087	5149	7
5069 Just Street	0305	5176	7
5095 Just Street	0314	5176	7
303 K Street	0804	0775	6
1854 L Street	0806	4470	5
1249 Lawrence Street	0021	3930	5
4502 Lee Street	0148	5155	7
5119 Lee Street	0038	5200	7
1310 Monroe Street	0010	3964	5
1310 Monroe Street-Rear	0010	3964	5
1950-60 Montana Avenue	0083	PAR-0153	5
1410 Montello Avenue	0809	4059	5
1414 Montello Avenue	0807	4059	5
5706 NHB Avenue	0010	5214	7
4924 Nash Street	0059	5172	7
1925 North Capitol Street	0014	3509	5
1243 Owen Place	0188	4060	5
22 P Street	0057	0668	5
24 P Street	0056	0668	5
2511 Queen Chapel Road	4111E	0016	5
115 Riggs Road	0085	3701	5
4905 Sheriff Road	5179	0803	5
2925 South Dakota Avenue	0028	4339	5
3610 South Dakota Avenue	0033	4224	5
3610 South Dakota Ave.-Rear	0033	4224	5
1215 Staples Street	0108	4067	5
21 T Street	0029	3510	5
227 Tennessee Avenue	0127	1033	6
227 Tennessee Avenue-Rear	0127	1033	6
215 Warren Street	0809	1033	6
722 3 rd Street-Rear	0855	0752	6
915 3 rd Street	0801	0775	6
1811 3 rd Street	0007	3570	5
2433 3 rd Street	0098	3555	5

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northeast (Con't)</u>			
819 8 th Street	0028	0911	6
2250 13 th Street-Rear	0034	3942	5
704 16 th Street	0085	4509	6
3114 16 th Street	0041	4014	5
3300 18 th Street	0019	4143	5
4310 22 nd Street	0012	4232	5
1202 47 th Place	0060	5160	7
1227 47 th Place	0039	5160	7
1055 48 th Place	0098	5153	7
1065 48 th Place	0099	5153	7
1065 48 th Place-Rear	0099	5153	7
717 50 th Street	0021	5179	7
730 51 st Street	0061	5197	7
732 51 st Street	0060	5197	7
734 51 st Street	0808	5197	7
109 53 rd Street	0091	5243	7

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Southeast</u>			
1523 A Street	0816	1072	6
1751 A Street	0063	1097	6
1751 A Street-Rear	0063	1097	6
4427 A Street	0107	5350	7
4437 A Street	0102	5350	7
4437 A Street-Rear	0102	5350	7
5019 A Street	0005	5327	7
5019 A Street-Rear (Shed)	0005	5327	7
5055 A Street	0014	5327	7
21 Atlantic Street	0051	6170	8
5010 Benning Road	0068	5340	7
5032 Benning Road	0037	5340	7
3401 Brothers Place	0803	6006	8
5201 C Street	0009	5312	7
5100 Call Place	0016	5312	7
5100 Call Place-Rear(South)	0016	5312	7
1525 E Street	0087	1076	6

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Southeast (Con't)</u>			
3118 E Street	0807	5440	7
3326 Ely Place	0807	5444	6
647 G Street	0139	0878	6
3009 G Street	0807	5480	7
1239 Good Hope Road	0089	3033	8
1410 Good Hope Road	0024	5605	8
2256 High Street-Rear East	0850	5799	8
2839 Jasper Road	0917	5875	8
1220 Mapleview Place	0811	5800	8
1807 MLK Jr. Avenue	0817	5601	8
1909 MLK Jr. Avenue	0829	5770	8
1911 MLK Jr. Avenue	0829	5770	8
1913 MLK Jr. Avenue	0829	5770	8
2228 MLK Jr. Avenue	0810	5802	8
2234 MLK Jr. Avenue	0811	5802	8
2238 MLK Jr. Avenue	0978	5802	8
2629 MLK Jr. Avenue-East	0192	5867	8
2629 MLK Jr. Avenue-West	0192	5867	8
2666 MLK Jr. Avenue, East bldg	1014	5868	8
2759 MLK Jr. Avenue-Rear	0802	5982	8
1431 Potomac Avenue	0045	1065NE	6
1500 Savannah Street	0801	5912	8
1502 Savannah Street	0802	5912	8
1225 Sumner Road	0980	5865	8
1609 T Street	0026	5611	7
1333 Valley Place	0891	5801	8
821 Virginia Avenue	0006	0929	6
1242 W Street	0099	5782	8
3009 8 th Street	0814	5953	8
3009 8 th Street -Rear	0814	5953	8
102 9 th Street	0801	0943	6
535 9 th Street	0830	0926	6
535 9 th Street-Rear	0830	0926	6
911 12 th Street	0019	0969	6
1912 17 th Street	0045	5612	7
321 18 th Street	0801	1100	6
20 53 rd Place	0884	5284	7
433 53 rd Street	0030	5313	7

BUILDINGS CONDEMNEDLOTSQUAREWDSouthwest

78 Darrington Street-Rear	0023	6223S	8
35 Forrester Street	0054	6240	8
41 Forrester Street	0056	6240	8
61 Forrester Street	0063	6240	8
157 Forrester Street	0803	6240	8

GOVERNMENT OF THE DISTRICT OF COLUMBIA**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BOARD FOR THE CONDEMNATION OF INSANITARY BUILDING****NOTICE OF PUBLIC INTEREST
LIST OF CONDEMNED BUILDINGS**

Find enclosed a list of buildings against which condemnation proceedings have been instituted. This list is current as of May 2007. The following paragraphs will give some insight into why these buildings were condemned and the meaning of condemnation for insanitary reasons.

Each listed property has been condemned by the District of Columbia Government's Board for the Condemnation of Insanitary Buildings (BCIB). The authority for this board is Title 6, Chapter 9, of the District of Columbia Code, 2001 Edition. The BCIB has examined each property and has registered with the record owner (via condemnation) a strong disapproval of the condition in which the property is being maintained. The BCIB has recorded at the Office of the Recorder of Deeds an Order of Condemnation against each property for the benefit of purchasers and the real estate industry.

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The administration of the condemnation program does not take title to property. The title to each property remains with the owner. Accordingly, inquiries for the sale or value of these properties should be directed to the owner of record. Inquiries regarding the owner or owner's address should be directed to the Office of Tax and Revenue, Customer Service, Office of Real Property Tax (202) 727-4829, 941 North Capitol Street, NE, 1st floor.

For further assistance, contact the Support Staff of the BCIB on 442-4486.

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<u>Northwest</u>			
6412 Barnaby Street	0091	2352	4
811 Butternut Street	0006	2967	4
1126 Columbia Road	0056	2853	1
5109 Connecticut Avenue	0048	1989	3
5109 Connecticut Avenue-Rear	0048	1989	3
410 Florida Avenue	0040	0507	5
1461 Florida Avenue	0147	2660	1
3003 Georgia Avenue	0111	3052	1
3919 Georgia Avenue	0035	3027	4
4419 Georgia Avenue	0815	3020	4
4607 Georgia Avenue	0016	3015	4
723 Girard Street	0214	2886	1
1710 Irving Street	0001	2771	4
1301 Kalmia Road	0001	2771	4
806 Kennedy Street	0812	2994	4
508 M Street	0071	0482	2
1002 M Street	0056	0341	2
1006 M Street	0051	0341	2
223 Missouri Avenue	0043	3331	4
1824 Monroe Street	0813	2614	1
212 Morgan Street	0083	0555	6
216 Morgan Street	0018	0555	6
450 N Street	0513	0075	2
3642 New Hampshire Ave.-Rear	0032	2898	1
52 New York Avenue	0155	0619	6
1443 Newton Street	0430	2677	1
1454 Newton Street	0430	2677	1
1320 North Capitol Street	0154	0617	5
1424 North Capitol Street	0010	0616	5
1426 North Capitol Street	0836	0616	5
405 O Street	0802	0511	2
509 O Street	0479	2001/2002	2
3421 Oakwood Terr.	0768	2621	1
3421 Oakwood Terr.-Rear	0768	2621	1
605 P Street	0154	0445	2
1429 Parkwood Place	2688	0062	1

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northwest (Con't)</u>			
1433 Parkwood Place	0064	2688	1
1427 Q Street	0009	0208	2
53 S Street	0039	3106	5
1605 S Street	0019	0177	2
423 Shepherd Street	0038	3238	4
423 Shepherd Street-Rear	0038	3238	4
920 Shepherd Street-Rear	0067	2907	4
901 U Street	0100	0360	2
1359 U Street	0805	0236	1
1361 U Street	0805	0236	1
613 Upshur Street	0072	3226	4
613 Upshur Street-Rear	0072	3226	4
1321 V Street	0182	0235	1
1943 Vermont Avenue	0011	0361	1
1943 Vermont Avenue-Rear	0011	0361	1
215 Whittier Street-Rear	0820	3363	4
1401 1 st Street	0814	0616	5
1821 1 st Street	0137	3110	5
1837 1 st Street	0126	3110	5
1202 3 rd Street	0837	0523	2
1506 3 rd Street	0818	0521	5
1859 3 rd Street	0810	3096	1
1922 3 rd Street-Rear	0010	3089	1
1209 4 th Street	0810	0523	6
1211 4 th Street	0502	2026	6
1417 5 th Street	0054	0511	2
1425 5 th Street	0511	0817	2
2206 6 th Street	0033	3065	1
1905 8 th Street	0802	0416	1
1905 8 th Street -Rear	0802	0416	1
6216 8 th Street	2980	0031	4
1301 9 th Street	0801	0399	2
1303 9 th Street	0062	0399	2
1305 9 th Street	0063	0399	2
1307 9 th Street	0803	0399	2
1309 9 th Street	0804	0399	2
1416 9 th Street	0059	0366	2
1532 9 th Street	0822	0365	2
1534 9 th Street	0821	0365	2
1536 9 th Street	0820	0365	2
1819 10 th Street	0212	0362	1

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northwest (Con't)</u>			
1819 10 th Street-Rear	0212	0362	1
715 11 th Street	0010	0335	2
3007 11 th Street	0099	2851	1
1316 12 th Street	0824	0280	2
5113 13 th Street-Rear	0019	2929	4
5749 13 th Street-Rear	58/818	2935	4
2208 14 th Street	0030	0202	1
3405 14 th Street	0115	2836	1
3431 14 th Street	0133	2836	1
3509 14 th Street	0053	2827S	1
4024 14 th Street	0053	2694	4
5209 14 th Street	0105	2804	4
2423 18 th Street	0093	2560	1
3222 19 th Street	0817	2604	1

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northeast</u>			
4611 Clay Street	0011	5134	7
4615 Clay Street	0012	5134	7
4226 Dix Street	0017	5089	7
4226 Dix Street-Rear(North)	0017	5089	7
4226 Dix Street-Rear(South)	0017	5089	7
1334 Downing Place	0039	4027	5
4710 Eads Street	0011	5144	7
1350 East Capitol Street	0087	1035	6
2800 Evart Street	0009	4346	5
837 Florida Avenue	0063	0908	6
1369 Florida Avenue-Rear	0129	1026	6
1654 Gales Street	0122	4510	6
4037 Grant Street	0053	5078	7
4037 Grant Street-Rear East	0054	5078	7
4037 Grant Street-Rear West	0054	5078	7
413 H Street	0812	0809	6
1309 H Street	0088	1027	6
1311 H Street	0089	1027	6
311 I Street	0048	0776	6

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northeast (Con't)</u>			
1826 I Street	0032	4488	5
1830 I Street	0031	4488	5
1511 Isherwood Street	0176	4544	6
1712 Montello Avenue	0029	4053	5
1712 Montello Avenue-Rear	0029	4053	5
978 Mt. Olivet Road	4039	0814	5
4813 Jay Street	0087	5149	7
5069 Just Street	0305	5176	7
5095 Just Street	0314	5176	7
303 K Street	0804	0775	6
1854 L Street	0806	4470	5
1249 Lawrence Street	0021	3930	5
4502 Lee Street	0148	5155	7
5119 Lee Street	0038	5200	7
1310 Monroe Street	0010	3964	5
1310 Monroe Street-Rear	0010	3964	5
1950-60 Montana Avenue	0083	PAR-0153	5
1410 Montello Avenue	0809	4059	5
1414 Montello Avenue	0807	4059	5
5706 NHB Avenue	0010	5214	7
4924 Nash Street	0059	5172	7
1925 North Capitol Street	0014	3509	5
1243 Owen Place	0188	4060	5
22 P Street	0057	0668	5
24 P Street	0056	0668	5
2511 Queen Chapel Road	4111E	0016	5
115 Riggs Road	0085	3701	5
4905 Sheriff Road	5179	0803	5
2925 South Dakota Avenue	0028	4339	5
3610 South Dakota Avenue	0033	4224	5
3610 South Dakota Ave.-Rear	0033	4224	5
1215 Staples Street	0108	4067	5
21 T Street	0029	3510	5
227 Tennessee Avenue	0127	1033	6
227 Tennessee Avenue-Rear	0127	1033	6
215 Warren Street	0809	1033	6
722 3 rd Street-Rear	0855	0752	6
915 3 rd Street	0801	0775	6
1811 3 rd Street	0007	3570	5
2433 3 rd Street	0098	3555	5

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northeast (Con't)</u>			
1020 4 th Street-Rear	0034	0774	6
251 8 th Street	0064	0917	6
819 8 th Street	0028	0911	6
2250 13 th Street-Rear	0034	3942	5
704 16 th Street	0085	4509	6
3114 16 th Street	0041	4014	5
3300 18 th Street	0019	4143	5
4310 22 nd Street	0012	4232	5
1202 47 th Place	0060	5160	7
1227 47 th Place	0039	5160	7
1055 48 th Place	0098	5153	7
1065 48 th Place-Rear	0099	5153	7
717 50 th Street	0021	5179	7
730 51 st Street	0061	5197	7
732 51 st Street	0060	5197	7
734 51 st Street	0808	5197	7
109 53 rd Street	0091	5243	7

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Southeast</u>			
1523 A Street	0816	1072	6
1751 A Street	0063	1097	6
1751 A Street-Rear	0063	1097	6
4427 A Street	0107	5350	7
4437 A Street	0102	5350	7
4437 A Street-Rear	0102	5350	7
5019 A Street	0005	5327	7
5019 A Street-Rear (Shed)	0005	5327	7
5055 A Street	0014	5327	7
21 Atlantic Street	0051	6170	8
5010 Benning Road	0068	5340	7
5032 Benning Road	0037	5340	7
3401 Brothers Place	0803	6006	8

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Southeast (Con't)</u>			
5201 C Street	0009	5312	7
5100 Call Place	0016	5312	7
5100 Call Place-Rear(South)	0016	5312	7
4348 Dubois Place	0069	5400E	7
1525 E Street	0087	1076	6
3118 E Street	0807	5440	7
3326 Ely Place	0807	5444	6
647 G Street	0139	0878	6
651 G Street	0141	0878	6
3009 G Street	0807	5480	7
1239 Good Hope Road	0089	3033	8
1410 Good Hope Road	0024	5605	8
2256 High Street-Rear East	0850	5799	8
2839 Jasper Road	0917	5875	8
1220 Mapleview Place	0811	5800	8
1807 MLK Jr. Avenue	0817	5601	8
1909 MLK Jr. Avenue	0829	5770	8
1911 MLK Jr. Avenue	0829	5770	8
1913 MLK Jr. Avenue	0829	5770	8
2228 MLK Jr. Avenue	0810	5802	8
2234 MLK Jr. Avenue	0811	5802	8
2238 MLK Jr. Avenue	0978	5802	8
2629 MLK Jr. Avenue-East	0192	5867	8
2629 MLK Jr. Avenue-West	0192	5867	8
2666 MLK Jr. Avenue, East bldg	1014	5868	8
2759 MLK Jr. Avenue-Rear	0802	5982	8
1431 Potomac Avenue	0045	1065NE	6
1500 Savannah Street	0801	5912	8
1502 Savannah Street	0802	5912	8
1225 Sumner Road	0980	5865	8
1609 T Street	0026	5611	7
1333 Valley Place	0891	5801	8
821 Virginia Avenue	0006	0929	6
1242 W Street	0099	5782	8
3009 8 th Street	0814	5953	8
3009 8 th Street -Rear	0814	5953	8
102 9 th Street	0801	0943	6
535 9 th Street	0830	0926	6
535 9 th Street-Rear	0830	0926	6
1912 17 th Street	0045	5612	7
321 18 th Street	0801	1100	6
433 53 rd Street	0030	5313	7

BUILDINGS CONDEMNED**LOT****SQUARE****WD****Southwest**

78 Darrington Street-Rear	0023	6223S	8
35 Forrester Street	0054	6240	8
41 Forrester Street	0056	6240	8
61 Forrester Street	0063	6240	8
157 Forrester Street	0803	6240	8

**DISTRICT OF COLUMBIA PUBLIC SCHOOLS
NOTICE OF PROPOSED SCHOOL CLOSING ACTION
Draper Elementary into Ferebee-Hope Elementary**

The District of Columbia Public Schools' (DCPS) Master Facilities Plan (MFP), which was adopted by the Board of Education on January 17, 2007, recommends the consolidation of Draper Elementary School into Ferebee-Hope Elementary School. The MFP recommends that the consolidation go into effect for the 2007-08 school year. Details of the recommendation can be found on the web by going to <http://www.k12.dc.us/dcps/OFM/dcofmhome.html> or by contacting the DCPS Planning Office at (202) 576-7718.

Pursuant to DCMR Title 5, Chapter 36, a community meeting occurred at Draper Elementary School regarding this potential consolidation on March 29, 2007 at 5pm. The Superintendent will make a final recommendation regarding the proposed consolidation to the Board of Education. It is anticipated that the Board of Education will take action on the Superintendent's final recommendation at its June 2007 Board meeting.

DISTRICT OF COLUMBIA PUBLIC SCHOOLS
NOTICE OF PROPOSED ALTERATION OF ATTENDANCE ZONE BOUNDARY
Draper Elementary into Ferebee-Hope Elementary

The District of Columbia Public Schools' (DCPS) Master Facilities Plan (MFP), which was adopted by the Board of Education on January 17, 2007, recommends the consolidation of Draper Elementary School into Ferebee-Hope Elementary School. The MFP recommends that the consolidation go into effect for the 2007-08 school year. Details of the recommendation can be found on the web by going to <http://www.k12.dc.us/dcps/OFM/dcofmhome.html> or by contacting the DCPS Planning Office at (202) 576-7718.

Pursuant to DCMR Title 5, Chapter 20, a community meeting occurred at Draper Elementary School regarding this potential consolidation and recommended attendance zone boundary on March 29, 2007 at 5pm. The Superintendent will make a final recommendation regarding the proposed attendance zone boundary to the Board of Education. It is anticipated that the Board of Education will take action on the Superintendent's final recommendation at its June 2007 Board meeting.

DISTRICT OF COLUMBIA PUBLIC SCHOOLS
NOTICE OF PROPOSED ALTERATION OF ATTENDANCE ZONE BOUNDARY
Oyster-Adams Bilingual School, Ross Elementary School, Marie Reed Elementary School,
Francis Middle School, Hardy Middle School and Deal Middle School,

The District of Columbia Public Schools' (DCPS) Master Facilities Plan (MFP), which was adopted by the Board of Education on January 17, 2007, recommended the consolidation of Oyster and Adams to allow for the expansion of the Bilingual program to eighth grade. The MFP recommends that the consolidation go into effect for the 2006-07 school year, but that the transition to an upper school and lower school occur in the 2007-08 school year. The Adams building will house the upper school grades 5-8, and the Oyster building will house the lower school grades pk-4. The proposed boundary also affects Ross Elementary School and Marie Reed Elementary School, as well as Francis Middle School, Hardy Middle School and Deal Middle School. Details of the recommendation can be found on the web by going to <http://www.k12.dc.us/dcps/OFM/dcofmhome.html> or by contacting the DCPS Planning Office at (202) 576-7718.

Pursuant to DCMR Title 5, Chapter 20, a community meeting occurred at Oyster Elementary School regarding the recommended attendance zone boundary on April 11, 2007 at 6pm. The Superintendent will make a final recommendation regarding the proposed attendance zone boundary to the Board of Education. It is anticipated that the Board of Education will take action on the Superintendent's final recommendation at its June 2007 Board meeting.

BOARD OF ELECTIONS AND ETHICS
CERTIFICATION OF ANC/SMD VACANCIES

The District of Columbia Board of Elections and Ethics hereby gives notice that there is one vacancy in Advisory Neighborhood Commission office, certified pursuant to D.C. Official Code 1-309.06(d)(2); 2001 Ed.

VACANT: 5C05

Petition Circulation Period: **Monday, June 18, 2007 thru Monday, July 9, 2007**
Petition Challenge Period: **Thursday, July 12, 2007 thru Wednesday, July 18, 2007**

Candidates seeking the Office of Advisory Neighborhood Commissioner, or their representatives, may pick up nominating petitions at the following location:

D.C. Board of Elections and Ethics
441 - 4th Street, NW, Room 250N
Washington, DC 20001

For more information, the public may call **727-2525**.

FRIENDSHIP PUBLIC CHARTER SCHOOL
NOTICE OF REQUEST FOR PROPOSAL FOR
LEGAL SERVICES

Friendship Public Charter School is seeking bids from prospective candidates to provide Legal Services in accordance with requirements and specifications detailed in the Request for Proposal.

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

NOTICE

The Director of the Department of Health, pursuant to the authority set forth in An Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat 744; D.C. Official Code § 1-307.02), Reorganization Plan No.4 of 1996, and Mayor's Order 97-42, dated February 18,1997, hereby gives notice of the approval of an amendment to the District of Columbia State Plan for Medical Assistance (State Plan) governing Disproportionate Share Hospitals. The U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services approved the State Plan with an effective date of April 1, 2007. A notice of final rulemaking governing disproportionate share hospitals was published in the *D.C Register* on March 30, 2007 (54 DCR 2825). The March 30th final rules shall also have an effective date of April 1, 2007.

Copies of the approved State Plan amendment may be obtained on the Department of Health (DOH), Medical Assistance Administration's (MAA) website or by contacting DOH-MAA at 825 North Capitol Street, N.E., 5th Floor, Washington, D.C. 20002.

D.C. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**NOTICE OF DETERMINATION OF INCOME LIMITS**

The D.C. Department of Housing and Community Development, pursuant to the authority in Chapter 25, Title 14, DCMR, Section 2503 and Section 2510 of the rules for the Home Purchase Assistance Program (HPAP), hereby gives notice that it has established the income limits and homebuyer assistance for participation of very low income, low income and moderate income households in the HPAP Program.

These income limits have been determined based on the median family income of \$94,500 established by the Secretary of the U.S. Department of Housing and Urban Development for 2007, for the Washington Metropolitan Statistical Area. The amounts have been calculated based on Section 2510 of the HPAP Program rules. The First time Homebuyer Assistance Table for Downpayment and Closing Costs shall become effective upon publication of this Notice in the D.C. Register.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (DHCD)

HOME PURCHASE ASSISTANCE PROGRAM (HPAP)

First-Time Homebuyer Assistance Table for Downpayment and Closing Costs
(Effective June 15, 2007)

NOTE:

** "Desired Purchasing Power," the purchasing power intended to be afforded to income-eligible four-person household = \$236,000.

** Closing Cost Assistance for all eligible households = 4% of purchase price or \$7,000, whichever is less. Closing Cost Assistance is provided to eligible households distinct from and in addition to Downpayment Assistance, which is shown below.

** Per Client Downpayment Assistance Cap = \$70,000.

Calculated Maximum Downpayment Assistance Available per Household Income by Household Size is as follows:

Household Size	1	2	3	4	5	6	7	8
Maximum assistance								
	per household income less than or equal to:							
Very low income households								
\$ 70,000	\$ 33,100	\$ 37,800	\$ 42,550	\$ 47,250	\$ 51,050	\$ 54,800	\$ 58,600	\$ 62,350
Low income households								
\$ 70,000	\$ 41,300	\$ 47,200	\$ 53,100	\$ 59,000	\$ 62,700	\$ 66,400	\$ 70,050	\$ 73,750
\$ 67,750	\$ 42,000	\$ 48,000	\$ 54,000	\$ 60,000	\$ 63,750	\$ 67,500	\$ 71,250	\$ 75,000
\$ 64,900	\$ 42,700	\$ 48,800	\$ 54,900	\$ 61,000	\$ 64,800	\$ 68,650	\$ 72,450	\$ 76,250
\$ 62,100	\$ 43,400	\$ 49,600	\$ 55,800	\$ 62,000	\$ 65,900	\$ 69,750	\$ 73,650	\$ 77,500
\$ 59,300	\$ 44,100	\$ 50,400	\$ 56,700	\$ 63,000	\$ 66,950	\$ 70,900	\$ 74,800	\$ 78,750
\$ 56,500	\$ 44,800	\$ 51,200	\$ 57,600	\$ 64,000	\$ 68,000	\$ 72,000	\$ 76,000	\$ 80,000
\$ 53,700	\$ 45,500	\$ 52,000	\$ 58,500	\$ 65,000	\$ 69,050	\$ 73,150	\$ 77,200	\$ 81,250
\$ 50,900	\$ 46,200	\$ 52,800	\$ 59,400	\$ 66,000	\$ 70,150	\$ 74,250	\$ 78,400	\$ 82,500
\$ 48,100	\$ 46,900	\$ 53,600	\$ 60,300	\$ 67,000	\$ 71,200	\$ 75,400	\$ 79,550	\$ 83,750
\$ 45,300	\$ 47,600	\$ 54,400	\$ 61,200	\$ 68,000	\$ 72,250	\$ 76,500	\$ 80,750	\$ 85,000
\$ 42,500	\$ 48,300	\$ 55,200	\$ 62,100	\$ 69,000	\$ 73,300	\$ 77,650	\$ 81,950	\$ 86,250
\$ 39,700	\$ 49,000	\$ 56,000	\$ 63,000	\$ 70,000	\$ 74,400	\$ 78,750	\$ 83,150	\$ 87,500
\$ 36,900	\$ 49,700	\$ 56,800	\$ 63,900	\$ 71,000	\$ 75,450	\$ 79,900	\$ 84,300	\$ 88,750
\$ 34,050	\$ 50,400	\$ 57,600	\$ 64,800	\$ 72,000	\$ 76,500	\$ 81,000	\$ 85,500	\$ 90,000
\$ 31,250	\$ 51,100	\$ 58,400	\$ 65,700	\$ 73,000	\$ 77,550	\$ 82,150	\$ 86,700	\$ 91,250
\$ 28,450	\$ 51,800	\$ 59,200	\$ 66,600	\$ 74,000	\$ 78,650	\$ 83,250	\$ 87,900	\$ 92,500
\$ 25,650	\$ 52,500	\$ 60,000	\$ 67,500	\$ 75,000	\$ 79,700	\$ 84,400	\$ 89,050	\$ 93,750
\$ 23,950	\$ 52,900	\$ 60,500	\$ 68,050	\$ 75,600	\$ 80,350	\$ 85,050	\$ 89,800	\$ 94,500
Moderate income households								
\$ 22,850	\$ 53,200	\$ 60,800	\$ 68,400	\$ 76,000	\$ 80,750	--	--	--
\$ 20,050	\$ 53,900	\$ 61,600	\$ 69,300	\$ 77,000	\$ 81,800	--	--	--
\$ 17,250	\$ 54,600	\$ 62,400	\$ 70,200	\$ 78,000	\$ 82,900	--	--	--
\$ 14,450	\$ 55,300	\$ 63,200	\$ 71,100	\$ 79,000	\$ 83,950	--	--	--
\$ 11,650	\$ 56,000	\$ 64,000	\$ 72,000	\$ 80,000	\$ 85,000	--	--	--
\$ 8,850	\$ 56,700	\$ 64,800	\$ 72,900	\$ 81,000	\$ 86,050	\$ 86,050	--	--
\$ 6,000	\$ 57,400	\$ 65,600	\$ 73,800	\$ 82,000	\$ 87,150	\$ 87,150	--	--
\$ 3,200	\$ 58,100	\$ 66,400	\$ 74,700	\$ 83,000	\$ 88,200	\$ 88,200	--	--
\$ 400	\$ 58,800	\$ 67,200	\$ 75,600	\$ 84,000	\$ 89,250	\$ 89,250	--	--
\$ 0*	\$ 72,800	\$ 83,200	\$ 93,600	\$ 103,950	\$ 110,450	\$ 110,450	\$ 110,450	\$ 110,450

* Moderate income households in this uppermost range of incomes are eligible for Closing Cost Assistance only.

Assistance levels are determined for four-person households by calculating standard mortgage qualification levels for each \$1,000 of income and subtracting each such mortgage level amount from the "Desired Purchasing Power" (as defined above). Household incomes eligible for assistance for household sizes other than four persons are adjusted as shown.

D.C. PREPARATORY ACADEMY**REQUEST FOR PROPOSALS**

D.C. Preparatory Academy, in accordance with section 2204(c)(XV)(A) of the District of Columbia School Reform Act of 1995, hereby solicits proposals to provide: Breakfast, Lunch and snack to 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 patter requirements. Meal pattern requirements, production records/delivery tickets. **DC Preparatory will receive bids until Monday, July 2, 2007 at 8:00 am. All necessary forms must be obtained from:**

Michelle Mays
701 Edgewood Rd NE
Washington, DC 20017
(202)-832-5700

Office of the Secretary of the
District of Columbia

May 24, 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 June 15, 2007.

Aboulmouna, Lori N.	New	Sterne Kessler et al 1100 N Y Ave, NW 20005
Ackerman, Glen Henry	New	Attorney at Law 701 Pa Ave, NW#1109 20004
Adams, Dawn A.	New	D B I Architects 1707 L St, NW#600 20036
Anderson, Nannette	New	DOJ/Civil Division 1331 Pa Ave, NW 20004
Andrean, Jason E.	New	Chevy Chase Bank 3800 Reservoir Rd, NW 20057
Arre, Frank A.	New	Naval Historical Foundat'n 1306 Dahlgren Ave, SE 20374
Astrawinata, Gabrielle-Lisa A.	New	Friends/World Food Prog 1819 L St, NW#400 20036
Aylor, Marlene S.	Rpt	Friedlander Mislner et al 1101 17 th St, NW#700 20036
Badmus, Kifayat	New	Wachovia Bank 1510 K St, NW 20005
Balcom, Darian	New	Native Amer Rights Fund 1712 N St, NW 20036
Bearden, Chad	New	AFL-CIO Fed Credit Union 1750 N Y Ave, NW 20006

Beck, Deborah J.	Rpt	Caplin & Drysdale 1 ThomCir,NW#1100 20005
Bernhardt, Ingrid	Rpt	C T F Development 1300 Conn Ave,NW#901 20036
Bishop, Melinda	New	Tenacity Settlements 2008 Hillyer Pl,NW 20009
Blalock, Betty J.	Rpt	W C S Construction 3303 Stanton Rd,SE 20020
Bouldin, Victoria B.K.M.	New	C A C I @ the Pentagon 3000 Defense Pentagon 20301
Brill, Joshua E.	New	Global Options 1615 L St,NW#300 20036
Brown, Carla N.	New	Steptoe & Johnson 1330 Conn Ave,NW 20036
Bynum, LaChelle A.	New	5117 8 th St,NW 20011
Campbell, LaWanda R.	New	Dept of the Environment 2000 14 th St,NW#300 20009
Clark, Cynthia K.	New	United Health Group 555 11 th St,NW#725 20004
Clark, Marie A.	New	Ain & Bank 1900 M St,NW 6thF1 20036
Coleman, Aleatha	New	D O J 1331 Pa Ave,NW#700S 20044
Dakin-Davis, Elizabeth	New	Chevy Chase Bank 210 Michigan Ave,NE 20017
Dallosta, Kay D.	Rpt	Wilmer Cutler et al 1875 I St,NW 20006
Daniel, Mariah C.	New	Arent Fox 1050 Conn Ave,NW 20036

Davenport, Archie L.	Rpt	G W Univ Hosp/Rm 11206 900 23 rd St,NW 20037
DePew, Aimee	New	Thompson Hine 1920 N St,NW#800 20036
Deutschman, Barry H.	Rpt	Morgan Pharmacy 3001 P St,NW 20007
D'Monte, Marion	Rpt	Wilmer Cutler et al 1875 Pa Ave,NW 20006
Downing, Danielle J.	New	Project on Gov Oversight 666 11 th St,NW#900 20001
Drummond, Karen Y.	New	DOJ/Immigration 1331 Pa Ave,NW 20002
Eddy, Michele E.	New	L A D Reporting 1100 Conn Ave,NW#850 20036
Emmart, Carolyn	New	Chevy Chase Bank 1717 Pa Ave,NW 20006
Evans, Wanda G.	New	U.S. Dept of Justice 1331Pa Ave,NW#1220-37 20004
Fails, Roxanne M.	New	Delon Hampton & Assoc 800 K St,NW#720NL 20001
Fish, Cindy L.	Rpt	Brown Rudnick 1201 Pa Ave,NW 20004
Flack, Jane E.	Rpt	Adadvanced Med Tech Assoc 701 Pa Ave,NW#800 20004
Fletcher, Teresa M.	New	Northside Med Serv Corp 4121 Minn Ave,NE 20019
Forman, Vicki L.	Rpt	L A D Reporting 1100 Conn Ave,NW#850 20036
Gabriel, Maria Carmina	New	Fawcett & Fawcett 730 24 th St,NW#15 20009

Garey, Tifney N.	New	Public Defender Service 633 Indiana Ave, NW 20004
Garey, Vernell V.	Rpt	Wilkinson Barker Knauer 2300 N St, NW#700 20037
Gaughan, Janelle Williams	Rpt	North American Title 5301 Wis Ave, NW#100 20015
Goldberger, Jacqueline B.	New	Alderson Reporting 1111 14 th St, NW 20005
Gray, Denise	New	Pope John Paul 2 Cul Ctr 3900 Harewood Rd, NE 20017
Griffith, Betty J.	Rpt	Thompson Coburn 1909 K St, NW#600 20006
Guevara, Lester	New	E M J Reality Company 730 24 th St, NW#19 20037
Guido, Wilmara	New	Novak Druce et al 1300 I St, NW#1000W 20005
Gurey, Deborah A.	Rpt	Al Betz & Associates 1875 I St, NW5thFl 20006
Haines, Dennis M.	New	Esquire Deposition Serv 1020 19 th St, NW#620 20036
Harvey, Tanya A.	Rpt	Bryan Cave 700 13 th St, NW 20005
Hernandez, Melinda A.	Rpt	Pillsbury Winthrop et al 2300 N St, NW 20037
Hicks, LaTasha	New	Agriculture F C U 1400 Indep Ave, SW#SM2 20250
Jackson, Jasemin M.	New	DOJ/Immigration Litigation 1331Pa Ave, NW#1155-10 20004
Jackson-Garnett, Kia M.	Rpt	Child & Family Services 400 6 th St, SW#3001 20024

James, Suzanne M.	New	Dupont Gov Solutions 601 Pa Ave,NW#325N 20004
Jefferson-Hart, P. Joy	New	Dupont Gov Solutions 601 Pa Ave,NW#325N 20004
Jenkins, E. Beatrice	Rpt	Grossberg Yochelson et al 2000 L St,NW#675 20036
Jimenez, Waldyr L.	New	Schulze & Penderson 5039 Conn Ave,NW#3 20008
Johnson, Tritina	New	McKee Nelson 1919 M St,NW#200 20036
Kalteis, Natasha L.	New	G F W C 1734 N St,NW 20036
Kasse, Eryca	New	Wash Legal Clinic/Homeless 1200 U St,NW 3rdFl 20009
Kimbrough, Margaret S.	New	Wilkie Farr Gallagher 1875 K St,NW 20006
King, Loretta	New	M T C 444 N Cap St,NW#425 20001
Lane, Anitra V.	New	Commerce Bank 1753 Conn Ave,NW 20009
Leggin, Dorothy A.	New	Federal Capital Partners 1000 Potomac St,NW 20007
Leo, Kendrietta L.	New	Columbia Hgts/Shaw F S C 1816 12 th St,NW#201 20009
Levenson, Daniel P.	New	G W University/EEO 2033 K St,NW#320 20052
Lister, Patrick	New	M & T Bank 5630 Conn Ave,NW 20015
Lucic, Carol T.	New	Art Miller & Associates 1050 Conn Ave,NW 20036

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Marcoux, Benjamin C.	New	450 Mass Ave,NW#912 20001
Marine, Deborah L.	New	U S Dept of Justice 1331 Pa Ave,NW#1220N 20004
Martincorena, Erika J.	New	Bennett Group 1230 31 st St,NW 20007
Mibale, Maria Salve	New	R I F 1825 Conn Ave,NW#400 20009
Miluso, Bonnie A.	New	Simeone & Miller 1717 K St,NW#1000 20036
Minor, Gloria J.	New	U S Dept of Justice 1331 Pa Ave,NW#1220 20044
Moore, Tiffany	New	Murray Funeral Home 4804 Ga Ave,NW 20011
Morris, Theron	New	Commerce Bank 1753 Conn Ave,NW 20009
Mowery, Maxine Hall	Rpt	J. Frank Mowery & Assoc 4308 Ga Ave,NW 20011
Mysen, Susana Laya	New	Geophysical Laboratory 5251 Broad Br Rd,NW 20015
Norris, Angela Johnson	Rpt	S E I U 11 Dupont Cir,NW#900 20036
Parchment, Brandon	New	Law Office/Deborah Boddie 1308 9 th St,NW 20001
Parker, Jacqueline C.	New	Law Off/Bradford Johnson 1321 Pa Ave,SE 20003
Pickett, Joy	New	Sterne Kessler et al 1100 N Y Ave,NW#800 20005
Pitts, Elaine F.	Rpt	Wilmer Cutler et al 1875 Pa Ave,NW 20006

Pixley, Joyce Y.	Rpt	Dept of Envir/Pesticide 51 N St,NE 20002
Poindexter, Lankford E.	New	138 Xenia St,SE 20032
Quander, Antoinette A.	New	Dept Mental Health RM218A 2700 MLK Ave,SE 20032
Ramirez, Mauricio A.	New	Wachovia Bank 1100 Conn Ave,NW 20036
Rasman, Nora	New	TransAfrica Forum 1629 K St,NW 20006
Reba, Lee Brian	New	Office of the Secretary 1350 Pa Ave,NW#419 20004
Reeber, Nicole Y.	Rpt	Sonnenschein Nath et al 1301 K St,NW#600ET 20005
Robertson, Nancy	New	Dickinson Wright 1901 L St,NW 20036
Roth, Steven G.	New	The Bank of Georgetown 1054 31 st St,NW#18 20007
Scott, Darrelle	New	Blue Cross Blue Shield 1310 G St,NW 20005
Senske, Susana	New	Sterne Kessler et al 1100 N Y Ave,NW 20005
Sims, Leatrice A.	New	Sterne Kessler et al 1100 N Y Ave,NW 20005
Smith, Jillian R.	New	Frommer Lawrence Haug 1667 K St,NW#500 20006
Smoluchowski, Jessica	New	Arent Fox 1050 Conn Ave,NW 20036
Street, Linda	New	Birch Horton et al 1155 Conn Ave,NW#1200 20036

Tefera, Kassahun	New	629 Newton Pl,NW 20010
Thomas, Yolanda Y.	Rpt	Towers Condominium 4201 Cath Ave,NW 20016
Valenzuela, Maria T.	New	I A F F 1750 N Y Ave,NW 20006
Vasquez, Veronica M.	New	Capital Reporting 1821 Jefferson Pl,NW 20036
Wagner, Nancy	New	Kirkpatrick Lockhart 1601 K St,NW 20006
Walls, Martha M.	New	1225 Missouri Ave,NE#1 20011
Welsh, Marleen C.	New	Capital Reporting 1821 Jefferson Pl,NW 20036
Williams, Aisha	New	Edgewood/Brookland F S C 1345Saratoga Ave,NE#2 20018
Wood, Tracey L.	New	DOJ/Civil Div/Oil 1331 Pa Ave,NW#700S 20530

THURGOOD MARSHALL ACADEMY PUBLIC CHARTER SCHOOL**INVITATION TO BID**

Thurgood Marshall Academy Public Charter High School will receive bids until Wednesday, 6/27/07 at 5:00 pm for the delivery of breakfast, lunch and/or snack to 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. Preference given to LSDBE registered vendors and users of USDA commodities a plus. IFB packet, meal pattern requirements, Production Records/Delivery Tickets and all necessary forms may be obtained from:

Thurgood Marshall Academy
Nora Moore, Office Manager
2427 Martin Luther King Jr. Avenue, SE
Washington, DC 20020
202-563-6862

TWO RIVERS PUBLIC CHARTER SCHOOL**NOTICE OF REQUEST FOR PROPOSALS**

Two Rivers Public Charter School, in compliance with Section 2204 (c) of the District Of Columbia School Reform Act of 1995 ("Act"), hereby solicits expressions of interest for the following service.

I. Food Services Sought:

- Catering for Breakfast (approx. 40 students)
- Catering for Lunch (approx. 150 students)
- Catering for Snack (approx. 120 students)

The meals must meet or exceed federal nutrition requirements and all compliance standards of the USDA School Breakfast and Lunch Program.

All bid proposals must be submitted in the National School Lunch Program Format (IFB Template) as well as with an unsigned contract.

For Additional Information E-Mail: procurement@tworiverspcs.org. Deadline for submissions is June 29, 2007 at 5pm via e-mail (procurement@tworiverspcs.org) or hard copy at the school's offices:

Two Rivers Public Charter School
1227 4th Street NE
Washington, DC 20002

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 05-17A/05-32A**

Z.C. Case No. 05-17A/05-32A

**Approval to Modify a Planned Unit Development for
the Property located in the vicinity of the intersection of
Florida Avenue, 9th Street, and V Street, N.W.
(Square 2873, Lots 1, 232, 852, 853, 859, and 864;
Square 2875, Lots 1106, 1107, 2012, 2026, and 2030)**

January 8, 2007

Pursuant to notice, the Zoning Commission for the District of Columbia (the "Commission") held a public hearing on December 6, 2006 to consider an application from Broadway Atlantic One LLC (the "Applicant") to modify two approved planned unit developments ("PUDs") in Squares 2873 (Lots 1, 232, 852, 853, 859, and 864) and 2875 (Lots 1106, 1107, 2012, 2026, and 2030). The application was filed on behalf of and with the consent of the owner of the property that is the subject of the application. 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. 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

The Applications, Parties, and Hearing

1. On September 1, 2006, the Applicant filed an application (the "Initial Application") with the Commission for review and approval of modifications to two approved PUDs in Squares 2873 (Lots 1, 232, 852, 853, 859, and 864) and 2875 (Lots 1106, 1107, 2012, 2026, and 2030) (the "Property"). (Exhibit 1)

2. The PUDs were originally approved by Zoning Commission Order No. 05-17/05-32 on April 20, 2006. The PUD approved in Case No. 05-17 encompassed three proposed buildings, planned for the portions of the Property located in Square 2875 – Lots 1107, 2012, and 2026 ("Parcel A"); Lot 2030 ("Parcel B"); and Lot 1106 ("Parcel D"). The PUD approved in Case No. 05-32 proposed one building, planned for the portions of the Property located in Square 2873 – Lots 1, 232, 852, 853, 859, and 864 ("Parcel C"). Parcels A, C, and D are located in the CR Zone District. Parcel B is located in the ARTS/C-2-B Zone District.

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3. The Commission approved the two PUDs, which together comprised a mixed-use development with approximately 721,444 square feet of residential use, including 29,800 square feet of affordable housing, and approximately 14,794 square feet of retail use.

4. A height of 100 feet and a floor area ratio ("FAR") of 8.0 were approved for Parcel A (the FAR was to be calculated in combination with Parcel D). A height of 90 feet and a density of 6.3 FAR were approved for development on Parcel B. Parcel C was approved for development up to 100 feet and a density of 8.0 FAR. Parcel D was approved for development with a height of 60 feet and a density of 8.0 FAR, when calculated in combination with Parcel A.

5. A parking ratio of one parking space to each unit was approved for the PUDs, with a minimum of 9 retail spaces.

6. The Property consists of approximately of 95,516 square feet of land and is located in Ward 1.

7. The Applicant submitted the Initial Application to modify the Order to make the project more financially viable.

8. The Applicant's Initial Application primarily requested relief to modify the PUDs to increase the approved number of residential units from 700 units to 781 units; to reduce parking below a 1:1 ratio of parking spaces to units as originally proposed; to remove Parcel D from the PUD; and to devote the entire ground floor on Parcel C to retail use. (Exhibit 1)

9. As a result of the requested modifications, an additional loading area was added to Parcel C and the density for Parcel A was increased slightly. (Exhibit 1)

10. On September 25, 2006, the Applicant filed a revised modification application ("Revised Modification Application") for the PUDs. (Exhibit 1)

11. The Revised Modification Application amended the Initial Application and sought relief to modify the approved PUDs to allow for an increase in residential units to 724; to reduce the parking on Parcel C below a 1:1 ratio of parking spaces to units; to remove Parcel D from the PUD; to devote the entire ground floor on Parcel C to retail use; and to submit revised elevations exhibiting the proposed new facades. These revisions resulted in the need for an additional loading area on Parcel C for the increased retail and a slight increase in the density of Parcel A. (Exhibit 6)

12. The application was placed on the Commission's consent calendar for October 16, 2006. The consent calendar provisions of the Zoning Regulations permit the Commission to grant inconsequential modifications without a hearing. (11 DCMR § 3030)

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13. Prior to the Zoning Commission meeting, the Applicant presented its application to ANC 1B. At its duly noticed meeting held October 5, 2006, with a quorum present, ANC 1B voted 6-1 to support the approval of the Revised Modification Application. (Exhibit 8)

14. At its October 16, 2006 meeting, the Commission determined that the proposed modifications could not be considered minor enough to be considered on the consent calendar. The Commission set the case down for a special public hearing to be held on December 6, 2006. The Commission waived the requirements of 11 DCMR § 3013.1 in order to expedite the scheduling of the hearing.

15. The Applicant supplemented its two previous filings on November 16, 2006 to specifically request approval for the modified building facades and floor plans in addition to other modifications sought in the Revised Modification Application. (Exhibits 16 and 16A)

16. A duly noticed public hearing was held on December 6, 2006. There were no requests for party status and no parties or persons testified in support or in opposition of the modification to the PUDs.

17. The Commission took proposed action to approve the application by a vote of 5-0-0 at the end of the hearing.

18. The Commission agreed to leave the record open for two weeks to allow the Applicant to revise its rooftop plan if it so chose.

19. The proposed action of the Commission was referred to the National Capital Planning Commission ("NCPC") pursuant to § 492 of the District Charter. NCPC, by action dated December 28, 2006, found the proposed modification would not affect the federal interests in the National Capital and would not be inconsistent with the Comprehensive Plan for the National Capital.

20. The Commission took final action to approve the applications on January 8, 2007, by vote of 5-0-0.

The PUD Projects

21. The approved PUDs comprise four sites located between Florida Avenue and Ninth Street, N.W. The total land area of the Property is 95,516 square feet. The PUDs were split into two cases: Atlantic Plumbing South, which included Parcels A, B, and D; and Atlantic Plumbing North, which included Parcel C. The two cases were heard and decided simultaneously.

22. The Generalized Land Use Map recommends the Property for a mix of moderate- and medium-density residential and commercial uses. The Property currently is improved with a mixture of commercial uses such as parking lots, concrete-block industrial buildings, and warehouses. All of the existing buildings will be demolished. Much of the property to the north

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and east of the Property is owned by Howard University and is part of the plan for the Howard Town Center. Much of the property to the north is currently devoted to parking lots for Howard University. The Property is just north of the U Street Corridor and lies in the northern portion of the Uptown Destination District Plan. The Property also is located within the Howard Gateway Housing Opportunity Area. This area has been designated as a desirable location for the development of housing and residential uses.

Modifications to the PUDs

23. The modifications to the PUDs deal primarily with Parcel C; however, some of the modifications will affect the entire project.

24. The unit count for the entire project will increase to a total of 724 units, rather than the previously approved maximum of 700 units. The real estate market has demonstrated a preference for smaller units rather than larger ones. Increasing the overall unit count will enable the Applicant to reduce the size of the units as necessary. (Exhibit 6)

25. The parking ratio for Parcel C will be reduced from one parking space for each unit to no less than 0.89 parking space for each unit. Three hundred and eleven parking spaces will be provided on Parcel C, including 26 parking spaces for the retail component of the Parcel. (Exhibit 6)

26. The reduction of the parking ratio will have a minimal effect on parking and traffic, if any. (Exhibits 1, 6)

27. Parcel D will be eliminated from the approved PUD. It is the smallest of the properties included in Atlantic Plumbing South, comprising only 4,073 square feet of land, and is located just north of the 9:30 Club. Zoning Commission Order No. 05-17/05-32 approved 10 units for the property and the option of including retail. The 9:30 Club has since expressed an interest in purchasing Parcel D for use as parking, and the Applicant is currently negotiating the sale of the parcel. (Exhibits 1, 6)

28. Removal of Parcel D from the PUD will have a minor effect on the density for the building to be located on Parcel A. Zoning Commission Order No. 05/17-05-32 approved a density of 8.0 FAR for Parcels A and D combined. The density on Parcel A will increase as a result of removing the land area of Parcel D; however, there will be no effective increase in density on Parcel A. Parcel A will have a density of 8.12 FAR. (Exhibits 1, 6)

29. The modifications will also increase the amount of retail use on Parcel C. The ground floor of the building on Parcel C was originally approved for more than 4,000 square feet of retail use and approximately 25,000 square feet of residential use. The building will be modified to include approximately 24,000 square feet of retail space on the ground floor and 10,800

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square feet of residential service space. The Applicant proposed an additional loading area to accommodate the increase in retail. (Exhibit 6)

30. To accommodate the increase in the retail space, the courtyard will be filled in on the ground floor; thus, the lot occupancy will increase slightly at the ground floor level. The courtyard will be retained on the remaining floor levels. The FAR of the building will remain the same, because the size of the courtyard has been adjusted for the remaining floors. (Exhibit 6)

31. The facades and floor plans of the building on Parcel C will be modified pursuant to the plans submitted on November 16, 2006, as modified by the Applicant's PowerPoint presentation at the hearing on December 6, 2006.

32. The modifications will not cause adverse traffic impacts, as demonstrated by the Applicant's Traffic Study filed on September 1, 2006. (Exhibit 1)

Development Incentives and Flexibility

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

- a. **FAR:** The Applicant requested density above the matter-of-right limit for the applicable zone district. Parcel A will be developed to a density of 8.12 FAR, which exceeds the maximum 8.0 FAR permitted for a PUD in the CR District. The 0.12 FAR increase represents an increase of less than two percent and is essential for the functioning of the Project. The Commission has the authority to approve a deviation of less than two percent pursuant to 11 DCMR § 2405.3.

Public Benefits and Amenities

34. The following benefits and amenities will be created as a result of the modifications:

- a. **Housing:** The greatest benefit to the neighborhood and the District as a whole is the creation of new housing opportunities consistent with the Zoning Regulations, Comprehensive Plan, Mayor's housing initiative, and DUKE Plan. With these modifications, the Applicant will be able to provide more housing opportunities than it previously was permitted.
- b. **Urban Design, Architecture, Site Planning, and "Green" Building Practices:** The high quality of design for the Project exceeds that of most matter-of-right projects. The landscaping of the open courtyard on Parcel C will be an attractive amenity for the building's residents. The bays of the building on Parcel C have been designed to maximize the amount of light reaching the units.

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- c. Uses of Special Value: The Project will provide additional ground-floor retail on Parcel C, which will contribute toward realizing the vision set forth in the DUKE Plan for a cultural, 18-hour destination district. The ground-floor retail space will be pedestrian-oriented and will enhance the street activity of the area.
- d. Monetary Contributions to Neighborhood Organizations: The Applicant has already paid \$20,000 of the \$100,000 obligation to community organizations that was a condition of approval of Case No. 05-17/05-32.

35. The Commission finds that the modifications result in a project that remains acceptable in all proffered categories of public benefits and project amenities and is superior in public benefits and project amenities relating to urban design, landscaping and open space, housing, transportation measures, and uses of special value to the neighborhood.

Compliance with PUD Standards

36. In evaluating a PUD modification application, the Commission must “judge, balance, and reconcile the relative value of project amenities and public benefits offered, the degree of development incentives requested and any potential adverse effects.” (11 DCMR § 2403.8) Given the level of project amenities and public benefits, and the fact that the modifications are of a minor nature, the Commission finds that the development incentives are appropriate to approve the modifications. As stated above, the Commission finds that the extra two percent of density permitted under § 2405.3 is appropriate and essential to the functioning of the project on Parcel A.

Comprehensive Plan and Public Policies

37. The PUDs, as modified, are consistent with and furthers the goals and policies enumerated in the Comprehensive Plan of the National Capital.

- a. The Generalized Land Use Map: The PUDs are consistent with the Generalized Land Use Map, which recommends the subject site for a mix of moderate- and medium-density residential and commercial uses. The PUDs will not be inconsistent with this use category. In addition, the Generalized Land Use Policies Map shows the Property located within the Howard Gateway Housing Opportunity Area, which has been designated as a desirable location for the development of housing and residential uses. The PUD will be developed under the existing CR and ARTS/C-2-B Zone Districts.
- b. Stabilizing the District’s Neighborhoods: The creation of up to 724 new residential units will help enhance and stabilize the U Street/Cardozo neighborhood. The creation of a significant residential development on the site is also likely to attract additional residential and retail development and stabilize the neighborhood.

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- c. Respecting and Improving the Physical Character of the District: The Project has been designed to improve the site's integration with the surrounding neighborhood and to dramatically improve the streetscape on 8th, 9th, and V Streets. The facades, landscaping, and alternating composition of projecting bays, will combine to create a sense of scale and visual interest. The modifications will employ traditional, time-tested materials in new and modern ways in a design that is aesthetically enduring and that adds to the fine urban texture of the city. The construction of a high-quality residential project will be an important asset for the community.
 - d. Preserving and Ensuring Community Input: Through the PUD modification process, the Applicant has worked with representatives of ANC 1B, as well as the surrounding neighborhood, to modify the PUDs in a manner that is consistent with their original approval.
38. The Project also complies with the major elements of the Comprehensive Plan.
 - a. Housing: The creation of up to 724 residential units on this currently underutilized site satisfies all of the above-noted provisions of the Housing Element of the Comprehensive Plan.
 - b. Urban Design: As shown in the detailed plans, elevations, and renderings included in the Applicant's November 16, 2006 submission (Exhibit 16A), as modified by its PowerPoint presentation of December 6 (Exhibit 19), the modifications exhibit exemplary urban design and architecture.
 - c. Ward 1 Goals and Policies: The Ward 1 Element of the Comprehensive Plan seeks to stimulate production of new housing, maintain and strengthen the quality and construction of housing, and promote low- and moderate-income housing development opportunities. (10 DCMR § 1206.1 and 10 DCMR § 1207.1) The modified PUD is consistent with these provisions of the Ward 1 Elements of the Comprehensive Plan and the "appropriate study" discussed below.
 - d. DUKE Plan: The PUDs are located within the area of land studied under the Draft Development Framework for a Cultural Destination District within Washington, DC's Greater Shaw/U Street Plan ("DUKE Plan"). The DUKE Plan was proposed by the Office of Planning to celebrate and re-create an historical economic, cultural, social, and institutional center for the District's African-American community. The DUKE Plan seeks to guide future development of the project area by capitalizing on the area's historic context to restore the neighborhood with 18-hour destinations. Several goals of the DUKE Plan will be advanced by the PUD. The DUKE Plan seeks: (1) an increase from moderate- to medium-density land use designations, (2) the designation of V Street as a neighborhood retail and service center, (3) residential development that includes affordable housing, and (4) the

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development ground floor retail/entertainment uses and a mix of national and unique, locally-owned retail establishments on 7th, 9th, and U Streets, and Florida Avenue. The modifications are consistent with the DUKE Plan.

Office of Planning Report

39. By report dated October 6, 2006, OP recommended approval of Application No. 05-17A/05-32A. OP supported the modifications because of the size and location of the project combined with the traffic mitigation measures that were a part of the original amenity package. OP supported the increase in unit count for Parcel C, because it was close to the two percent flexibility allowed to the Zoning Administrator. Overall, OP considered the modifications to be minor in nature and did not raise any objections. (Exhibit 7)

ANC 1B Resolution

40. By letter dated October 10, 2006, ANC 1B expressed its support for the modifications to the PUDs.

CONCLUSIONS OF LAW

1. Pursuant to the Zoning Regulations, the PUD process is a means for creating a "well-planned development." The objectives of the PUD process are to promote "sound project planning, efficient and economical land utilization, attractive urban design and the provision of desired public spaces and other amenities." (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. The modifications to the approved PUDs continue to implement the purposes of Chapter 24 of the Zoning Regulations to encourage well-planned developments that will offer a variety of building types with more attractive and efficient overall planning and design and that would not be available under matter-of-right development.

3. The modified PUDs are within the applicable height, bulk, and density standards of the Zoning Regulations. The height and density will not cause a significant adverse effect on any nearby properties and will enable the critical concentration of residents required to transform this underutilized area. Mixed use is appropriate for the Property; the uses are permitted as a matter-of-right for the designated zone districts. As demonstrated in the traffic study submitted by the Applicant, the modifications will not cause adverse traffic impacts, and the Property is proximate to mass transit. The PUDs, as modified, are appropriately designed to complement and respect the existing adjacent buildings with respect to height and mass.

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4. The application can be approved to ensure that any potential adverse effects on the surrounding area from the modifications will be mitigated.

5. The benefits and amenities provided by the PUDs are reasonable for the development proposed in Application No. 05-17A/05-32A.

6. The modification application seeks to increase the unit count of the entire project to a maximum of 724 dwelling units, to reduce the parking ratio of Parcel C to 0.89 spaces per dwelling unit, to remove Parcel D from the PUD, and to increase the amount of retail space on Parcel C.

7. Approval of the PUD modification application is appropriate, because the proposed development is consistent with the present character of the area and the existing zoning.

8. Approval of the PUD modification application is not inconsistent with the Comprehensive Plan.

9. The Commission is required under D.C. Code § 1-309.10(d)(3)(A) (2001) to give "great weight" to the issues and concerns of the affected ANC's. As reflected in the Findings of Fact, ANC 1B voted in favor of approving Application No. 05-17A/05-32A. The Commission agrees with the ANC that this Project should be approved.

10. The application to modify the PUDs and remain consistent with the existing zoning for the Property will promote orderly development of the Property in conformance with the District of Columbia zone plan as embodied in the Zoning Regulations and Map of the District of Columbia.

11. The application is subject to compliance with D.C. Law 2-38, the Human Rights Act of 1977.

DECISION

In consideration of the above Findings of Fact and Conclusions of Law, the Zoning Commission for the District of Columbia orders **APPROVAL**, consistent with this Order, of Application No. 05-17A/05-32A for modifications to the two PUDs approved by Zoning Commission Order No. 05-17/05-32 for property located in Square 2875, Lots 1106, 1107, 2012, 2026, and 2030 and in Square 2873, Lots 1, 232, 852, 853, 859, and 864. The approval is subject to the following guidelines, conditions, and standards:

1. The modifications in Application No. 05-17A/05-32A shall be developed in accordance with the plans prepared by Esocoff & Associates, dated November 16, 2006, marked as Exhibit 16A in the record, as modified by the PowerPoint presentation presented during the public hearing on December 6, 2006, marked as Exhibit 19 in the record.

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2. Parcel D shall be removed from the Atlantic Plumbing South PUD.
3. Approximately 707,444 square feet of gross floor area shall be devoted to residential use. The Applicant shall have the flexibility to construct up to 724 residential units on the Property.
4. Approximately 34,550 square feet of retail use shall be permitted. The retail use remains required on Parcels A and B in the amounts specified in Zoning Commission Order No. 05-17/05-32. A minimum of 4,243 square feet of retail space is required on Parcel C; however, up to 24,000 square feet of retail space shall be permitted on Parcel C. In the event the Applicant determines that retail use is not viable at this location, residential use may be substituted for the retail use on the ground floor, so long as at least 4,243 square feet of the ground floor are reserved for retail use.
5. Parcels A and B shall include parking on-site as set forth in Zoning Commission Order No. 05-17/05-32. Parcel C shall include 0.89 parking spaces per residential unit. Up to 26 parking spaces shall be provided for the retail portion of the Parcel; however, a minimum of two parking spaces shall be reserved for retail use in the event residential use is substituted for retail use pursuant to Paragraph 4. This parking requirement may be satisfied with any combination of full and compact parking spaces.
6. The Applicant shall continue to 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 structures;
 - 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, provided there is no reduction in the quality of the materials;
 - c. To make minor refinements to exterior details and dimensions, including balcony enclosures, belt courses, sills, bases, cornices, railings, trim, or any other changes to comply with Construction Codes or that are otherwise necessary to obtain a final building permit;
 - d. To vary the size and location of retail entrances to accommodate the needs of specific retail tenants; and
 - e. To make alterations to the parking garage design provided that the parking garage contains a minimum number of parking spaces consistent with this Order, which requirement may be satisfied with any combination of compact and full-sized spaces,

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and conforms to the Zoning Regulations regarding parking garages, such but not limited to aisle width.

7. The conditions of Zoning Commission Order No. 05-17/05-32 shall remain in full force and effect unless otherwise modified by this Order.

8. 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 December 6, 2006, the Zoning Commission **APPROVED** the application 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).

The Order was **ADOPTED** by the Zoning Commission at its public meeting on January 8, 2007, by a vote of 5-0-0 (Carol J. Mitten, Anthony J. Hood, Gregory N. Jeffries, John G. Parsons, and Michael G. Turnbull to approve.)

In accordance with the provisions of 11 DCMR § 3028, this Order shall become final and effective upon publication in the *D.C. Register* on JUN 15 2007.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA**ZONING COMMISSION ORDER NO. 06-04****Z.C. CASE NO. 06-04****Consolidated Planned Unit Development and Related Zoning Map Amendment
for Florida & Q Street, LLC (Square 3100, Lot 48)
January 8, 2007**

Pursuant to notice, the Zoning Commission for the District of Columbia (the "Commission") held a public hearing on July 27, 2006, to consider an application from Florida & Q Street, LLC for consolidated review and approval of a planned unit development and a related zoning map amendment from C-2-A to the C-2-B District for Square 3100, Lot 48 (the "Site"). The Zoning Commission considered the application pursuant to Chapters 24 and 30 of the D.C. 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 Hearing**

1. On February 2, 2006, Florida & Q Street, LLC (the "Applicant") filed an application with the Zoning Commission for consolidated review and approval of a planned unit development ("PUD") for Square 3100, Lot 48 and a related amendment to the Zoning Map from the C-2-A to the C-2-B District for the Site.
2. At its public meeting held on April 20, 2006, the Commission voted to schedule a public hearing on the application.
3. On May 22, 2006, the Applicant submitted a Pre-Hearing Statement, along with revised Architectural Plans and Elevations, marked as Exhibit 21 of the record in this case (the "May 2006 Plans").
4. On July 7, 2006, the Applicant submitted a Supplemental Pre-Hearing Submission, along with further revised Architectural Plans and Elevations (the "July 2006 Plans") and the final Traffic Impact Analysis, marked as Exhibit 32 and Exhibit 33, respectively. The July 6, 2006 Plans, which superseded the May 2006 Plans, incorporated refinements to the massing of the building, enhanced detail to the facades and brickwork, as well as modifications to the detailing of the corner element of the building.

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5. After proper notice, the Commission held a public hearing on the application on July 27, 2006. The parties to the case were the Applicant and Advisory Neighborhood Commission ("ANC") 5C, the ANC within which the property is located.
6. The Applicant presented three witnesses at the hearing: Joe Mamo, on behalf of the applicant; Bill Bonstra, of the architectural firm of Bonstra Haresign Associates; and Osborne George, with the firm of O.R. George & Associates, Inc., as the traffic consultant. Also present to testify in support of the application were Fred L. Greene, with the firm of FLGA LLC, as a land planner and Eric Smart, with the firm Bolan Smart Associates, as a land economics consultant. Messrs. Bonstra, George, Greene, and Smart were all accepted as experts in their respective fields.
7. ANC 5C submitted a resolution, dated July 6, 2006, indicating its support for approval of the application. (Exhibit 29) ANC 5C also submitted a resolution adopted on September 19, 2006 in further support of the application. (Exhibit 51)
8. Ten persons testified in support of the project, including Steve Reineke of the Eckington Civic Association; Kellee Baker; Commissioner Tom Fulton, the ANC single-member district representative for the area in which the property is located; Commissioner Debbie Smith of ANC 5C; Nicole Cober, owner of the Soul Day Spa and Salon; Eartha Isaac, President of the Eckington Civic Association; Michael Clark, President of the Edgewood Civic Association; Commissioner James Berry of ANC 5C; Commissioner Marshall Phillips, Vice Chairman of ANC 5C; and Arthur Slater, Chair of the Fifth District Citizens' Advisory Council. The record contains letters of support of the project, including letters from Councilmember Vincent B. Orange. Some persons in support of the project raised concerns regarding traffic and parking in the neighborhood, community involvement in the project, and public safety.
9. There were no parties in opposition.
10. Milton Dorsey testified as a person in opposition. Mr. Dorsey also filed a written version of his testimony (Exhibit 50).
11. The Applicant submitted a Post-Hearing Submission on August 24, 2006 (Exhibit 49), which included information requested by the Zoning Commission at the close of the public hearing.
12. At its public meeting held on September 25, 2006, the Commission requested that the Applicant submit further refinements to the design of the building's façade.

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13. On October 25, 2006, the Applicant submitted three alternative elevations as well as a narrative describing the proposed alternatives, marked as Exhibit 52, for the Commission to review and consider.
14. At its public meeting on November 13, 2006, the Commission took proposed action by a to approve with conditions the application and plans that were submitted to the record.
15. The proposed action of the Zoning Commission was referred to the National Capital Planning Commission ("NCPC") pursuant to § 492 of the District Charter. NCPC, by action dated December 1, 2006, found the proposed PUD and related map amendment 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.
16. The Zoning Commission took final action to approve the application on January 8, 2007.

The PUD Project

17. The proposed PUD (or "Project") contemplates the construction of a mixed-use development having a combined gross floor area of approximately 85,428 square feet and two levels of underground parking. Approximately 81,428 square feet will be devoted to residential use, providing between 65 and 85 dwelling units, and approximately 4,970 square feet of floor area will be provided for retail use in the cellar. The Project will have a maximum density of 4.5 FAR and a maximum building height of 86 feet at the corner of North Capitol Street and Florida Avenue, with substantial setbacks at the 65-foot level on all street fronts. The required parking under the Zoning Regulations is 26 parking spaces. The Project will provide 84 parking spaces. Access to the parking garage and the loading dock area will be from Florida Avenue.
18. The Site, which contains a land area of 18,984 square feet, is currently vacant and unimproved. The Site is currently zoned C-2-A. The Site is prominently located at a major intersection along the eastern edge of the Florida Avenue commercial corridor and North Capitol Street. Moreover, the Site is located approximately 2,200 feet from the entrance to the New York Avenue Metrorail Station. North Capitol Street, which has a width of 130 feet, and Florida Avenue, which has a width of 80 feet, are major through streets and are serviced by six Metrobus routes. The existing buildings that occupy the same square are composed of two-story single- and multi-family townhouse dwellings and a five-story multi-family apartment building fronting Florida Avenue at the west end of the square. Existing structures on the surrounding squares are composed of mixed-use, moderate density commercial buildings and moderate-density single-family and multi-family dwellings.
19. The Generalized Land Use Map of the Comprehensive Plan designates the Site as low-density commercial, and the Policies Map designates it as a local neighborhood

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commercial center. According to the Policies Map, the Site is located diagonally across the intersection from the Northeast No. 1 / Eckington Yards Special Treatment Area.

20. The proposed project is consistent with the surrounding zoning and land uses. The general area reflects a mix of moderate-density residential and relatively low-density commercial uses. The square to the southeast of the Site is located in the North Capitol Receiving Zone for transferable development rights ("TDRs") and thus could be developed to a maximum height of 130 feet and a density of 10.0 FAR, assuming the acquisition of TDRs. Directly to the north and south of the Site along North Capitol Street is a commercial area zoned C-2-A. To the northwest and northeast off of North Capitol Street are residential neighborhoods zoned R-4. East of the Site, along the north side of Florida Avenue, the C-2-A District becomes C-M-2 with warehouse facilities, the XM Satellite Radio building and the Federal Express Distribution Center. The south side of Florida Avenue in this area is zoned C-3-C, and there is an existing high-rise office building at 64 New York Avenue, N.E. This area east of the Site is also within the Northeast No. 1 / Eckington Yards Special Treatment Area.
21. To the south of the Site, the east side of North Capitol Street is zoned C-3-C, which area includes the parking lot for the large office building. The west side of North Capitol Street continues as a commercial area zoned C-2-A. The area west of the Site along Florida Avenue is also zoned C-2-A. There are mainly two-story row structures interspersed with a gas station on the south side of Florida Avenue and a five-story multi-family building at the corner of Florida Avenue and Quincy Street. A small park is also located along this section of Florida Avenue. Several gas stations are located on Florida Avenue both east and west of the Site.

Matter-of-Right Development under Existing Zoning

22. The C-2-A District is designed to provide facilities for shopping and business needs, housing, and mixed uses. (11 DCMR § 720.2) The C-2-A District permits development to medium proportions, a maximum height of 50 feet (with no limit on the number of stories), and a maximum density of 2.5 FAR. (11 DCMR §§ 770.1, 771.2) A mixed-use commercial/residential building in the C-2-A District is permitted as a matter of right. Parking is required at a rate of one space for each 600 square feet of gross floor area and cellar floor area in excess of 2,000 square feet for general office use; one space for each 300 square feet of gross floor area and cellar floor area in excess of 3,000 square feet for retail use; and one space for every two dwelling units. (11 DCMR § 2101.1) A total density of 47,460 square feet is permitted as a matter-of-right with commercial density of 28,476 square feet permitted with additional residential density of 18,984 square feet also permitted. A PUD in the C-2-A District may have a maximum height of 65 feet (with no limit on the number of stories) and a maximum density of 3.0 FAR (or 56,954 square feet at the Site). (11 DCMR §§ 2405.1, 2405.2)

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Matter-of-Right Development Under Proposed Zoning

23. Under the proposed PUD, the zoning of the entire Site will be C-2-B. The C-2-B District is designated to serve commercial and residential functions similar to the C-2-A District. (11 DCMR § 720.6) The zone permits a maximum height of 65 feet (with no limit on the number of stories) and a maximum density of 3.5 FAR. (11 DCMR §§ 770.1, 770.2) Under the PUD guidelines for the C-2-B District, the maximum height is 90 feet and the maximum density is 6.0 FAR. (11 DCMR §§ 2405.1, 2405.2) Parking is required in the C-2-B District at a rate of one space for each 1,800 square feet of gross floor area and cellar floor area in excess of 2,000 square feet for general office use; one space for each 750 square feet of gross floor area in excess of 3,000 square feet for retail use; and one space for every three dwelling units. (11 DCMR § 2101.1)
24. Commercial development of 28,476 square feet is permitted on the Site as a matter of right under C-2-B. Additional residential development of 37,968 square feet is also permitted as a matter of right. If the Site were developed entirely with residential development, 66,444 square feet would be permitted as a matter of right on the Site under the proposed C-2-B zoning.

Development Flexibility and Incentives

25. The Applicant requested flexibility from the following requirements:
- a. *Court Width.* The Applicant requested relief from the court regulations. The width of the planned closed court along the northern property line will be 15.2 feet. Pursuant to the Zoning Regulations, the width of the court must be 4 inches for every foot of building height. The height of the building will be 64 feet and, therefore, the required width of the court would be 21 feet. The Applicant planned to provide more open space at the rear of the property to allow for additional buffer to the nearby residences and, therefore, would like to provide the court space. However, the Applicant could not increase the width of the court by the additional six feet to meet the requirement. The Applicant set back the planned court as much as possible, but the 58-foot-wide proposed building will be much less than what is generally designed for a double-loaded residential building, which is typically between 70 and 75 feet. Thus, in order to meet the required court width, the width of the building would have to be further reduced from 58 feet, which would render the proposed wing unusable for a residential layout. The reduced court area will not be visible from the street.
- b. *Residential Recreation Space.* The Applicant requested relief from the residential recreation space requirement. Section 773.3 requires that an area equal to 15 percent of the residential gross floor area be dedicated to recreation space. The Project proposed to provide an area equal to approximately 8.22 percent of the

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residential gross floor area for recreation space, totaling approximately 6,204 square feet. Additional space of approximately 4,392 square feet, equal to approximately 5.82 percent of residential gross floor area, will be devoted to private outdoor terraces.

- c. *Loading.* The Applicant requested relief from the loading requirements. The Zoning Regulations require loading for the residential component of one berth at 55 feet, one platform at 200 square feet, and one delivery area at 20 feet. The retail component will be less than 5,000 square feet and, therefore, has no loading requirement. Due to the configuration of the entryway off Florida Avenue, the Applicant proposed to provide a loading berth and a delivery area at a minimum of 30 feet deep and a conforming platform.
26. The following benefits and amenities will be created as a result of the PUD project:
- a. *Urban Design, Architecture, Landscaping, and Open Space.* The Applicant has presented an appropriate architectural design for the Project, providing a number of features that will benefit both the North Capitol Street Corridor and the surrounding residential neighborhoods. Currently, the Site is vacant, which creates a void at this major intersection. The Project will provide a strong building form that will anchor this important intersection and improve its appearance. Other benefits include an architectural design that complements the existing contextual setting in both form and materials. Particular attention has been paid to the building massing to create both a strong overall form for this important intersection and smaller secondary form with more intricate detail, which will complement the residential scale of the neighborhood.
- b. *Site Planning and Efficient Land Utilization.* The Project was designed such that its primary bulk will be at the corner of North Capitol Street and Florida Avenue, away from the nearby residential community. The building design will provide relief to the adjacent neighborhood by having the building transition from a maximum of 86 feet down to approximately 65 feet for the majority of the building, then to 55 feet on the north and west exposures. This reduction in height will minimize any potential adverse impacts resulting from the height on the adjacent residential community. The Applicant also proposed significant improvements to the streetscape.
- c. *Transportation Features.* The proposed development will be proximate to the employment core and will be immediately accessible via two principal arterial roadways, i.e., North Capitol Street and Florida Avenue. Several Metrobus routes are located along those roadways, and the site is within 2,200 feet of the New York Avenue Metrorail Station. A significant proportion of the site trips could, therefore, occur via transit, walking, and other alternative modes to passenger

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cars. The proposed development will include 84 parking spaces, which will be adequate, considering the requirements of the Zoning Regulations and the projected parking demand. Based on these factors, the proposed development will not be objectionable to the adjacent properties or have any appreciable adverse impacts due to traffic and parking.

- d. *Special Value to the Neighborhood.* This Project will add special value to the surrounding neighborhood by bringing a mixed-use development to the community. The Site is currently vacant and underutilized. The Project will provide additional housing stock and appropriate commercial development that will serve the community.
- e. *Employment and Training Opportunities.* The Applicant executed a First Source Employment Agreement in order to achieve the goal of utilizing District residents for at least 51 percent of the jobs created by the Project. The Applicant also committed to make a bona fide effort to utilize Local, Small, or Disadvantaged Business Enterprises ("LSDBE") certified by the D.C. Small and Local Business Opportunity Commission ("SLBOC") in order to achieve, at a minimum, the goal of 35 percent participation in the contracted development costs in connection with design, development, construction, maintenance, and security of the Project. The Applicant submitted a Memorandum of Understanding to SLBOC.
- f. *Housing.* This Project will create additional housing stock. Approximately 29 percent of the units will be one-bedroom units, approximately 44 percent of the units will be one-bedroom-and-den units, approximately 26 percent of the units will be two-bedroom units, and approximately one percent of the units will be three-bedroom units. The Project will provide 15 percent of the increase in gross floor area as housing units affordable to households making no more than 80 percent of the Area Median Income.
- g. *Other Public Benefits and Project Amenities.* The Project will provide new development in an area that, according to the Comprehensive Plan, is recognized by the Office of Planning as a Priority Economic Development area. (10 DCMR § 1666.1(c)(2)) The proposed mixed-use development will give a much needed boost to the economic development of the area, as shown by the Economic Impact Analysis submitted by the Applicant. Moreover, the Applicant proffered a Construction Management Plan with ANC 5C in an effort to minimize any potential adverse impacts resulting from the construction of the Project. The Construction Management Plan addresses issues such as pre-construction surveys, construction site management, construction site cleanliness, work hours, traffic and parking, and complaint procedures and communication. In addition, the Applicant committed to make financial contributions to various schools and

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community groups, consistent with the amenities package approved by ANC 5C (Exhibit 51) as outlined below:

- i. \$1,000 to Shaed Elementary School for the purchase of hardware and software for computer classes and the purchase of supplemental classroom reading materials.
- ii. \$6,600 to J.F. Cook Elementary School for the purchase of student school supplies.
- iii. \$6,600 to Dunbar Senior High School for the purchase of band and cheerleader uniforms and band instruments.
- iv. \$6,600 to McKinley Technology High School for the purchase of books, classroom materials, and computer equipment for the school's Biotechnology, Broadcast Technology, and Information Technology instructional programs.
- v. \$6,600 to William E. Doar, Jr. Public Charter School for the Performing Arts for the purchase of musical instruments.
- vi. \$6,600 to D.C. Preparatory Academy PCS for the purchase of supplies and materials to support the school's academic tutoring, sports, and arts enrichment programs.
- vii. \$1,000 to a contractor selected by ANC 5C for the installation of an entrance gate at the Florida Avenue park located at the intersection of First Street and Florida Avenue.
- viii. \$6,600 to the North Capitol Main Street, Inc. for community improvement projects, such as the purchase of materials for the planting of trees.
- ix. \$35,000 for the North Capitol Street BID Incubation Fund for the creation of a business improvement district along the North Capitol Street corridor from R Street to O Street.
- x. \$6,600 to the Bloomingdale Civic Association for the purchase of equipment and uniforms for youth sports activities and a contribution to the association's student scholarship fund.
- xi. \$6,600 to the Eckington Civic Association for the purchase of equipment and materials necessary to develop a neighborhood website and

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community newsletter, as well as for the creation of a fund to assist seniors with quality-of-life issues.

- xii. \$6,600 to the Stronghold Civic Association for the purchase of equipment and materials for youth sports activities and a contribution to the association's student scholarship fund.
 - xiii. \$6,600 to the Bates Street Civic Association for the installation of gates for a pocket park and wrought iron borders for tree boxes and for other community beautification projects.
 - xiv. \$6,600 to the 5th District Citizens Advisory Committee for the sponsorship of and purchase of materials for local youth-related events and programs.
27. The proposed PUD advances the purposes of the Comprehensive Plan, is consistent with the Generalized Land Use Map, and furthers and complies with the major themes and elements for the District and Ward 5 in the Comprehensive Plan. The project advances these purposes by promoting the social, physical, and economic development of the District through the provision of quality development.
28. The PUD is also consistent with many of the Comprehensive Plan's major themes, as follows:
- a. *Stabilizing and Improving the District's Neighborhood.* The proposed PUD will stabilize and improve the character of the neighborhood.
 - b. *Respecting and Improving the Physical Character of the District.* The proposed PUD will respect and improve the physical character of the District through the construction of a well-planned and carefully designed development. The PUD's design will enhance the prominence of the intersection and will complement the neighboring residential area.
 - c. *Reaffirming and Strengthening District's Role as an Economic Hub.* The Comprehensive Plan encourages maximum use of the District's location for both private and public growth to promote economic development. The Project will provide additional jobs to strengthen the economic health of this area. The Comprehensive Plan encourages making maximum use of the District's location at the center of the region's radial Metrorail and commuter rail systems. (10 DCMR § 109.1(b)) The Project will take advantage of its location along major Metrobus routes and its proximity to the Metrorail system.

In addition, as indicated in the Economic Impact Analysis prepared by Bolan Smart Associates, Inc., the principal direct tax revenues to the District resulting

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from the completion of this project, calculated in 2006 dollars, will total approximately \$1.36 million per year. Also, in accordance with the District's goal of creating more housing opportunities in the District, the planned construction of 65 to 85 residential units will result in accommodations for approximately 130 residents. By creating a supply of new units at this location, not only will new residents currently living outside of the District be attracted to relocate, but existing DC residents who choose to relocate will free up needed inventory for other prospective DC residents.

- d. *Preserving and Ensuring Community Input.* The Comprehensive Plan also encourages the active involvement and input of local communities. The Applicant met a number of times with the ANC and local community groups to review the project plans and develop an amenities package.
29. The Project will also further the specific objectives and policies of many of the Comprehensive Plan's major elements as follows:
- a. *Economic Development Element.* According to the Economic Development Element of the Comprehensive Plan, the objective of economic development outside of the Central Employment Area is to create and expand economic activity and employment centers. (10 DCMR § 206.1) This Project will bring appropriate economic development to the area. A major policy of this element is "the generation of sufficient tax revenues to fund the District's budget is a top government priority. Economic development programs that contribute to this goal should be promoted." (10 DCMR § 200.13)
- An additional policy of this element is to enhance environmental quality through guidelines related to access and egress, setbacks, landscaping, lighting, façades, and structural relationship to adjacent buildings. (10 DCMR § 204.2(c)) The Project will continue a sense of place in the area and will be sensitive to the nearby residential communities, acknowledging their low-rise nature by a decrease in height of the proposed building. The Project proposes improvements to the surrounding streetscapes and will enhance the overall environmental quality of the area. The Project also adheres to the policy to "strengthen public safety in and around economic activity areas as well as in residential neighborhoods" by developing a vacant parcel and providing additional eyes and ears of new residents to the area. (10 DCMR § 204.2(b))
- b. *Environmental Protection Element.* It is the goal of the District 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...." (10 DCMR § 401.1)

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The Applicant will comply with all applicable rules and regulations of the District to promote energy conservation, improve air quality, and protect the natural environment. The Project will employ sustainable features where feasible. The Project will have a green roof over the first floor courtyard and the roof deck areas and will utilize exterior façade materials that are energy efficient. Another significant sustainable component will be an integrated heat exchange system that will link the retail and residential HVAC systems. By linking the two systems, excess heat captured from the mechanical systems servicing the retail tenants can be recycled through the mechanical systems for the residents, providing a source for both heating and hot water. Additional benefits of this system are the reduced load on the retail cooling towers, reduced electrical consumption, and reduced heat exchange into the ambient external air.

- c. *Housing Element.* The general objectives for housing are to stimulate production of new and rehabilitated housing to meet all levels of need and demand and to provide incentives for the types of housing needed at desired locations. (10 DCMR § 302.1)

Policies in support of these objectives are:

- to encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land-use policies and objectives; (10 DCMR § 302.2(a))
- to designate, as residential development opportunity areas, sites where significant housing development can occur and encourage multi-unit housing development near selected Metrorail stations, at locations adjacent to Downtown, and adjacent to proposed employment centers and office areas; (10 DCMR § 302.2(d))
- encourage housing on suitably located public or private properties that are vacant, surplus, underutilized, or unused, and encourage adaptive reuse of surplus schools and other available public buildings as housing, with particular emphasis upon the needs of low- and moderate-income residents. (10 DCMR § 302.2(e))

The Project is consistent with the objectives and policies of this element since it will provide approximately 65 to 85 new housing units. Fifteen percent of the increased floor area will be affordable housing units. In addition, the project is located approximately 2,200 feet from the New York Avenue Metrorail Station. In summary, the Project will provide new housing to meet the need of present and

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future District residents at a location consistent with the District's land use policies and objectives.

- d. *Transportation Element.* It is the goal of the District to “[p]romote the increased use of mass transit, in the District and the region.” (10 DCMR § 503.2(c)) The policies and objectives of the Transportation Element will be supported by the PUD. First, the PUD, as a multi-unit development, will be appropriately located within 2,200 feet of the New York Avenue Metrorail Station and will provide potential new riders for the Metrorail system at this location. Second, the proximity of the Project to Metrorail, Downtown, and the Central Employment Area will help to reduce dependence on private passenger automobiles. Third, with immediate access to Metrorail, and North Capitol Street, Florida Avenue, and other regional roadways, residents of the PUD will have the opportunity for reverse-commute options, in terms of level-of-service and travel time. This situation presents a more balanced use of the transportation system, consistent with the goals and objectives of the City.
- e. *Urban Design Element.* “The policy...in support of the urban design objective is to enhance the physical image and symbolic qualities of the District that establish its character as an urban center and the nation’s Capital.” (10 DCMR § 702.2) It is the goal of the District to “encourage new development within areas of strong architectural character to contribute to the physical identity and character of the area.” (10 DCMR § 710.2(d))

The proposed PUD will enhance the quality of the area through superior design elements that respect the special character of this prominent commercial corridor. The Project’s proposed design will provide texture to this prominent gateway and enhance the vibrancy of this commercial corridor.

The Urban Design Element states that it is the District’s goal to “promote the protection, enhancement and enjoyment of the natural environs and to promote a built environment that serves as a complement to the natural environment, provides visual orientation, enhances the District’s aesthetic qualities, emphasizes neighborhood identities, and is functionally efficient.” (10 DCMR § 701.1)

The Project has been designed to enhance the physical character of the area and complement the materials, height, scale, and massing of the moderate-density commercial area along Florida Avenue and North Capitol Street and the moderate-density residential community to the west and north. (10 DCMR § 708.2) High-density development with 130-foot heights is permitted in close proximity to the Site, and the architectural design of the Project will provide an appropriate transition. As previously stated, the Project’s height steps down significantly – from 86 feet to approximately 65 feet and then to 55 feet - to better fit with the nearby residential community. In this regard, the Project’s massing

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and scale are sensitive to the established patterns of development in the area. (10 DCMR § 710.2(e))

The streetscape objective of this element is to establish a clear classification of streets and sidewalks that is functionally efficient and visually coherent, enhances the pedestrian environment, and provides for the orderly movement of goods and services. (10 DCMR § 709.1) The Project proposes significant enhancements to the surrounding streetscape.

- f. *Land Use Element.* It is the goal of the District to “promote appropriate commercial development, including centers for retail and office uses, to serve the needs of the economy of the District and its neighborhoods...” (10 DCMR § 1108.1(a)) The Project will respond to this goal by providing mixed-use development within a local neighborhood commercial center that will foster the continued growth of the District’s economy and employment base while providing additional residential stock for its citizens. Moreover, the land use designation of the Site as low-density commercial does not preclude the development of residential uses at higher densities as specifically encouraged by the District’s policy of transit-oriented development.
30. The Comprehensive Plan Generalized Land Use Map depicts the Site as low-density commercial. The Generalized Land Use Policies Map depicts the Site as located in a local neighborhood commercial center. The proposed PUD is consistent with the Generalized Land Use Maps. This Site, which is only 2,200 feet from the New York Avenue Metro Station, is an example of where maximizing residential use on a commercially-designated site should occur. The commercial density is less than 1.0 FAR while the residential density is proposed to be increased.
31. The Project also fulfills and furthers the specific objectives for this area, as set forth in the Comprehensive Plan for Ward 5:
- a. *Ward 5 Economic Development.* An objective of the Comprehensive Plan is to enhance and expand the ward’s economic activity and employment centers, particularly in the underused industrial and commercial area. (10 DCMR § 1605.1(a)) The Ward 5 Element recognizes that retail and service facilities in the area are inadequate to respond to the needs and demands of the resident population and other potential patrons and clients. The eastern sector, along North Capitol Street, Florida Avenue, N.E., and First Street, N.E., can accommodate major large tract development activity. In addition, North Capitol Street, New York Avenue and First Street, N.E., are recognized by the Office of Planning as “priority economic development areas.” (10 DCMR § 1606.1(c)(2)) The Project complies with this element by bringing appropriate economic development to the area.

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- b. *Ward 5 Housing.* An objective of this element is to stimulate the production of new housing and to rehabilitate and improve housing to meet the needs of all the ward's residents. (10 DCMR § 1608.1(b)) A policy in support of the housing objective is to provide new or rehabilitated housing for low- and moderate-income residents. (10 DCMR § 1609.1(c)) The Project will bring additional housing stock to the city and approximately 15 percent of the increased floor area will be devoted to affordable housing units.
- c. *Ward 5 Transportation.* An objective of this element is to increase the use of mass transit while minimizing problems associated with parking around Metrorail stations and commercial areas. (10 DCMR § 164.1(a)) This mixed-use development will be proximate to Metrorail and Metrobus routes, thereby encouraging the use of mass transit.
- d. *Ward 5 Urban Design Element.* Objectives for urban design are:
- Promote a physical environment that upgrades the ward's aesthetic qualities, enhances neighborhood stability, emphasizes neighborhood identity and function, and physically enhances the gateways into the city; (10 DCMR § 1620.1(a))
 - Give special design attention to those areas within the ward that have a poor physical image and where new development can improve the neighborhood's visual qualities while providing needed services; (10 DCMR § 1620.1(b))
 - Strengthen the design and visual character of commercial nodes and corridors that serve ward neighborhoods; and (10 DCMR § 1620.1(d))
 - Through the design of new structures, decrease the potential for illegal activity by eliminating sites or locations that could attract and harbor the criminal element. (10 DCMR § 1620.1(e))

The Project will improve the aesthetic quality of the area with a strong visual character and will utilize otherwise vacant property.

- e. *Ward 5 Land Use Element.* The goal is to encourage and support an appropriate mix of uses in all economic development, where appropriate, including uses such as housing, parks, and open space. (10 DCMR § 1629.1(c)) The Project will be an appropriate mixed-use development with superior design elements.
- f. *Ward 5 Environmental Element.* The Project and proposed streetscape improvements are consistent with the Ward 5 environmental objectives, because the Applicant will plant and maintain street trees. (10 DCMR § 1611.1(e))

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Office of Planning Report

32. By report dated July 17, 2006, the Office of Planning ("OP") recommended approval of the PUD application. OP found that the proposed PUD was consistent with the intent of the Zoning Regulations, the specific PUD criteria outlined in the Zoning Regulations, and the Comprehensive Plan. OP also found that the benefits and amenities associated with this PUD proposal exceeded the degree of zoning relief required and that the proposed development would be an asset to the community. OP recommended approval of the application and included the following conditions: 1) adoption of DDOT's recommendation that transit demand strategies be incorporated, allowing shared parking for retail customers and visitors during the day; 2) encouraging transit use by residents; and 3) incorporating language into the owner agreement that deliveries be made during off-peak hours during the weekday and weekends.

District Department of Transportation Report

33. By report dated July 7, 2006, the District Department of Transportation ("DDOT") indicated its support for the Project from a transportation perspective. DDOT recommended that the Applicant limit residential and commercial deliveries to non-peak hours on weekdays and weekends. DDOT also encouraged the Applicant to consider encouraging residents of the development to use public transit and to incorporate shared parking strategies whereby parking spaces available to residents at night would be available to retail customers and other visitors during the day.

Contested Issues

34. Some persons who testified in support of the PUD at the public hearing raised concerns regarding traffic and parking in the neighborhood, community involvement in the project, and public safety. One person, testifying in opposition to the Project, stated that the Applicant would have to acquire additional land and relocate homeowners in order to proceed with the development; that abutting business owners and organizations would have to move since the cost of their leases would increase and become unaffordable; and that the Project would have an adverse impact on public safety.
35. The Commission has carefully reviewed and considered each of the points made both in writing and orally at the public hearing, and makes the following findings:
- a. *Traffic, Parking, and Public Safety:* There was testimony that the project will have an adverse impact on traffic, parking, and public safety. However, DDOT stated in its report that it supports the project from a transportation perspective. Moreover, the Applicant's traffic expert submitted detailed reports (Exhibit 33 and Exhibit 49, Tab C) concluding that the proposed development was favorably

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situated relative to public transportation facilities, and thus a number of residents and patrons will utilize public transportation to and from the Project; the vehicle trips generated by the Project will be minimal due to the availability of public transportation in the neighborhood and the trips will be well distributed directionally and result in minimal impacts on the surrounding intersections; the area's roadway network will continue to operate at acceptable levels of service once the Project is built; the proposed parking supply will exceed the number of required spaces and will adequately satisfy the needs of the prospective users; and the proposed development will not have an adverse impact on the availability of local, on-street parking. Moreover, the Applicant agreed to DDOT's recommendation that deliveries be limited to non-peak hours on weekdays and weekends. The Commission accepts these expert conclusions and, therefore, finds that the proposed development will not have an adverse impact on traffic and parking. Moreover, due to the adequacy of parking, the Commission does not find a basis for requiring that the Project provide shared parking for retail and visitors during the day.

With respect to public safety, there is no evidence in the record demonstrating that the Project will adversely impact on public safety in the neighborhood. The Applicant committed to make contributions for community improvement projects, such as the purchase of materials for the planting of trees, and to make a contribution to the North Capitol Street BID Incubation Fund for the creation of a business improvement district, and to make a contribution to for the installation of gates for a pocket park and for other community beautification projects, all of which the Commission finds will have a positive impact on liveliness of the neighborhood and public safety.

- b. *Community Involvement:* The Applicant met with ANC 5C and other community groups a number of times to review the project plans and develop an amenities package. The amenities package includes contributions to various schools and community groups and was approved by ANC 5C. A number of individuals from the community and various community groups testified in support of the Project. The Commission, therefore, finds that the Applicant engaged in efforts to solicit community input and included the community in development of this proposal.
- c. *Effect of the Project on Property Owners in Square:* The Commission finds that the architectural plans and elevations submitted with this application demonstrate that the Project will be developed entirely on Square 3100, Lot 48. The record does not include any evidence that establishes that business owners or residents will be displaced due to increased rents as a direct result of this Project being approved. Therefore, the Commission finds that there is no basis for concluding that the Project will result in current homeowners and businesses being displaced.

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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 of the Zoning Regulations, the Zoning 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 and loading, or for yards and courts. The Zoning Commission may also approve uses that are permitted as special exceptions and would otherwise require approval by the Board of Zoning Adjustment.
3. Development of the property included in this application carries 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.
4. The PUD meets the minimum area requirements of § 2401.1 of the Zoning Regulations.
5. The PUD, as approved by the Commission, complies with the applicable height, bulk, and density standards of the Zoning Regulations. The residential and neighborhood-serving retail uses for the Project are appropriate for the Site. The impact of the Project on the surrounding area is not unacceptable. Accordingly, the Project should be approved.
6. The application can be approved with conditions to ensure that any potential adverse effects from the development on the surrounding area will be mitigated.
7. The Applicant’s request for flexibility from the Zoning Regulations is consistent with the Comprehensive Plan. Moreover, the project benefits and amenities are reasonable trade-offs for the requested development flexibility.
8. Approval of this PUD is appropriate, because the proposed development is consistent with the present character of the area, and is not inconsistent with the Comprehensive Plan. In addition, the proposed development will promote the orderly 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.

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9. The Commission is required under D.C. Code Ann. § 1-309.10(d)(3)(A) (2001) to give great weight to the affected ANC's recommendation. The Commission has carefully considered the ANC's recommendation for approval and concurs in its recommendation.
10. The application for a PUD is subject to compliance with D.C. Law 2-38, the Human Rights Act of 1977.

DECISION

In consideration of the Findings of Fact and the 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 ("PUD") for Square 3100, Lot 48 and a related amendment to the Zoning Map from the C-2-A to the C-2-B District for the Site, subject to the following guidelines, conditions, and standards:

1. The PUD shall be developed substantially in accordance with the Scheme C plans prepared by Bonstra Haresign Associates, filed on October 25, 2006 and marked as Exhibit No. 52 of the record (the "Plans"), as modified by the guidelines, conditions, and standards herein.
2. The PUD shall be a mixed-use building having a combined gross floor area of approximately 85,428 square feet and two levels of underground parking. Approximately 81,428 square feet will be devoted to residential use, providing between 65 and 85 dwelling units, and approximately 4,970 square feet of floor area will be provided for retail use in the cellar. The Project will have a maximum density of 4.5 FAR.
3. The Project shall have a maximum building height of 86 feet. The building may include a roof structure in excess of that height, with a height not to exceed 18.5 feet above the roof upon which it is located, as shown on the Plans.
4. The Project shall provide a minimum of 84 parking spaces. Access to the parking garage and the loading dock area will be from Florida Avenue.
5. The Project shall include one 30-foot deep loading berth and one 20-foot deep loading berth, as shown on the Plans. Residential and commercial deliveries shall be limited to non-peak hours on weekdays and weekends.
6. Affordable housing shall be provided as specified in the Affordable Housing Commitment standards identified as Exhibit No. 42 of the record.
7. The Applicant shall include landscaping, streetscape, and open space treatment for the Project as shown on the Plans. The Applicant or its successors shall maintain all landscaping, streetscape, and open space treatments in good growing condition.

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8. Landscaping in the public space on the surrounding public streets shall be in accordance with the Plans, as approved by the Public Space Division of DDOT. The Applicant or its successors shall maintain all such landscaping in the public space in good growing condition.
9. 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, atrium, mechanical rooms, elevators, escalators, and toilet rooms, provided that the variations do not materially 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 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 construction codes or that are otherwise necessary to obtain a final building permit or any other applicable approvals; and
 - d. 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.
10. The PUD-related map amendment shall not become effective and no building permit shall be issued for this PUD 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 the Department of Consumer and Regulatory Affairs (DCRA). Such 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.
11. The Office of Zoning shall not release the record of this case to the Zoning Division of DCRA until the Applicant has filed a copy of the covenant with the records of the Zoning Commission.
12. No Certificate of Occupancy shall be issued for this PUD until the Applicant has submitted to DCRA evidence demonstrating that the Applicant has provided the funding for the items identified in the community amenities package included at Tab D of the Applicant's Post-Hearing Submission, filed on August 24, 2006 and marked as Exhibit No. 49 of the record.

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13. 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.
14. 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 that 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.

On November 13, 2006, the Zoning Commission **APPROVED** the application by a vote of 5-0-0 (Carol J. Mitten, Anthony J. Hood, Gregory Jeffries, and Michael Turnbull, and John G. Parsons (by absentee ballot) to approve).

The Order was **ADOPTED** by the Zoning Commission at its public meeting on January 8, 2007 by a vote of 5-0-0 (Carol J. Mitten, Anthony J. Hood, Gregory Jeffries, Michael Turnbull, and John G. Parsons to adopt).

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 JUN 15 2007.

DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Washington, D.C., November 10, 2005

Plat for Building Permit of SQUARE 3100 LOT 48

Scale: 1 inch = 30 feet Recorded in Book 171 Page 36

Receipt No. 24050

Furnished to: HOLLAND & KNIGHT / FREDA HOBAR

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.)

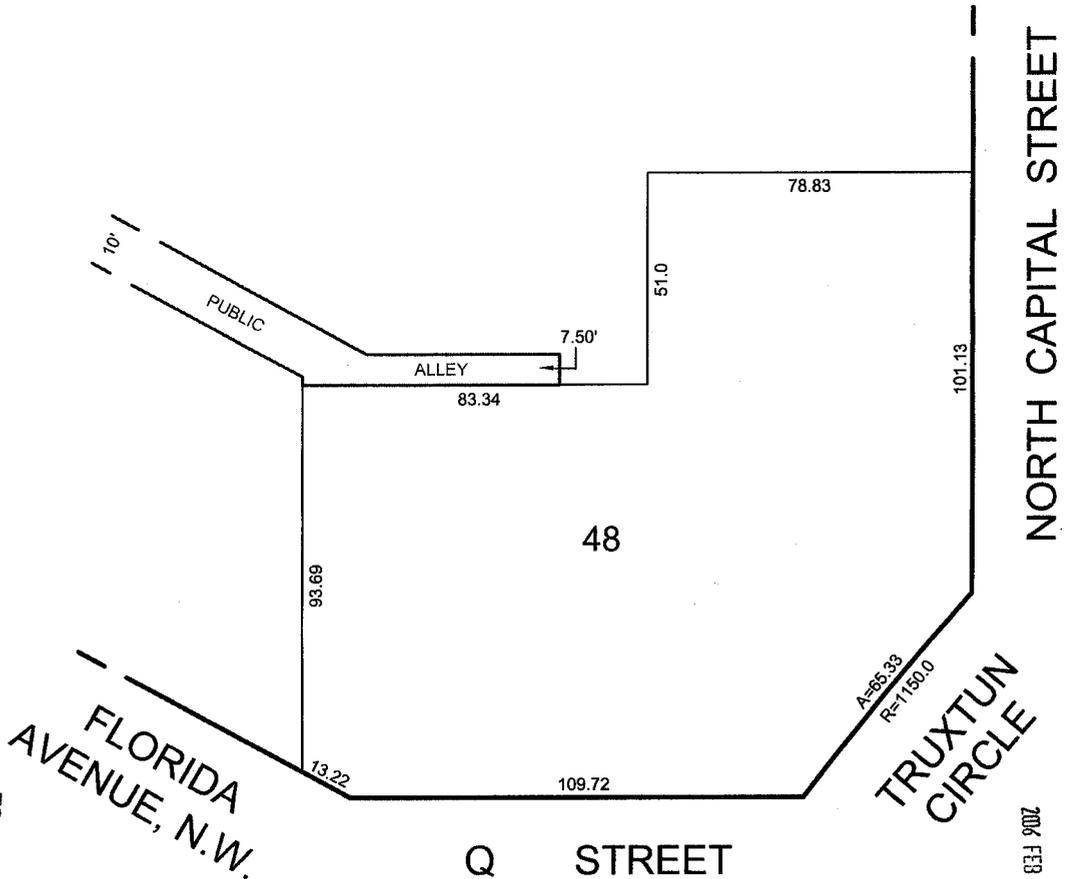
Robert D. Smith
Surveyor, D.C.

Date: _____

By: L.E.S. *[Signature]*

(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.



ZONING COMMISSION
CASE NO. *[Signature]*
EXHIBIT NO. *[Signature]*

005929

SO-24050(2005)

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