

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

**SCHEDULED MEETINGS OF BOARDS AND COMMISSIONS**

**February 2010**

<b>CONTACT PERSON</b>	<b>BOARDS AND COMMISSIONS</b>	<b>DATE</b>	<b>TIME/ LOCATION</b>
John McFarland	Board of Accountancy	2	8:30 am-12:00pm
Leon Lewis	Board of Appraisers	17	10:00 am-12:00 pm
Leon Lewis	Board Architects and Interior Designers	No Meeting	9:00 am-1:00 pm
Sheldon Brown	Board of Barber and Cosmetology	8	10:00 am-4:00 pm
Sheldon Brown	Boxing and Wrestling Commission	9	7:00-pm-9:00 pm
Sheldon Brown	Board of Funeral Directors	4	1:30 pm-5:00 pm
John McFarland	Board of Professional Engineering	25	9:30 am-1:30 pm
Leon Lewis	Real Estate Commission	9	10:30 am-12:30 pm
Pamela Peters	Board of Industrial Trades	16	2:00 pm-5:00 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 the front desk at 202-442-4320.

## DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

NOTICE OF PUBLIC INTEREST

The following is a listing of raze permit applications filed with the Permit Operations Division of the Department of Consumer and Regulatory Affairs:

Application Date	Address	Lot	Square	Use
January 21, 2010	1367 Florida Avenue, NE	178	1026	Single-family dwelling emergency raze
January 22, 2010	3571 10th Street, NW	42	2831	Single-family dwelling emergency raze

For further information, please contact Mr. Tyrone Thomas at the Permit Operations Division via email at [Tyrone.Thomas2@dca.gov](mailto:Tyrone.Thomas2@dca.gov) or Ms. Cheryl Randall Thomas, Manager of the Permit Center, at (202) 442-4534.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA****DEPARTMENT ON DISABILITY SERVICES****NOTICE OF A GENERAL MEETING****D.C. Department on Disability Services, Rehabilitation Services Administration to Hold General Meetings of the Statewide Independent Living Council (SILC)**

Friday, March 10, 2010, 12-2pm;  
Thursday, June 10, 2010, from 12-2 pm; and  
Thursday, September 9, 2010, from 12-2 pm at

The Department on Disability Services  
Rehabilitation Services Administration  
1125 15<sup>th</sup> St., NW  
9<sup>th</sup> floor; Conference Room 9A  
Washington, DC 20005

The D.C. Rehabilitation Services Administration will hold general meetings March 10, 2010, June 10, 2010, and September 9, 2010 to solicit input on Rehabilitation Services Administration, Title VII, from 2011 to 2013 State Plan for Independent Living (SPIL). The purpose of the meeting is to solicit suggestions on improvements of services for persons with disabilities. "We are especially interested in hearing comments on how the employer community can assist persons with disabilities in attaining meaningful employment, how to strengthen our services to underserved populations and how to improve our services in the area of independent living," said Judith E. Heumann, Director of the Department on Disability Services.

**Persons wishing to Review** the current DDS' SPIL for 2008-2010 may access it online by visiting the agency's website at [www.dds.dc.gov](http://www.dds.dc.gov) by clicking on the Office of Quality Assurance and Federal Compliance. An audio tape recording of the SPIL is available at the Martin Luther King, Jr. Memorial Library, 901 G St., NW, Washington, DC 20001.

Persons requiring special accommodations should contact the DCSILC at 202-442-8748.

**DISTRICT DEPARTMENT OF THE ENVIRONMENT****NOTICE OF FILING OF AN APPLICATION  
TO PERFORM VOLUNTARY CLEANUP**

Pursuant to § 601(b) of the Brownfield Revitalization Amendment Act of 2000, effective June 13, 2001 (D.C. Law 13-312; D.C. Official Code § 8-636.01(b) (Supp. 2005) (Act)), the Voluntary Cleanup Program in the District Department of the Environment (DDOE), Land Remediation and Development Branch (LRDB), is informing the public that it has received an application to participate in the Voluntary Cleanup Program (VCP). The applicant for real property located at 1818 14<sup>th</sup> Street, NW, Case No. VCP2010-019, is JBG/14<sup>th</sup> & S LLC, 4445 Willard Avenue, Suite 400, Chevy Chase, Maryland 20815, Attn. Mr. James Nozar, Vice President. The application identifies sources of chlorinated organic solvents, semi-volatile organic compounds and petroleum products in soil and groundwater. The applicant intends to redevelop the subject property for a seven (7)-story mixed use building.

Pursuant to § 601(b) of the Act, this notice will also be mailed to the Advisory Neighborhood Commission (ANC) for the area in which the property is located. The application is available for public review at the following location:

Voluntary Cleanup Program  
District Department of the Environment (DDOE)  
51 N Street, N.E., 6<sup>th</sup> Floor,  
Washington, DC 20002

Interested parties may also request a copy of the application for a small charge to cover the cost of copying by contacting the Voluntary Cleanup Program at the above address or calling (202) 535-1771.

Written comments on the proposed approval of the application must be received by the VCP program at the address listed above within twenty one (21) days from the date of this publication. DDOE is required to consider all public comments it receives before acting on the application, the cleanup action plan, or a certificate of completion.

**DISTRICT DEPARTMENT OF THE ENVIRONMENT**

FISCAL YEAR 2010

**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, and D.C. Official Code §2-505, the Air Quality Division (AQD) of the District Department of the Environment (DDOE) located at 51 N Street, NE, Washington, D.C., intends to issue permits to American University, to construct/operate the following No. 2 fuel oil-fired diesel emergency generators, located in Washington D.C.

<b>Equipment Location</b>	<b>Address</b>	<b>Equipment Size</b>	<b>Model Number</b>	<b>Fuel</b>
Bender Library	4400 Massachusetts Ave., NW, Washington, DC 20016	60kW (103 hp)	Cummins QSB5-G3NR3	Diesel
Transmitter Broadcast Building	4400 Massachusetts Ave., NW, Washington, DC 20016	450 kW (661 hp)	Cummins QSX15-G9NR2	Diesel
Letts Hall	4400 Massachusetts Ave., NW, Washington, DC 20016	200 kW (352 hp)	Cummins QSL9-G2NR3	Diesel

The applications to construct/operate the generators and the draft permits are all available for public inspection at AQD and copies may be made between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments should be addressed to:

Stephen S. Ours  
Chief, Permitting and Enforcement Branch  
Air Quality Division  
District Department of the Environment  
51 N Street, NE, 5<sup>th</sup> Floor  
Washington D.C. 20002

**No written comments postmarked after March 1, 2010 will be accepted.**

For more information, please contact Stephen S. Ours at (202) 535-1747.

**DISTRICT DEPARTMENT OF THE ENVIRONMENT**

FISCAL YEAR 2010

**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, and D.C. Official Code §2-505, the Air Quality Division (AQD) of the District Department of the Environment (DDOE) located at 51 N Street, NE, Washington, DC, intends to issue a permit to operate three 8.165 million BTU/hr boilers (permit numbers 6270, 6271, and 6272) at the Smithsonian Institution, National Museum of the American Indian, located 4<sup>th</sup> St. and Independence Avenue SW, Washington, DC 20560.

The application to operate the boilers and the draft permit are all available for public inspection at AQD and copies may be made between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments should be addressed to:

Stephen S. Ours  
Chief, Permitting and Enforcement Branch  
Air Quality Division  
District Department of the Environment  
51 N Street, NE  
Washington D.C. 20002

**No written comments postmarked after March 2, 2010 will be accepted.**

For more information, please contact Stephen S. Ours at (202) 535-1747.

**DISTRICT OF COLUMBIA DEPARTMENT OF HEALTH  
COMMUNITY HEALTH ADMINISTRATION**

**NOTICE OF FUNDING AVAILABILITY  
RFA # CHA\_PHS\_02.12.10**

**Preventive Health and Health Services Block Grant**

The Government of the District of Columbia, Department of Health (DOH), Community Health Administration (CHA) will release a Request for Applications (RFA) for funding of community-based organizations to provide services that will assist residents to access integrated (holistic) health care for prevention and treatment of chronic diseases and primary care at neighborhood health facilities

These funds will be awarded using funds provided by the Centers for Disease Control (CDC) under the Preventive Health and Health Services Block Grant contingent upon the availability of funds. Approximately \$200,000 is available under this RFA to fund two awards.

The release date for the RFA will be **February 12, 2010** and it will be available for pick-up at 825 North Capitol Street, NE, Third Floor (Reception Area), Washington, D.C. 20002. The deadline for submission and receipt of completed applications is **Monday, March 15, 2010** by 4:00 p.m. Late submissions will not be accepted. The RFA will also be available on the Office of Partnerships and Grants Services website, [www.opgs.dc.gov](http://www.opgs.dc.gov) under the DC Grants Clearinghouse. Applicants are encouraged to e-mail, mail or fax their questions to [sherry.billings@dc.gov](mailto:sherry.billings@dc.gov) prior to the Pre-Application Conference scheduled for **Monday, February 22, 2010** at 10:00 a.m. to 12:00 p.m. at 825 North Capitol St., NE, Conference Room 4131 Send e-mail requests to [valerie.brown@dc.gov](mailto:valerie.brown@dc.gov). For assistance, call Sherry Billings at (202) 442-9173.

**INTEGRATED DESIGN AND ELECTRONICS ACADEMY (IDEA)  
PUBLIC CHARTER SCHOOL**

**NOTICE OF A REQUEST FOR BID PROPOSALS**

**Infrastructure Wiring**

The INTEGRATED DESIGN and ELECTRONICS ACADEMY (IDEA) Public Charter School, in accordance with D.C. Code section 31-2853.14(c)(I)(A), invites all interested and qualified E-Rate certified vendors to submit proposals to install infrastructure wiring for our grade 6 – 12 school. Proposals are due no later than 4:00 PM February 4, 2010. The completed E-Rate 470 application can be viewed on-line for bidding requirements at:

[http://www.sl.universalservice.org/Search\\_FundYear\\_Select.asp](http://www.sl.universalservice.org/Search_FundYear_Select.asp)

The full RFP, containing guidelines for submission, applicable qualifications, bid specifications, and statement of work can be obtained by sending an email request to John Irish (techdirector@ideapcs.org) and Janet Thomas (Dep\_tech@ideapcs.org), or by picking up a copy at the Main Office at IDEA Public Charter School, 1027 45<sup>th</sup> Street, NE, Washington, DC 20019. The RFP is available immediately until 10:00 AM EST on Thursday, February 4, 2010. Bids will be analyzed to ascertain qualifications and past experience, the range of total professional services proposed by the vendor, and the competitiveness of the initial proposed maximum cost for the services.

Bids must be marked--Attention: Janet Thomas, RFP: Infrastructure Wiring. Please contact Janet Thomas, Technology Deputy Director with questions: 202-399-4750 ext 213.

**OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA****APPOINTMENTS OF NOTARIES PUBLIC**

Notice is hereby given that the following named persons have been newly appointed as Notaries Public in and for the District of Columbia, effective on or after February 15, 2010.

Comments on these appointments should be submitted, in writing, to Naomi Shelton, Administrator, Office of Notary Commissions and Authentications, 441 4<sup>th</sup> Street, NW, Suite 810 South, Washington, D.C. 20001 within seven (7) days of the publication of this notice in the *D.C. Register* on February 5, 2008. Additional copies of this list are available at the above address or the website of the Office of the Secretary at [www.os.dc.gov](http://www.os.dc.gov).

**D.C. Office of the Secretary  
Appointments of Notaries Public****Effective: February 15, 2010  
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Alderton	Mary Ann	WilmerHale 1875 Pennsylvania Avenue, NW	20006
Amaguana	Crissy	DC United 2400 East Capitol Street, SE	20003
Baker	Regina	Unity Health Care , Incorporated 123 45th Street, NE	20019
Berkley	Leroy	Self 723 Kennedy Street, NW	20011
Blasberg	Lisa	Holliday Fenoglio Fowler, L.P. 1627 I Street, NW, 12th Floor	20006
Bothwell	Paul W. Facey	National Organization for Marriage 1100 H Street, NW	20005
Cerezo	Lucy	OPX, PLLC 21 Dupont Circle, NW	20036
Cofer	Betty J.	State Farm Insurance 7414 Georgia Avenue, NW, Suite 2	20012
Cook	Wahneek L.	Chicago Title Insurance Company 2000 M Street, NW, Suite 610	20036
Coulbourne	Doris M.	DLA Piper, LLP (US) 500 8th Street, NW	20004
Fisher	Laurie	Russia Wireless Holdings LLC 1250 H Street, NW, Suite 901	20005
Hall	Dr. Bernice	Family Healing Headquarters Inc. Transformation Program 1401 West Virginia Avenue, NE	20002
Harris	Roxanne T.	Ober Kaler Grimes & Shriver, PC 1401 H Street, NW, Suite 500	20005

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Appointments of Notaries Public****Effective: February 15, 2010  
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Harrison	Donnita	Siemens Corporation 601 Pennsylvania Avenue, NW Suite 1100, North Building	20004
Hawkins	Carweyla	DC Housing Authority 1133 North Capitol Street, NE	20002
Howard-Boyd	Amy	Chasen and Chasen Law Office 5225 Wisconsin Avenue, NW	20015
Kendall	Tania	Self 517 10th Street, NE	20003
King	Janet	Bazelon Center for Mental Health Law 1101 15th Street, NW	20005
Lawrence	Helena F.	Department of Justice 555 4th Street, NW	20001
Marcucci	Catherine	National Republican Senatorial Committee 425 2nd Street, NE	20002
Metzger	Jacqueline S.	H & R Block 1430 G Street, NW	20005
Miller	Mitzi D.	CropLife America 1156 15th Street, NW, Suite 400	20005
Montes-Ortiz	Edna C.	Combined Properties, Incorporated 1255 22nd Street, NW, 6th Floor	20037
Muscarella	Annette C.	Wireless Generation, Incorporated 500 New Jersey Avenue, NW, 6th Floor	20001
Neyland	Gail	US Department of Treasury 1500 Pennsylvania Avenue, NW	20220
O'Connor	Jennifer M.	Diversified Reporting Services 1101 16th Street, NW, 2nd Floor	20036
Panek	Janean	Department of the Navy Bureau of Medicine and Surgery 2300 E Street, NW	20372

**D.C. Office of the Secretary  
Appointments of Notaries Public****Effective: February 15, 2010  
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Pasternack	Mary A.	Covington & Burling, LLP 1201 Pennsylvania Avenue, NW	20004
Pickman	Nava	Hillel: The Foundation for Jewish Campus Life 800 8th Street, NW	20001
Pinkney	Ava S.	Arnold & Porter, LLP 555 12TH Street, NW	20024
Rollerson	Rhonda D.	Morgan, Lewis & Bockius, LLP 1111 Pennsylvania Avenue, NW	20004
Roper	Mary A.	Law Office of Ronald C. Jessamy 1200 G Street, NW, Suite 800	20005
Rowan	Kathleen M.	The Heritage Foundation 214 Massachusetts Avenue, NE	20002
Scott	Karen J.	The Scott Group 4215 Fort Dupont Street, SE	20020
Stallworth	Christopher D.	Department of Housing & Urban Development 451 7th Street, SW	20410
Stephens	Carole L.	Paul, Hastings, Janofsky & Walker, LLP 875 15th Street, NW	20005
Thompson	Gladys K.	Skadden, Arps, Slate, Meagher & Flom LLP 1440 New York Avenue, NW,	20005
Walker	Denise M.	Folger Nolan Fleming Douglas 725 15th Street, NW, Suite 200	20005
Williams	Vacylla	Williams Notarial Services 5335 Chillum Place, NE	20011

**TWO RIVERS PUBLIC CHARTER SCHOOL****REQUEST FOR PROPOSALS****Facilities Reserve Study**

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: Facilities Reserve Study.

Two Rivers is seeking a firm to provide a basic model for short-term and long-term facilities repair and replacement needs that incorporates a cost analysis and reserve budget forecasting.

The school is not seeking detailed engineering assessments of the facilities components nor a building management system, but rather a basic informed model of repair and replacement times and estimated costs and a financial model to help inform the Board of Trustees in making capital allocation decisions. Bids are due February 24, 2010.

For additional information and a statement of work, please e-mail:  
procurement@tworiverspcs.org.

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

**Application No. 17825 of 1400 Maryland Avenue, Ltd. Empire Leasing**, pursuant to 11 DCMR § 3104.1, for a special exception to establish a gasoline service station with convenience store under §§ 743, 706, and 2302, in the C-3-A District, at premises 1400 Maryland Avenue, N.E. (Square 1049, Lots 803 and 21).

**HEARING DATES:** October 14, 2008, January 13, 2009, June 16, 2009, and July 21, 2009

**DECISION DATE:** September 15, 2009

**DECISION AND ORDER**

This application was submitted on May 7, 2008, and amended and re-submitted on September 30, 2008, by 1400 Maryland Avenue Limited Empire Leasing, Inc. (“Applicant”), the owner of the property that is the subject of the application (“subject property”). The application requests a special exception to establish a gasoline service station and convenience store at the corner of Maryland Avenue, N.E. and 14<sup>th</sup> Street, N.E. Since a convenience store is a matter of right use in the C-3 District, the subject of this application and the sole focus of the Board’s decision is the gasoline service station use.

The Board of Zoning Adjustment (“BZA” or “Board”) scheduled a public hearing on the application for October 14, 2008. Due to issues involving the use of public space which could have had, and did eventually have, an effect on the plans for the service station and on the Applicant’s ability to meet the special exception tests, the hearing was continued to January 13, 2009, and then to June 16, 2009 and July 21, 2009, when it was completed. The decision was scheduled for, and took place on, September 15, 2009, when the Board voted 3-0-2 to approve the application, with conditions.

Notice of Application and Notice of Hearing. By memoranda dated May 13, 2008, the Office of Zoning (“OZ”) gave notice of the filing of the application to the D.C. Office of Planning (“OP”), the D.C. Department of Transportation (“DDOT”), Advisory Neighborhood Commission 6A (“ANC”), the ANC within which the subject property is located, Single Member District 6A06, and the Councilmember for Ward 6. Pursuant to 11 DCMR § 3113.13, OZ published notice of the hearing in the *D.C. Register*, and on July 9, 2008, sent such notice to the Applicant, ANC 6A, and all owners of property within 200 feet of the subject property.

Request for Party Status. ANC 6A was automatically a party to the application, and appeared in opposition. There were no requests for party status.

Applicant’s Case. The Applicant’s representative testified briefly as to the operation of the service station, but the bulk of the Applicant’s case was encompassed in the testimony of its traffic expert.

**BZA APPLICATION NO. 17825****PAGE NO. 2**

Government Reports. *The Office of Planning.* OP filed several reports concerning this application with the Board. In its first report, dated October 7, 2008, OP did not make a recommendation for or against the application, citing a lack of information necessary to determine whether the proposed use, as designed, would create dangerous or other objectionable traffic and circulation conditions. At that time, public space issues remained to be resolved, the proposed landscaping was not yet determined, DDOT had not provided any critique of the Applicant's traffic and circulation plans, and those plans themselves did not address certain key information, such as drive aisle space and turning radii for vehicles. Exhibit No. 33.

OP's second report, dated January 6, 2009, recommended denial of the application, based to some extent on the December 18, 2008 action of the Public Space Committee, which denied the Applicant's public space permit for use of the public space surrounding the subject property. OP's second report states that the denial of the public space permit reflects a determination that the use, as then proposed to be designed, would inappropriately impact the adjacent public space. The second OP report also states that the traffic and circulation plans submitted by the Applicant, because they depended on the denied use of the public space, were no longer accurate, preventing OP from performing an effective evaluation of the impacts of traffic and vehicle circulation in and around the subject property. Exhibit No. 39.

OP's third report, dated June 9, 2009, stated that OP could not make a recommendation because it lacked a DDOT evaluation of on- and off-site circulation impacts, thereby preventing OP from determining whether the special exception criteria were met. In this third submission, OP opined that the Applicant might need relief for the height of the gasoline pump island canopy. OP also provided a list of nine proposed conditions which it recommended be included if the Board decided to approve the application. Exhibit No. 48.

OP submitted a fourth report, dated July 14, 2009, noting that the Applicant had significantly improved the proposal, including eliminating almost all use of the adjacent public space, and that the Public Space Committee had granted conditional approval of the proposal on June 25, 2009. OP expressed general support for the design of the proposed buildings and landscaping, and recommended nine conditions to be included in an approval by the Board. OP, however, again declined to make an official recommendation with regard to the application because it had not yet received an analysis of on- and off-site circulation impacts from DDOT, without which it could not make a recommendation with regard to whether the special exception criteria were met. Exhibit No. 54.

At the public hearing on July 21, 2009, the OP representative stated that "the chief outstanding issues concerning circulation have been resolved to DDOT's satisfaction," and that, therefore, the Office of Planning was now recommending approval of the special exception relief. Transcript of July 21, 2009 hearing ("Trans."), at 354-355.

*The Department of Transportation.* DDOT filed four reports with the Board. The first, dated October 10, 2008, was filed with the Board before the Public Space Committee had held a

**BZA APPLICATION NO. 17825****PAGE NO. 3**

hearing on the proposed use of public space by the Applicant. This first report stated that DDOT could not determine with certainty that the proposed service station would not create objectionable impacts. Exhibit No. 38. At that time, there were still many unanswered questions as to the use of public space, and the safety of both internal circulation and access points.

DDOT's second report, dated June 11, 2009, was generally positive about the application and the many modifications made to it since its filing a year earlier, but still could not recommend approval. At that time DDOT stated that "remaining circulation problems on the site as well as spillover effects onto public space ha[d] the potential to create unsafe traffic conditions." Exhibit No. 50. DDOT then listed three further pieces of information it would need for a final evaluation of the project – fuel truck turning templates, vehicle movement diagrams, and an expanded scale site plan.

The third DDOT report, dated July 21, 2009, indicated that DDOT personnel had met with the Applicant's representatives, who supplied the information listed above. Earlier concerns about the safe and fluid movement of vehicles on the site had been mitigated by changes in the proposed design, permitting DDOT to "no longer oppose[] this project." Exhibit No. 63. The report, however, requested that the Applicant include signs directing vehicles entering the site to use fueling positions to the right and noted that DDOT was still in the process of evaluating the need for a change in the median design along Maryland Avenue adjacent to the site.

DDOT's fourth report, dated August 20, 2009, goes into significant detail concerning several aspects of the application which had been troublesome earlier, including the impact on on-street parking, fuel truck delivery hours, and the Maryland Avenue median. As to the project's impact on on-street parking, the report concludes that no existing legal spaces will be affected, and that truck-turning requirements will likely preclude adding any new legal on-street spaces. Concerning hours of fuel delivery, DDOT recommended that it be prohibited during the peak travel periods of 7:00 to 9:30 a.m. and 4:00 to 7:30 p.m. With regard to the Maryland Avenue median, DDOT is requiring the Applicant to install an unbroken, raised median in the middle of Maryland Avenue, along the length of the property. Finally, the fourth report reiterated that DDOT "no longer has objections" to the application. Exhibit No. 64.

ANC Reports. ANC 6A filed seven letters/reports/memos/motions with the Board regarding this application. The ANC's first filing, dated July 28, 2008, requested postponement of the hearing scheduled for October 14, 2008, citing "extensive concerns" with the application. Exhibit No. 27. The hearing was continued, but on October 13, 2008, the ANC submitted a second filing, stating its opposition to the application. Exhibit No. 31. At that time, the ANC had problems with the Applicant's proposed use of public space and its use of a "suburban" design model. The ANC next filed a motion, on October 7, 2008, to dismiss or defer the hearing on the application until the Applicant obtained any necessary public space permits. Exhibit No. 32. On January 6, 2009, the ANC submitted a fourth filing reiterating its opposition and including a memorandum of law explaining why the ANC believed that the application did not satisfy the special exception standards and would be inconsistent with the Comprehensive Plan. Exhibit No. 40.

**BZA APPLICATION NO. 17825**  
**PAGE NO. 4**

On June 10, 2009, ANC 6A filed a short letter with the Board, requesting another continuance of the hearing until after a decision from the Public Space Committee, which was going to hear, on June 25, 2009, the Applicant's second request to use public space. Exhibit No. 49. The ANC's letter briefly cited as problems the possible elimination of on-street parking, and possible hazardous on-site and off-site conditions due to the then-proposed plan for on-site circulation.

On June 15, 2009, the ANC filed a document explaining the concerns it still had with the Applicant's proposal. The document sums up the ANC's concerns thus: "the existing application is deficient, overly relies upon the use of public space ... and fails to demonstrate compliance with S[ubs]ection 706.4 of the zoning regulations." Exhibit No. 51.

Between the ANC's June 15, 2009 filing and its last filing, dated July 20, 2009, the Applicant made significant changes to the application, improving the design, including the safety of on-site circulation, and reducing the use of public space to only what was necessary – the need to drive over public space to enter the property. Due to these important changes, the Applicant secured conditional approval for a public space permit, but the ANC continued to oppose the application in its entirety. Realizing, however, that the Board could approve the application notwithstanding its opposition, the ANC recommended six conditions should the application be approved. Exhibit No. 56.

**FINDINGS OF FACT**

The property and the surrounding area

1. The subject property is zoned C-3-A and is located at address 1400 Maryland Avenue, N.E., at the corner of Maryland Avenue, N.E. and 14<sup>th</sup> Street, N.E., on Square 1049, Lots 803 and 21.
2. The property measures approximately 119 feet parallel to Maryland Avenue to its south, and 83 feet parallel to 14<sup>th</sup> Street to its west, with an area of approximately 7,262 square feet.
3. Between the property's southern property line and Maryland Avenue, is an approximately 50-foot wide swath of public space.
4. Between the property's western property line and 14<sup>th</sup> Street, is an approximately 35-foot wide swath of public space.
5. The total area of public space bordering the property is approximately 7,240 square feet, not including the sidewalks, which are also in public space.

**BZA APPLICATION NO. 17825****PAGE NO. 5**

6. To the south of Maryland Avenue, i.e., across the street from the property is a fast food restaurant, row dwellings, and some small-scale commercial uses. Across 14<sup>th</sup> Street are two automobile repair/sales businesses and a church.
7. To the immediate north of the property are the backs of low-rise commercial buildings, which front on H Street, N.E. and are within the H Street Northeast Neighborhood Commercial Overlay District (“HS”).
8. To the immediate east of the property are residential uses that appear to be vacant.
9. On the property is a vacant 1,321 square-foot one-story building that abuts a 10-foot wide dead-end public alley, running along the rear of the property.
10. There are currently no curb cuts allowing access to the property from Maryland Avenue, though photographic evidence shows that there were two such curb cuts in the past. *See*, Exhibits Nos. 3 & 48.
11. There are currently two active curb cuts along 14<sup>th</sup> Street, one of which allows direct access (over public space) to the property, and one of which allows access into the public alley abutting the rear of the property.
12. The entire property, and most of the adjoining public space, is paved over, with no significant area of greenery.
13. Although vacant now, the property has, in the past, been used for various gasoline and automotive uses, such as a gasoline service station, auto repair, and used auto sales, as evidenced by past Certificates of Occupancy. Exhibit No. 10.
14. There are no other gasoline service stations within the boundaries of ANC 6A.

The Applicant’s proposal

15. The application proposes to establish a gasoline service station and associated convenience store, with a sandwich preparation area, on the subject property.
16. There will be two pump islands and four fueling pumps.
17. There will be no entrance to the property from the alley at its rear.
18. The service station will be open 24 hours a day, seven days a week, with at least one employee present at all times.
19. The proposal meets all the necessary dimensional zoning requirements, such as lot occupancy and floor area ratio.

**BZA APPLICATION NO. 17825****PAGE NO. 6**The zoning relief

20. Subsection 743.1 of the Zoning Regulations authorizes the establishment of a gasoline service station in any C-3 District as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of § 706 and Chapter 23 of Title 11 of the DCMR.
21. Subsection 706.3 requires that the station shall not be located within twenty-five feet (25 ft.) of a Residence District unless separated from the Residence District by a street or alley. Subsection 2302.1 contains the same requirement, while § 2302.3 prohibits a vehicular entrance or exit connected with a street at a point closer than twenty-five feet (25 ft.) from any Residence District.
22. The property and proposed facility meet these requirements. The property is surrounded on three sides, for a distance much greater than 25 feet, with C-3-A zoning. On its fourth side, to the north, is an HS/C-3-A zone district.
23. Both vehicular access points to the property are more than 100 feet from a street intersection as required by § 2302.4 and the proposed service station will not have the grease pits or hoists disallowed by § 2302.5.
24. Although § 706.6 does not require that required parking spaces be arranged so that all spaces are accessible at all times, it does require that all parking spaces must “be designed and operated so that sufficient access and maneuvering space is available to permit the parking and removal of any vehicles without moving any other vehicle onto public space.” The station will provide four zoning-compliant parking spaces, one of which will be located to the west of the building on the property, and the other three spaces will be located to the east of the building.
25. The siting and arrangement of these parking spaces permits the facility to exceed the above standard because each space will be fully accessible at all times. In addition, the spaces will be useable without causing the movement of other vehicles onto public space. (See, “Proposed Site Plan” attached as Exhibit B to Exhibit No. 55.)
26. In general, the operation of the proposed use will not create dangerous or other objectionable traffic conditions as disallowed by § 706.4 because:
27. It will be accessed by one curb cut and driveway on each adjacent street, i.e., one on Maryland Avenue and one on 14th Street;
28. The proposed site design allows for fuel truck access and turning without impinging on any legal street parking spaces on 14th Street or Maryland Avenue. (See, DDOT Report, Exhibit No. 64 and internal/external circulation plans, attached as Exhibit A to Exhibit No. 55.);

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29. No truck with a length greater than 35 feet will be permitted to deliver fuel to the facility;
30. The Applicant will imprint directional arrows on the pavement and post signage directing vehicles entering the site to utilize fuel pumps to the right, which will facilitate safe internal site circulation;
31. Only right turns will be permitted from the property onto Maryland Avenue. To ensure this, the Applicant will install, in accordance with DDOT's request and pursuant to its standards, an unbroken, raised median in the center of Maryland Avenue for the length of the property's Maryland Avenue frontage; and
32. Each of the drive aisles on the property, leading from the vehicular access points, will be two-way and 25 feet in width.
33. All of the above findings in this section also demonstrate compliance with the general standard for granting a special exception as stated in § 3104.1, as do the following additional findings.
34. The only use of public space by the proposed service station and convenience store arises, as with most commercial uses, from the fact that vehicles must drive over an area of public space between the adjoining street and the property.
35. The existing concrete paving between the property line and the sidewalk, along both Maryland Avenue and 14th Street, will be removed and replaced with soil, ground-covering plants, and low, ornamental shrubs.
36. The installation of the unbroken median referred to in Finding of Fact 31 will have no effect on on-street parking on Maryland Avenue.
37. Running along the northern and eastern property lines – the two property lines not abutting a street -- a 6-inch-high concrete curb and a 3-foot-high iron fence will be installed.
38. To facilitate pedestrian access to the convenience store, concrete walkways will be installed alongside the drive aisle leading to Maryland Avenue and alongside the public alley, linking 14th Street and the western side of the building.
39. The fuel cost sign will be positioned on the subject property, set back from the corner. It will be illuminated and have overhead lights that shine downward, but not outward.
40. The sign will be six feet high, side mounted on an eight-foot pole, and will be subject to the applicable provisions of the Construction Codes, 12A DCMR § 3107, SIGNS.

**BZA APPLICATION NO. 17825****PAGE NO. 8****CONCLUSIONS OF LAW**Special Exception Relief

Pursuant to § 3104 of the Zoning Regulations, the Board is authorized to grant special exceptions where, in its judgment, the relief will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property. Certain special exceptions must also meet the conditions enumerated in the particular sections pertaining to them. In this case, along with the general requirements of § 3104, the Applicant also had to meet the requirements of § 706 and § 2302, pursuant to the mandate of § 743.

Relief granted through a special exception is presumed appropriate, reasonable, and compatible with other uses in the same zoning classification, provided the specific regulatory requirements for the relief requested are met. In reviewing an application for special exception relief, “[t]he Board’s discretion ... is limited to determining whether the proposed exception satisfies the ... requirements” of the regulations and “if the applicant meets its burden, the Board ordinarily must grant the application.” *First Washington Baptist Church v. D.C. Bd. of Zoning Adjustment*, 423 A.2d 695, 701 (D.C. 1981) (quoting *Stewart v. D.C. Bd. of Zoning Adjustment*, 305 A.2d 516, 518 (D.C. 1973)).

Some of the requirements of §§ 706 and 2302, and, to a certain extent, § 3104, overlap. Sections 706.1 and 2302.1 both require that no portion of the service station be located within 25 feet of a residential zone district. In addition, § 2302.2 requires that no street ingress or egress to the station be within 25 feet of a residential district. The application satisfies these requirements. Findings of Fact No. 22 and 23. Furthermore, the application satisfies the requirement of § 2302.4 that no entrance or exit to the station may be closer than 40 feet from a street intersection as measured from the intersection of the curb lines extended. Finding of Fact No. 23. Finally, pursuant to § 2302.5, gasoline service stations located outside of the C-M or M District must locate all grease pits or hoists within the building. The gasoline service station that is the subject of this application does not proposed any such facilities.

Subsection 706.4 states that “[t]he operation of the use shall not create dangerous or other objectionable traffic conditions,” and § 3104 requires that the use “not tend to affect adversely the use of neighboring property.” Sections 706.4 and 3104 highlight the most contentious issues in this application. The extensive use of the surrounding public space initially proposed by the Applicant raised concerns over possible dangerous or objectionable on-site circulation and off-site traffic conditions. In response to these concerns, the design of the service station was revised several times, with input from the ANC, OP and DDOT, to improve both the on-site circulation and off-site traffic impacts.

A number of modifications were made to improve on-site circulation, including: reducing the number of fuel pump islands and fuel pumps, reducing the maximum length of trucks allowed to

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deliver fuel to the facility from 57 to 35 feet, and reducing the size of the building by 385 square feet. In addition, the on-site parking spaces were re-located, signs and directional arrows were added, as well as a perimeter fence to keep vehicles off the adjoining public space. These changes, along with two 25-foot wide ingress/egress drives and a reasonable amount of maneuvering space left on the site, make on-site circulation sufficiently safe, meriting DDOT's conclusion, in its August 20, 2009 report, that "internal site design allows for adequate vehicle movement." Exhibit No. 64.

Pursuant to § 706.5, the Board may impose requirements pertaining to design, appearance, screening, or lighting, or other requirements it deems necessary to protect adjacent or nearby property. In this regard, the Board notes that the Applicant has committed to landscaping and beautifying the adjacent public space. Lighting on the site will be appropriate and focused on the property to minimize spillover into the surrounding neighborhood.

According to § 706.6, all required parking spaces need not be located in a manner in which they are accessible at all times. However, § 706.6 further states that "all parking spaces provided shall be designed and operated so that sufficient access and maneuvering space is available to permit the parking and removal of vehicles without moving any other vehicle onto public space." The gasoline service station will meet the parking requirement for the use of four spaces entirely on the subject property. These spaces are located on either side of the convenience store building, allowing for safe pedestrian access to the store without the necessity of having to walk near the gas pump islands. The spaces have been so located to enable their access without the need to move a vehicle onto public space, and maneuvers necessary to enter or exit the spaces can all take place on the property.

The station is providing the required number of on-site parking spaces and neither its design, nor maneuvers of fuel trucks, will cause impingement on any existing legal parking spaces on the adjacent streets. The subject property is located at the intersection of two large streets, which will be able to safely support any increase in traffic brought about by the service station use. In addition, based on the evidence in the record and the testimony provided during the hearing, the design of the gasoline service station will be able to accommodate the necessary fuel delivery truck maneuvers entirely onsite, and without impinging upon on any existing legal parking spaces on the adjacent streets. Furthermore, the subject property is located at the intersection of two large streets, which will be able to safely support any increase in traffic brought about by the proposed use.

To facilitate traffic movement on the adjacent streets, the Applicant will install an unbroken, raised median on Maryland Avenue along the length of the subject property, which will restrict turns into, and out of, the property, onto Maryland Avenue, to right turns only. Preventing left turns into, or out of, the property will prevent traffic congestion and queuing in the eastbound lanes of Maryland Avenue. As DDOT stated in its August 20, 2009 report, "[i]mpacts to public space and traffic congestion are both minimal."

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Concerning harmony with the zone plan, as a special exception use, a gasoline service station at this site is pre-deemed compatible with the surrounding C-3-A zone district. The subject property has historically been used for similar automotive uses, and the applicant has reduced the size of the building and the fuel cost sign to improve the look and operation of the station. The Board concludes that the use is compatible with the neighborhood and in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. § 3104.1.

As noted at the outset of this Order, the proposed convenience store is a matter of right use in the C-3 zone district. Therefore, the Board did not make any particularized findings with respect to its impact, since the use would be permitted on the site and does not lose that status because it will be established in conjunction with a use approved by special exception.

Great weight

The Board is required to give “great weight” to issues and concerns raised by the affected ANC and to the recommendations made by the Office of Planning. D.C. Official Code §§ 1-309.10(d) and 6-623.04 (2001). Great weight means acknowledgement of the issues and concerns of these two entities and an explanation of why the Board did or did not find their views persuasive.

The Office of Planning filed four reports with the Board, three of which did not make any recommendation, and one of which, the second of the four, recommended denial. This recommendation was based almost completely on the Public Space Committee’s denial of a request by the applicant to use a large amount of public space. By the time of the hearing, however, more than seven months after OP’s second report, the use of public space was no longer an issue and DDOT was no longer opposed to the application. Therefore, OP’s earlier recommendation of denial has been replaced by its subsequent recommendation of approval, which the Board accepts.

The ANC filed several reports with the Board, all in opposition to the application. Initially, the ANC most strenuously opposed the proposed use of a significant amount of public space by the service station, and the “suburban” design model it claimed the station was based on. Both of these issues were addressed by the Applicant throughout these proceedings, resulting in a reduction of public space usage to the smallest possible, and changes in the design of the station, such as the installation of a smaller fuel cost sign.

The ANC also objected to several other aspects of the application, stating that the service station use at the proposed corner location would lead to an over-concentration of gas stations and convenience stores in the vicinity. The ANC claimed the use would have a negative effect on pedestrian and vehicular traffic along the adjacent sidewalks and streets, resulting in adverse impacts on local businesses and pedestrian flow. The ANC’s filings elaborated that the claimed inadequacy of the proposed on-site circulation would lead to objectionable impacts both on- and off-site. The ANC further alleged that the movements of trucks delivering fuel would eliminate

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parking spaces along public streets, and that left turns into the property from Maryland Avenue would “further degrade the traffic environment.” Exhibit No. 56.

The ANC’s concerns as to traffic and pedestrian safety, as well as to the possible loss of on-street parking, were considered by the Board. There was conflicting evidence presented with respect to whether there were other service stations in the immediate area, but the Board notes that there is no “distance apart” requirement in any of the sections of the Zoning Regulations relevant to this application. Furthermore, the ANC representative himself stated that there are no other service stations within the boundaries of ANC 6A. Hearing Transcript (“Trans.”) at 416, lines 5-8.

The proceedings in this application, from filing date to decision date, transpired over a period of 16 months, and the application underwent many significant changes along the way. The changes improved the design and on-site circulation, and reduced the off-site impacts of the proposed use. No legal on-street parking spaces will be lost as a result of this application, and once the Applicant constructs the raised median, left turns into or out of the property along Maryland Avenue will not be permitted. The ANC representative stated that the ANC would withdraw its statements that left turns from Maryland Avenue would be objectionable if the median were closed. Trans. at 413, lines 14-17. All of these changes have reduced the potential for traffic congestion and pedestrian conflicts to a minimum, and along with the conditions imposed by this Order, will enable the service station to operate safely. The Board, therefore, disagrees with the ANC’s recommendation of denial.

For all the reasons stated above, the Board concludes that the Applicant has satisfied the burden of proof with respect to a special exception pursuant to §§ 743, 706, and 3104, to establish a gasoline service station and convenience store at the subject property. Accordingly, this application, pursuant to Exhibit No. 60, Revised Site Plan, and Exhibit No. 66A, Floor Plan with Elevation & Reduced Sign Size, is hereby **GRANTED, SUBJECT to the following CONDITIONS:**

1. No external sound amplification system shall be used.
2. Deliveries of gasoline shall not be made to the subject property between the hours of 7:00 a.m. and 9:30 a.m. and between 4:00 p.m. and 7:30 p.m.
3. Deliveries of gasoline shall be made by trucks no longer than 35 feet in length, bumper to bumper.
4. Pump island canopy lighting shall be recessed into the canopy, shall not protrude below the canopy, and shall face downward.
5. Flood lights, if used, shall be angled downwards and shielded in order to avoid light spillage on neighboring properties.

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6. Trash enclosure(s) shall be of board-on-board construction consisting of pressure-treated lumber. Trash enclosure(s) are to remain closed and locked except for when throwing out and picking up garbage.
7. The façade material of the convenience store building shall be brick.
8. The height of the pump island canopy shall be no taller than 15 feet, in conformance with 11 DCMR § 2500.4.
9. The height of the fuel cost sign shall be no taller than eight feet.
10. The Applicant shall imprint directional arrows on the pavement and post signage directing vehicles entering the site to utilize fuel pumps to the right, which will facilitate safe internal site circulation.
11. The Applicant shall install, upon DDOT's request and pursuant to its standards, an unbroken, raised median in the center of Maryland Avenue for the length of the property's Maryland Avenue frontage.
12. The landscaping/plantings shall be maintained in a neat and healthy manner.

**VOTE:**           **3-0-2**           (Marc D. Loud, Shane L. Dettman, and Michael G. Turnbull,  
to Approve; two Board members (vacant seats) not participating)

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

A majority of Board members has approved the issuance of this order.

**FINAL DATE OF ORDER:** January 26, 2010

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

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

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE

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CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

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

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

LM

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

**Application No. 18018 of Shawn Ayize Sabater**, pursuant to 11 DCMR §§ 3104.1 and 3103.2, for a variance from the floor area ratio requirements under subsection 771.2, and special exceptions from the zoning boundary line provisions under subsection 2514.2 and to allow required parking spaces to be located on another lot under subsection 2116.6<sup>1</sup>, to allow an addition to an existing commercial building, in the C-2-A District at premises 2616 Georgia Avenue, N.W. (Square 2884, Lot 34).

**HEARING DATE:** January 19, 2010

**DECISION DATE:** January 19, 2010 (Bench Decision)

**SUMMARY ORDER**

**SELF CERTIFIED**

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 6).

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission (ANC) 1B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 1B, which is automatically a party to this application. ANC 1B filed a report, dated December 17, 2009, indicating that the ANC considered and voted unanimously to support the application at a regularly scheduled, duly noticed meeting on October 1, 2009 at which a quorum was present. (Exhibit 27). The Office of Planning (OP) filed a timely report recommending approval of the application. (Exhibit 30). Letters of support from Councilmember Jim Graham, who represents the Ward in which the subject property is located, as well as from Thomas Kwesi Danda Smith, the Chair of ANC 1B and the Single Member District ANC Commissioner, and Darren R. Jones, President, Pleasant Plains Civic Association, were submitted for the record. (Exhibits 22 and 11).

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case

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<sup>1</sup> The application was amended to add the relief under subsection 2116.6 to allow two of the four required parking spaces to be located nearby off-site, while the other two spaces remain on-site. (Exhibit 28).

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pursuant to § 3103.2, for a variance from the floor area ratio requirements under subsection 771.2. Based upon the record before the Board and having given great weight to the ANC and OP reports filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2 and 771.2, that there exists an exceptional or extraordinary situation or condition related to the property that creates an undue hardship for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

In addition, as directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception under 11 DCMR §§ 2514.2 and 2116.6. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the ANC and OP reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1, 2514.2 and 2116.6<sup>2</sup>, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application (pursuant to Exhibit 10 – Plans) be **GRANTED**.

**VOTE:**       **3-0-2** (Marc D. Loud, Meridith H. Moldenhauer, Shane L. Dettman to APPROVE. Two other Board members (one vacant) not present, nor voting.)

**BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT**  
The majority of the Board members approved the issuance of this order.

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<sup>2</sup> With respect to the special exception from § 2116.6, the Board indicated that the ANC's report, because it failed to articulate the actual relief being requested under the Zoning Regulations and incorrectly alluded to an easement instead, could not be given great weight as to that one part of the application. Nevertheless, the Board acknowledged that this did not change the result and its approval of the entire application.

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**FINAL DATE OF ORDER:** January 22, 2010

PURSUANT TO 11 DCMR § 3125.6, THIS ORDER WILL BECOME FINAL UPON ITS FILING IN THE RECORD AND SERVICE UPON THE PARTIES. UNDER 11 DCMR § 3125.9, THIS ORDER WILL BECOME EFFECTIVE TEN DAYS AFTER IT BECOMES FINAL.

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

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

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

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

**Application No. 18019 of Ming Zheng**, pursuant to 11 DCMR § 3104.1, for a special exception for a fast food restaurant (carry-out) under section 733, in the C-2-A District at premises 6215 Georgia Avenue, N.W. (Square 2979, Lot 39).

**HEARING DATE:** January 12, 2010

**DECISION DATE:** January 19, 2010

**SUMMARY ORDER**

**REVIEW BY THE ZONING ADMINISTRATOR**

The application was accompanied by a memorandum from the Zoning Administrator certifying the required relief.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 4B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 4B, which is automatically a party to this application. ANC 4B did not participate in the application. The Office of Planning (OP) submitted a report and testified in conditional support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception under section 733. No parties appeared at the public hearing in opposition to this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the OP report, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 733, as the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application be **GRANTED**.

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**VOTE:**       **4-0-1** (Marc D. Loud, Michael G. Turnbull, Shane L. Dettman and Meridith H. Moldenhauer to Approve. The third mayoral appointee position vacant.)

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

Each concurring member approved the issuance of this order.

**FINAL DATE OF ORDER:** January 21, 2010

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

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

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

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

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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.

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

**Application No. 18022 of Norman and Shirley Scribner**, pursuant to 11 DCMR § 3104.1, for a special exception to allow a one story rear addition to an existing one-family detached dwelling under section 223, not meeting the rear yard requirements (section 404), in the R-1-B District at premises 3951 Harrison Street, N.W. (Square 1754, Lot 913).

**HEARING DATE:** January 19, 2010

**DECISION DATE:** January 19, 2010

**SUMMARY ORDER**

**SELF-CERTIFIED**

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

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 3E and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 3E, which is automatically a party to this application. ANC 3E submitted a letter (Exhibit 20) in support of the application. The Office of Planning (OP) submitted a report (Exhibit 21) and testified in support of the application.

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

Based upon the record before the Board, and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1, and 223, as the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and

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conclusions of law. It is therefore **ORDERED** that this application pursuant to Exhibit No. 7 (Plans) is hereby **GRANTED**.

**VOTE:**       **4-0-1** (Shane L. Dettman, Meridith H. Moldenhauer, Marc D. Loud and Michael G. Turnbull to Approve. The third mayoral appointee position vacant.)

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

Each concurring member approved the issuance of this order.

**FINAL DATE OF ORDER:** January 21, 2010

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

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

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

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

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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.

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

**Application No. 18024 of Columbia Heights Shaw Family Support Collaborative**, pursuant to 11 DCMR § 3104.1, for a special exception for a community service center under section 334 (352), in the R-5-B District at premises 1470 Irving Street, N.W. (Square 2672, Lot 881).

**HEARING DATE:** January 19, 2010  
**DECISION DATE:** January 19, 2010

**SUMMARY ORDER**

**SELF-CERTIFIED**

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

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 1A and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 1A, which is automatically a party to this application. ANC 1A submitted a letter in support of the application. The Office of Planning (OP) submitted a report and testified in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to subsection 3104.1, for special exception under section 334 (352). No parties appeared at the public hearing in opposition to this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1, 334 (352), as the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

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Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application is hereby **GRANTED**.

**VOTE:**       **4-0-1** (Marc D. Loud, Meridith H. Moldenhauer, Shane L. Dettman and Michael G. Turnbull to Approve. The third mayoral appointee position vacant.)

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

Each concurring member approved the issuance of this order.

**FINAL DATE OF ORDER:** January 21, 2010

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

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

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

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

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

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
NOTICE OF FILING  
Z.C. Case No. 10-02  
(Map Amendment @ Square 3499, Lot 3)  
January 20, 2010**

**THIS CASE IS OF INTEREST TO ANC 5C**

On January 15, 2010, the Office of Zoning received an application from Horning Bros., d.b.a. Trinity Commercial LP (the "Applicant") for approval of a Map Amendment for the above-referenced property.

The property that is the subject of this application consists of Square 3499, Lot 3 in Northeast Washington, D.C. (Ward 5) at 200-216 Michigan Avenue, N.E., and known as Trinity Square Shopping Center. The property is currently zoned C-1, and the Applicant proposes a map amendment to rezone the property to C-3-A.

The property is currently improved with a two-story commercial building and a large parking lot. The Applicant is seeking the upzoning in order to redevelop the property "...in a manner more appropriate for an office and retail shopping center located along a major regional commuter thoroughfare, surrounded by institutional uses."

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

**OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES****ERRATA NOTICE****D.C. REGISTER**

The "DC ACTS" section of the Table of Contents of the D.C. Register, Volume 57, No. 4, dated January 22, 2010 references incorrect Bill numbers.

The correct bill numbers are:

**D.C. ACTS**

Act 18-263, "Public Land Surplus Standards Amendment Act of 2009" [Bill 18-76]

Act 18-264, "Fire Alarm Notice and Tenant Fire Safety Amendment Act of 2009" [Bill 18-178]

Act 18-265, "Whistleblower Protection Amendment Act of 2009" [Bill 18-233]

Act 18-266, "Prescription Drug Dispensing Practices Reform Act of 2009" [Bill 18-240]

Act 18-267, "Disclosure of Information to the Council Amendment Act of 2009" [Bill 18-491]

Act 18-268, "Fiscal Year 2010 Limited Grant-Making Authority Clarification Temporary Act of 2009" [Bill 18-533]

Act 18-269, "African American Civil War Memorial Freedom Foundation, Inc. African-American Civil War Museum Approval Temporary Act of 2009" [Bill 18-539]

Act 18-270, "Retirement Incentive Temporary Amendment Act of 2009" [Bill 18-541]

Act 18-271, "Fiscal Year 2010 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Temporary Approval Act of 2009" [Bill 18-543]

Act 18-272, "Contract No. DCPO-2009-C-0008C Approval and Payment Authorization Emergency Act of 2009" [Bill 18-474]

Act 18-273, "Contract No. DCPO-2009-C-0008E Approval and Payment Authorization Emergency Act of 2009" [Bill 18-507]

Act 18-274, "Contract No. DCPO-2009-C-008D Approval and Payment Authorization Emergency Act of 2009" [Bill 18-508]

Act 18-275, "Contract No. DCGD-2009-C-7331 Approval and Payment Authorization  
Emergency Act of 2009" [Bill 18-565]

Act 18-276, "Film DC Economic Incentive Fund Payment Authorization Emergency  
Act of 2009" [Bill 18-566]

Act 18-277, "Hospital and Medical Services Corporation Regulatory Emergency  
Amendment Act of 2009" [Bill 18-567]

Act 18-278, "Contract No. DCHC-2008-C-9091 Approval and Payment Authorization  
Emergency Act of 2009" [Bill 18-576]

Act 18-279, "Abe Pollin City Title Championship and Title Trophy Designation  
Emergency Act of 2009" [Bill 18-581]

Act 18-280, "Executive Grant-Making Authority Limitation Emergency Act of 2009"  
[Bill 18-584]

Act 18-281, "Unauthorized Contract Stop Payment Emergency Act of 2009" [Bill 18-586]

Act 18-282, "Anacostia River Clean Up and Protection Clarification Emergency  
Amendment Act of 2009" [Bill 18-588]

Act 18-283, "Arthur Capper/Carrollsborg Public Improvements Revenue Bonds Approval  
Emergency Amendment Act of 2009" [Bill 18-590]