

District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council enacts Act 22-219, Office on African American Affairs Establishment Act of 2017
- Office of the D.C. Auditor publishes the Advisory Neighborhood Commission (ANC) Security Fund Annual Financial Report for Fiscal Year 2017
- Office of the Chief Financial Officer announces an increase for 2018 Homestead Deduction, Trash Collection Credit Amount, and Senior Income Threshold
- Department of Health Care Finance publishes the Medicaid Fee Schedule Updates for the District of Columbia Office of State Superintendent of Education Early Intervention Services
- Department of Housing and Community Development announces the selection of the V Street Project for the 2017 Low Income Housing Tax Credit Qualified Allocation Plan
- Office of the Deputy Mayor for Planning and Economic Development solicits applications for the FY18 Neighborhood Prosperity Fund for mixed use projects
- D.C. Public Schools proposes rules implementing the out-of-boundary transfers submitted through My School DC Lottery program

DISTRICT OF COLUMBIA REGISTER

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MAYOR

VICTOR L. REID, ESQ.
ADMINISTRATOR

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COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 22-37

“Standard of Care for Animals Amendment Act of 2017”

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 22-64 on first and second readings July 11, 2017, and October 3, 2017, respectively. Following the signature of the Mayor on October 24, 2017, pursuant to Section 404(e) of the Charter, the bill became Act 22-170 and was published in the November 10, 2017 edition of the D.C. Register (Vol. 64, page 11682). Act 22-170 was transmitted to Congress on November 6, 2017 for a 30-day review, in accordance with Section 602(c) (1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the Congressional review period has ended, and Act 22-170 is now D.C. Law 22-37, effective December 20, 2017.



Phil Mendelson
Chairman of the Council

Days Counted During the Congressional Review Period:

November 6, 7, 8, 9, 13, 14, 15, 16, 17, 20, 21, 22, 24, 27, 28, 29, 30
December 1, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 18, 19

ENROLLED ORIGINAL

AN ACT

D.C ACT 22-219

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 28, 2017

To establish an Office on African American Affairs to monitor the delivery of services and make policy recommendations to the Mayor and Council regarding housing, health, education, employment, social services, public safety, and business opportunities that aid the District's African American community, to assist community organizations aiding the African American community, and to apply for and issue grants that will assist African Americans.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Office on African American Affairs Establishment Act of 2017".

Sec. 2. Establishment of the Office on African American Affairs.

(a) There is established an Office on African American Affairs ("OAAA"), which shall monitor the delivery of services and make policy recommendations to the Mayor and Council regarding housing, health, education, employment, social services, public safety, and business opportunities for the District's African American community.

(b) OAAA shall be headed by an Executive Director, who shall be appointed by the Mayor with the advice and consent of the Council pursuant to section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)). The Executive Director shall be a full-time position, for which annual compensation shall be fixed in accordance with Title X-A of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-610.51 *et seq.*). The Executive Director shall have such staff as is appropriated in an approved budget or provided through federal or private grants.

Sec. 3. Duties of the Executive Director.

(a) The Executive Director shall:

(1) Serve as an advocate for the needs of the District's African American community, as those needs relate to housing, health, education, employment, social services, public safety, and expanding business opportunities;

(2) Assist community organizations in developing and submitting grant applications;

ENROLLED ORIGINAL

(3) Provide information and technical assistance on programs and services for the African American community to the Mayor, the Council, Advisory Neighborhood Commissions, other District government agencies, and the community;

(4) Respond to recommendations and policy statements from the Commission on African American Affairs (“CAAA”), established by the Commission on African-American Affairs Establishment Act of 2012, effective March 14, 2012 (D.C. Law 19-106; D.C. Official Code § 3-1441 *et seq.*);

(5) File with the Mayor and Council, no later than December 31 annually, an annual report on the operations of OAAA based on the previous fiscal year;

(6) Identify areas for service improvement and bring these areas to the attention of the Mayor and CAAA, with recommendations for how to meet any needs, including conducting or funding research and demonstration projects to test the recommendations; and

(7) Ensure the necessary control, evaluation, audit, and reporting on programs funded through OAAA.

(b) The Executive Director may:

(1) Accept volunteer services and funds from the public and private sectors to supplement the budget of OAAA in carrying out its planning duties and responsibilities;

(2) Apply for, receive, and expend gifts or grants of money to carry out the duties and responsibilities of OAAA; and

(3) Issue grants to organizations that provide housing, education, health, workforce development, employment, criminal justice reform, and economic opportunity-related services to the District’s African American residents; provided, that grants shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

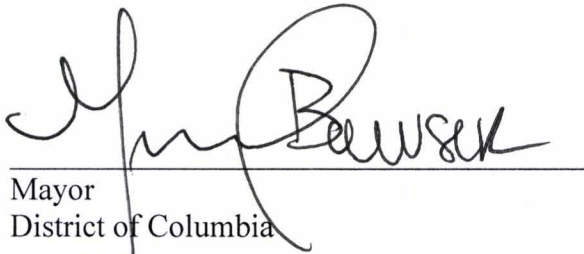
The act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
December 28, 2017

ENROLLED ORIGINAL

AN ACT

D.C. ACT 22-220

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 28, 2017

To amend the District of Columbia Health Occupations Revision Act of 1985 to allow advanced practice registered nurses to sign, certify, stamp, or endorse all documents related to healthcare within the scope of their authorized practice.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Advanced Practice Registered Nurse Signature Authority Amendment Act of 2017”.

Sec. 2. Section 604 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1206.04), is amended as follows:

- (a) Paragraph (3) is amended by striking the phrase “; and” and inserting a semicolon in its place.
- (b) Paragraph (4) is amended by striking the period and inserting the phrase “; and” in its place.
- (c) A new paragraph (5) is added to read as follows:
 “(5) Sign, certify, stamp, or endorse all documents that require a signature by a physician, in place of a physician, provided it is within the scope of their authorized practice.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 28, 2017

ENROLLED ORIGINAL

AN ACT

D.C. ACT 22-221

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 28, 2017

To require, on an emergency basis, that any amendment to the terms medical necessity or medically necessary, as those terms are defined in section 3499.1 of Title 22A of the District of Columbia Municipal Regulations, be issued by the Department of Behavioral Health by rulemaking, to require the Department of Behavioral Health to issue rules to establish criteria to determine whether mental health rehabilitation services are medically necessary pursuant to section 3404.2 of Title 22A of the District of Columbia Municipal Regulations, and to subject such rules to Council approval.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Medical Necessity Review Criteria Emergency Amendment Act of 2017”.

Sec. 2. Section 5119 of the Department of Behavioral Health Establishment Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 7-1141.08), is amended as follows:

(a) The section heading is amended to read as follows:

“Sec. 5119. Rules.”.

(b) Designate the existing text as subsection (a).

(c) A new subsection (b) is added to read as follows:

“(b)(1) Any amendment to the terms medical necessity or medically necessary, as those terms are defined in section 3499.1 of Title 22A of the District of Columbia Municipal Regulations (22A DCMR § 3499.1), shall be issued by the Department by rulemaking.

“(2) The Department shall issue rules to establish criteria to determine whether mental health rehabilitation services, as that term is defined in section 3499.1 of Title 22A of the District of Columbia Municipal Regulations (22A DCMR § 3499.1), are medically necessary pursuant to section 3404.2 of Title 22A of the District of Columbia Municipal Regulations (22A DCMR § 3404.2).

“(3) The rules issued pursuant to this subsection shall be submitted to the Council for a 45-day period of review, excluding days of Council recess. If the Council does not approve or disapprove the proposed rules, by resolution, within the 45-day review period, the proposed rules shall be deemed approved.”.


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Sec. 3. Fiscal impact statement.

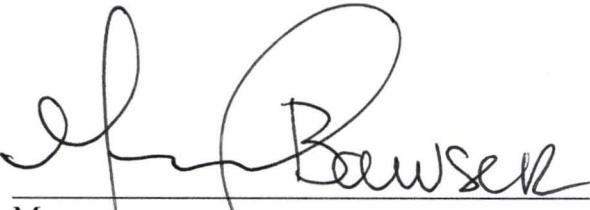
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 28, 2017

ENROLLED ORIGINAL

AN ACT

D.C. ACT 22-223

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 29, 2017

To amend the Department of Health Care Finance Establishment Act of 2007 to require the Department of Health Care Finance to explore the feasibility of incorporating D.C. Healthcare Alliance coverage into the District of Columbia Health Benefit Exchange Authority's D.C. Health Link program; and to amend the Health Care Privatization Amendment Act of 2001 to require enrollees in the D.C. HealthCare Alliance to recertify their enrollment on an annual basis.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "D.C. Healthcare Alliance Re-Enrollment Reform Amendment Act of 2017".

Sec. 2. Section 8 of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.07), is amended as follows:

(a) Paragraph (11) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(b) Paragraph (12) is amended by striking the period at the end and inserting the phrase “; and” in its place.

(c) A new paragraph (13) is added to read as follows:

“(13) Explore the feasibility of incorporating D.C. Healthcare Alliance coverage into the District of Columbia Health Benefit Exchange Authority's D.C. Health Link program.”.

Sec. 3. Section 7b of the Health Care Privatization Amendment Act of 2001, effective July 12, 2001 (D.C. Law 14-18; 64 DCR 10929), is amended to read as follows:

“Sec. 7b. D.C. HealthCare Alliance recertification.

“D.C. Healthcare Alliance program enrollees shall be required to recertify their enrollment annually. Enrollees may recertify in-person with the Department of Human Services or with the District of Columbia Health Benefit Exchange Authority, if the D.C. Healthcare Alliance program is incorporated into the D.C. Health Link program. Enrollees may also recertify in-person at a community health provider that is approved by the Department of Health Care Finance for such purposes.”.

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Sec. 4. Applicability.

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.


(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 5. Fiscal impact statement

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

The act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia

UNSIGNED
Mayor
District of Columbia

December 28, 2017

ENROLLED ORIGINAL

AN ACT

D.C. ACT 22-224

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 29, 2017

To provide the Department of Health Care Finance with independent procurement authority, which exempts the agency from the Procurement Practices Reform Act, the Chief Procurement Officer's Authority, and the Small and Certified Business Enterprise Development and Assistance Act of 2005 for the specific purpose of issuing a contract to a company to manage and operate the United Medical Center.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Department of Health Care Finance Independent Procurement Authority Temporary Amendment Act of 2017".

Sec. 2. Section 105(c) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.05(c)), is amended as follows:

(a) Paragraph (18) is amended by striking the word "and" at the end.

(b) Paragraph (19) is amended by striking the period at the end and inserting the phrase "; and" in its place.

(c) A new paragraph (20) is added to read as follows:

"(20) The procurement of services by the Department of Health Care Finance ("Department") for the management and operation of the United Medical Center; provided, that:

"(A) The procurement is conducted through a competitive process, as determined by the Department, producing not less than 2 responsive proposals; and

"(B) Sections 202, 401a, 415, and Title X of this act shall apply."

Sec. 3. Section 2351 of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.51), is amended by adding a new subsection (c) to read as follows:

"(c) Notwithstanding subsections (a), (a-1), and (b) of this section, the subcontracting requirements of section 2346 may be waived by the Director of the Department of Health Care Finance for a procurement solicited pursuant to section 105(c)(20) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.05(c)(20))."

ENROLLED ORIGINAL


Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 54. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia

~~UNSIGNED~~
Mayor
District of Columbia
December 20, 2017

ENROLLED ORIGINAL

A RESOLUTION

22-256

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 7, 2017

To declare that the District-owned real property located at 1923 Vermont Avenue, N.W., and 912 U Street, N.W., and known for tax and assessment purposes as Lots 0827 and 0833 in Square 0361, is no longer required for public purposes.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Grimke School Surplus Property Declaration Resolution of 2017”.

Sec. 2. Findings.

(a) The District is the owner of the real property located at 1923 Vermont Avenue, N.W., and 912 U Street, N.W., known for tax and assessment purposes as Lots 0827 and 0833 in Square 0361 (“Property”). The Property consists of the following 2 parcels:

(1) The first parcel consists of approximately 37,926 square feet of land that includes the historic Grimke School, which is approximately 52,356 gross square feet, the current location of the African American Civil War Museum, and accessory parking; and

(2) The second parcel consists of approximately 5,872 square feet of land.

(b) The Property is no longer required for public purposes because the Property’s condition cannot viably accommodate a District agency use or other public use without cost-prohibitive new construction. The most pragmatic solution for reactivating this space is to declare the Property surplus and dispose of the Property for redevelopment.

(c) The District has satisfied the public hearing requirements of section 1(b-5) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(b-5) (“Act”), by holding a public hearing on September 18, 2015, at the Thurgood Marshall Center, located at 1816 12th Street, N.W.

Sec. 3. Pursuant to section 1(a-1) of the Act, the Council finds that the Property is no longer required for public purposes.

Sec. 4. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

ENROLLED ORIGINAL

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-257

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 7, 2017

To approve the disposition of District-owned real property located at 1923 Vermont Avenue, N.W., and 912 U Street, N.W., formerly the Grimke School, known for taxation and assessment purposes as Lots 0827 and 0833 in Square 0361.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Grimke School Disposition Approval Resolution of 2017”.

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) “Act” means An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*).

(2) “CBE Act” means the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*).

(3) “Certified Business Enterprise” means a business enterprise or joint venture certified pursuant to the CBE Act.

(4) “Developer” means Community Three Grimke, LLC, a District of Columbia limited liability company, with a business address of 1326 H Street, N.E., Washington DC 20002, comprised wholly of Community Three Development, LLC, with a business address of 1326 H Street, N.E., Washington DC 20002, or its successors, or affiliates or assignees, as approved by the Mayor.

(5) “First Source Agreement” means an agreement with the District governing certain obligations of the Developer pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor’s Order 83-265, dated November 9, 1983, regarding job creation and employment generated as a result of the construction on the Property.

(6) “Property” means the real property located at located at 1923 Vermont Avenue, N.W., and 912 U Street, N.W., and known for taxation and assessment purposes as Lots 0827 and 0833 in Square 0361.

ENROLLED ORIGINAL

Sec. 3. Findings.

(a) The Property consists of an approximately 38,000 square-foot parcel that includes the historic Grimke School, which is approximately 52,000 gross square feet and the current location of the African American Civil War Museum, and accessory parking, and an adjacent parcel of approximately 5,900 square feet that is currently used as a parking lot.

(b) The intended use of the Property is a mixed-use development including multifamily residential, affordable housing, and retail development, space for cultural uses, including the African-American Civil War Museum, and ancillary uses allowed under applicable law, and as further described in the term sheet submitted with this resolution (“Project”), in accordance with section 1 (b-1) of the Act.

(c) The Developer shall comply with the requirements of the Act, including dedicating at least 30% of all multi-family units in the Project as affordable-housing units, pursuant to section 1(b-3) of the Act.

(d) The Developer shall enter into an agreement that shall require the Developer to, at a minimum, contract with Certified Business Enterprises for at least 35% of the contract dollar volume of the Project and at least 20% equity and 20% development participation of Certified Business Enterprises in the Project, in accordance with section 2349a of the CBE Act and 1(b)(6) of the Act.

(e) The Developer shall enter into a First Source Agreement.

(f) Pursuant to section 1(b)(8)(C) and (F) of the Act, the proposed method of dispositions are a lease of greater than 15 years and a public or private sale to the bidder providing the most benefit to the District, as further described in the documents submitted to the Council with this resolution, in accordance with section 1(b-1) of the Act.

(g) The District has satisfied the public hearing requirements of section 1(b-5) of the Act, as amended by the Land Disposition Transparency Temporary Amendment Act of 2017, effective June 10, 2017 (D.C. Law 22-2; 64 DCR 4021).

(h) The Land Disposition and Development Agreement for the disposition of the real property shall not be inconsistent with the substantive business terms of the transaction submitted by the Mayor with this resolution in accordance with section 1(b-1)(2) of the Act, unless revisions to those substantive business terms are approved by the Council.

Sec. 4. Approval of disposition.

(a) Pursuant to the Act, the Mayor transmitted to the Council a request for approval of the disposition of the Property to the Developer.

(b) The Council approves the disposition of the Property.

Sec. 5. Supersession of prior disposition authority.

This resolution supersedes the Grimke School, N.W., Disposition Approval Resolution of 2016, effective February 2, 2016 (Res. 21-376; 63 DCR 1503).

ENROLLED ORIGINAL

Sec. 6. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 7. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 8. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-258

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 7, 2017

To declare that the District-owned real property located at 925 13th Street, N.W., and known for tax and assessment purposes as Lot 808 in Square 285, is no longer required for public purposes.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Franklin School Surplus Property Declaration Resolution of 2017”.

Sec. 2. Findings.

(a) The District is the owner of the real property located at 925 13th Street, N.W., known for tax and assessment purposes as Lot 808 in Square 285 (“Property”). The Property consists of a building containing approximately 51,000 square feet situated on approximately 14,938 square feet of land.

(b) The Property is no longer required for public purposes because the Property’s condition cannot viably accommodate a District agency use without cost-prohibitive renovation. The most pragmatic solution for reactivating this space is to declare the Property surplus and dispose of the Property for redevelopment.

(c) The District has satisfied the public hearing requirements of section 1(b-5) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(b-5)) (“Act”), by holding a public hearing on November 18, 2010, at Thompson Elementary School, located at 1200 L Street, N.W.

Sec. 3. Pursuant to section 1(a-1) of the Act, the Council determines that the Property is no longer required for public purposes.

Sec. 4. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-259

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 7, 2017

To approve the disposition of District-owned real property located at 925 13th Street, N.W., formerly the Franklin School, known for taxation and assessment purposes as Lot 808 in Square 285.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Franklin School Disposition Approval Resolution of 2017”.

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) “Act” means An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*).

(2) “CBE Act” means the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*).

(3) “Certified Business Enterprise” means a business enterprise or joint venture certified pursuant to the CBE Act.

(4) “Developer” means Franklin School Development LLC, a District of Columbia limited liability company, with a business address of 1300 I Street, N.W., Suite 400E, Washington, DC 20005, or its successors, assignees, sublessees, or affiliates, as approved by the Mayor.

(5) “First Source Agreement” means an agreement with the District governing certain obligations of the Developer pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor’s Order 83-265, dated November 9, 1983, regarding job creation and employment generated as a result of the construction on the Property.

(6) “Project” means the development of the property for use as a museum and ancillary uses allowed under applicable law and as further described in the term sheet submitted to the Council with this resolution, in accordance with section 1(b-1) of the Act.

ENROLLED ORIGINAL

(7) "Property" means the real property and improvements located at 925 13th Street, N.W., commonly known as the Franklin School, and known for taxation and assessment purposes as Lot 808 in Square 285.

Sec. 3. Findings.

(a) The Property consists of a rectangular-shaped lot of approximately 14,938 square feet in total land area improved by the approximately 51,000 square-foot historic Franklin School Building.

(b) The Developer shall comply with the requirements of the Act.

(c) The Developer shall enter into an agreement that shall require the Developer to, at a minimum, contract with Certified Business Enterprises for at least 35% of the contract dollar volume of the Project and at least 20% equity and 20% development participation of Certified Business Enterprises in the Project, in accordance with section 2349a of the CBE Act and 1(b)(6) of the Act.

(d) The Developer shall enter into a First Source Agreement.

(e) The proposed method of disposition is a lease of greater than 15 years pursuant to section 1(b)(8)(C) of the Act, as further described in the documents submitted to the Council with this resolution, in accordance with section 1(b-1) of the Act.

(f) The District has satisfied the public hearing requirements of section 1(b-5) of the Act, as amended by the Land Disposition Transparency Temporary Amendment Act of 2017, effective June 10, 2017 (D.C. Law 22-2; 64 DCR 4021).

(g) The Land Disposition and Development Agreement for the disposition of the real property shall not be inconsistent with the substantive business terms of the transaction submitted by the Mayor with this resolution in accordance with section 1(b-1)(2) of the Act, unless revisions to those substantive business terms are approved by the Council.

Sec. 4. Approval of disposition.

(a) Pursuant to the Act, the Mayor transmitted to the Council a request for approval of the disposition of the Property to the Developer.

(b) The Council approves the disposition of the Property.

Sec. 5. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 7. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-294

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 7, 2017

To declare the existence of an emergency with respect to the need to confirm the reappointment of Mr. Charles J. Murphy to the Public Employee Relations Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Public Employee Relations Board Charles J. Murphy Confirmation Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists an immediate need to appoint a neutral public member of the Public Employee Relations Board (“Board”), to continue the Board’s activity.

(b) Mr. Charles J. Murphy has been nominated for reappointment to the position, has served previous terms with distinction, and meets the statutory requirements related to background and experience.

(c) If confirmed, Mr. Murphy would serve 3 consecutive terms on the Public Employee Relations Board, although his prior 2 terms were partial terms. However, section 501(h) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-605.01(h)) (“the Act”), currently stipulates that no person shall serve for more than 2 consecutive terms.

(d) The Public Employee Relations Board Term Limit Emergency Amendment Act of 2017, introduced on November 1, 2017 (Bill 22-542)(“Emergency Act”), would amend the Act to authorize members to serve 3 consecutive terms on the Board. Upon the effective date of the Emergency Act, Mr. Murphy could be reappointed to a 3rd consecutive term.

(e) If the Council does not approve Mr. Murphy’s nomination, contingent upon the enactment of the Emergency Act, his nomination will be deemed disapproved on November 20, 2017.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Public Employee Relations Board Charles J. Murphy Emergency Confirmation Resolution of 2017 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-295

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 7, 2017

To confirm, on an emergency basis, the reappointment of Mr. Charles J. Murphy to the Public Employee Relations Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Public Employee Relations Board Charles J. Murphy Emergency Confirmation Resolution of 2017”.

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Charles J. Murphy
1000 New Jersey Avenue, S.W. #513
Washington, D.C. 20003
(Ward 6)

as a neutral public member of the Public Employee Relations Board, established by section 501 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-605.01), for a term to end December 12, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect upon the effective date of the Public Employee Relations Board Term Limit Emergency Amendment Act of 2017, passed on emergency basis on November 7, 2017 (Enrolled version of Bill 22-542).

ENROLLED ORIGINAL

A RESOLUTION

22-296

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 7, 2017

To declare the existence of an emergency with respect to the need to confirm the reappointment of Ms. Ann Hoffman to the Public Employee Relations Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Public Employee Relations Board Ann Hoffman Confirmation Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists an immediate need to appoint a neutral public member of the Public Employee Relations Board (“Board”), to continue the Board’s activity.

(b) Ms. Ann Hoffman has been nominated for reappointment to the position, has served previous terms with distinction, and meets the statutory requirements related to background and experience.

(c) If confirmed, Ms. Hoffman would serve 3 consecutive terms on the Public Employee Relations Board, although her prior 2 terms were partial terms. However, section 501(h) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-605.01(h)) (“the Act”), currently stipulates that no person shall serve for more than 2 consecutive terms.

(d) The Public Employee Relations Board Term Limit Emergency Amendment Act of 2017, introduced on November 1, 2017 (Bill 22-542)(“Emergency Act”), would amend the Act to authorize members to serve 3 consecutive terms on the Board. Upon the effective date of the Emergency Act, Ms. Hoffman could be reappointed to a 3rd consecutive term.

(e) If the Council does not approve Ms. Hoffman’s nomination, contingent upon the enactment of the Emergency Act, her nomination will be deemed disapproved on November 20, 2017.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Public Employee Relations Board Ann Hoffman Emergency Confirmation Resolution of 2017 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-297

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 7, 2017

To confirm, on an emergency basis, the reappointment of Ms. Ann Hoffman to the Public Employee Relations Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Public Employee Relations Board Ann Hoffman Emergency Confirmation Resolution of 2017”.

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Ann Hoffman
2810 McKinley Street, N.W.
Washington, D.C. 20015
(Ward 4)

as a neutral public member of the Public Employee Relations Board, established by section 501 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-605.01), for a term to end December 12, 2019.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect upon the effective date of the Public Employee Relations Board Term Limit Emergency Amendment Act of 2017, passed on emergency basis on November 7, 2017 (Enrolled version of Bill 22-542).

ENROLLED ORIGINAL

A RESOLUTION

22-300

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 7, 2017

To declare the existence of an emergency with respect to the need to approve the compensation agreement between the Fire and Emergency Medical Services Department and the International Association of Fire Fighters, Local 36 necessary for employees in Compensation Unit 4 to participate in a Field Training and Education Program for paramedics.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Agreement between the International Association of Fire Fighters, Local 36 and the Fire and Emergency Medical Services Department Emergency Declaration Resolution of 2017”.

Sec. 2. (a) The Fire and Emergency Medical Services Department (“FEMS”) is launching a reorganized and enhanced Field Training and Education Program (“FTEP”). The FTEP is intended to formalize mentoring of new Advanced Life Support (“ALS”) hires and those Emergency Medical Technicians (“EMT”) who are advancing from EMT to paramedic roles. The FTEP will also be used in whole or in part by the Medical Director to provide remedial training to current ALS providers. The FTEP will require the establishment of dedicated field training officers.

(b) The FTEP will orient ALS providers new to the FEMS system so that they may perform independently and competently in the field, ensure providers will be delivering consistently high-quality medical care to patients, and provide a more complete picture of both individual and general provider strengths and weaknesses. In addition, the FTEP will adequately assess both emergency and medical services (“EMS”) operational and clinical competence before releasing an individual provider to practice independently within the FEMS system, provide a structured program and resources for providers who would benefit from remediation training on or reorientation to specific aspects of medical care and EMS operations, and provide ALS providers with an experiential learning experience.

(c) In order to make the salary increases to certain employees in Compensation Unit 4 selected to the FTEP for paramedics and effectuate the salary modifications, it is necessary for the Council to approve on an emergency basis the compensation agreement between the Fire and Emergency Medical Services Department and the International Association of Fire Fighters, Local 36, which was transmitted by the Mayor to the Council on November 3, 2017.

ENROLLED ORIGINAL

Compensation is necessary for those individuals participating as mentors in the FTEP, and immediate approval of the agreement will permit the implementation of the FTEP with the current class of paramedics.

(d) Failure to authorize and pay the additional compensation in accordance with the express terms of the negotiated compensation agreement in an expeditious fashion will delay implementation of the FTEP.

(e) Such a delay may result in undermining the confidence of union members in the District government and its leadership.

(f) Failure to act in an expedited manner may jeopardize the future relationship between labor and management in the District.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Agreement between the International Association of Fire Fighters, Local 36 and the Fire and Emergency Medical Services Department Emergency Approval Resolution of 2017 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-301

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 7, 2017

To approve, on an emergency basis, the compensation agreement between the Fire and Emergency Medical Services Department and the International Association of Fire Fighters, Local 36 necessary for employees in Compensation Unit 4 to participate in a Field Training and Education Program for paramedics.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Agreement between the International Association of Fire Fighters, Local 36 and the Fire and Emergency Medical Services Department Emergency Approval Resolution of 2017”.

Sec. 2. Pursuant to section 1717(j) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-617.17(j)), the Council approves the compensation agreement between the Fire and Emergency Medical Services Department and the International Association of Fire Fighters, Local 36 (Compensation Unit 4), which was transmitted by the Mayor to the Council on November 3, 2017.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the International Association of Firefighters, Local 36 and the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-303

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 7, 2017

To approve, on an emergency basis, the compensation agreement between the American Federation of Government Employees, Local 3721 and the Fire and Emergency Medical Services Department necessary for employees to participate in a Field Training and Education Program for paramedics.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Agreement between the American Federation of Government Employees, Local 3721 and the Fire and Emergency Medical Services Department Emergency Approval Resolution of 2017”.

Sec. 2. Pursuant to section 1717(j) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code 1-617.17(j)), the Council approves the compensation agreement between the Fire and Emergency Medical Services Department and the American Federation of Government Employees, Local 3721, which was transmitted by the Mayor to the Council on November 3, 2017.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the American Federation of Government Employees, Local 3721 and the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-312

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 5, 2017

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Fiscal Year 2018 Budget Support Act of 2017, the Clean and Affordable Energy Act of 2008, the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006, the Protecting Pregnant Workers Fairness Act of 2014, the Healthy Schools Act of 2010, the District of Columbia Real Estate Deed Recordation Tax Act, Title 47 of the District of Columbia Official Code, the Marion S. Barry Summer Youth Employment Expansion Amendment Act of 2016, the Early Childhood and School-Based Behavioral Health Infrastructure Act of 2012, the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, and Title 5-E of the District of Columbia Municipal Regulations to clarify provisions supporting the Fiscal Year 2018 budget; to provide funding for the collective bargaining agreement between the District of Columbia Public Schools and the Washington Teachers Union and additional funding to District of Columbia public charter schools; and to authorize certain one-time payments to District of Columbia public charter schools.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Fiscal Year 2018 Budget Support Clarification Congressional Review Emergency Declaration Resolution of 2017”.

Sec. 2. (a) On June 27, 2017, the Council passed Bill 22-244, the Fiscal Year 2018 Budget Support Act of 2017 (“Act”). Following the passage of the Act, staff at the Office of the Chief Financial Officer and the Council identified certain provisions in the Act that needed to be clarified or amended to effectuate their intent.

(b) On October 3, 2017, the Council passed Bill 22-491, the Fiscal Year 2018 Budget Support Clarification Emergency Amendment Act of 2017 (“Emergency Act”), which included the conforming amendments, clarifying provisions, or other minor amendments that were necessary to clarify the law and implement the Fiscal Year 2018 Budget and Financial Plan. The Emergency Act also included legislative changes necessary to provide funding for and to implement the contract between the District of Columbia Public Schools and the Washington Teachers’ Union.

(c) The Emergency Act will expire on December 30, 2017.

(d) On November 7, 2017, the Council passed Bill 22-492, the Fiscal Year 2018 Budget Support Clarification Temporary Amendment Act of 2017 (“Temporary Act”). On November 29, 2017, the Mayor signed the Temporary Act into law and thereafter returned it to the Council for transmittal to Congress.

ENROLLED ORIGINAL

(e) The congressional review period for the Temporary Act will create a gap in authority between the expiration of the Emergency Act and the effective date of the Temporary Act. This emergency act is necessary to prevent a gap in the legal authority.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2018 Budget Support Clarification Congressional Review Emergency Amendment Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-318

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 5, 2017

To declare that the District-owned real property located at 1201-1215 Good Hope Road, S.E., known for tax and assessment purposes as Lots 1017, 847, 867, 866, and 864 in Square 5769, and at 1909, 1911, and 1913 Martin Luther King, Jr. Avenue, S.E., known for tax and assessment purposes as Lot 829 in Square 5770, is no longer required for public purposes.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “MLK Gateway Surplus Property Declaration Resolution of 2017”.

Sec. 2. Findings.

(a) The District is the owner of the real property located at 1201-1215 Good Hope Road, S.E., known for tax and assessment purposes as Lots 1017, 847, 867, 866, and 864 in Square 5769, and at 1909, 1911, and 1913 Martin Luther King, Jr. Avenue, S.E., known for tax and assessment purposes as Lot 829 in Square 5770 (“Property”). The Property consists of the following 2 parcels:

(1) The first parcel consists of approximately 13,287 square feet of land;
and

(2) The second parcel consists of approximately 5,400 square feet of land.

(b) The Property is no longer required for public purposes because the Property’s condition cannot viably accommodate a District agency use or other public use without cost-prohibitive new construction. The most pragmatic solution for reactivating this space is to declare the Property surplus and dispose of the Property for redevelopment.

(c) The District has satisfied the public hearing requirements of section 1(b-5) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(b-5)) (“Act”), by holding a public hearing on July 27, 2017, at the DHCD Housing Resource Center, located at 1800 Martin Luther King, Jr. Avenue, S.E.

Sec. 3. Pursuant to section 1(a-1) of the Act, the Council finds that the Property is no longer required for public purposes.

ENROLLED ORIGINAL

Sec. 4. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-319

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 5, 2017

To approve the disposition of District-owned real property known as MLK Gateway, located at 1201-1215 Good Hope Road, S.E., known for tax and assessment purposes as Lots 1017, 847, 867, 866, and 864 in Square 5769, and at 1909, 1911, and 1913 Martin Luther King, Jr. Avenue, S.E., known for tax and assessment purposes as Lot 829 in Square 5770.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “MLK Gateway Disposition Approval Resolution of 2017”.

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) “Act” means An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*).

(2) “CBE Act” means the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*).

(3) “Certified Business Enterprise” means a business enterprise or joint venture certified pursuant to the CBE Act.

(4) “Developer” means MLK Gateway Partner, LLC , a District of Columbia limited liability company, with a business address of 3401 8th Street, N.E., comprised of the Menkiti Group, with a business address of 3401 8th Street, N.E., Washington, D.C. 20017, or its successors, or one of its affiliates or assignees, and Enlightened Inc., with a business address of 1101 Connecticut Avenue, N.W., Washington, D.C. 20036, or its successors, or one of its affiliates or assignees, as approved by the Mayor.

(5) “First Source Agreement” means an agreement with the District governing certain obligations of the Developer pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor’s Order 83-265, dated November 9, 1983, regarding job creation and employment generated as a result of the construction on the Property.

(6) “Project” means a mixed-use commercial project, including renovating the historic storefronts, new office and retail space, and any ancillary uses allowed under applicable law, and as further described in the term sheet submitted with this resolution, in accordance with section 1(b-1) of the Act.

ENROLLED ORIGINAL

(7) "Property" means the real property located at 1201-1215 Good Hope Road, S.E., known for tax and assessment purposes as Lots 1017, 847, 867, 866, and 864 in Square 5769, and at 1909, 1911, and 1913 Martin Luther King, Jr. Avenue, S.E., known for tax and assessment purposes as Lot 829 in Square 5770.

Sec. 3. Findings.

- (a) The Property consists of approximately 18,687 square feet of land.
- (b) The intended use of the Property is a mixed-use commercial project as further described in section 2(6).
- (c) The Developer shall comply with the requirements of the Act.
- (d) The Developer shall enter into an agreement that shall require Developer to, at a minimum, contract with Certified Business Enterprises for at least 35% of the contract dollar volume of the Project, and shall require at least 20% equity and 20% development participation of Certified Business Enterprises in the Project, in accordance with section 2349a of the CBE Act and section 1(b)(6) of the Act.
- (e) The Developer shall enter into a First Source Agreement.
- (f) The proposed method of disposition is a lease of greater than 15 years pursuant to section 1(b)(8)(C) of the Act, as further described in the documents submitted to the Council with this resolution, in accordance with section 1(b-1) of the Act.
- (g) The District has satisfied the public hearing requirements of section 1(b-5) of the Act, as amended by the Land Disposition Transparency Temporary Amendment Act of 2017, effective June 10, 2017 (D.C. Law; 64 DCR 4021).
- (h) The Land Disposition Agreement for the disposition of the real property shall not be inconsistent with the substantive business terms of the transaction submitted by the Mayor with this resolution in accordance with section 1(b-1)(2) of the Act, unless revisions to those substantive business terms are approved by the Council.

Sec. 4. Approval of disposition.

- (a) Pursuant to the Act, the Mayor transmitted to the Council a request for approval of the disposition of the Property to the Developer.
- (b) The Council approves the disposition of the Property.

Sec. 5. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec.7. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-320

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 5, 2017

To declare that the District-owned real property located at 1520-1522 North Capitol Street, N.W., and known for tax and assessment purposes as Lot 0842 in Square 0615, is no longer required for public purposes.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Truxton Circle Parcel Surplus Property Declaration Resolution of 2017”.

Sec. 2. Findings.

(a) The District is the owner of the real property located at 1520-1522 North Capitol Street, N.W., known for tax and assessment purposes as Lot 0842 in Square 0615 (“Property”). The Property consists of approximately 4,982 square feet of land.

(b) The Property is no longer required for public purposes because the Property’s condition cannot viably accommodate a District agency use or other public use without cost-prohibitive new construction. The most pragmatic solution for reactivating this space is to declare the Property surplus and dispose of the Property for redevelopment.

(c) The District has satisfied the public hearing requirements of section 1(b-5) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(b-5)) (“Act”), by holding a public hearing on July 17, 2017, at the Mount Sinai Baptist Church, located at 1615 3rd Street, N.W.

Sec. 3. Pursuant to section 1(a-1) of the Act, the Council finds that the Property is no longer required for public purposes.

Sec. 4. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-321

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 5, 2017

To approve the disposition of District-owned real property located at 1520-1522 North Capitol Street, N.W., known for tax and assessment purposes as Lot 0842 in Square 0615.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Truxton Circle Parcel Disposition Approval Resolution of 2017”.

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) “Act” means An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*).

(2) “CBE Act” means the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*).

(3) “Certified Business Enterprise” means a business enterprise or joint venture certified pursuant to the CBE Act.

(4) “Developer” means Cycle House, LLC, a District of Columbia limited liability company, with a business address of 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20006, or its successors, or one of its affiliates or assignees, as approved by the Mayor, and comprised of Urban Green L.L.C., with a business address of 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20006, or its successors, or one of its affiliates or assignees, as approved by the Mayor; and Flywheel Development L.L.C., with a business address of 751 Hobart Place, N.W., Washington, D.C. 20001, or its successors, or one of its affiliates or assignees, as approved by the Mayor.

(5) “First Source Agreement” means an agreement with the District governing certain obligations of the Developer pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor’s Order 83-265, dated November 9, 1983, regarding job creation and employment generated as a result of the construction on the Property.

(6) “Project” means a mixed-use development, including affordable housing, commercial space, and any ancillary uses allowed under applicable law, and as further described

ENROLLED ORIGINAL

in the term sheet submitted to the Council with this resolution, in accordance with section 1(b-1) of the Act.

(7) "Property" means the real property located at 1520-1522 North Capitol Street, N.W., known for tax and assessment purposes as Lot 0842 in Square 0615.

Sec. 3. Findings.

(a) The Property is a vacant lot consisting of approximately 4,982 square feet.

(b) The intended use of the Property is a mixed-use development as further described in section 2(6).

(c) The Developer shall comply with the requirements of the Act, including dedicating at least 30% of all residential units in the Project as affordable housing units pursuant to section 1(b-3) of the Act.

(d) The Developer shall enter into an agreement that shall require the Developer to, at a minimum, contract with Certified Business Enterprises for at least 35% of the contract dollar volume of the Project, and shall require at least 20% equity and 20% development participation of Certified Business Enterprises in the Project, in accordance with section 2349a of the CBE Act and section 1(b)(6) of the Act.

(e) The Developer shall enter into a First Source Agreement.

(f) The proposed method of disposition is a lease of greater than 15 years pursuant to section 1(b)(8)(C) of the Act, as further described in the documents submitted to the Council with this resolution, in accordance with section 1(b-1) of the Act, subject to the grant of any easements that are necessary, useful, or incidental to the development of the Project.

(g) The District has satisfied the public hearing requirements of section 1(b-5) of the Act, as amended by the Land Disposition Transparency Temporary Amendment Act of 2017, effective June 10, 2017 (D.C. Law 22-2; 64 DCR 4021).

(h) The Land Disposition Agreement for the disposition of the real property shall not be inconsistent with the substantive business terms of the transaction submitted by the Mayor with this resolution in accordance with section 1(b-1)(2) of the Act, unless revisions to those substantive business terms are approved by the Council.

Sec. 4. Approval of disposition.

(a) Pursuant to the Act, the Mayor transmitted to the Council a request for approval of the disposition of the Property to the Developer.

(b) The Council approves the disposition of the Property pursuant to the terms of this resolution.

Sec. 5. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

ENROLLED ORIGINAL

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec.7. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-340

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 5, 2017

To declare the existence of an emergency with respect to the need to officially designate a portion of the public alley system in Square 762, bounded by 2nd Street, S.E., C Street, S.E., 3rd Street, S.E., and Pennsylvania Avenue, S.E., in Ward 6, as “Lincoln Court;” and to amend the National Capital Revitalization and Self-Government Improvement Act of 1997 to exempt one of the Council appointments to the District of Columbia Corrections Council from the District of Columbia residency requirement.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Lincoln Court Designation Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists an immediate need to officially designate a portion of the public alley system in Square 762, bounded by 2nd Street, S.E., C Street, S.E., 3rd Street, S.E., and Pennsylvania Avenue, S.E., in Ward 6, as “Lincoln Court”.

(b) The Department of Consumer and Regulatory Affairs will not issue a building permit for construction at a premises without an address, and an address cannot be assigned to a premises that has an unnamed alley as its only access. Abutting neighbors have expressed support of the official naming in the hopes that the assignment of addresses would facilitate improvements to the alley and increase District services that would enhance the alley’s safety and cleanliness.

(c) Previously, the Council passed on first reading the Lincoln Court Designation Act of 2017, passed on 1st reading on November 7, 2017 (Engrossed version of Bill 22-336), to effectuate the official designation of the portion of the public alley system in question.

(d) Additionally, Bill 22-336 includes a provision amending section 11201a(b)(2)(D) of the National Capital Revitalization and Self-Government Improvement Act of 1997, effective October 2, 2010 (D.C. Law 18-233; D.C. Official Code § 24-101.01(b)(2)(D)), to authorize the Council to appoint an individual who is not a resident of the District of Columbia to the Corrections Information Council Governing Board (“Board”). The Committee of the Whole, working with the Committee on the Judiciary and Public Safety, has identified an individual to appoint to the Board, but the candidate has moved recently to Maryland. The provision authorizing the Council to appoint a nonresident to the Board is located in Title 24 of the D.C.

ENROLLED ORIGINAL

Official Code and therefore requires a 60-day congressional review period before it becomes law.

(e) Bill 22-336 is currently under review by the Council and expected to have second reading on December 5, 2017. However, given the necessity for transmittal to the Mayor and the ensuing 60-day congressional review period, it will not become law for several months.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Lincoln Court Designation Emergency Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

COUNCIL OF THE DISTRICT OF COLUMBIA
NOTICE OF INTENT TO ACT ON NEW LEGISLATION

The Council of the District of Columbia hereby gives notice of its intention to consider the following legislative matters for final Council action in not less than **15 days**. Referrals of legislation to various committees of the Council are listed below and are subject to change at the legislative meeting immediately following or coinciding with the date of introduction. It is also noted that legislation may be co-sponsored by other Councilmembers after its introduction.

Interested persons wishing to comment may do so in writing addressed to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, NW, Room 5, Washington, D.C. 20004. Copies of bills and proposed resolutions are available in the Legislative Services Division, 1350 Pennsylvania Avenue, NW, Room 10, Washington, D.C. 20004 Telephone: 724-8050 or online at www.dccouncil.us.

COUNCIL OF THE DISTRICT OF COLUMBIA**PROPOSED LEGISLATION****BILL**

B22-644 Minimal Amounts of Marijuana for Personal Use Home Extraction Prohibition Amendment Act of 2017

Intro. 12-21-17 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Judiciary and Public Safety

PROPOSED RESOLUTION

PR22-698 CSV, LLC, Sponsorship and Participation Agreement Approval Resolution of 2017

Intro. 12-22-17 by Chairman Mendelson at the request of the Washington Convention and Sports Authority and Retained by the Council with comments from the Committee on Finance and Revenue

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**NOTICE OF PUBLIC HEARING**

Placard Posting Date: January 5, 2018
Protest Petition Deadline: February 20, 2018
Roll Call Hearing Date: March 5, 2018
Protest Hearing Date: May 2, 2018

License No.: ABRA-108608
Licensee: With Malus Aforethought, LLC
Trade Name: Capitol Cider House
License Class: Retailer's Class "C" Tavern
Address: 3930 Georgia Avenue, N.W.
Contact: Jared Fackrell: (202) 621-0982

WARD 4

ANC 4C

SMD 4C06

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on March 5, 2018 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009**. Petition and/or request to appear before the Board must be filed on or before the Petition Date. **The Protest Hearing date is scheduled on May 2, 2018 at 1:30 p.m.**

NATURE OF OPERATION

New Class "C" Tavern, serving cider and food with 46 seats and a Total Occupancy Load of 78. Licensee is requesting a Wine Pub Permit, an Entertainment Endorsement with Dancing and Cover Charge, and a Sidewalk Café Endorsement with 24 seats, and exterior occupancy load of 38.

PROPOSED HOURS OF OPERATION (INSIDE PREMISES AND SIDEWALK CAFÉ)

Monday – Thursday 7:00 am – 2:00 am

Friday – Saturday 7:00 am – 3:00 am

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION (INSIDE PREMISES AND SIDEWALK CAFÉ)

Monday – Thursday 8:00 am – 2:00 am

Friday – Saturday 8:00 am – 3:00 am

PROPOSED HOURS OF LIVE ENTERTAINMENT (INSIDE PREMISES AND SIDEWALK CAFÉ)

Sunday – Thursday 12:00 pm – 10:00 pm

Friday – Saturday 9:00 am – 12:00 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: January 5, 2018
Protest Petition Deadline: February 20, 2018
Roll Call Hearing Date: March 5, 2018
Protest Hearing Date: May 2, 2018

License No.: ABRA-108568
Licensee: District Culture Tavern, LLC
Trade Name: District Culture
License Class: Retailer's Class "C" Tavern
Address: 1922 Martin Luther King Jr. Avenue, S.E.
Contact: Alexander Mosby: 202-889-1310

WARD 8

ANC 8A

SMD 8A06

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on March 5, 2018 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the Petition Date. The Protest Hearing date is scheduled on May 2, 2018 at 4:30 pm.

NATURE OF OPERATION

New "C" Tavern license requesting an Entertainment Endorsement to provide live entertainment with Dancing and a Cover Charge. Total Occupancy Load is 200 with seating for 19 on the first floor and 25 on the basement level.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION

Sunday through Thursday 8 am - 2 am, Friday and Saturday 8 am - 3 am

HOURS OF LIVE ENTERTAINMENT

Sunday through Thursday 11 am - 2 am, Friday and Saturday 11 am - 3 am

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
WEDNESDAY, FEBRUARY 14, 2018
441 4TH STREET, N.W.
JERRILY R. KRESS MEMORIAL HEARING ROOM, SUITE 220-SOUTH
WASHINGTON, D.C. 20001**

TO CONSIDER THE FOLLOWING: The Board of Zoning Adjustment will adhere to the following schedule, but reserves the right to hear items on the agenda out of turn.

TIME: 9:30 A.M.

WARD SEVEN

19668 **Application of Manley Science and Technology Center**, pursuant to 11 DCMR
ANC 7E Subtitle X, Chapter 9, for a special exception under the use provisions of Subtitle
 U § 203.1(g), to permit a child development center for 30 children in the R-2
 Zone at premises 4628 H Street S.E. (Square 5359, Lot 328).

WARD SIX

19674 **Application of Kimberly Ziegler**, pursuant to 11 DCMR Subtitle X, Chapter 9,
ANC 6C for a special exception under Subtitle E § 5201, from the upper floor addition
 requirements of Subtitle E § 206.1, and from the lot occupancy requirements of
 Subtitle E § 304.1 to construct a rear and third story addition to an existing one-
 family dwelling in the RF-1 Zone at premises 1139 6th Street N.E. (Square 855,
 Lot 236).

WARD TWO

19687 **Application of DC Jewish Community Center**, pursuant to 11 DCMR Subtitle
ANC 2B X, Chapter 10, for an area variance from the floor area ratio requirements of
 Subtitle G § 602.1, to modernize and expand existing community center in the
 RA-8 and MU-15 zones at premises 1529 16th Street N.W. (Square 194, Lot 113).

PLEASE NOTE:

Failure of an applicant or appellant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Board.

Failure of an applicant or appellant to be adequately prepared to present the application or appeal to the Board, and address the required standards of proof for the application or appeal, may subject the application or appeal to postponement, dismissal or denial. The public hearing in these cases will be conducted in accordance with the provisions of Subtitles X and Y of the District of Columbia Municipal Regulations, Title 11. Pursuant to Subtitle Y, Chapter 2 of the Regulations, the Board will impose time limits on the

BZA PUBLIC HEARING NOTICE

FEBRUARY 14, 2018

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testimony of all individuals. Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Board.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person’s interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. **Persons seeking party status shall file with the Board, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application Form.*** This form may be obtained from the Office of Zoning at the address stated below or downloaded from the Office of Zoning’s website at: www.dcoz.dc.gov. All requests and comments should be submitted to the Board through the Director, Office of Zoning, 441 4th Street, NW, Suite 210, Washington, D.C. 20001. Please include the case number on all correspondence.

**Note that party status is not permitted in Foreign Missions cases.*

Do you need assistance to participate?

Amharic

ለሙከራ ቦርድ ላይ ለመገኘት ለማድረግ ይደረግዎታል?

የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጓሚ) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እነኚህ አገልግሎቶች የሙከራ በነጻ ነው።

Chinese

您需要有人帮助参加活动吗?

如果您需要特殊便利设施或语言协助服务（翻译或口译），请在见面之前提前五天与 Zee Hill 联系，电话号码 (202) 727-0312，电子邮件 Zelalem.Hill@dc.gov。这些是免费提供的服务。

French

Avez-vous besoin d’assistance pour pouvoir participer ? Si vous avez besoin d’aménagements spéciaux ou d’une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à Zelalem.Hill@dc.gov cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

Korean

참여하시는데 도움이 필요하세요?
특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312로 전화 하시거나 Zelalem.Hill@dc.gov 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

Spanish

¿Necesita ayuda para participar?
Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o

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interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Vietnamese

Quý vị có cần trợ giúp gì để tham gia không?

Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc Zelalem.Hill@dc.gov trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

FOR FURTHER INFORMATION, CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

**FREDERICK L. HILL, CHAIRPERSON
LESYLLEÉ M. WHITE, MEMBER
CARLTON HART, VICE-CHAIRPERSON,
NATIONAL CAPITAL PLANNING COMMISSION
A PARTICIPATING MEMBER OF THE ZONING COMMISSION
ONE BOARD SEAT VACANT
CLIFFORD W. MOY, SECRETARY TO THE BZA
SARA A. BARDIN, DIRECTOR, OFFICE OF ZONING**

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
WEDNESDAY, FEBRUARY 21, 2018
441 4TH STREET, N.W.
JERRILY R. KRESS MEMORIAL HEARING ROOM, SUITE 220-SOUTH
WASHINGTON, D.C. 20001**

TO CONSIDER THE FOLLOWING: The Board of Zoning Adjustment will adhere to the following schedule, but reserves the right to hear items on the agenda out of turn.

TIME: 9:30 A.M.

WARD TWO

19685 **Application of Emma Sarah Davis**, pursuant to 11 DCMR Subtitle X, Chapter
ANC 2E 9, for a special exception under the accessory apartment regulations of Subtitle U
 § 253.4, to permit an accessory apartment in the R-20 and MU-4 Zones at
 premises 3238 Reservoir Road N.W. (Square 1280, Lots 114 and 835).

WARD SEVEN

19690 **Application of 2916 P Street, LLC**, pursuant to 11 DCMR Subtitle X, Chapter
ANC 7B 10, for a variance from the nonconforming structure requirements of Subtitle C §
 204.1, to construct a rear and third-story addition to an existing four-unit
 apartment house in the R-3 at premises 2916 P Street S.E. (Square 5547, Lots 808
 and 809).

WARD TWO

19695 **Application of LHO Washington Hotel Three, LLC**, pursuant to 11 DCMR
ANC 2B Subtitle X, Chapter 9, for special exceptions from the use permissions under
 Subtitle U § 504.1(f), and from the penthouse requirements of Subtitle C §
 1500.3(c) to construct a new penthouse restaurant in an existing hotel in the MU-
 15 Zone at premises 1315 16th Street N.W. (Square 195, Lot 846).

WARD FIVE

19696 **Application of 1001-1003 Rhode Island Avenue NE, LLC**, pursuant to 11
ANC 5C DCMR Subtitle X, Chapter 9, for a special exception under the use restrictions of
 Subtitle U § 421.1, to construct a new 23-unit apartment house in the RA-1 Zone
 at premises 1001-1003 Rhode Island Avenue N.E. (Square 3870, Lots 47 and 46).

BZA PUBLIC HEARING NOTICE
FEBRUARY 21, 2018
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PLEASE NOTE:

Failure of an applicant or appellant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Board.

Failure of an applicant or appellant to be adequately prepared to present the application or appeal to the Board, and address the required standards of proof for the application or appeal, may subject the application or appeal to postponement, dismissal or denial. The public hearing in these cases will be conducted in accordance with the provisions of Subtitles X and Y of the District of Columbia Municipal Regulations, Title 11. Pursuant to Subtitle Y, Chapter 2 of the Regulations, the Board will impose time limits on the testimony of all individuals. Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Board.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person’s interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. **Persons seeking party status shall file with the Board, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application Form.*** This form may be obtained from the Office of Zoning at the address stated below or downloaded from the Office of Zoning’s website at: www.dcoz.dc.gov. All requests and comments should be submitted to the Board through the Director, Office of Zoning, 441 4th Street, NW, Suite 210, Washington, D.C. 20001. Please include the case number on all correspondence.

**Note that party status is not permitted in Foreign Missions cases.*

Do you need assistance to participate?

Amharic

ለመሳተፍ ዕርዳታ ያስፈልግዎታል?

የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም)

ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-

0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እነኝህ አገልግሎቶች የሚሰጡት በነጻ ነው።

Chinese

您需要有人帮助参加活动吗?

如果您需要特殊便利设施或语言协助服务（翻译或口译），请在见面之前提前五天与 Zee Hill 联系，电话号码 (202) 727-0312，电子邮件

Zelalem.Hill@dc.gov。这些是免费提供的服务。

French

Avez-vous besoin d’assistance pour pouvoir participer ? Si vous avez besoin d’aménagements spéciaux ou d’une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à Zelalem.Hill@dc.gov cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

BZA PUBLIC HEARING NOTICE
FEBRUARY 21, 2018
PAGE NO. 3

Korean

참여하시는데 도움이 필요하세요?

특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312로 전화 하시거나 Zelalem.Hill@dc.gov 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

Spanish

¿Necesita ayuda para participar?

Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Vietnamese

Quý vị có cần trợ giúp gì để tham gia không?

Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc Zelalem.Hill@dc.gov trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

FOR FURTHER INFORMATION, CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

**FREDERICK L. HILL, CHAIRPERSON
LESYLLEÉ M. WHITE, MEMBER
CARLTON HART, VICE-CHAIRPERSON,
NATIONAL CAPITAL PLANNING COMMISSION
A PARTICIPATING MEMBER OF THE ZONING COMMISSION
ONE BOARD SEAT VACANT
CLIFFORD W. MOY, SECRETARY TO THE BZA
SARA A. BARDIN, DIRECTOR, OFFICE OF ZONING**

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
DISTRICT OF COLUMBIA BOXING AND WRESTLING COMMISSION**

NOTICE OF PROPOSED RULEMAKING

The District of Columbia Boxing and Wrestling Commission (“Commission”), pursuant to the Authority set forth in Section 7 of the District of Columbia Boxing and Wrestling Commission Act of 1975, effective October 8, 1975 (D.C. Law 1-20; D.C. Official Code § 3-606 (2016 Repl.)) (“Act”), hereby gives notice of the intent to adopt amendments to Chapter 24 (Mixed Martial Arts Uniform Rules) of Title 19 (Amusements, Parks, and Recreation) of the District of Columbia Municipal Regulations (DCMR).

This proposed rulemaking would update the regulations for mixed martial arts events to conform to national uniform safety and practice standards for mixed martial arts contests that have been recently adopted by the Association of Boxing Commissions and Combative Sports.

The Commission gives notice of the intent to take final rulemaking action in not less than thirty (30) days after publication of this notice in the *D.C. Register*.

Chapter 24, MIXED MARTIAL ARTS UNIFORM RULES, of Title 19 DCMR, AMUSEMENTS, PARKS, AND RECREATION, is amended as follows:

Section 2401, WEIGHT CLASSES OF MIXED MARTIAL ARTISTS, is amended to read as follows:

2401.1 Mixed martial artists shall be divided into weight classes in accordance with the current version of the Unified Rules of Mixed Martial Arts as adopted by the Association of Boxing Commissions and Combative Sports (ABC) (<http://www.abcboxing.com/unified-weight-classes-mma/>) as of October 31, 2017. Any changes made to the Unified Rules of Mixed Martial Arts after October 31, 2017 shall be voted on and approved by the District of Columbia Boxing and Wrestling Commission prior to adoption and publication in the *District of Columbia Register*.

Section 2402, FIGHTING AREA, is amended as follows:

Subsections 2402.3 and 2402.4 are amended to read as follows:

2402.3 The fighting area canvas area shall be enclosed by a cage or fence made of such material as will not allow a fighter to fall out or break through it onto the floor or spectators, including, but not limited to, vinyl coated chain link fencing. All metal parts shall be covered and padded in a manner approved by the Commissioner and shall not be abrasive to the contestants.

2402.4 The cage or fence shall provide two separate entries onto the fighting area canvas.

Section 2408, GLOVES, is amended as follows:**Subsection 2408.2 is amended to read as follows:**

2408.2 All contestants shall wear gloves weighing not less than four (4) ounces, and not more than eight (8) ounces.

Section 2413, JUDGING, is amended to read as follows:

2413.1 All bouts will be evaluated and scored by three judges.

2413.2 Judging and scoring of all bouts shall be conducted in accordance with the judging and scoring criteria established in the current version of the Unified Rules of Mixed Martial Arts as adopted by the Association of Boxing Commissions and Combative Sports (ABC) (<http://www.abcboxing.com/wp-content/uploads/2017/10/2017-Official-MMA-Judging-Criteria.pdf>) as of October 31, 2017. Any changes made to the Unified Rules of Mixed Martial Arts after October 31, 2017 shall be voted on and approved by the District of Columbia Boxing and Wrestling Commission prior to adoption and publication in the *District of Columbia Register*.

Section 2415, FOULS, is amended as follows:**Subsections 2415.1 and 2415.2 are amended to read as follows:**

2415.1 A contestant shall be subject to penalty if he or she commits any foul as established by the current version of the Unified Rules of Mixed Martial Arts as adopted by the Association of Boxing Commissions and Combative Sports (ABC) (<http://www.abcboxing.com/wp-content/uploads/2017/10/2017-Fouls-Unified-Rules-MMA.pdf>) as of October 31, 2017. Any changes made to the Unified Rules of Mixed Martial Arts after October 31, 2017 shall be voted on and approved by the District of Columbia Boxing and Wrestling Commission prior to adoption and publication in the *District of Columbia Register*.

2415.2 Disqualification occurs after any combination of three fouls or after a referee determines that a foul was intentional and flagrant.

All persons desiring to comment on these proposed regulations should submit comments in writing to Matt Orlins, Legislative Director, Department of Consumer and Regulatory Affairs, 1100 Fourth Street, S.W., 5th Floor, Washington, D.C. 20024, or via e-mail at matt.ornlins@dc.gov, not later than thirty (30) days after publication of this notice in the *D.C. Register*. Copies of the proposed rules can be obtained from the address listed above. The agency can be reached by telephone at 202-442-4400. A copy fee of one dollar (\$1.00) will be charged for each copy of the proposed rulemaking requested. Free copies are available on the DCRA website at dcra.dc.gov by going to the "About DCRA" tab, clicking "News Room", and clicking on "Rulemaking."

DEPARTMENT OF HEALTH

NOTICE OF PROPOSED RULEMAKING

The Director of the Department of Health (Department), pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2016 Repl.)), Mayor's Order 98-140, dated August 20, 1998, and the LGBTQ Cultural Competency Continuing Education Amendment Act of 2016, effective April 6, 2016 (D.C. Law 21-0095; 63 DCR 6502 (April 29, 2016)), hereby gives notice of the intent to amend Chapter 43 (Dental Hygiene) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (DCMR), in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

The purpose of this rulemaking is to require dental hygienists to complete the following new continuing education requirements beginning with the renewal period ending December 31, 2019: two (2) hours of continuing education focusing on clients who identify as lesbian, gay, bisexual, transgender, gender nonconforming, queer (“LGBTQ”), or who question their sexual orientation or gender identity and expression, and one (1) hour of approved continuing education focusing on ethics.

Chapter 43, DENTAL HYGIENE, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:

Section 4306, CONTINUING EDUCATION REQUIREMENTS, is amended as follows:

Subsections 4306.4 – 4306.6 are amended to read as follows:

- 4306.4 Beginning with the renewal period ending December 31, 2019, an applicant for renewal of a license shall submit proof pursuant to § 4306.7 of having completed fifteen (15) hours of approved continuing education credit obtained within the two (2)-year period preceding the date the license expires, which shall include:
- (a) Current CPR certification for healthcare providers at the basic level;
 - (b) Two (2) hours of infection control training;
 - (c) One (1) hour of ethics in an approved continuing education program; and
 - (d) Two (2) hours of continuing education on cultural competency or specialized clinical training focusing on patients or clients who identify as lesbian, gay, bisexual, transgender, gender nonconforming, queer, or question their sexual orientation or gender identity and expression (“LGBTQ”) meeting the requirements of D.C. Official Code § 3-1205.10 (b)(5).

4306.5 Beginning with the licensure period ending December 31, 2019, to qualify for a license, a person in inactive status within the meaning of § 511 of the Act, D.C. Official Code § 3-1205.11 (2016 Repl.), who submits an application to reactivate a license, shall submit proof pursuant to § 4306.7 of having completed fifteen (15) hours of approved continuing education credit obtained within the two (2)-year period preceding the date of the application for reactivation of that applicant's license, and an additional eight (8) hours of approved continuing education credit for each additional year that the applicant was in inactive status beginning with the third (3rd) year, which shall include:

- (a) Current CPR certification for healthcare providers at the basic level;
- (b) Two (2) hours of infection control training;
- (c) One (1) hour of ethics in an approved continuing education program; and
- (d) Two (2) hours of continuing education on cultural competency or specialized clinical training focusing on patients or clients who identify as lesbian, gay, bisexual, transgender, gender nonconforming, queer, or question their sexual orientation or gender identity and expression ("LGBTQ") meeting the requirements of D.C. Official Code § 3-1205.10 (b)(5).

4306.6 Beginning with the licensure period ending December 31, 2019, to qualify for a license an applicant for reinstatement of a license shall submit proof pursuant to § 4306.7 of having completed fifteen (15) hours of approved continuing education credit obtained within the two (2)-year period preceding the date of the application for reinstatement of the applicant's license, and an additional eight (8) hours of approved continuing education credit for each additional year that the license was expired beginning with the third (3rd) year, which shall include:

- (a) Current CPR certification for healthcare providers at the basic level;
- (b) Two (2) hours of infection control training;
- (c) One (1) hour of ethics in an approved continuing education program; and
- (d) Two (2) hours of continuing education on cultural competency or specialized clinical training focusing on patients or clients who identify as lesbian, gay, bisexual, transgender, gender nonconforming, queer, or question their sexual orientation or gender identity and expression ("LGBTQ") meeting the requirements of D.C. Official Code § 3-1205.10 (b)(5).

Section 4307, APPROVED CONTINUING EDUCATION PROGRAMS AND ACTIVITIES, is amended as follows:

The existing Subsections 4307.4 through 4307.6 are renumbered as 4307.5 through 4307.7.

A new Subsection 4307.4 is added to read as follows:

- 4307.4 Continuing education credit will not be awarded for programs that do not relate to the theory or clinical application of theory pertaining to the practice of dental hygiene, including but not limited to:
- (a) Courses pertaining to business communications and operations;
 - (b) Courses solely pertaining to medical/dental coding terminology;
 - (c) Courses pertaining to personal self-improvement, financial gain, or career options;
 - (d) Courses designed for lay persons;
 - (e) Providing instruction to persons who are not licensed, registered, certified, or students in the field of dental hygiene or dental assisting, or for conducting research, or publications, or any preparation for same;
 - (f) On-the-job training;
 - (g) Orientation programs or staff meetings, including orientation to new policies, non-therapeutic procedures, equipment, forms, responsibilities, services, etc.;
 - (h) Presentations made by students; or
 - (i) Participation in or attendance at, not as a presenter, case conferences, grand rounds, or informal presentations.

All persons desiring to comment on the subject of this proposed rulemaking should file comments in writing not later than thirty (30) days after the date of the publication of this notice in the *D.C. Register*. Comments should be sent to the Department of Health, Phillip L. Husband, General Counsel, Office of the General Counsel, 899 North Capitol Street, N.E., 6th Floor, Washington, D.C. 20002. Copies of the proposed rules may be obtained during the hours of 9 a.m. to 5 p.m., Monday through Friday, excluding holidays, at the address listed above, or by contacting Angli Black, Paralegal Specialist, at Angli.Black@dc.gov, (202) 442-5977.

DISTRICT OF COLUMBIA PUBLIC SCHOOLS**NOTICE OF PROPOSED RULEMAKING**

The Chancellor of the District of Columbia Public Schools (DCPS), pursuant to Section 103 of the District of Columbia Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-172(c) (2012 Repl.)), and Mayor's Order 2007-186, dated August 10, 2007, hereby gives notice of the intent to amend Chapter 21 (Attendance and Transfers) of Title 5 (Education), Subtitle E (Original Title 5) of the District of Columbia Municipal Regulations (DCMR).

The purpose of the rulemaking is to ensure consistent implementation of requirements instituted by DCPS and the Deputy Mayor for Education regarding the implementation of the My School DC Lottery. This amendment is also necessary to ensure that the DCPS rules regarding the out-of-boundary transfer process are articulated with sufficient clarity and specificity, to ensure that parents, stakeholders, and the public fully understand how the process operates. Chancellor's Directive #103 on Discretionary Out-of-Boundary Transfers, issued in June 2017, remains in effect pursuant to Subsection 2106.6 of this rulemaking.

Previous emergency rules were adopted on December 8, 2014 and took effect at that time. The rules expired on April 4, 2015, and no notice of final rulemaking was published. The rulemaking will be submitted to the Council for a forty-five (45) day period of review. The Chancellor of DCPS also hereby gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days from the publication of this notice in the *D.C. Register*, and after approval of the rulemaking by the Council of the District of Columbia, as specified in Section 105(c)(5) of the Act (D.C. Official Code § 38-172(c)(2) (2012 Repl)).

Chapter 21, ATTENDANCE AND TRANSFERS, of Title 5-E DCMR, ORIGINAL TITLE 5, is amended as follows:

Section 2106, OUT-OF-BOUNDARY TRANSFERS, is deleted and is replaced with a new Section 2106 to read as follows:

2106 OUT-OF-BOUNDARY TRANSFERS

2106.1 An adult student, an emancipated student, or a minor student attending a D.C. public school which does not serve the attendance zone for his or her place of residence shall be considered an out-of-boundary student. The out-of-boundary regulations in this section shall not be interpreted to:

- (a) Supersede a measure adopted by the Chancellor that is necessary to comply with Federal requirements related to the Americans with Disabilities Act, 42 USC §§ 12101, *et seq.*, Title I of the No Child Left Behind Act, 20 USC §§ 6301, *et seq.*, or the Individuals with Disabilities Education Act, 20 USC §§ 1400, *et seq.*; or

- (b) Require the displacement of any student attending a D.C. public school pursuant to an out-of-boundary transfer at the time this section becomes effective.

2106.2 An adult student, an emancipated student, or a minor student's parent or guardian shall apply for an out-of-boundary transfer for any of the following reasons:

- (a) The adult student or minor student's parent or guardian prefers the requested school to his or her designated in-boundary school.
- (b) The parent or guardian is seeking admission to a prekindergarten 3 (PK3) and/or prekindergarten 4 (PK4) program.
- (c) The parent or guardian is seeking admission to a citywide, specialized, or selective school as defined in § 2106.10.

2106.3 Application for an out-of-boundary transfer must be made pursuant to § 2106.2(b), even if admission is sought for the school that is within the attendance zone of the parent or guardian's residence. For prekindergarten 3 (PK3) and prekindergarten 4 (PK4) programs, an admissions preference shall be applied at the designated in-boundary school of the parent or guardian's residence.

2106.4 Applications for out-of-boundary transfers for the upcoming school year shall be submitted through the common lottery program's formal application. School year application dates will be publicized by DCPS no later than November 1st for the upcoming school year. Application dates will be publicized on the DCPS website in accordance with the common lottery program deadlines and release of results.

2106.5 In reviewing the request for out-of-boundary transfers, My School DC shall verify the preferences listed below and the common lottery program shall fairly administer a lottery, giving preferences to students in accordance with the following reasons for their transfer requests:

- (a) The student is a PK3 or PK4 student and is enrolling in the school within the attendance zone of the student's residence;
- (b) The student's sibling currently attends the requested school, or the student's sibling will be attending the requested school in the requested year;
- (c) The student qualifies for proximity preference at the requested school as determined in accordance with § 2106.7; or
- (d) The student is enrolling in a school that provides some or all instruction in the same language other than English (dual language program or school) as the student's current school.

- 2106.6 The Chancellor shall have the sole discretion to authorize a “discretionary transfer”, including terms of the approval of the transfer, when the Chancellor determines that the transfer would be in the best interests of the student and promotes the overall interests of the school system.
- 2106.7 DCPS provides a proximity preference through the common lottery to families who have been zoned for an elementary school that is more than a half-mile walking distance from their home. These families receive a proximity preference in the lottery at a DCPS elementary school with an attendance zone that is within a half-mile walking distance from their home.
- 2106.8 The Chancellor may designate a given school or program as a specialized school or program. A specialized school or program is a school or program that provides a substantially different education experience than other schools or programs in the system. Specialized schools/programs may have different eligibility and admission criteria and are not required to adhere to the admission preferences in § 2106.5.
- 2106.9 The Chancellor may designate a given school or program as a selective school or program. A selective school or program is a citywide school/program with specific eligibility criteria and requires application for entry into the school or program. Selective schools or programs are subject to the requirements of § 2106.2 but not subject to the preferences in § 2106.5.
- 2106.10 The Chancellor may designate a school as a citywide school. A citywide school is a school that does not have a boundary and therefore cannot be claimed as an in-boundary school. Admission to citywide schools is subject to the requirements of § 2106.2 and § 2106.5.
- 2106.11 Each year, the Chancellor shall inform all DCPS students and parents of the availability of all DCPS specialized and selective schools and programs.
- 2106.12 Students applying to specialized or selective schools or programs must meet the specific criteria established for the schools or programs to which they are applying. Eligibility requirements shall be published and made available to parents.
- 2106.13 The number of out-of-boundary spaces available shall be determined annually school-by-school through a standardized process set forth by the Chancellor or designee.
- 2106.14 A student maintains the right to attend in-boundary schools for grades Kindergarten through 12th grade but can only enroll in one school at a time even if admitted to another school. Students who are admitted to schools outside the attendance zones established for their place of residence shall be entitled to attend

these schools for the duration of their participation in the academic program except in the following circumstances in which the student loses the right to attend the current school for the upcoming school year and the current school's feeder pattern:

- (a) If the student is involuntarily transferred pursuant to § 2107;
- (b) If the student is admitted to specialized schools, programs, or academies and the students no longer meet the criteria established for the specialized schools, programs, or academies;
- (c) If the student fails to satisfy applicable attendance and admission requirements; or
- (d) If the student subsequently enrolls at his or her in-boundary school, or a different school which the student was admitted to through the common lottery program.

2106.15 A student who has been admitted to a school outside the attendance zone for his or her place of residence which has been designated as a feeder school by the Chancellor shall be entitled to attend the next-level school in the designated feeder pattern upon the student's completion of the program at the feeder school.

2106.16 Parents shall be entitled to appeal the denial of eligibility to a specialized or selective school or program through the student grievance procedure set forth in 5-B DCMR § 2405 of this title.

Comments on this rulemaking should be submitted, in writing, to Eboni J. Govan, DCPS, at 1200 First Street, N.E., 10th Floor, Washington, D.C., 20002 or dcpsregs@dc.gov, no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Additional copies of this rule are available from the above address or the DCPS website, www.dcps.dc.gov.

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
DISTRICT OF COLUMBIA BOXING AND WRESTLING COMMISSION**

NOTICE OF EMERGENCY RULEMAKING

The District of Columbia Boxing and Wrestling Commission (“Commission”), pursuant to the Authority set forth in Section 7 of the District of Columbia Boxing and Wrestling Commission Act of 1975, effective October 8, 1975 (D.C. Law 1-20; D.C. Official Code § 3-606 (2016 Repl.)) (“Act”), hereby gives notice of the adoption, on an emergency basis, of amendments to Chapter 24 (Mixed Martial Arts Uniform Rules) of Title 19 (Amusements, Parks, and Recreation) of the District of Columbia Municipal Regulations (DCMR).

This emergency rulemaking updates the regulations for mixed martial arts events to conform to national uniform safety and practice standards for mixed martial arts contests that have been recently adopted by the Association of Boxing Commissions and Combative Sports.

Emergency rulemaking action, pursuant to Section 6(c) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c) (2017 Supp.)), is necessary for the immediate preservation of the health, safety and welfare of licensed mixed martial artists in the District. Specifically, the rules will ensure that higher safety standards are in place, and will prohibit certain dangerous fight tactics in order to protect the fighters in the ring during upcoming mixed martial arts competitions.

This emergency rulemaking was adopted by the Commission on October 31, 2017, and became effective immediately. The emergency rules will remain in effect for one hundred and twenty (120) days, until February 28, 2018, unless superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*. The Commission gives notice of the intent to take final rulemaking action in not less than thirty (30) days after publication of this notice in the *D.C. Register*.

Chapter 24, MIXED MARTIAL ARTS UNIFORM RULES, of Title 19, AMUSEMENTS, PARKS, AND RECREATION, of the DCMR, is amended as follows:

Section 2401, WEIGHT CLASSES OF MIXED MARTIAL ARTISTS, is amended as follows:

Subsection 2401.1, is amended to read as follows:

2401.1 Mixed martial artists shall be divided into weight classes in accordance with the current version of the Unified Rules of Mixed Martial Arts as adopted by the Association of Boxing Commissions and Combative Sports (ABC) (<http://www.abcboxing.com/unified-weight-classes-mma/>).

Section 2402, FIGHTING AREA, is amended as follows:**Subsections 2402.3 and 2402.4 are amended to read as follows:**

2402.3 The fighting area canvas area shall be enclosed by a cage or fence made of such material as will not allow a fighter to fall out or break through it onto the floor or spectators, including, but not limited to, vinyl coated chain link fencing. All metal parts shall be covered and padded in a manner approved by the Commissioner and shall not be abrasive to the contestants.

2402.4 The cage or fence shall provide two separate entries onto the fighting area canvas.

Section 2408, GLOVES, is amended as follows:**Subsection 2408.2 is amended to read as follows:**

2408.2 All contestants shall wear gloves weighing not less than four (4) ounces, and not more than eight (8) ounces.

Section 2413, JUDGING, is amended to read as follows:

2413.1 All bouts will be evaluated and scored by three (3) judges.

2413.2 Judging and scoring of all bouts shall be conducted in accordance with the judging and scoring criteria established in the current version of the Unified Rules of Mixed Martial Arts as adopted by the Association of Boxing Commissions and Combative Sports (ABC)
(<http://www.abcboxing.com/wp-content/uploads/2017/10/2017-Official-MMA-Judging-Criteria.pdf>).

Section 2415, FOULS, is amended as follows:**Subsections 2415.1 and 2415.2 are amended to read as follows:**

2415.1 A contestant shall be subject to penalty if he or she commits any foul as established by the current version of the Unified Rules of Mixed Martial Arts as adopted by the Association of Boxing Commissions and Combative Sports (ABC)
(<http://www.abcboxing.com/wp-content/uploads/2017/10/2017-Fouls-Unified-Rules-MMA.pdf>).

2415.2 Disqualification occurs after any combination of three (3) fouls or after a referee determines that a foul was intentional and flagrant.

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
CONSTRUCTION CODES COORDINATING BOARD**

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Chairperson of the Construction Codes Coordinating Board (Chairperson), pursuant to the authority set forth in Section 10 of the Construction Codes Approval and Amendments Act of 1986 (Act), effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1409 (2012 Repl.)) and Mayor's Order 2009-22, dated February 25, 2009, as amended, hereby gives notice of the adoption of the following emergency rulemaking amending Subtitles A (Building Code Supplement of 2013), B (Residential Code Supplement of 2013), F (Plumbing Code Supplement of 2013) and H (Fire Code Supplement of 2013) of Title 12 (Construction Codes Supplement of 2013) of the District of Columbia Municipal Regulations (DCMR).

This emergency rulemaking is necessitated by the immediate need to: (1) revise provisions in the 2013 District of Columbia Building Code, the 2013 District of Columbia Residential Code and the 2013 District of Columbia Fire Code to ensure that the fire and life safety regulations for child development homes and expanded child development homes in the District of Columbia apply to those facilities that are operated in dwelling units located within buildings containing one or two dwelling units which are not within the scope of the 2013 District of Columbia Residential Code; (2) revise a provision in the 2013 District of Columbia Plumbing Code to comply with the terms of a District of Columbia commitment to the federal Environmental Protection Agency, in connection with a long-term control plan consent decree, to identify and repeal regulations and guidelines that might impede the development of green infrastructure in the District of Columbia; and (3) to revise provisions in the 2013 District of Columbia Building Code to clarify that applications vested under a prior edition of the Construction Codes (pursuant to Section 123, 12-A DCMR) have the same rights as issued permits.

This emergency rulemaking was adopted on October 18, 2017, to become effective immediately. This emergency rulemaking will remain in effect for up to one hundred twenty (120) days from the date of effectiveness and will expire on February 16, 2018.

To clearly show the changes being made to the Construction Codes Supplement, additions are shown in underlined text and deletions are shown in ~~striketrough~~ text.

The process for submitting comments on the proposed rulemaking is detailed on the final page of this Notice.

The Chairperson also hereby gives notice of the intent to take final rulemaking action to adopt this amendment. Pursuant to Section 10(a) of the Act, the proposed amendment will be submitted to the Council of the District of Columbia for a forty-five (45) day period of review, and final rulemaking action will not be taken until the later of thirty (30) days after the date of publication of this notice in the *D.C. Register* or Council approval of the amendment.

Chapter 1, ADMINISTRATION AND ENFORCEMENT, of Title 12-A DCMR, BUILDING CODE SUPPLEMENT OF 2013, is amended as follows:

Section 101, GENERAL, is amended as follows:

Insert a new Section 101.2.5 in the 2013 District of Columbia Building Code to read as follows:

101.2.5 Home Day Care in Group R-3 Buildings. Day care homes in Group R-3 dwellings shall comply with Appendix M of the Residential Code or meet the corresponding provisions of the Building Code.

Amend Section 101.3.3.1 in the 2013 District of Columbia Building Code to read as follows:

101.3.3.1 Home Day Care. Appendix M of the Residential Code shall apply to home day care in detached one- and two-family dwellings or townhouses within the scope of the Residential Code or in R-3 dwellings, including Child Development Homes where oversight is provided by the Office of the State Superintendent of Education or a successor agency, ~~where~~

1. ~~The home day care is provided in dwelling units within (1) detached one and two-family dwellings or townhouses within the scope of the Residential Code;~~
2. ~~The home day care is legally operated as a home occupation under the Zoning Regulations.~~

Section 102, APPLICABILITY, is amended as follows:

Revise Section 102.6 of the 2013 District of Columbia Building Code to read as follows:

102.6 Continuation of Legal Use and Occupancy. The legal use and occupancy of any *structure* existing on the effective date of the *Construction Codes*, ~~or~~ for which a permit has already been *approved*, or, pursuant to Section 123, an application vested under a prior edition of the Construction Codes, shall be permitted to continue without change.

Exceptions:

1. Provisions of the *Building Code*, the *Property Maintenance Code*, or the *Fire Code* that are specifically required to be applied retroactively.
2. Provisions of the *Construction Codes* deemed necessary by the *code official*, as defined in Section 103.1 of the *Building Code*, for the general safety, health and welfare of the occupants and the public.

Section 308, INSTITUTIONAL GROUP I, of Chapter 3, USE AND OCCUPANCY CLASSIFICATION, is amended as follows:

Amend Section 308.6.3 in the 2013 District of Columbia Building Code to read as follows:

308.6.3 Five or fewer persons receiving care. A facility having five or fewer persons receiving *custodial care* in a facility other than a dwelling unit within the scope of Section 308.6.4 shall be classified as part of the primary occupancy.

Strike Section 308.6.4 in the 2013 District of Columbia Building Code in its entirety and insert new Section 308.6.4 in its place to read as follows:

308.6.4 Persons receiving custodial care in a dwelling unit. A facility providing custodial care in a *dwelling unit* within either (1) a detached one- or two-family *dwelling* or townhouse within the scope of the *Residential Code* or (2) an R-3 *dwelling*, shall comply with Appendix M of the *Residential Code*.

Appendix M, HOME DAY CARE, of Title 12-B DCMR, RESIDENTIAL CODE SUPPLEMENT OF 2013, is amended as follows:

Section M101, GENERAL, is amended as follows:

Amend Section AM101.1, Appendix M of the 2013 District of Columbia Residential Code to read as follows:

M101.1 General. This appendix shall apply to ~~a home~~ day care facilities (a) operated within ~~existing~~ detached one- and two-family *dwelling*s and townhouses within the scope of the *Residential Code* and in dwelling units within R-3 dwellings, and (b) occupied by persons of any age who receive custodial care (i) for less than 24 hours per day (ii) provided by individuals other than parents or guardians or relatives by blood, marriage, or adoption (iii) in a place other than the home of the person cared for. Appendix M does not apply to the following:

1. Day care facilities that are classified as Group E or Group I-4 under the *Building Code*.
2. Adult day care where any of the clients is incapable of self-preservation, unless such persons are cared for in rooms located on a *level of exit discharge* serving such rooms and each room has an exit door directly to the exterior.
3. A child day care facility within a *dwelling unit* that is located in a multi-family building classified as an R-2 occupancy.

Section M103, MEANS OF EGRESS, is amended as follows:

Strike Section M103.1.6, Appendix M of the 2013 District of Columbia Residential Code in its entirety and insert new Section AM103.1.6 in its place to read as follows:

M103.1.6 Dwellings with Three or More Stories. Home day care shall not be provided above the second story in *dwellings* with three or more stories.

Exception: The third story is allowed to be used for home day care where the *dwelling* is equipped throughout with an automatic sprinkler system in accordance with Section R313 and the third story is provided with a means of *exit access* and a means of escape in compliance with Section R310.

Chapter 11, STORM DRAINAGE, of Title 12-F DCMR, PLUMBING CODE SUPPLEMENT OF 2013, is amended as follows:

Section 1115, RAINWATER COLLECTION AND DISTRIBUTION SYSTEMS, is amended as follows:

Amend Section 1115.11.1 of the 2013 District of Columbia Plumbing Code to read as follows:

1115.11.1 Collection surface. Rainwater shall be collected only from above-ground impervious roofing surfaces constructed from *approved* materials. Collection of water from vehicular parking, pedestrian, or other surfaces shall be prohibited except where the water is used exclusively for landscape irrigation or where water quality treatment measures that are adequate for any non-potable water the end use have been approved. ~~Overflow and bleed-off pipes from roof-mounted appliances including but not limited to evaporative coolers, water heaters and solar water heaters shall not discharge onto rainwater collection surfaces.~~

Chapter 3, GENERAL REQUIREMENTS, of Title 12-H DCMR, FIRE CODE SUPPLEMENT OF 2013, is amended as follows:

Section 319, DAY CARE FACILITIES IN DWELLING UNITS, is amended as follows:

Amend Section 319.2 in the 2013 District of Columbia Fire Code to read as follows:

319.2 Day care homes in 1- or 2-family homes or townhouses. Day care facilities that are operated in dwelling units within existing detached one- and two-family *dwellings* and townhouses within the scope of the *Residential Code*, or within R-3 dwellings, shall comply with the fire safety provisions in Appendix K. Appendix K does not apply to the following:

- ~~1. Day care facilities in a *dwelling unit* which is not the primary residence of the person operating the facility;~~

1. Day care facilities that are classified as Group E or Group I-4 under the *Building Code*.
2. Adult day care where any of the clients are *incapable of self-preservation*, unless such persons are cared for in rooms located on a *level of exit discharge* serving such rooms and each room has an *exit* door directly to the exterior.

Appendix K, HOME DAY CARE, is amended as follows:

Section K101, GENERAL, is amended as follows:

Amend Section K101.1 of Appendix K in the 2013 District of Columbia Fire Code to read as follows:

K101.1 **General.** This appendix shall apply to ~~home~~ day care facilities (a) operated in dwelling units within existing detached one- and two-family *dwelling*s and townhouses within the scope of the *Residential Code* or within R-3 dwellings, and (b) occupied by persons of any age who receive custodial care (i) for less than 24 hours per day (ii) provided by individuals other than parents or guardians or relatives by blood, marriage, or adoption, and (iii) in a place other than the home of the person cared for. Appendix K does not apply to the following:

1. Day care facilities that are classified as Group E or Group I-4 under the *Building Code*.
2. Adult day care where any of the clients is *incapable of self-preservation*, unless such persons are cared for in rooms located on a *level of exit discharge* serving such rooms and each room has an *exit* door directly to the exterior.
3. A child day care facility within a *dwelling unit* that is located in a multi-family building classified as an R-2 occupancy.

Section K103, MEANS OF EGRESS, is amended as follows:

Strike Section K103.1.6, Appendix K of the 2013 District of Columbia Fire Code in its entirety and insert new Section K103.1.6 in its place to read as follows:

K103.1.6 Dwellings with three or more stories. Day care shall not be provided above the second story in *dwelling*s with three or more stories.

Exception: The third story is allowed to be used for day care where the *dwelling* is equipped throughout with an automatic sprinkler system in accordance with Section R313 of the *Residential Code* or Section 903.2.8 of the *Fire Code*, as

applicable, and the third story is provided with a means of *exit access* and a means of escape in compliance with Section R310 of the *Residential Code*.

All persons desiring to comment on these proposed regulations should submit comments in writing to Jill Stern, Chairperson, Construction Codes Coordinating Board, Department of Consumer and Regulatory Affairs, 1100 Fourth Street, S.W., Room 5100, Washington, D.C. 20024, or via e-mail at jill.stern@dc.gov, not later than thirty (30) days after publication of this notice in the *D.C. Register*. Persons with questions concerning this Notice of Proposed Rulemaking should call (202) 442-4400. Copies of the proposed rules can be obtained from the address listed above. A copy fee of one dollar (\$1.00) will be charged for each copy of the proposed rulemaking requested. Free copies are available on the website of the District of Columbia Office of Documents and Administrative Issuances at: <http://www.dcregs.dc.gov/Gateway/IssueList.aspx>.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor’s Order 2017-314
December 29, 2017

SUBJECT: Appointment — Commission on Climate Change and Resiliency


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2016 Repl.), and in accordance with the Commission on Climate Change and Resiliency Establishment Act of 2016, effective February 18, 2017, D.C. Law 21-185; D.C. Official Code § 8-181.02, (2017 Supp.), it is hereby **ORDERED** that:

1. **JASON E. TURNER** is appointed as an environmental science member of the Commission on Climate Change and Resiliency, filling a vacant seat, for a term to end May 25, 2019.
2. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to July 24, 2017.



MURIEL BOWSER
MAYOR

ATTEST: 

LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2017-315
December 29, 2017

SUBJECT: Appointments - Child Fatality Review Committee


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2016 Repl.), and in accordance with sections 4603 and 4604 of the Child Fatality Review Committee Establishment Act of 2001, effective October 3, 2001, D.C. Law 14-28; D.C. Official Code §§ 4-1371.03, 4-1371.04 (2013 Repl. and 2017 Supp.), it is hereby **ORDERED** that:

1. The following persons are appointed as representatives of public agencies members of the Child Fatality Review Committee, to serve at the pleasure of the Mayor:
 - a. **DIANE OLIVER**, of the Department of Housing and Community Development, replacing Lubna Jamal.
 - b. **SANTHA SONENBURG**, of the Office of the United States Attorney for the District of Columbia, replacing Tamar Meekins.
 - c. **ROGER MITCHELL**, of the Office of the Chief Medical Examiner, filling a vacant seat.
2. **EFFECTIVE DATE:** Sections 1.a. and 1.b. shall be effective immediately. Section 1.c. shall be effective *nunc pro tunc* to June 3, 2015.



MURIEL BOWSER
MAYOR

ATTEST: 
 LAUREN C. VAUGHAN
 SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2017-316
December 29, 2017

SUBJECT: Reappointments and Appointments — Metropolitan Washington Regional
Ryan White Planning Council

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by sections 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2016 Repl.), pursuant to sections 2602(a)(1) and (b)(1) of the Public Health Service Act of 1944, approved August 18, 1990, 104 Stat. 576, 42 U.S.C. 300ff-12(a)(1) and (b)(1), and pursuant to Mayor's Order 2016-001, dated January 8, 2016, it is hereby **ORDERED** that:


1. The following persons are reappointed as public members of the Metropolitan Washington Regional Ryan White Planning Council ("**Council**") for terms to end November 5, 2019:
 - a. **SHERLA CANNON-WILLIAMS**
 - b. **DEBBIE CRISWELL**
 - c. **MELISSA TURNER**

2. The following persons are appointed as public members of the, for terms to end November 5, 2018:
 - a. **PHILIP SAIN**
 - b. **ANTONIO WASHINGTON**
 - c. **ANTOINETTE YOUNG**

3. **EFFECTIVE DATE:** This Order shall become effective immediately.



MURIEL BOWSER
MAYOR

ATTEST: 

LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, JANUARY 10, 2018
2000 14TH STREET, N.W., SUITE 400S
WASHINGTON, D.C. 20009

Donovan W. Anderson, Chairperson
Members: Nick Alberti, Mike Silverstein,
James Short, Donald Isaac, Sr.

Protest Hearing (Status) **9:30 AM**
Case # 17-PRO-00064; Albo Corp, t/a Eleven Market, 1936 11th Street NW
License #60236, Retailer B, ANC 1B
Application to Renew the License

Show Cause Hearing (Status) **9:30 AM**
Case # 17-CMP-00479; Harris Teeter, LLC, t/a Harris Teeter, 1201 First Street
NE, License #95170, Retailer B, ANC 6C
No ABC Manager on Duty
*This hearing is cancelled. The Government dismissed the case due to the
payment of the fine. See Board Order No. 2017-631.*

Show Cause Hearing (Status) **9:30 AM**
Case # 17-CMP-00622; Lattice Partners, LLC, t/a Copycat Co., 1110 H Street
NE, License #96474, Retailer CT, ANC 6A
**Allowed a Patron to leave the Establishment with an Alcoholic Beverage in
an Open Container, Substantial Change without Board Approval**

Show Cause Hearing (Status) **9:30 AM**
Case # 17-CC-00102; F&A, Inc., t/a Anacostia Market, 1303 Good Hope Road
SE, License #86470, Retailer B, ANC 8A
**Sale to Minor Violation, Failed to Take Steps Necessary to Ascertain Legal
Drinking Age**

Show Cause Hearing (Status) **9:30 AM**
Case # 17-251-00134; Kabin Group, LLC, t/a Kabin, 1337 Connecticut Ave
NW, License #91276, Retailer CT, ANC 2B
Allowed Establishment to be Used for Unlawful or Disorderly Purposes

Board's Calendar

January 10, 2018

Fact Finding Hearing

9:30 AM

Gebtri, Inc., t/a Cedar Hill Bar & Grill/Uniontown Bar & Grill, 2200 Martin Luther King, Jr Ave SE, License #91887., Retailer CT, ANC 8A

Request to Terminate RDO

Show Cause Hearing*

10:00 AM

Case # 17-CMP-00368; Partners at 723 8th St SE, LLC, t/a The Ugly Mug Dining Saloon, 723 8th Street SE, License #71793, Retailer CR, ANC 6B

Failed to File Quarterly Statement

Show Cause Hearing*

11:00 AM

Case # 17-CC-00020; Prospect Dining, LLC, t/a Chinese Disco, 3251 Prospect Street NW, License #78058, Retailer CR, ANC 2E

Sale to Minor Violation, Failed to Take Steps Necessary to Ascertain Legal Drinking Age, Substantial Change in Operation Without Board Approval, Violation of Settlement Agreement

Show Cause Hearing*

11:00 AM

Case # 17-CMP-00460; TMI International, Inc., t/a Sip, 1812 Hamlin Street NE License #95164, Retailer CT, ANC 5C

Substantial Change in Operation Without Board Approval, Failed to Comply with hours of Operation, Violation of Settlement Agreement

This hearing is cancelled due to the Board's approval of an OIC on December 13, 2017. See Board Order No. 2017-624.

BOARD RECESS AT 12:00 PM

ADMINISTRATIVE AGENDA

1:00 PM

Protest Hearing*

1:30 PM

Case # 17-PRO-00056; 2335, LLC, t/a Power Night Club/Lounge/Restaurant (Formerly-XS Lounge), 2335 Bladensburg Road NE, License #104228, Retailer CT, ANC 5C

Substantial Change

Protest Hearing*

4:30 PM

Case # 17-PRO-00060; Cantina Calle N, LLC, t/a Republic Cantina, 57 N Street NW, License #107578, Retailer CR, ANC 5E

Application for a New License

***The Board will hold a closed meeting for purposes of deliberating these hearings pursuant to D.C. Official Code §2-574(b)(13).**

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, JANUARY 10, 2018
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On Wednesday, January 10, 2018 at 4:00 pm., the Alcoholic Beverage Control Board will hold a closed meeting regarding the matters identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed “to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations.”

1. Case# 17-CMP-00507 (M), ABC Manager, Ashish Panwar, License # ABRA-095978

2. Case# 17-CMP-00693, Sign of the Whale, 1825 M Street N.W., Retailer CT, License # ABRA-085120

3. Case# 17-251-00222, Lucky Corner Store, 5433 Georgia Avenue N.W., Retailer B, License # ABRA-093115

4. Case# 17-251-00183, Juanita’s Restaurant, 3521 14th Street N.W., Retailer CT, License # ABRA-091432

5. Case# 17-CMP-00690, Vita Restaurant and Lounge/Penthouse Nine, 1318 9th Street N.W., Retailer CT, License # ABRA-086037

6. Case# 17-251-00223, Echostage, 2135 Queens Chapel Road N.E., Retailer CN, License # ABRA-090250

7. Case# 17-CC-00120, Seymours Liquors, 5581 Central Avenue S.E., Retailer A, License # ABRA-070948

8. Case# 17-CMP-00691(M), ABC Manager, Sean Kim, License # ABRA-094728

9. Case# 17-CC-00119, Southern Express Liquors, 4416 Southern Avenue S.E., Retailer A,
License # ABRA-105526

10. Case# 17-CMP-000692(M), ABC Manager, Teklebrhan Ghilazghi, License # ABRA-107089

11. Case# 17-251-00221, Appioo, 1924 9th Street N.W., Retailer CR, License # ABRA-094795

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
LICENSING AGENDA

WEDNESDAY, JANUARY 10, 2018 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Application for Change of Hours to open one hour earlier. *Approved Hours of Operation and Alcoholic Beverage Sales:* Sunday-Saturday 9am to 12am. *Proposed Hours of Operation and Alcoholic Beverage Sales:* Sunday-Saturday 8am to 12am. ANC 4C. SMD 4C04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Downtown Liquors*, 3712 14th Street NW, Retailer A Liquor Store, License No. 108146.

2. Review Application for Change of Hours of Live Entertainment. *Approved Hours of Live Entertainment:* Sunday-Saturday 5pm to 11pm. *Proposed Hours of Live Entertainment:* Sunday-Saturday 5pm to 1am. ANC 5E. SMD 5E05. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Wicked Bloom Social Club*, 1540 North Capitol Street NW, Retailer CT, License No. 099450.

3. Review Request for Summer Garden endorsement with seating for 80 patrons. *Proposed Hours of Operation for Summer Garden:* Monday-Thursday 7am to 10pm, Friday 7am to 11pm, Saturday-Sunday 8am to 11pm. *Proposed Hours of Alcoholic Beverage Sales for Summer Garden:* Monday-Thursday 8am to 10pm, Friday-Sunday 8am to 11pm. ANC 3C. SMD 3C04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Firehook Bakery*, 3411 Connecticut Avenue NW, Retailer CR, License No. 041370.

4. Review Request to increase Total Occupancy Load of second Summer Garden from 21 to 55, with seating for 52, as permitted by final Certificate of Occupancy. ANC 6D. SMD 6D07. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Due South/Due South Dockside*, 301 Water Street SE, Retailer CR, License No. 097053.

***In accordance with D.C. Official Code §2-547(b) of the Open Meetings Amendment Act, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

OFFICE OF THE DISTRICT OF COLUMBIA AUDITOR
ADVISORY NEIGHBORHOOD COMMISSION SECURITY FUND
ANNUAL FINANCIAL REPORT FOR FISCAL YEAR 2017

December 28, 2017

Purpose

As required by law¹, the Office of the District of Columbia Auditor presents the Advisory Neighborhood Commission (ANC) Security Fund Annual Financial Report for Fiscal Year 2017. This report was drafted, reviewed, and approved in accordance with the standards outlined in ODCA's Policy and Procedure Manual.

Historical Background of the Fund

The Advisory Neighborhood Commission Security Fund (Fund) was established to insure ANCs against unauthorized expenditures or loss of funds.² The Fund does not cover any loss as the result of an expenditure authorized by a vote of a Commission. The Fund is held in the custody of a Board of Trustees (Trustees) composed of the Secretary of the District of Columbia, the General Counsel to the Council of the District of Columbia, and the District of Columbia Auditor (Auditor).

An ANC is eligible to participate in the Fund if the Treasurer and the Chairperson of the ANC agree in writing to be personally liable to the Fund for any sum paid out by the Fund as a result of the Treasurer or Chairperson's wrongful misappropriation or loss of ANC monies. An ANC becomes a participant of the Fund and is eligible to recover losses upon payment to the Fund of an annual contribution at the beginning of the fiscal year in an amount to be determined by the Trustees³.

D.C. law requires the assets of the Fund to be held in an interest-bearing account located in the District of Columbia.⁴ In addition, the law requires that the Fund publish an annual report in the District of Columbia register no later than 90 days after the end of each fiscal year.⁵

ANC 5B lost approximately \$30,000 due to unauthorized expenditures made by their elected Chairman between August 2010 and April 2011. To recover the losses associated with the unauthorized expenditures, ANC 5B, a participant of the ANC Security Fund at the time, requested a reimbursement totaling \$15,467.67 from the ANC Security Fund Board of Trustees. On December 7, 2011, the Board approved the request and authorized the transfer of \$15,467.67 from the Fund to ANC 5B.

¹ D.C. Code § 1-309.14(f) (2017)

² D.C. Code § 1-309.14(a) (2017)

³ D.C. Code § 1-309.14(b) (2017)

⁴ D.C. Code § 1-309.14(e) (2017)

⁵ D.C. Code § 1-309.14(f) (2017)

Related to this earlier action, on December 19, 2011, a settlement agreement between the District government and the former Chairman of ANC 5B ordered the former Chairman to make a payment sum of \$28,878.46 payable to the D.C. Treasurer. At a minimum, according to the agreement, \$15,467.67 will be reimbursed to the security fund.

Results

Advisory Neighborhood Commission Security Fund Commercial Savings Account Fund Activities & Balance for Fiscal Year 2017

	FY 2017	FY 2016
Beginning Balance	\$65,422.64	\$62,967.51
Deposits	\$1,853.32	\$2,423.00
Interest	\$69.19	\$32.13
Withdrawal/Adjustment	0.00	00.00
Total Fund Balance	<u>\$67,345.15</u>	<u>\$65,422.64</u>

On October 1, 2016, the beginning balance of the Advisory Neighborhood Commission Security Fund was \$65,422.64. Deposits totaling \$1,922.51⁶ and no disbursements during FY 2017 resulted in a Fund balance of \$67,345.15, as of September 30, 2017.

The Fund is insured by Federal Depository Insurance up to \$250,000. To document the Fund’s activity, at the end of each quarter and after receiving the quarterly bank statement, the Auditor reconciles and records all Fund activity and balances into the District of Columbia Financial System. Additionally, a quarterly and annual reconciliation/closing report of the Fund’s activity and balance is submitted to the District of Columbia’s Chief Financial Officer (see Attachment A).

To view the full report, with attachments, go to: http://www.dcauditor.org/sites/default/files/ANC.Security.Fund_Report.12.28.17.pdf

Please direct questions regarding this report to Diane Shinn, Communications Manager, at diane.shinn@dc.gov.

⁶ The \$1,922.51 includes: \$975.00 ANC annual security fund participation fee (\$25 per ANC), \$69.19 earned interest and \$878.32 court mandated settlement payments to the Fund.

DEPARTMENT OF BEHAVIORAL HEALTH**DISTRICT OF COLUMBIA TASK FORCE ON SCHOOL MENTAL HEALTH****NOTICE OF PUBLIC MEETING**

The Members of the District of Columbia Task Force on School Mental Health will hold its next meeting on Friday, January 12, 2018 9:00 – 11:00 AM. The meeting will be held at the DC Department of Behavioral Health, 64 New York Avenue NE, Room 284, Washington, D.C. 20002. Below is the draft agenda for this meeting. Information about the Task Force can also be found on the Office of the Deputy Mayor for Health and Human Services website at <https://dmhhs.dc.gov/>. Please RSVP to Sakina B. Thompson, sakina.thompson@dc.gov, and for additional information call (202) 727-7973 or e-mail sakina.thompson@dc.gov.

AGENDA

- I.** Welcome and Introductions
- II.** Review Agenda
- III.** Presentations
- IV.** Discussion
- V.** Next Steps
- VI.** Adjourn

OFFICE OF THE CHIEF FINANCIAL OFFICER
Office of Revenue Analysis

NOTICE of INCREASES
for the 2018 HOMESTEAD DEDUCTION,
TRASH COLLECTION CREDIT AMOUNT and SENIOR INCOME THRESHOLD

(THE REAL PROPERTY TAX)

I. The Homestead Deduction Amount

Per the D.C. Code § 47-850, et seq., the annual Homestead Deduction amount for tax year 2018 is adjusted in the following manner

The Washington Area Average CPI value for Tax Year 2011:	146.04
The Washington Area Average CPI value for Tax Year 2017:	158.72
The percent change in the index during the above time period:	8.68%

Therefore, effective Tax Year 2018 (beginning October 1, 2017):

- **the Homestead Deduction amount will be¹ **\$73,350.00****

II. The Condominium and Cooperative Trash Collection Credit Amount

Per the D.C. Code § 47-872, et seq., the annual Trash Collection Credit amount for tax year 2018 is adjusted in the following manner

The Washington Area Average CPI value for Calendar Year 2016:	157.12
The Washington Area Average CPI value for Calendar Year 2017:	159.13
The percent change in the index during the above time period:	1.28%

Therefore, effective Tax Year 2018 (beginning October 1, 2017):

- **the Trash Collection Trash Credit amount will be² **\$109.00****

¹ Annual dollar amount changes are rounded down to the nearest \$50.00 increment.

² Annual dollar amount changes are rounded to the nearest whole dollar.

III. The Senior Citizen or Disabled Real Property Tax Relief Income Threshold

Per the D.C. Code § 47-863, the maximum household annual gross income for the real property tax senior citizen or disabled tax relief for tax year 2018 is adjusted in the following manner

The Washington Area Average CPI value for Tax Year 2013:	151.96
The Washington Area Average CPI value for Tax Year 2017:	158.72
The percent change in the index during the above time period:	4.45%

Therefore, effective Tax Year 2018 (beginning October 1, 2017):

- the household federal adjusted gross income for the real property tax senior citizen or disabled tax relief shall be³ **\$130,550.00**

A Summary of Homestead Deduction, Trash Credit and Income Threshold Amounts for Tax Year 2018			
	Base Amounts	CPI Adjustment Factor*	2018 Amounts
Homestead Deduction	\$67,500.00	1.0868	\$73,350.00
Trash Collection Credit	\$108.00	1.0128	\$109.00
Senior Citizen Maximum Income Threshold	\$125,000.00	1.0445	\$130,550.00

Source: U.S. Bureau of Labor Statistics, data accessed December 13, 2017

³ Annual dollar amount changes are rounded down to the nearest \$50.00 increment.

CITY ARTS AND PREP PUBLIC CHARTER SCHOOL**NOTICE OF INTENT TO ENTER A SOLE SOURCE CONTRACT****Curricular Design and Consulting Services**

City Arts & Prep Public Charter School intends to enter into a sole source contract with the **AppleTree Institute for Education Innovation** (“AppleTree”) for a products and services related to AppleTree’s “Every Child Ready” instructional model.

- City Arts & Prep Public Charter School constitutes the sole source for AppleTree for curricular design, consulting, implementation, support, and related services for the use of the “Every Child Ready” curricular materials and instructional model as well as provision of materials requisite for the implementation of that system.
- For further information regarding this notice, contact bids@cityartspcs.org no later than **5:00 pm, January 16, 2018**.

CITY ARTS AND PREP PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

General Contractor

City Arts + Prep PCS solicits proposals for the following:

- **General Contractor**

Proposals and requests for the full RFP should be emailed to bids@cityartspcs.org no later than 5:00 P.M., Tuesday, January 16, 2018.

OFFICE OF THE DEPUTY MAYOR FOR EDUCATION

NOTICE OF PUBLIC MEETING
DC ARTIFICIAL TURF FIELD COMMUNITY MEETING

The DC Government Artificial Turf Interagency Work Group is announcing community meetings to engage in a conversation about artificial turf fields in the District.

In 2017, the City Administrator convened an Artificial Turf Interagency Work Group to develop policies and recommendations to:

- Provide safe, accessible and environmentally friendly recreational fields and play surfaces for District residents and visitors;
- Minimize the inconvenience to regular users, which can be caused by maintenance; and
- Use District taxpayers' dollars wisely and efficiently.

Date: January 9th, 2018

Time: 7:00 p.m. – 8:30 p.m.

Location: Columbia Heights Education Campus
3101 16th St NW
Washington, DC 20010

Contact: Alex Cross
Office of the Deputy Mayor for Education
202.727.9543 or alexander.cross@dc.gov

OFFICE OF THE DEPUTY MAYOR FOR EDUCATION

NOTICE OF PUBLIC MEETING
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- Provide safe, accessible and environmentally friendly recreational fields and play surfaces for District residents and visitors;
- Minimize the inconvenience to regular users, which can be caused by maintenance; and
- Use District taxpayers' dollars wisely and efficiently.

Date: January 10th, 2018

Time: 7:00 p.m. – 8:30 p.m.

Location: Department of For-Hire Vehicles
2235 Shannon Pl SE
Washington, DC 20020

Contact: Alex Cross
Office of the Deputy Mayor for Education
202.727.9543 or alexander.cross@dc.gov

BOARD OF ELECTIONS

CERTIFICATION OF ANC/SMD VACANCY

The District of Columbia Board of Elections hereby gives notice that there are vacancies in four (4) Advisory Neighborhood Commission offices, certified pursuant to D.C. Official Code § 1-309.06(d)(2); 2001 Ed; 2006 Repl. Vol.

VACANT: 2A08, 3D07, 7F07 and 8C01

Petition Circulation Period: Monday January 8, 2018 thru Monday, January 29, 2018
Petition Challenge Period: Thursday, February 1, 2018 thru Friday, February 7, 2018

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
1015 Half Street, SE, Room 750
Washington, DC 20003**

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

DEPARTMENT OF HEALTH CARE FINANCE

PUBLIC NOTICE

**MEDICAID FEE SCHEDULE UPDATES FOR DISTRICT OF COLUMBIA OFFICE
OF STATE SUPERINTENDENT OF EDUCATION EARLY INTERVENTION
SERVICES**

The Department of Health Care Finance (DHCF), in accordance with the Medicaid reimbursement requirements for early intervention (EI) services set forth in Section 7114 of Chapter 71 of Title 29 of the District of Columbia Municipal Regulations, published on October 20, 2017 (64 DCR 010597), announces changes to the procedure codes and modifiers governing EI services billed by the District of Columbia Office of the State Superintendent of Education (OSSE). EI services are specialized habilitative and rehabilitative services designed to promote the optimal development of infants and toddlers, aged birth to three (3), who have a delay in one or more areas of development. EI services are required under Part C of the Individuals with Disabilities Education Act (IDEA), approved April 13, 1970 (84 Stat.175; 20 U.S.C. § 1400 *et seq.*). The changes set forth below will become effective on February 5, 2018.

DHCF is updating the fee schedule as follows to reflect procedure codes and modifiers that are compliant with the 2017 Current Procedural Terminology (CPT), administered by the American Medical Association and the Healthcare Common Procedure Coding System (HCPCS) administered by the Centers for Medicare and Medicaid Services. The table below provides a crosswalk of the previous procedure code modifier combinations to the current updated codes and modifiers:

Service	Current Code	Current Rate	New Code Modifier	New Rate
Assistive Technology Services	DME Proc Codes	DME Fee Sched	DME Proc Codes	DME Fee Sched
Assessments for Service Planning	T1023 R1	\$37.50	T1023 TL GN T1023 TL GO T1023 TL GP	\$37.50
	T1023 R2	\$28.50	T1023 TL U2	\$28.50
Audiology	G0153 GP (group)	\$25.13	92508 TL GN	\$25.13
	G0153 R1 (individual)	\$37.50	N/A	N/A
	G0153 R2 (individual)	\$28.50	N/A	N/A
Developmental Therapy	T1027 R2 (individual)	\$27.50	T1027 TL	\$27.50
Developmental Therapy - Applied Behavioral Analysis Method	T1027 R1 (individual)	\$31.25	0368T first 30 mins 0369T each additional 30 mins	\$62.50
	T1027 R2 (individual)	\$27.50	0364T first 30 mins 0365T each additional 30 mins	\$55.00
	T1027 GP (group)	\$18.43	0366T first 30 mins 0367T each additional 30 mins	\$36.86

Service	Current Code	Current Rate	New Code Modifier	New Rate
Group Therapy	T1027 GP	\$18.43	T1027 TL HQ	\$18.43
Nursing Services	G0154 U1 (individual)	\$37.50	T1001 TL evaluation/assessment T1002 TL each additional 15 mins	\$37.50
	G0154 GP (group)	\$25.13	T1002 TL HQ	\$25.13
Nutrition Services	97802 R2 (initial)	\$30.41	97802 TL	\$30.41
	97803 R2 (subsequent)	\$26.49	97803 TL	\$26.49
	97804 R2 (group)	\$13.32	97804 TL	\$13.32
Occupational Services	G0152 U1 (individual)	\$37.50	97530 GO	\$37.50
	G0152 GP (group)	\$25.13	97150 TL GO	\$25.13
Social Work Services	90806	\$70.94	H0004 TL	\$71.06
	90846	\$71.06	N/A	N/A
Psychological Services	90802	\$146.76	90791 TL	\$146.76
	90804	\$54.06	90832 TL	\$54.06
	90806	\$70.94	90834 TL	\$70.94
	90808	\$103.32	90837 TL	\$103.32
	96810	\$55.23	N/A	N/A
	96111	\$108.22	96111 TL	\$108.22
Physical Therapy Services	G0151 U1 (individual)	\$37.50	97110 TL GP	\$37.50
	G0151 GP (group)	\$25.13	97110 TL HQ GP	\$25.13
Speech Language Pathology (SLP) Services	G0153 U1 (individual)	\$37.50	92507 TL GN	\$37.50
	G0153 GP (group)	\$25.13	92508 TL GN	\$25.13
	N/A	N/A	92507 TL GN U2 (assistant)	\$25.13
Team Treatment Activities	T1024 R1 (individual)	\$37.50	T1024 TL HT GO	\$37.50
			T1024 TL HT GP	\$37.50
			T1024 TL TH GN	\$37.50
			T1024 TL HT	\$27.50
Vision Services Orientation	V2799 R2	\$37.50	V2799 TL	\$37.50

The Medicaid Fee Schedule is located on the DHCF website at <https://www.dc-medicaid.com/dcwebportal/nonsecure/feeScheduleDownload>. For further information or questions regarding this fee schedule update, please contact Amy Xing, Reimbursement Analyst, Department of Health Care Finance, at amy.xing2@dc.gov, or via telephone at (202) 481-3375 or Emilie Monroe, Management Analyst, Department of Health Care Finance, at emilie.monroe1@dc.gov or via telephone at (202) 442-8967.

DEPARTMENT OF HEALTH**NOTICE OF PUBLIC MEETING**

The Director of the Department of Health hereby gives the following notice pursuant to Sections 3 and 11 of the Prescription Drug Monitoring Program Act of 2013, effective February 22, 2014 (D.C. Law 20-66); D.C. Official Code §§ 48-853.02 and 48-853.10 (2012 Repl. & 2015 Supp.)(Act), and 17 DCMR § 10316.

The District of Columbia Prescription Drug Monitoring Program Advisory Committee will hold a public meeting on:

**Tuesday, January 16, 2018, from 10:00 a.m. until 12:00 p.m.
At 899 North Capitol St., NE, 2nd Floor, Room 216
Washington, D.C. 20002**

A copy of the meeting agenda may be obtained on the Department's Prescription Drug Monitoring Program website at doh.dc.gov/pdmp

Please monitor the Department's Prescription Drug Monitoring Program website at doh.dc.gov/pdmp for updates. Phone inquiries will not be accepted regarding this topic.

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
NOTICE**

In accordance with Internal Review Code (IRC) Section 42(m)(1)(A)(iv) and the District of Columbia's (District) 2017 Low Income Housing Tax Credit Qualified Allocation Plan, May 2017 (2017 QAP), Polly Donaldson, Director, Department of Housing and Community Development (DHCD) announces the selection of the V Street (1220 V Street SE, Washington, D.C.) project into the DHCD 9% Low Income Housing Tax Credit (LIHTC) pipeline under the Director's Special Initiatives Program for calendar year 2018.

The 2017 QAP's definition of the Director's Special Initiatives Program emphasizes the geographic characteristics of a project and is to be used "for stimulating development in any targeted area." The MLK Jr. Avenue Corridor is experiencing rent growth and senior residents need more affordable units today. The V Street project will deliver 31 affordable rental units at 60% Area Median Income (AMI) or below, for local seniors who can no longer care for their homes but who wish to remain in their neighborhood.

The 2017 QAP includes the following demographic and location selection criteria:

- Senior Housing/Artist Housing
- Proximity to a Metrorail station or Streetcar stop

The V Street Project was selected for the Director's Special Initiative based on the following priorities and selection criteria:

- The project will create 31 affordable senior housing units
- The project is within ½ mile of a Metrorail station

DHCD estimates that for calendar year 2018, the District has up to approximately \$809,772 in 9% LIHTCs available for the Director's Special Initiatives Program; DHCD plans to award the entire amount to the V Street project.

Muriel Bowser, Mayor of the District of Columbia
Brian Kenner, Deputy Mayor for Planning and Economic Development
Polly Donaldson, Director, Department of Housing and Community Development

KIPP DC PUBLIC CHARTER SCHOOLS**REQUEST FOR PROPOSALS****Full Service Catering**

KIPP DC is soliciting proposals from qualified vendors for Full Service Catering. The RFP can be found on KIPP DC's website at <http://www.kippdc.org/procurement>. Proposals should be uploaded to the website no later than 5:00 PM on January 22, 2018. Questions can be addressed to tom.clark@kippdc.org.

THE NOT-FOR-PROFIT HOSPITAL CORPORATION

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETINGS

The regular monthly meetings of the Board of Directors of the Not-For-Profit Hospital Corporation, an independent instrumentality of the District of Columbia Government, are held at 9:00am in open session on the fourth Wednesday of each month, unless otherwise indicated.

The following are dates and times for the regular monthly meetings to be held in calendar year 2018. All meetings are held at 1310 Southern Avenue, Southeast, Washington, DC 20032, conference room 2/3, unless otherwise indicated. Notice of a meeting location change other than 1310 Southern Avenue, Southeast will be published in the D.C. Register and/or posted on the Not-For-Profit Hospital Corporation's website (www.united-medicalcenter.com).

The Annual Community Meeting will be held on Wednesday, November 28, 2018, from 6:30pm-8:30pm at the R.I.S.E. Demonstration Center, located at 2730 Martin Luther King Jr. Avenue, SE, Washington, DC 20032 (on the campus of St. Elizabeth East). A notice and or draft agenda will be published in the D.C. Register for each meeting.

Wednesday, January 24, 2018	9:00am	United Medical Center
Wednesday, February 28, 2018	9:00am	United Medical Center
Wednesday, March 28, 2018	9:00am	United Medical Center
Wednesday, April 25, 2018	9:00am	United Medical Center
Wednesday, May 23, 2018	9:00am	United Medical Center
Wednesday, June 27, 2018	9:00am	United Medical Center
Wednesday, July 25, 2018	9:00am	United Medical Center
Wednesday, September 26, 2018	9:00am	United Medical Center
Wednesday, October 24, 2018	9:00am	United Medical Center
Wednesday, November 28, 2018	6:30pm	R.I.S.E. Demonstration Center

OFFICE OF THE DEPUTY MAYOR FOR PLANNING AND ECONOMIC
DEVELOPMENT

NOTICE OF FUNDING AVAILABILITY

FY18 Neighborhood Prosperity Fund (NPF)

The Deputy Mayor for Planning and Economic Development (DMPED) invites the submission of proposals for the **FY 18 Neighborhood Prosperity Fund (NPF)**. DMPED will award up to a maximum of **\$2.5 million**. The application deadline is **Friday, February 23** at 12:00p.m.

The Office of the Deputy Mayor for Planning and Economic Development welcome submissions directly connected this this goal. DMPED will fund projects to fill the gaps in non-residential components of a mixed used project, real estate, or retail development project in targeted census tracts where unemployment is 10% or greater. A map of these areas can be found at <http://arcg.is/OLz80>. **The grant provides necessary gap funding only for the commercial component of development projects.**

DMPED will award 1 or more grants for an aggregate total of \$2.5 million.

Awards will range between \$250,000.00 and \$750,000.00

Minimum application request is \$250,000.00

Eligibility

1. Projects must be within the boundaries of the Neighborhood Prosperity Fund (see map at <http://arcg.is/OLz80>)
2. Mixed-use residential proposed projects must include, at a minimum, an amount of Affordable Dwelling Units (ADUs) that are equivalent to and compliant with the Inclusionary Zoning provisions of the District of Columbia Zoning Regulations (11 DCMR §§ 2600 *et seq.* (2012)).
3. 50% of the tenants are identified and/or secured through letters of intent.
4. The project must be able to begin work on site on or before April 30, 2019.

Applicant examples include, but are not limited to:

- Retail Stores – clothing, jewelry, toys, electronics, hardware
- Cafes
- Grocery Stores
- Drugstores/Pharmacies
- Sit Down Restaurants
- Coffee Shops
- Medical offices (doctor, dentist, chiropractor)
- Professional office space

Preference given:

1. ***To commercial projects that include fresh-food access components.***
2. ***To ground floor retail space which will enhance the pedestrian and retail experience.***

Or as determined by DMPED

For additional eligibility requirements and exclusions, please review the Request for Applications (RFA) which will be posted at <https://dmped.dc.gov/service/grant-opportunities> by **Friday, January 12, 2018**.

Application Process: Interested applicants must submit electronically by **Friday, February 23, 2018** at 12:00 p.m. DMPED will not accept applications submitted after 12:00 p.m. Late submissions applications will not be forwarded to the review panel. Instructions and guidance regarding application preparation can be found in the RFA, which will be available at on **Friday, January 12, 2018**.

Award of Grants: DMPED will award 1 or more grants for an aggregate total of \$2.5 million.

For More Information: Check our website at <https://dmped.dc.gov/service/grant-opportunities>

Questions may be sent to LaToyia Hampton, Grants Administrator at the Deputy Mayor for Planning and Economic Development at latoyia.hampton@dc.gov or 202-724-7648.

Reservations: DMPED reserves the right to issue addenda and/or amendments subsequent to the issuance of the NOFA or RFA, or to rescind the NOFA or RFA.

Approved
Brian T. Kenner
Deputy Mayor for Planning and Economic Development

Date

Disapproved
Brian T. Kenner
Deputy Mayor for Planning and Economic Development

Date

DISTRICT OF COLUMBIA RETIREMENT BOARD**NOTICE OF PUBLIC INTEREST****CERTIFICATION OF WINNER OF THE ELECTION TO SERVE AS
THE RETIRED TEACHER MEMBER OF THE BOARD**

The District of Columbia Retirement Board (the “Board”) is required to conduct elections for its retired member representatives to the Board. *See* D.C. Official Code § 1-711(b)(2) (2001). In accordance with the Board’s Rules for the Election of Members to the Board (“Election Rules”), the Board, through the American Arbitration Association (“AAA”), conducted an election for the representative of District of Columbia Retired Teachers.

The ballots were counted on Monday, December 4, 2017, at 900 7th Street, N.W., 2nd Floor, Washington, D.C., in the presence of Board representatives, and under the supervision of AAA.

AAA submitted the Certification of Results to the Board on December 14, 2017. Pursuant to section 408.1 of the Election Rules, the Board hereby certifies the results of the election and declares the winner to be Mary A. Collins, a retired District of Columbia teacher.

Pursuant to section 408.4 of the Election Rules, any eligible candidate for this election may petition the Board in writing for a recount of votes within seven (7) calendar days of the date of publication of the certification of the winner. The petition must be filed at the Board’s executive office located at 900 7th Street, N.W., 2nd Floor, Washington, D.C. 20001. In the absence of a request for a recount, the election results will become final and cannot be appealed thirty (30) days after this publication of the Board’s certification.

The Election Rules and the Certification of Results can be accessed on the Board’s website:

<http://www.dcrb.dc.gov>

Please address any questions regarding this notice to:

Sheila Morgan-Johnson, Executive Director
D.C. Retirement Board
900 7th Street, N.W., 2nd Floor
Washington, D.C. 20001

OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA
RECOMMENDATIONS FOR APPOINTMENTS AS NOTARIES PUBLIC

Notice is hereby given that the following named persons have been recommended for appointment as Notaries Public in and for the District of Columbia, effective on or after January 15, 2018.

Comments on these potential appointments should be submitted, in writing, to the Office of Notary Commissions and Authentications, 441 4th 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 December 15, 2017. 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.

D.C. Office of the Secretary

Effective: January 15, 2018

Recommendations for appointment as DC Notaries Public

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62524	Addo	Jeffrey Kwesi	AlignStaffing 111 K Street, NW	20002
62525	Ainsworth	Sara Catherine	Polsinelli, PC 1401 I Street, NW, Suite 800	20005
62526	Allen	Ernestine	Self 2504 18th Street, NE	20018
62527	Amen	Priest	Self 1215 Emerson Street, NW	20011
62528	Anderson Jr.	Mack E.	Wells Fargo Bank, NA 490 L Street, NW	20001
62529	Angel Padilla	Dennis	Mary's Center for Maternal and Child Care 3912 Georgia Avenue, NW	20011
62530	Angeles	Mary Cabanes	U.S Environmental Protection Agency 1200 Pennsylvania Avenue, NW, Mail Code 1900R	20460
62531	Antwi- Obimpeh	George	Self 616 R Street, NW, Unit 3	20001
62532	Ao	Jing	Bank-Fund Staff Federal Credit Union 1725 Eye Street, NE, Suite 150	20006
62533	Battle	Ernesta G.	Higher Heights, LLC 1380 Monroe Street, NW, # 636	20010
62534	Behrens	Betty	Bertram & Amell 1100 Vermont Avenue, NW, Suite 500	20005
62535	Benson	Donna Lee	Ropes & Gray, LLP 2099 Pennsylvania Avenue, NW	20006
62536	Bolling	Mekka	Strittmatter Metro, LLC 5630 Connecticut Avenue, NW, Suite 300	20015

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Recommendations for appointment as DC Notaries Public

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62537	Brault	Melissa Giove	RGS Title, LLC 4201 Connecticut Avenue, NW, Suite 406	20008
62538	Braxton	Linda J.	Center City Community Corporation 128 M Street, NW, Suite 310	20001
62539	Brewer	Tara Y.	Wells Fargo Bank 801 Pennsylvania Avenue, NW	20004
62540	Brinkman	Robert J.	Capital Asset Management Group 1000 Potomac Street, NW, Suite 300	20007
62541	Broady	Rocquel Monique	Self 725 Brandywine Street, SE, Unit 101	20032
62542	Brown	Donna M.	Cooley, LLP 1299 Pennsylvania Avenue, NW, Suite 700	20004
62543	Brown	Edith C.	Ballard Spahr, LLP 1909 K Street, NW	20006
62544	Brown	Vanessa C.	Morgan Lewis & Bockius, LLP 1111 Pennsylvania Avenue, NW	20004
62545	Carroll	Donna Kristine	Rebuilding Together, Inc 999 North Capital Street, NE, Suite 701	20002
62546	Chan	Lorraine	AlignStaffing 111 K Street, NW	20002
62547	Chapman	Lana T.	Robert A. Rapoza Associates, Inc. 1331 G Street, NW, 10th Floor	20005
62548	Chartier	Susan	Brennan Title Company 5100 Wisconsin Avenue, NW, Suite 515	20016
62549	Coley	Shenay	Long and Foster Real Estate 3527 12th Street, NE	20017

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 Recommendations for appointment as DC Notaries Public

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62550	Cook	Shannan D.	Industrial Bank 1800 Martin Luther King, Jr., Avenue, SE	20020
62551	Crochet-Dore'	Jacob A. C.	Alignstaffing 111 K Street, NE, 4th Floor	20002
62552	Crosse	Celeste	PN Hoffman 680 Water Street, SW	20024
62553	D'Angelo IV	John Peter	Edison Electric Institute 701 Pennsylvania Avenue, NW	20004
62554	DiPaola	Andrew	Self (Dual) 1448 D Street, NE	20002
62555	Domino	Tanya L.	Golden One Notary Services 840 First Street, NE, 3rd Floor	20002
62556	Erickson	Carolynn K.	CareFirst BCBS 840 First Street, NE	20065
62557	Ermicioi	Natalia	BB&T 1365 Wisconsin Avenue, NW	20007
62558	Fields	Tess	Sierra Club 50 F Street, NW, 8th Floor	20001
62559	Flanigan	Timothy Steven	Wells Fargo Advisors 5301 Wisconsin Avenue, NW, Suite 400	20015
62560	Flores Canales, Jr.	Pedro A.	Mary's Center for Maternal and Child Care 3912 Georgia Avenue, NW	20011
62561	Foster	Thelma	Wells Fargo Bank, NA 1510 K Street, NW	20005
62562	Gaddy	Linda Chase	Federal Bureau of Investigation 935 Pennsylvania Avenue, NW	20535
62563	Geter	Ashley Dara	Allstate Insurance Company 1730 Rhode Island Avenue, NW	20036

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Recommendations for appointment as DC Notaries Public

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62564	Goddard	Tyirusiaea	Self (Dual) 704 Columbia Road, NW	20001
62565	Gonzalez	Silvia L.	Parkinson Construction Company, Inc 7826 Eastern Avenue, NW, Suite 502	20012
62566	Gonzalez- Gutierrez	Reyes	BB&T 1365 Wisconsin Avenue, NW	20007
62567	Goodman- Johnson	Nathaniel	Johnson Law Group International 1321 Pennsylvania Avenue, SE	20003
62568	Gordillo	Fernando	Bank Fund Staff Federal Credit Union 1725 I Street, NW, Suite 150	20006
62569	Goudy	Micah Mi'chel	Safe Shores The DC Children's Advocacy Center 429 O Street, NW	20001
62570	Gullickson	Anna	Fry Plumbing and Heating, Corp Rear 327 L Street, NE	20002
62571	Haber	Farral A.	Price Benowitz, LLP 409 Seventh Street, NW, Suite 200	20004
62572	Holloway	Brittney C.	District of Columbia Housing Authority 1133 North Capitol Street, NE	20001
62573	Howard	A. Dyanne	Earl Howard Studios 2528 Pennsylvania Avenue, SE	20020
62574	Howard	Kenneth L.	D.C. Office of the State Superintendent of Education 810 1st Street, NE	20002
62575	Howell	Stephanie	Stavins & Axelrod Properties 1730 Rhode Island Avenue, NW, Suite 909	20036
62576	Ilnicki	Janet	Bank Fund Staff Federal Credit Union 1725 I Street, NW, Suite 150	20006

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Recommendations for appointment as DC Notaries Public

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62577	Irvin	Alison	Arena Stage 1101 Sixth Street, SW	20024
62578	Jackson	Jasemin Mansoorian	United States Department of Justice 450 5th Street, NW	20004
62579	Jaiteh	Amie	Bank Fund Staff Federal Credit Union 1725 I Street, NW	20006
62580	James	Maxwell I	Max James Insurance & Financial Services, Inc. 1713 7th Street, NW	20001
62581	Johnson	Jamie	Irreno Construction Company, Inc 1207 34th Street, NW	20007
62582	Johnson	Mary E.	District of Columbia Housing Authority 1133 North Capitol Street, NE	20002
62583	Johnson	Richard	District of Columbia Housing Authority 1133 North Capitol Street, NE	20002
62584	Jones	Joi Anita	Gibson Dunn & Crutcher 1050 Connecticut Avenue, NW	20036
62585	Kelley	Donetello	K-Factor Fire Protection, Inc 3172 Bladensburg Road, NE	20019
62586	Kingsbury	Reshida	Bates White 1300 I Street, NW, 6th Floor East	20005
62587	Law	Lester B.	Franklin, Karibjanian & Law, PLLC 1101 17th Street, NW, Suite 820	20036
62588	Lightfoot	RaShawnda	Industrial Bank 1317 F Street, NW	20004
62589	Linder	Irene M.	Linder & Associates, PC 5028 Wisconsin Avenue, NW, Suite 404	20016
62590	Locke	Sara	International Republican Institute 1225 Eye Street, NW, Suite 850	20005

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 Recommendations for appointment as DC Notaries Public

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62591	Logan	Danielle	M&T Bank 1350 Eye Street, NW, Suite 200	20002
62592	Lopez	Maria Elena	Maria Elena Lopez, LLC 4416 Georgia Avenue, NW	20011
62593	Lyautey	Brian	Congressional Federal Credit Union 50 Independence Avenue, SE	20515
62594	Marshall Lawson	Renee	Nixon Peabody, LLP 799 9th Street, NW, Suite 500	20001
62595	Martin	Jill W.	AGB Search, LLC 1133 20th Street, NW, Suite 300	20036
62596	McCurry	Samantha E.	Musolino & Dessel, PLLC 1615 L Street, NW, Suite 440	20036
62597	McMahon	Steven J.	Hansen & Associates 419 7th Street, NW, Suite 405	20004
62598	Mederos	Marney Alena	Alderson Court Reporting 1155 Connecticut Avenue, NW, Suite 200	20036
62599	Meek	Megan	Charles Schwab 1845 K Street, NW	20006
62600	Mejia	Donna	Mary's Center for Maternal and Child Care 3912 Georgia Avenue, NW	20011
62601	Mercer	Susie	Hogan Lovells, US LLP 555 13th Street, NW	20004
62602	Miller	Cianna Sharon	Planet Depos 1100 Connecticut Avenue, NW, Suite 950	20036
62603	Morse	John F.	Claridge House Cooperative, Inc. 950 25th Street, NW, Unit 1N	20037
62604	Murphy	Alicia R.	Kass Legal Group, LLC 1050 17th Street, NW, Suite 1100	20036

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62605	Myles	Regina	Delta Sigma Theta Sorority 1707 New Hampshire Avenue, NW	20009
62606	Ndukuba	Longinus	Global Print Master 2004 Rhode Island Avenue, NE	20018
62607	Newman	Darlyn J.	Securities & Exchange Commission 100 F Street, NE	20549
62608	Nguyen	Thanh Thao	AT&T 1120 20th Street, NW, Suite 800	20036
62609	Pekala III	John S.	Seabury at Friendship Terrace 4201 Butterworth Place, NW	20016
62610	Perri	Kate S.	Leadership for Educational Equity 1805 7th Street, NW, 6th Floor	20001
62611	Powell	Ivina	Government Publishing Office 732 North Capitol Street, NW	20401
62612	Pree	Cynthia	Self (Dual) 3244 M Street, SE	20019
62613	Reed	Aldray	Roundtree, Knox, Hunter & Parker 1822 11th Street, NW	20001
62614	Rhodes	Constance Hunt	Capital Reporting Company 1250 Eye Street, Suite 350	20005
62615	Rice	Alexandra L.	Georgetown University 2115 Wisconsin Avenue, NW, Suite 500	20007
62616	Robbins	Nakeisha	Self 1912 Savannah Terrace, SE, Apartment A	20020
62617	Robertson	Brenda S.	Arent Fox, LLP 1717 K Street, NW	20006
62618	Robinson	Sheila A.	Strittmatter Metro, LLC 5630 Connecticut Avenue, NW, Suite 300	20015

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62619	Rodgers	Shelley Church	Rockefeller & Company 2121 Park Road, NW	20010
62620	Rodriguez	Julia M.	See Forever Foundation 600 Pennsylvania Avenue, SE, Suite 210	20003
62621	Rose	Darryl D.	Self (Dual) 3604 Austin Street, SE	20020
62622	Samuels	Cole	Charles Schwab 1845 K Street, NW	20006
62623	Santore	Jacob	T. Rowe Price 1717 K Street, NW, Suite A-100	20006
62624	Shemon	Mary G.	South Capitol Bridge Builders 1220 12th Street, SE, Apartment 255	20003
62625	Silvia	Stephen M.	Self 6318 31st Street, NW	20015
62626	Smith	Shannon	Morgan Lewis 1111 Pennsylvania Avenue, NW	20004
62627	Somerset	Andre' Vincent	Citibank 5001 Wisconsin Avenue, NW	20016
62628	Sotelo	Francisco	Hogan Lovells, US LLP 555 13th Street, NW	20004
62629	Staley	Meghan	KCE Structural Engineers, PC 1818 Jefferson Place, NW	20036
62630	Staton	Tia Carlita	UL, LLC 1850 M Street, NW, Suite 1000	20036
62631	Stepney	LaKisha L.	Department of Justice 950 Pennsylvania Avenue, NW, Room 5137	20004
62632	Stewart	Kirsten	The Wilderness Society 1615 M Street, NW, Suite 200	20036

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62633	Stewart	Sybil	Land Trust Alliance 1250 H Street, NW, Suite 600	20005
62634	Storrie	Ryan David	MRP Realty 1411 K Street, NW	20005
62635	Sweazen	Susan Kowalski	Hickok Cole Architects, Inc 1023 31st Street, NW	20007
62636	Thomas	Alicia D.	Small Enterprise Assistance Funds 1500 K Street, NW, Suite 375	20005
62637	Thompson	Perry	Self (Dual) 1527 Tanner Street, SE	20020
62638	Tirado	Gustavo	Buchanan Ingersol & Rooney, PC 1700 K Street, NW, Suite 300	20006
62639	Vassell	Nadine	Child and Family Services Agency 200 I Street, SE	20003
62640	Weldon	Taylor	Menkiti Group 3401 8th Street, NE	20017
62641	Whiten	Shanika Edith	Express Scripts, Inc 300 New Jersey Avenue, NW, Suite 600	20001
62642	Williams	Tiffany M.	Office of the State Superintendent of Education (OSSE) 810 First Street, NE	20002
62643	Wojcik	Denise J.	Exelon Corporation 701 9th Street, NW	20068
62644	Woldeslassie	Semhar	Wells Fargo Bank 3700 Calvert Street, NW	20007
62645	Wright	Peggy L.	Self 1220 12th Street, NW, Apartment 513	20005
62646	Yisrael	Akosua	Gorove/Slade Associates, Inc 1140 Connecticut Avenue, NW	20036

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62647	Young	Cheryl D.	National Guard Association of the United States, Inc.
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OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA
RECOMMENDATIONS FOR APPOINTMENTS AS NOTARIES PUBLIC

Notice is hereby given that the following named persons have been recommended for appointment as Notaries Public in and for the District of Columbia, effective on or after February 1, 2018.

Comments on these potential appointments should be submitted, in writing, to the Office of Notary Commissions and Authentications, 441 4th 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 December 22, 2017. 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.

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Abraham	Karen R.	Broughton Construction Company 4832 Nannie Helen Burroughs Avenue, NE	20019
Acharya	Pranil	FMC & Associates, LLC 515 M Street, SE, Unit 106	20003
Angel Padilla	Dennis	Mary's Center for Maternal and Child Care 3912 Georgia Avenue, NW	20011
Ayala	Manuel	Bank Fund Staff Federal Credit Union 1725 I Street, NW	20010
Best	Constance	Office of Contracting and Procurement 441 4th Street, NW, Suite 700 South	20001
Brown	Gwendolyne C.	Self 1800 Varnum Street, NE	20018
Burns	Lohna	Derenberger & Page 1430 S Street, NW	20001
Butler	Marilyn F.	International Budget Partnership 820 First Street, NE	20002
Callahan	John J.	Brand, Marquardt & Callahan, PLLC 1325 G Street, NW, Suite 500	20005
Caporaletti	Mary Anne	Carlton Fields Jordan Burt, P. A. 1025 Thomas Jefferson Street, NW, Suite 400 West	20007
Cheung	Mae	The Optical Society 2010 Massachusetts Avenue, NW	20036
Dunbar	Tayanna	Parsons 100 M Street, SE, Suite 1200	20003
Fisher	Kristen Nicole	Republican State Leadership Committee 1201 F Street, NW, Suite 675	20002
Freeman	Frances M.	Ace- Federal Reporters 1625 I Street, NW	20006

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Ghannam	Mohammad S.	American Passport & Visa Service, LLC 1657 Crittenden Street, NE	20017
Gillespie	Andrea D.	US Department of Homeland Security United States Coast Guard 2703 Martin Luther King Jr. Avenue, SE	20593
Goldberg	Flannery	KCIC 733 10th Street, NW, Suite 301	20001
Gonzalez	Noris	Mary's Center for Maternal and Child Care 3912 Georgia Avenue, NW	20011
Grayton	Courtney A.	Self (Dual) 1327 Massachusetts Avenue, SE	20003
Harris	Shionna	URAC 1220 L Street, NW, Suite 400	20005
Hernandez	Martha	Mary's Center for Maternal and Child Care 3912 Georgia Avenue, NW	20011
Hollis	Hillyn R.	Gray Plant Mooty & Bennett, PA 600 New Hampshire Avenue, NW, Suite 700	20037
Hubschmann	Kirsten	The Public Defender Service 1442 Pennsylvania Avenue, SE	20003
Hummons	Yvette R.	Academic Travel Abroad, Inc 1155 Connecticut Avenue, NW, Suite 300	20036
John	Peter	PNC Bank 1201 Wisconsin Avenue, NW	20007
Johnson	Travis	Wells Fargo 1300 I Street, NW, Suite 105	20005
Jones	Tracie L.	Government Publishing Office 732 North Capitol Street, NW	20401
King	Amanda Victoria	NFL Players Association 1133 20th Street, NW,	20036

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Lakawicz	Teresa G.	Haynes and Boone, LLP 800 17th Street, NW, Suite 500	20006
Lee	Chan Hwi	CapitalRE, LLC 1201 15th Street, NW, Suite 440	20005
Levin	Laurence Louis	Self 4000 Tunlaw Road, NW	20007
Lomax	Olivette D. G.	Mallios & O'Brien 2600 Virginia Avenue, NW, Suite 406	20037
McConnell	Karen N.	United States House of Representatives 1718 Longworth House Office Building	20515
Melgar Gonzalez	Brandon	SunTrust Bank 1800 Columbia Road, NW	20009
Muhammad	James E.	Self 1815 24th Street, NE, Apartment T2	20002
Paris	Michelle	AAA 607 14th Street, NW, Suite 200	20005
Patillo	Demetrius	University of the District of Columbia 4200 Connecticut Avenue, NW	20008
Poole	Kirsten S.	Reporters Committee for Freedom of the Press 1250 15th Street, NW, Suite 1250	20005
Rasheed	Bushra Muminan	Self 608 57th Street, NE	20019
Roberts	Lewis W.	BB&T 1365 Wisconsin Avenue, NW	20007
Sandoval	Manuel E.	Exponent, Inc. 1150 Connecticut Avenue, NW, Suite 1100	20036
Sarmiento	Carlos	Alban Masonry, LLC 729 8th Street, SE, Suite 200	20003

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Singleton	LaJuan P.	Jenner & Block, LLP 1099 New York Avenue, NW, Suite 900	20001
Smith-Kayode	Tobi	Bank Fund Staff Federal Credit Union 1725 I Street, NW	20006
Strother	Darryl	Federal Trade Commission 600 Pennsylvania Avenue, NW	20580
Tarlton	Idania	Motir Services, Inc 1508 East Capitol Street, NE	20003
Taye	Eden M.	Self 2620 Sherman Avenue, NW	20001
Thomas	Janasha	Self 2311 Good Hope Court, SE, Apartment 402	20020
Tkac	Cassidy Anne	Gelb & Gelb, P.C. 1120 Connecticut Avenue, NW, Suite 421	20036
Uckele	Courtney	Food & Friends 219 Riggs Road, NE	20011
Westfield	Jasmine T.	Self 818 Kentucky Avenue, SE	20003
White	R. Sumitria	US Department of Homeland Security United States Coast Guard 2703 Martin Luther King Jr. Avenue, SE	20593

MAYOR'S OFFICE OF VETERANS AFFAIRS**PUBLIC NOTICE****2018 ADVISORY BOARD ON VETERANS AFFAIRS MEETINGS**

The Mayor's Veterans Affairs Advisory Board serves as an advisory body to the Mayor, the Mayor's Office of Boards and Commissions, the Office of Veterans Affairs, the Department of Employment Services, the Department of Health, the Department of Human Services, and other District government departments, agencies, and offices on all matters pertaining to Veterans in the District of Columbia.

The Mayor's Veterans Affairs Advisory Board meets monthly on the first Tuesday of each month. When that date falls on a holiday or another conflict is present, the Board will vote the month prior to move the meeting date. Any changes to the meetings will be reflected on the Mayor's Office of Veterans Affairs (MOVA) website ova.dc.gov and will be published via a supplemental notice in the D.C. Register. You can always contact MOVA staff at 202-724-5454 with any questions.

Meeting Location:

**441 4th Street NW/One Judiciary Square
11th floor, Suite 1114
Washington DC 20001**

Meeting Time:

6:30 p.m. – 8:00 p.m.

Call In Information:

**Dial in: 712-451-0862
Passcode: 821260**

2018 Meeting Dates:

**Tuesday, January 9, 2018
Tuesday, February 6, 2018
Tuesday, March 6, 2018
Tuesday, April 3, 2018
Tuesday, May 1, 2018
Tuesday, June 5, 2018
Tuesday, July 3, 2018
Tuesday, August 7, 2018
Tuesday, September 4, 2018
Tuesday, October 2, 2018
Tuesday, November 6, 2018
Tuesday, December 4, 2018**

OFFICE ON WOMEN’S POLICY AND INITIATIVES
DISTRICT OF COLUMBIA COMMISSION FOR WOMEN

NOTICE OF PUBLIC MEETING

John A. Wilson Building, 1350 Pennsylvania Ave. Room 527, Washington, DC 20004
Conference Call #: 1-712-770-4700
Participant Code: 428857#
Tuesday, January 9, 2018
6:45 PM- 8:00 PM

AGENDA

Call to Order..... Commissioner Carolyn B. Rudd, Chair

Roll Call.....Commissioner Jacquelyn Glover,
Secretary

Approval of Minutes from November 14, 2017 Meeting

Correspondence/Notification(s)

Unfinished Business

New Business

- Report from the Commission Chair
- Updates from the Director of MOWPI
- Other items for consideration

Announcements/Good of the Order

Next Meeting Date

Adjournment

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

Order No. 18511-D of Alleyoop LLC, Motion for Modification of Significance, as amended,¹ pursuant to 11 DCMR Subtitle Y § 704, now requesting special exception relief for residential use on an alley lot under Subtitle U § 601.1(c), and variances from the nonconforming structure requirements under Subtitle C § 202.2, the alley lot height requirements under Subtitle E § 5102, and the alley centerline setback requirements under Subtitle E § 5106, to convert an existing auto repair shop into an office and two one-family dwellings in the RF-1 Zone at premises 1018 Irving Street N.W. (Square 2851, Lots 219-221).

The original application (No. 18511) was pursuant to the Zoning Regulations of 1958², 11 DCMR § 3103.2, for a variance from the use provisions under § 330.4, the alley lot height requirements (§ 2507), the nonconforming structure requirements (§ 2001), the lot area and width requirements (§ 401), rear yard requirements (§ 404), and side yard requirements (§ 405) to allow the Applicant to subdivide an alley lot into three separate lots and convert an existing automotive repair shop to an office use and two artist studios in the R-4 District at premises rear 1018 Irving Street, N.W. (Square 2851, Lot 837).

HEARING DATES (Case No. 18511):	March 5, 2013 and April 2, 2013
DECISION DATES (Case No. 18511):	April 30, 2013 and July 23, 2013
FINAL ORDER ISSUANCE DATE (Case No. 18511):	January 13, 2014
MODIFICATION HEARING DATES:	September 13, 2016 and September 20, 2016
MODIFICATION DECISION DATE:	September 27, 2016

¹ The Applicant's original request for modification of significance included a request for special exception relief under the penthouse requirements of Subtitle C § 1500.4 and the RF use requirements of Subtitle U § 600.1(c), as well as variance relief from the alley lot height requirements of Subtitle E § 5102. (Exhibit 6.) The Applicant submitted revised plans under Exhibit 47 and a revised self-certification form under Exhibit 48 to amend the application to: (1) withdraw the request for special exception relief under the penthouse requirements of Subtitle C § 1500.4; (2) correct the citation for the provision regarding special exception for residential use on an alley lot from "Subtitle U § 600.1(c)" to "Subtitle U § 601.1(c);" and (3) add requests for variances from the nonconforming structure requirements under Subtitle C § 202.2, and the alley centerline setback requirements under Subtitle E § 5106. The caption has been revised accordingly.

² The original application was filed under the Zoning Regulations (Title 11, DCMR) which were then in effect (the "1958 Zoning Regulations") but which were repealed on September 6, 2016 and replaced with new text of Title 11, DCMR (the "2016 Regulations"). The Applicant in this modification of significance is asking for amended self-certified relief under the 2016 Regulations.

**CORRECTED³ SUMMARY ORDER ON
REQUEST FOR MODIFICATION OF SIGNIFICANCE**

SELF-CERTIFICATION

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Revised, Exhibit 48; Original, Exhibit 6.) In granting the certified relief, the Board of Zoning Adjustment ("Board" or "BZA") made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

Background

On July 23, 2013, the Board approved Application No. 18511 of Alleyoop LLC ("the Applicant"), pursuant to the Zoning Regulations of 1958, for a variance from the use provisions under § 330.4, the alley lot height requirements under § 2507, the nonconforming structure requirements under § 2001, the lot area and width requirements under § 401, rear yard requirements under § 404, and side yard requirements under § 405, to allow the Applicant to subdivide an alley lot into three separate lots and convert an existing automotive repair shop to an office use and two artist studios in the R-4 District at premises rear 1018 Irving Street, N.W. (Exhibit 3.) Order No. 18511 was issued on January 13, 2014.

On May 24, 2016, the Board granted a two-year extension of Order No. 18511, based on evidence from the Applicant that it had encountered difficulties in finding tenants for the two artist studios, noting that the "demand for artist studios is relatively small" and that there is "good cause for the extension due to the inability to secure a tenant due to the current economic and market conditions." (BZA Order No. 18511-A, June 8, 2016.) Along with the request for time extension in Application No. 18511-A, the Applicant filed Application No. 18511-B, a request for modification under the Zoning Regulations of 1958 in order to change the use of the proposed artist studios to a residential use. The Board held a public hearing on the request for modification on May 24, 2016, at which time the Applicant determined that it would withdraw the application in order to file a request for modification of significance under the Zoning Regulations of 2016.

Accordingly, the Applicant filed this request for modification of significance with the Board on June 8, 2016. The application requests a modification of the plans approved by the Board in Application No. 18511 in order to convert the approved plans for two artist studios into plans for

³ This Corrected Order revises the final paragraphs of the original Order, issued October 11, 2016. The original Order incorrectly contained final paragraphs limiting the effectiveness of this order to six months. Because the Order approves a modification to Order No. 18511, for which a two-year time extension was granted in Order No. 18511-A, the Order is subject to the time limit outlined in Order No. 18511-A. Accordingly, the Order shall be valid until January 13, 2018. No other revisions other than to the final paragraphs were made to the originally-issued Order.

two one-family dwellings. (Exhibits 1 and 10.) Based on the revised plans and proposal, the Applicant also requests to amend the relief granted in Application No. 18511 to add a special exception for residential use on an alley lot under Subtitle U § 601.1(c) and variances from the nonconforming structure requirements under Subtitle C § 202.2, the alley lot height requirements under Subtitle E § 5102, and the alley centerline setback requirements under Subtitle E § 5106. (Exhibit 48.)

Pursuant to Subtitle Y § 704.5, the request for modification of significance was served on all other parties to the original application at the same time as the request was filed with the Board. (Exhibit 29.) Parties to the original Application No. 18511 included Advisory Neighborhood Commission (“ANC”) 1A and Adetokunbo Ladejobi. The Applicant also served the request for modification of significance on Frank Proshan, who was granted party status in opposition during the public hearing for Application No 18511-B.

The Board provided proper and timely notice of the public hearing on this modification by publication in the *D.C. Register* and by mail to the Applicant, ANC 1A, and to all owners of property within 200 feet of the property that is the subject of this application. The subject property is located within the jurisdiction of ANC 1A, which is automatically a party to this application. The ANC submitted a report on September 14, 2016, which stated that at a regularly scheduled and properly noticed meeting on September 14, 2016, at which a quorum was present, the ANC voted 10-1-0 in support of the request for modification of significance and amended relief. (Exhibit 42.)

The Office of Planning (“OP”) submitted a report dated September 9, 2016, recommending approval of the modification of significance, as it pertained to the special exception to permit one dwelling unit on each of the two alley lots, but recommended denial of the requested variance to increase the height of the building. (Exhibit 38.) OP also requested that the Applicant submit descriptions of communications with relevant agencies for the conversion of Lots 220 and 221 to residential use and that the existing cornice on the building be retained.

The District Department of Transportation (“DDOT”) submitted a memorandum dated September 8, 2016, indicating that it has no objection to the approval of the modification and requested relief, provided that the Applicant update the conditions of the original order to reference the proposed residential use. (Exhibit 37.)

Request for Modification of Significance

As directed by 11 DCMR Subtitle Y § 704, the Board considered the request for modification of significance at a public hearing on September 20, 2016. The hearing was “focused on the relevant evidentiary issues requested for modification and any condition impacted by the requested modification,” and the scope of the hearing was “limited to impact of the modification on the subject of the original application.” (Subtitle Y §§ 704.6 and 704.7.) Accordingly, during the hearing, the Board considered the impact of: (1) converting the two originally-approved artist studios into two residential units; (2) revising the conditions to reflect the proposed residential

use; and (3) modifying the plans in order to increase the approved height of the structure by approximately seven inches.

Pursuant to Subtitle Y § 704.8, the Board's decision on a request for modification of plans shall be made on the basis of the Applicant's written request, including revised plans, and any responses thereto from other parties to the original application. Parties to the original application included ANC 1A and Adetokunbo Ladejobi. During the hearing on September 20, 2016, the Board granted consolidated party status in opposition to Adetokunbo Ladejobi and Frank Proschan, and considered their testimony raising concerns about the proposed modification. In advance of the Board's decision, however, the Opposition Party agreed to withdraw its party status, based on an agreement reached with the Applicant. (Exhibit 46.) The elements of the agreement between the Applicant and the former Opposition Party have been incorporated into the revised plans under Exhibit 47 and into the conditions adopted by the Board in this order.

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 granting a modification of significance is appropriate in this circumstance.

Amended Application

Variance Relief

As directed by 11 DCMR Subtitle X § 1002.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 1002.1 for area variances from the nonconforming structure requirements under Subtitle C § 202.2, the alley lot height requirements under Subtitle E § 5102, and the alley centerline setback requirements under Subtitle E § 5106, to convert an existing auto repair shop into an office and two one-family dwellings in the RF-1 Zone. The only parties to the case were the ANC and the Applicant. A decision by the Board to grant this application would not be adverse to any party, as the parties who appeared at the public hearing in opposition to this application subsequently withdrew their opposition.

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 in seeking variances from 11 DCMR Subtitle C § 202.2, and Subtitle E §§ 5102 and 5106, the Applicant has met the burden of proof under 11 DCMR Subtitle X § 1002.1, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Special Exception Relief

As directed by 11 DCMR Subtitle X § 901.3, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 901.2, for a special exception for residential use on an alley lot under Subtitle U § 601.1(c), to convert an existing auto repair shop into an office and two one-family dwellings in the RF-1 Zone. A decision by the Board to grant this application would not be adverse to any party, as the parties who appeared at the public hearing in opposition to this application subsequently withdrew their opposition.

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 Subtitle X § 901.2, and Subtitle U § 601.1(c), 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.

Great Weight

The Board is required to give “great weight” to the issues and concerns raised by the affected ANC in its written report. (Section 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d) (2001)).) In this case, ANC 1A recommended approval of the modification of significance and requested relief. (Exhibit 42.) The Board accords the ANC recommendation the great weight to which it is entitled and concurs in its recommendation.

The Board is also required to give “great weight” to the recommendation of the Office of Planning. (D.C. Official Code § 6-623.04 (2001).) In this case, OP’s report recommended approval of the modification of significance, as it pertained to the special exception to permit one dwelling unit on each of the two alley lots, on the condition that the Applicant submit descriptions of communications with relevant agencies for the conversion of Lots 220 and 221 to residential use and that the existing cornice on the building be retained. (Exhibit 38.) The Applicant testified regarding those communications with the relevant agencies during the public hearing on September 20, 2016. In addition, the Applicant’s final revised plans reflect the preservation of the existing cornice on the building.

OP’s report recommended denial of the requested variance to increase the height of the building. (Exhibit 38.) OP indicated that the Applicant had not demonstrated a practical difficulty with regard to the proposal to increase the height of the building by seven inches in order to raise the finished floor of the second story and establish window sills atop the existing decorative parapet wall to maintain a nine-foot ceiling height on the second floor. The Board requested additional testimony from the Applicant focusing on this issue, and additionally, asked that the Applicant work with neighbors who also raised concerns with the proposed height increase. Based on the Applicant’s evidence and testimony, as well as revised plans that lower the parapet by four inches, the Board finds that the height relief is *de minimis* and the Applicant has met the burden

of proof for the variance request. Accordingly, the Board was not persuaded by OP's recommendation to deny the requested height relief.

Pursuant to 11 DCMR Subtitle Y § 101.9, the Board has determined to waive the requirement of 11 DCMR Subtitle Y § 604.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application for modification of significance of the Board's approval in Application No. 18511 is hereby **GRANTED, SUBJECT TO THE APPROVED MODIFIED PLANS IN EXHIBIT 47, AND SUBJECT TO THE FOLLOWING CONDITIONS:**

1. The Applicant shall implement the proposed trash pick-up restriction plan including the requirement that the hired trash collection company wheel trash bins from inside the property to the street during pick-up activities. The truck shall park on either Irving Street or Columbia Road, while the trash is wheeled over. In addition, trash pick-up shall not occur before 9:30 a.m., in order to reduce traffic impacts. This trash pick-up plan and the use of a private trash company shall apply to all three lots.
2. The Applicant shall install appropriate No Parking signs along its property.
3. The Applicant shall install at least three secured long-term bicycle parking spaces within their proposed garage. These secured bicycle parking spaces should be easily accessible and visible to users.
4. The Applicant shall install DDOT-approved pedestrian markings in the alley to delineate a pedestrian path.
5. The Applicant shall upgrade the existing alley lighting to support the office and residential uses.
6. The Applicant shall coordinate with DDOT a request to install protection for the Property located at 1023 Columbia Road at the expense of SevenFiveThree Development. The protective elements shall be placed at each corner and along the east wall of the property and be spaced no less than ten feet. The final type and method of protection shall be determined after discussions with DDOT and coordination with the owner of the property, Jacob Ellwanger.
7. The Applicant shall provide high efficiency HVAC units.

- 8. The Applicant shall lower the perimeter parapet by four inches, with a building height of 26 feet, as shown on the revised plans in Exhibit 47.
- 9. The Applicant shall retain the existing cornice on the building as shown in Exhibit 47.
- 10. The Applicant will request that the alley not be a named alley, although it is currently a condition of the D.C. Building code that it be named.

In all other respects, Order No. 18511 remains unchanged.

VOTE: 4-0-1 (Marnique Y. Heath, Anita Butani D’Souza, Frederick L. Hill (by absentee vote), and Anthony J. Hood (by absentee vote) to Approve; Jeffrey L. Hinkle not participating.)

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

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

FINAL DATE OF ORDER: December 21, 2017

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

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

Application No. 19650 of City Corner Market, Inc., pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under the use provisions of Subtitle U § 254, to permit a corner store in the RF-1 Zone at premises 2601 Sherman Avenue N.W. (Square 2884, Lot 61).

HEARING DATE: December 20, 2017

DECISION DATE: December 20, 2017

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 11.) In granting the certified relief, the Board of Zoning Adjustment ("Board" or "BZA") made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

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 located 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. The ANC submitted a timely report in support of the application. The ANC report indicated that at a duly noticed and scheduled public meeting on December 7, 2017, at which a quorum was present, the ANC voted 11-0-0 in support of the application. (Exhibit 47.)

The Office of Planning ("OP") submitted a timely report dated December 1, 2017, in support of the application with two conditions. (Exhibit 45.)

The District Department of Transportation ("DDOT") submitted a timely report indicating that it had no objection to the grant of the application. (Exhibit 46.)

Letters and a petition in support of the application from neighbors were submitted to the record. (Exhibits 31, 32, 37, 42, 43, 48, 49, and 50.)

A letter in opposition to the application was submitted to the record. (Exhibit 34.)

As directed by 11 DCMR Subtitle X § 901.3, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 901.2, for a special exception under the use provisions of Subtitle U § 254, to permit a corner store in the RF-1 Zone. 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 Subtitle X § 901.2 and Subtitle U § 254, 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 Subtitle Y § 101.9, the Board has determined to waive the requirement of 11 DCMR Subtitle Y § 604.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 7 AND WITH THE FOLLOWING CONDITIONS:**

1. The hours of operation shall not exceed 9:30 am to 9:30 pm on Sunday through Thursday, and 9:30 am to 10:00 pm on Friday and Saturday.
2. No more than 15% of the gross floor area of the ground floor of the store shall be devoted to the sale of alcoholic beverages (including beer and wine) to be consumed off-premises.

VOTE: **4-0-1** (Frederick L. Hill, Anthony J. Hood, Lesylleé M. White, and Carlton E. Hart, to APPROVE; one Board seat vacant.)

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

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

FINAL DATE OF ORDER: December 21, 2017

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, 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 PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y

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§ 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, 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. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

PURSUANT TO 11 DCMR SUBTITLE A § 303, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THERETO, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

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

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

Application No. 19656 of Mark and Cynthia Moyer, pursuant to 11 DCMR Subtitle X, Chapter 10, for variances from the floor area ratio requirements of Subtitle F § 302.1 and the nonconforming structure requirements of Subtitle C § 202.2, to construct a rear attic dormer in an existing one-family dwelling in the RA-2 at premises 2517 Q Street N.W. (Square 1287, Lot 820).

HEARING DATE: December 20, 2017

DECISION DATE: December 20, 2017

SUMMARY ORDER

SELF-CERTIFICATION

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 5.) In granting the certified relief, the Board of Zoning Adjustment ("Board" or "BZA") made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

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") 2E and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2E, which is automatically a party to this application. The ANC submitted a resolution recommending approval of the application. The ANC's resolution indicated that at a regularly scheduled, properly noticed public meeting on December 4, 2017, at which a quorum was present, the ANC voted 6-0-0 to support the application. (Exhibit 34.)

The Office of Planning ("OP") submitted a timely report, dated December 8, 2017, in support of the application. (Exhibit 33.) The District Department of Transportation ("DDOT") submitted a timely report, dated November 29, 2017, expressing no objection to the approval of the application. (Exhibit 29.)

Two electronic mails of support for the application from both adjacent property owners were submitted to the record. (Exhibit 31.)

As directed by 11 DCMR Subtitle X § 1002.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 1002.1 for variances from the floor area ratio requirements of Subtitle F § 302.1 and the nonconforming structure requirements of Subtitle C § 202.2, to construct a rear attic dormer in

an existing one-family dwelling in the RA-2 Zone. The only parties to the case were the ANC and the Applicant. No parties appeared at the public hearing in opposition to the 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 filed in this case, the Board concludes that in seeking variances from 11 DCMR Subtitle F § 302.1 and Subtitle C § 202.2, the Applicant has met the burden of proof under 11 DCMR Subtitle X § 1002.1, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR Subtitle Y § 101.9, the Board has determined to waive the requirement of 11 DCMR Subtitle Y § 604.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 7.**

VOTE: 4-0-1 (Frederick L. Hill, Lesylleé M. White, Carlton E. Hart, and Anthony G. Hood to APPROVE; one Board seat vacant.)

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

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

FINAL DATE OF ORDER: December 21, 2017

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, 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 PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

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PURSUANT TO 11 DCMR SUBTITLE Y § 604, 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. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

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.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FILING
Z.C. Case No. 17-27
(Spring Flats MD, LLC – Map Amendment @ Square 2902, Lots 804 and 807)
December 27, 2017

THIS CASE IS OF INTEREST TO ANC 4Cs and 1A

On December 15, 2017, the Office of Zoning received an application from Spring Flats MD, LLC (the “Petitioner”) for approval of a map amendment for the above-referenced property.

The property that is the subject of this petition consists of Lots 804 and 807 in Square 2902 in northwest Washington, D.C. (Ward 4), on property located at 1125 Spring Road, N.W. The property is currently zoned RF-1. The Petitioner is proposing a map amendment to rezone the property to RA-2.

The RF-1 zone is intended to provide for areas predominately developed with attached row houses on small lots where no more than two dwelling units are permitted. The RF-1 zone permits a maximum height of 35 feet (60 feet for churches) within three stories and a maximum lot occupancy of 60% for dwellings and churches (40% for other structures).

The RA-2 zone is intended to permit flexibility of design by permitting all types of urban residential development if they conform to height, density, and area requirements; and to permit the construction of those institutional and semi-public buildings that would be compatible with the adjoining residential uses and that are excluded from the more restrictive residential zones. The RA-2 zone allows a maximum height of 50 feet (60 feet for churches); a maximum density of 1.8 floor area ratio; and a maximum lot occupancy of 60%.

This case was filed electronically through the Interactive Zoning Information System (“IZIS”), which can be accessed through <http://dcoz.dc.gov>. For additional information, please contact Sharon S. Schellin, Secretary to the Zoning Commission at (202) 727-6311.

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