



***District of Columbia***

**REGISTER**

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**HIGHLIGHTS**

- D.C. Council publishes Adopted Ceremonial Resolutions to honor the work of individuals and organizations that offer services to District residents
- D.C. Council recognizes the extraordinary legacy of the *Hurd v. Hodge* landmark case (ACR 22-330)
- D.C. Council schedules a public oversight hearing on the “Issues Facing District of Columbia Youth”
- D.C. Council schedules a public oversight roundtable on “The District’s Summer Public Safety and Crime Prevention Efforts”
- Department of Human Services sets new payment levels for the Temporary Assistance to Needy Families (TANF) Program
- Department of Energy and Environment announces funding availability for training and research on the agency’s Stormwater rules
- Department of For-Hire Vehicles amends funding availability for the DFHV Innovations Programs Grants
- Department of Health Care Finance gives notice of Medicaid fee schedule updates for certain services

# DISTRICT OF COLUMBIA REGISTER

## Publication Authority and Policy

The District of Columbia Office of Documents and Administrative Issuances publishes the *District of Columbia Register* (ISSN 0419-439X) every Friday under the authority of the *District of Columbia Documents Act*, D.C. Law 2-153, effective March 6, 1979, D.C. Official Code § 611 *et seq.* (2012 Repl.). The policies which govern the publication of the *Register* are set forth in the Rules of the Office of Documents and Administrative Issuances (1 DCMR §§300, *et seq.*). The Rules of the Office of Documents and Administrative Issuances are available online at [dcregs.dc.gov](http://dcregs.dc.gov). Rulemaking documents are also subject to the requirements of the *D.C. Administrative Procedure Act*, D.C. Official Code §§2-501 *et seq.* (2012 Repl.).

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ENROLLED ORIGINAL

A RESOLUTION

22-396

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 6, 2018

To confirm the appointment of Ms. Maryam F. Foye to the District of Columbia Commemorative Works Committee.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “District of Columbia Commemorative Works Committee Maryam F. Foye Confirmation Resolution of 2018”.

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

Ms. Maryam F. Foye  
5551 Bass Place, S.E.  
Washington, D.C. 20019  
(Ward 7)

as a citizen member of the District of Columbia Commemorative Works Committee, established by section 412 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective April 4, 2001 (D.C. Law 13-275; D.C. Official Code § 9-204.12), replacing Barbara Deutsch, for a term to end July 22, 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 immediately.

ENROLLED ORIGINAL

## A RESOLUTION

22-397

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 6, 2018

To confirm the appointment of Mr. Thomas G. Brokaw to the Historic Preservation Review Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Historic Preservation Review Board Thomas G. Brokaw Confirmation Resolution of 2018”.

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

Mr. Thomas G. Brokaw  
5405 7th Street, N.W., Unit #102  
Washington, D.C. 20011  
(Ward 4)

as an architect member of the Historic Preservation Review Board, established by Mayor’s Order 83-119, issued May 6, 1983 (30 DCR 3031), in accordance with section 4 of the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Official Code § 6-1103), for a term to end July 21, 2020.

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 immediately.

ENROLLED ORIGINAL

A RESOLUTION

22-398

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 6, 2018

To confirm the appointment of Ms. Lorna John to the Board of Zoning Adjustment.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Board of Zoning Adjustment Lorna John Confirmation Resolution of 2018”.

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

Ms. Lorna John  
927 French Street, N.W.  
Washington, D.C. 20001  
(Ward 6)

as a member of the Board of Zoning Adjustment, established by section 8 of An Act Providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes, approved June 20, 1938 (52 Stat. 799; D.C. Official Code § 6-641.07), for a term to end September 30, 2018.

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 immediately.

ENROLLED ORIGINAL

## A RESOLUTION

22-553

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 10, 2018

To confirm the reappointment of Mr. Andrew Aurbach to the Historic Preservation Review Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Historic Preservation Review Board Andrew Aurbach Confirmation Resolution of 2018”.

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

Mr. Andrew Aurbach  
3711 Morrison Street, N.W.  
Washington, D.C. 20015  
(Ward 3)

as an historian member of the Historic Preservation Review Board, established by Mayor’s Order 83-119, issued May 6, 1983 (30 DCR 3031), in accordance with section 4 of the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Official Code § 6-1103), for a term to end July 21, 2021.

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 immediately.

ENROLLED ORIGINAL

## A RESOLUTION

22-554

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 10, 2018

To confirm the reappointment of Ms. Gretchen Pfaehler to the Historic Preservation Review Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Historic Preservation Review Board Gretchen Pfaehler Confirmation Resolution of 2018”.

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

Ms. Gretchen Pfaehler  
709 E Street, N.E.  
Washington, D.C. 20002  
(Ward 6)

as an architectural historian member of the Historic Preservation Review Board, established by Mayor’s Order 83-119, issued May 6, 1983 (30 DCR 3031), in accordance with section 4 of the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Official Code § 6-1103), for a term to end July 21, 2021.

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 immediately.

## ENROLLED ORIGINAL

## A CEREMONIAL RESOLUTION

22-313

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To recognize, honor, and express overwhelming gratitude to Howard Shalwitz, Co-Founder and Artistic Director of the Woolly Mammoth Theatre Company, for his untiring dedication and service to the residents of the District of Columbia and to declare June 4, 2018, as “Howard Shalwitz Day” in the District of Columbia.

WHEREAS, Howard Shalwitz has been the Artistic Director of Woolly Mammoth Theatre Company since the company’s founding in 1980, overseeing 227 productions, including 66 world premiere plays;

WHEREAS, Howard Shalwitz set an example of exceptional leadership and commitment to community, increasing accessibility to the arts by introducing the concept of “Pay What You Can” tickets to the District of Columbia’s vibrant theatre community, and originating the innovative civic engagement strategy known as “Connectivity”; and

WHEREAS, Howard Shalwitz has been recognized as an outstanding artistic innovator and has been awarded the 2011 Helen Hayes Award for Outstanding Director, the 2014 Margot Jones Award in recognition of lifetime commitment to New American Plays, and the 2018 DowntownDC Visionary Award.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Howard Shalwitz Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia recognizes, honors, and salutes Howard Shalwitz for his stellar service to the residents of and visitors to the District of Columbia, extends its sincere best wishes, and declares June 4, 2018, as “Howard Shalwitz Day” in the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-314

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To recognize, honor, and express overwhelming gratitude to Nancy Taylor Bubes for her commitment to excellence and her numerous contributions to the District of Columbia and Georgetown and to declare May 10, 2018, as “Nancy Taylor Bubes Day” in the District of Columbia.

WHEREAS, Nancy Taylor Bubes was born April 23, 1955 in Fredericksburg, Virginia;

WHEREAS, Nancy Taylor Bubes graduated from Fredericksburg High School in 1974 then went to an all-girls college, Salem College, and received a Bachelor of Fine Arts from East Carolina University with a bachelor’s degree in Art;

WHEREAS, Nancy Taylor Bubes, as an art major, came to Washington, D.C. to get a job at the Smithsonian Museum but had to settle for retail sales at Neiman Marcus while working as a photographer on weekends;

WHEREAS, Nancy Taylor Bubes got her real estate license at 30 years of age and switched careers;

WHEREAS, at 35 years of age, she married Alan Stephen Bubes and they bought their first home in Georgetown on West Lane Keys, where they had 3 kids in 3 years;

WHEREAS, Nancy Taylor Bubes strolled her kids around Georgetown meeting all the neighbors, helping them sell their homes, and getting involved in the Georgetown community; and

WHEREAS, Nancy Taylor Bubes, along with her husband Alan, started helping all of the parks, the Citizens Association of Georgetown, Georgetown Ministry, The LAB School. and now our wonderful Georgetown Village.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Nancy Taylor Bubes Recognition Resolution of 2018”.

**ENROLLED ORIGINAL**

Sec. 2. The Council of the District of Columbia recognizes and salutes Nancy Taylor Bubes and declares May 10, 2018, as “Nancy Taylor Bubes Day” in the District of Columbia. Her many years of service to the District of Columbia serves as a remarkable achievement of dedication, loyalty, commitment, and inspiration.

Sec. 3. This resolution shall be effectively immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-315

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To honor and celebrate Bertha M. Dukes on the occasion of her 101st birthday.

WHEREAS, Bertha M. Dukes was born in St. Mary’s County, Maryland on April 18, 1917;

WHEREAS, Bertha M. Dukes relocated to Washington, D.C. in her early twenties;

WHEREAS, Bertha M. Dukes has been an active resident and member of the Ward 5 community for several years;

WHEREAS, Bertha and William J. Dukes Jr. married in Washington, D.C. and expanded their family with step-children and step-grandchildren;

WHEREAS, Bertha M. Dukes is a wife, stepmother, aunt, and mentor to many;

WHEREAS, Bertha M. Dukes has been a lifelong member of the Bethesda United Methodist Church in Valley Lee, Maryland;

WHEREAS, Bertha M. Dukes opened her home to family, friends, and strangers, welcoming all with shelter, food, and a smile;

WHEREAS, Bertha M. Duke dedicated her time to the welfare of others, earning the respect and affection of people from all walks of life;

WHEREAS, Bertha M. Dukes was an avid fan of the Patuxent Sluggers Baseball Team, served as a mother figure to the players, and travelled to their games; and

WHEREAS, Berth M. Dukes cared for many, including a well-known senator, news anchor, and their respective families.

**ENROLLED ORIGINAL**

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as “Bertha M. Dukes 101st Birthday Celebration Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia honors and celebrates Mrs. Bertha M. Dukes for 101 amazing years.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-316

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To recognize and honor Jaleo Restaurant on the occasion of the celebration of its 25th anniversary and to declare May 29, 2018, as “Jaleo Restaurant Day” in the District of Columbia.

WHEREAS, Jaleo Restaurant is a pillar in the Penn Quarter neighborhood and a cultural destination in the District of Columbia;

WHEREAS, Jaleo Restaurant employs a diverse workforce and partners with local businesses such as the Shakespeare Theatre Company, the Woolly Mammoth, and the Capital One Arena;

WHEREAS, Jaleo Restaurant has received many accolades, such as being named a semifinalist by the James Beard Foundation for Outstanding Restaurant in 2016, 2017, and 2018, as well as being named among *The Washingtonian Magazine’s* 100 Best Restaurants, every year from 2008 to 2017;

WHEREAS, Jaleo Restaurant received the Award of Excellence by Wine Spectator magazine for many years and consecutively from 2014 through 2017; and

WHEREAS, Jose Andres, owner of Jaleo Restaurant, has received many accolades, most recently the James Beard Foundation Humanitarian of the Year in 2018; he was awarded a National Humanities Medal by President Obama in 2016; other awards include the Ernst & Young EY Master Entrepreneur of the Year for Greater Washington in 2015, an Honorary Doctorate of Public Service from George Washington University in 2014, and chosen by *TIME Magazine* as one of the most influential people in the world in 2012.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Jaleo Restaurant 25th Anniversary Recognition Resolution of 2018”.

**ENROLLED ORIGINAL**

Sec. 2. The Council of the District of Columbia recognizes and honors Jaleo Restaurant and Jose Andres for their many contributions to the citizens and city of Washington, D.C. and declares May 29, 2018, as “Jaleo Restaurant Day” in the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

## ENROLLED ORIGINAL

## A CEREMONIAL RESOLUTION

22-317

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To recognize the importance of the Age-Friendly D.C. Strategic Plan and the District's commitment to its aging residents and being an Age-Friendly city.

WHEREAS, since 1990, roughly 90% of older Americans have stayed in the same county where they have been living, if not the very same home;

WHEREAS, in the 1990s, all but 11 of the nation's 318 metropolitan areas saw an increase in their 65 years and older population, and soon the 65 years and older population will grow faster than the general population in all 50 states and the District of Columbia;

WHEREAS, in 2011, "Baby Boomers," the term describing a person born between 1946 and 1964, began turning 65 years of age, and the number of older people will increase dramatically during the 2010 through 2030 period;

WHEREAS, the older population in 2030 is projected to be twice that in 2000, growing from 5.3 million to 11.5 million and representing nearly 20% of the total U.S. population;

WHEREAS, the U.S. Census Bureau projects that the population age 85 years and over could grow from 5.3 million in 2006 to nearly 21 million by 2050;

WHEREAS, some researchers predict that death rates at older ages will decline more rapidly than is reflected in the U.S. Census Bureau's projections, which could lead to greater growth of this population;

WHEREAS, there have been reports, specifically AARP's *Beyond 50.05: A Report to the Nation on Livable Communities*, illustrating that nearly 90% of the 50+ population surveyed would prefer to remain in their own homes as they age;

WHEREAS, according to a recent AARP survey of 1,000 transportation planners, it was revealed that two-thirds of planners have not yet begun considering the needs of older users in

**ENROLLED ORIGINAL**

their multi-modal planning;

WHEREAS, because active aging is a life-long process, an age-friendly city is not just “elder-friendly,” an age-friendly city is friendly for people of all ages and abilities, and promotes active aging by optimizing opportunities for health, participation, and security in order to enhance quality of life as people age;

WHEREAS, an “age-friendly” community promotes anticipating and responding flexibly to the aging-related needs and preferences of its citizens;

WHEREAS, on October 3, 2012, the District joined other aspirant jurisdictions to become an Age-Friendly City as part of the pilot AARP Network of Age-Friendly Communities through the World Health Organization (“WHO”) Global Network of Age-Friendly Cities and Communities;

WHEREAS, since the launch of DC’s Age-Friendly initiative, the District has boldly addressed the needs of older Washingtonians, including launching the Safe at Home program, constructing affordable rental housing for older adults, recognizing local businesses as Age-Friendly Businesses, and launching the Alternative Pathways to Employment Program;

WHEREAS, on November 16, 2017, the District was recognized as an Age-Friendly City as part of the AARP Network of Age-Friendly Communities through the WHO Global Network of Age-Friendly Cities and Communities; and

WHEREAS, in partnership with AARP the District has engaged hundreds of residents and stakeholders in the development of the goals and objectives for the next 5-year age-friendly plan, based on the evaluation of the previous 5-year plan.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Age-Friendly DC Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia acknowledges and applauds the Age-Friendly DC Strategic Plan 2014 – 2017, recognizes the diligent efforts of the Age-Friendly DC Task Force and the advocacy of AARP, and encourages the Mayor to implement the strategies outlined in the Age-Friendly DC Strategic Plan.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-318

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To posthumously celebrate the life and exemplary service of Ronald Austin, and recognize his contributions to the District of Columbia Mayor’s Office, the Council of the District of Columbia, District of Columbia residents, and the Greater Washington Metropolitan Area.

WHEREAS, Ronald Austin, a native Washingtonian and Ward 4 resident for 61 years, was fondly known as “Ron”;

WHEREAS, for over 45 years, Ronald Austin, through his leadership, vision, focus, and dedication to serving the community, was an integral part of District of Columbia politics and public service;

WHEREAS, Ronald Austin was revered by city officials and residents for setting the standard of excellence and best practices for constituent services that are still in practice today;

WHEREAS, Ronald Austin was fondly known to District government employees and the community as “Mr. Constituent Services”;

WHEREAS, Ronald Austin, a vibrant and motivated youth, at 14 years of age served as the Youth Chairman, where he provided a "youth perspective" to local city issues, and as a teenager he honed his leadership skills upon being elected to the Neighborhood Planning Council, a precursor to Advisory Neighborhood Commissions;

WHEREAS, Ronald Austin furthered his community service at Fort Stevens Recreation Center, where he was a positive role model to the young men in Ward 4 and excelled as a coach, leading his team to victory and winning numerous basketball tournaments;

WHEREAS, Ronald Austin’s contributions were instrumental in shaping and influencing young men and he guided them to successful and productive lives through nurturing and mentorship;

## ENROLLED ORIGINAL

WHEREAS, Ronald Austin progressed from an intern at the Department of Recreation into a variety of roles over 24 years;

WHEREAS, Ronald Austin acquired his love for politics and public service from his first position at the Council of the District of Columbia in Councilmember John Ray's office;

WHEREAS, Ronald Austin served as Director of Constituents Services for then Councilmember Adrian Fenty and later as Constituent Services Coordinator for then Councilmember Muriel Bowser;

WHEREAS, Ronald Austin is still considered one of the most effective Constituent Services Directors in the memorable past;

WHEREAS, Ronald Austin served as Director for the Mayor's Office of the Clean City, where he coordinated with District's litter prevention activities and best practices to keep the District clean, safe, and healthy;

WHEREAS, while working at the Council of the District of Columbia, Ronald Austin also served for many years as an ANC 4B Commissioner and also held the position of Chair;

WHEREAS, early in his career, Ronald Austin served as the Director of Transportation for the National Children's Center;

WHEREAS, as Director of Transportation for the National Children's Center, Ronald Austin diligently implemented cutting-edge policies and procedures to ensure handicap students were safely transported to and from their destination;

WHEREAS, during his time at the National Children's Center, Ronald Austin received numerous accolades and commendations;

WHEREAS, after his retirement, Ronald Austin continued to serve his community as the Chair of the Citizen's Advisory Council for the Metropolitan Police Department's Fourth District;

WHEREAS, Ronald Austin founded the Helping Hand Foundation, an organization that provides support to nonprofit organizations and residents in need; and

WHEREAS, Ronald Austin was a graduate of Coolidge High School and continued to be an active member of the high school's alumni association.

**ENROLLED ORIGINAL**

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Ronald Austin Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia posthumously recognizes Ronald Austin for his unwavering commitment to serving the residents of Ward 4 and success as a champion for excellence in constituent services.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-319

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To recognize Our Lady Queen of Peace Catholic Church and the church’s 2018 Platinum Jubilee 70th Anniversary.

WHEREAS, Our Lady Queen of Peace Catholic Church, located at 3800 Ely Place, S.E., in Ward 7, is pastored by Father Pawel Sass;

WHEREAS, Our Lady Queen of Peace Catholic Church was founded in 1943 by the late Monsignor Joseph V. Buckley as a mission of St. Francis Xavier Catholic Church, which at the time was the largest parish in the southeast quadrant of Washington, D.C.;

WHEREAS, Our Lady Queen of Peace Catholic Church’s first Mass was celebrated in a storefront building located at 3952 Minnesota Avenue, S.E., and due to large attendance, Sunday Masses were then held at the old Senator Theater while the storefront building continued to be used for hearing confessions, the Stations of the Cross, and other religious activities;

WHEREAS, Our Lady Queen of Peace Catholic Church celebrated mass for the first time in the building located at Ridge Road, S.E., and Ely Place, S.E., on Christmas Eve of 1951, and His Excellency the Most Reverend Patrick A. O’Boyle blessed the cornerstone and dedicated the church building on January 20, 1952;

WHEREAS, Our Lady Queen of Peace Catholic Church opened the Our Lady Queen of Peace Catholic School, which now houses the Cornerstone Christian School, in September 1952, staffed by the Daughters of Charity of St. Vincent de Paul, serving kindergarten through 4th grade and later expanding to include pre-school through 8th grade with both lay teachers and Daughters of Charity until their departure in 2002;

WHEREAS, Our Lady Queen of Peace Catholic Church created the Our Lady Queen of Peace Credit Union in the 1960s for the parish, students, and church community, incorporated under the Health Education and Welfare Credit Union;

## ENROLLED ORIGINAL

WHEREAS, Our Lady Queen of Peace Catholic Church established many faith family activities in the 1960s like the Annual Spring Festival, Science Fairs, Art Fairs, and the May processions, became a part of the Catholic Youth Organization, allowing all youth that lived in the church boundary and parishioners to participate in sports no matter their religious background, and also held three Masses at 8:00 a.m., 10:00 a.m., and noon, with a combination of guitars and folk songs at the 10:00 a.m. Mass;

WHEREAS, Our Lady Queen of Peace Catholic Church introduced catechism class and the Our Lady Queen of Peace Teen Club in the 1970s and the church's youth also began participating in Girl Scouts and Boy Scouts of America;

WHEREAS, Our Lady Queen of Peace Catholic Church started the Our Lady Queen of Peace Gospel Choir in the 1980s, adding the drums and other percussion instruments to Masses, including a monthly Sunday Afrocentric musical worship, and a 10:30 a.m. Gospel Choir Mass that drew many of the younger parishioners;

WHEREAS, Our Lady Queen of Peace Catholic Church and School have had many priests, seminarians, and deacons to spend time in their community and go on and become pastors and priests of other churches in the Archdiocese;

WHEREAS, Our Lady Queen of Peace Catholic Church has continued to nurture and build a legacy of service and spiritual growth, and through an active and vibrant participation of more than 34 ministries, enabled parishioners to strengthen their faith and the church, serve the community, and demonstrate love and service to God;

WHEREAS, Our Lady Queen of Peace Catholic Church celebrates the 2018 Platinum Jubilee 70th Anniversary, marking 70 years of action through faith, spirituality, and social justice; and

WHEREAS, Our Lady Queen of Peace Catholic Church celebrates the 2018 Platinum Jubilee 70th Anniversary with a variety of programs and activities such as the Platinum Jubilee 70th Anniversary Pictorial Directory, the Healing and Anointing Mass, the Platinum Jubilee 70th Anniversary Black History Month Mass and Reception, the Annual Lenten Prayer Breakfast, the Annual Gospel Choir Concert, the Platinum Jubilee 70th Anniversary Gala Banquet, the Platinum Jubilee 70th Anniversary Mass, and the 2018 Platinum Jubilee 70th Anniversary of Our Lady Queen of Peace Catholic Church Picnic.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Our Lady Queen of Peace Catholic Church Platinum Jubilee 70th Anniversary Recognition Resolution of 2018".

**ENROLLED ORIGINAL**

Sec. 2. The Council of the District of Columbia recognizes Our Lady Queen of Peace Catholic Church on the historic milestone of 70 years of “Building a Faith Family for Families of Faith” and celebrates all the church has contributed to the lives of its parishioners, the community, and the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-320

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To recognize and honor Loretta Neumann for her dedication to the District, strong advocacy for preserving the District’s history, and commitment to Ward 4.

WHEREAS, Loretta Neumann is a longtime District resident, residing in Ward 4’s Takoma neighborhood for almost 45 years;

WHEREAS, Loretta Neumann Holds a Master’s Degree from Antioch University and a Bachelor’s Degree from Oklahoma State University.

WHEREAS, for 4 years, Loretta Neumann was the Advisory Neighborhood Commissioner for Single Member District 4B02;

WHEREAS, Loretta Neumann was President of Neighbors, Inc., an organization formed in 1958 to promote integration in Brightwood, Shepherd Park, and Takoma, and later the entirety of Ward 4;

WHEREAS, Loretta Neumann co-founded Historic Takoma, Inc., a nonprofit organization created to preserve the heritage of the Takoma Park neighborhood of the District of Columbia and Takoma Park, Maryland through educational activities and the preservation of historic landmarks and artifacts;

WHEREAS, in the 1970s, Loretta Neumann played an active role in securing the designation for the Takoma Historic District;

WHEREAS, Loretta Neumann is a co-founder and the president of the Takoma Theatre Conservancy, an organization founded in 2007 with the aim of saving the Takoma Theatre through acquisition, renovation, and development, and overseeing its operation as a professionally managed, community-based cultural arts and education center;

WHEREAS, Loretta Neumann handled issues and legislation on energy, environment, and land conservation while working at the United States House of Representatives for over a decade;

## ENROLLED ORIGINAL

WHEREAS, for 6 years, Loretta Neumann was on the board of the DC Preservation League, whose mission is to preserve, protect, and enhance the historic and built environment of the District through advocacy and education;

WHEREAS, Loretta Neumann is a trustee of the Committee of 100 on the Federal City, which promotes responsible land use and planning and advocates for the fundamental values of the L'Enfant and McMillan Plans;

WHEREAS, Loretta Neumann is a founding member and the current President of the Alliance to Preserve the Civil War Defenses of Washington, an association of individuals interested in the Civil War and historic preservation of the Civil War Defenses of Washington;

WHEREAS, while Vice President of the Alliance to Preserve the Civil War Defenses of Washington, Loretta Neumann was a panelist on a National Capital Planning Commission panel on Washington's Civil War Forts and Parks;

WHEREAS, Loretta Neumann helped to develop the 1987 Abandoned Shipwreck Act, the Native American Graves Protection and Repatriation Act of 1979, and amendments to the National Historic Preservation Act;

WHEREAS, Loretta Neumann directed the American Heritage Rivers Initiative for the White House Council on Environmental Quality;

WHEREAS, Loretta Neumann is presently the Membership and Communications Coordinator for the Woman's National Democratic Club;

WHEREAS, in 1998, Loretta Neumann received the Society for American Archeology Public Service Award for her contributions to preserving America's archaeological heritage; and

WHEREAS, in 2010, Loretta Neumann received the Takoma Foundations' Takavist Azalea Award for her civic leadership.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Loretta Neumann Recognition Resolution of 2018".

Sec. 2. The Council of the District of Columbia honors Loretta Neumann for her commitment to the culture and history of both the District of Columbia as a whole and Ward 4, and recognizes her for her role as a community leader.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-321

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To celebrate the 20th anniversary of Hope House and to recognize the organization for its commitment to improving the lives of District children and families with an incarcerated father.

WHEREAS, Hope House is a unique organization that provides cutting-edge programs to strengthen families and, in particular, the relational bonds between children and their fathers imprisoned far from home;

WHEREAS, Hope House’s headquarters are located in Ward 4;

WHEREAS, Hope House was founded in 1998 when the impending closure of Lorton Correctional Center scattered thousands of District of Columbia inmates across the country to federal prisons, often far out of reach of their families;

WHEREAS, Hope House works to reduce the isolation, stigma, shame, and risk these families experience when fathers and husbands are imprisoned, and to raise public awareness about this most at-risk population;

WHEREAS, Hope House offers several key programs, including the Father to Child Teleconference Program, the Father to Child Reading Program, the Father to Child Summer Camp, the Hope House Lecture and Film Series, and activity-based support groups for children of prisoners and wives and mothers of prisoners;

WHEREAS, the Father to Child Reading Program provides children’s books to inmates when then record themselves reading the book to their child, and has served as a national model;

WHEREAS, in particular, the Father to Child Summer Camp is incredibly unique and impactful, bringing children to visit their incarcerated parents during the day, and providing a typical summer camping experience after hours;

WHEREAS, during the summer of 2017, Hope House hosted the 50th Father to Child Summer Camp;

**ENROLLED ORIGINAL**

WHEREAS, each year Hope House hosts a holiday party to remind children and families that they are not alone and a back to school party where children are provided a new backpack full of school supplies;

WHEREAS, Hope House also offers programs to prisoners and their families aimed at decreasing recidivism and keeping incarcerated men connected to the wider community;

WHEREAS, Hope House engages in important advocacy work, standing up for District prisoners who face unique and often unknown challenges, educating the community, and raising awareness;

WHEREAS, the work of Hope House is particularly important in the District, where thousands of children have one or more parent in prison and that may be incarcerated in any federal prison across the United States;

WHEREAS, Hope House has received great recognition for its work and has been thrice included in the Catalogue for Philanthropy: Greater Washington, was the 2013 Purpose Prize winner, was named the DC Bar Association’s Charity of the Year in March 2010, and received both the 2014 Global Catalyst Award and the 2012 Chapman Medal for Innovative Justice Programs;

WHEREAS, the innovative work of Hope House has been highlighted by the Washington Post, National Public Radio, and TODAY; and

WHEREAS, in 2013, Hope House Executive Director, Carol Fennelly, was honored by the White House as a Champion of Change for her dedication to the well-being of children of incarcerated parents.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Hope House 20th Anniversary Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia congratulates Hope House on its 20th anniversary and celebrates Hope House’s vast contributions to District families with an incarcerated family member.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-322

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To celebrate Liz Nolan for her longtime role as a mentor, businesswoman, and innovator and to recognize Natural Motion for over 50 years as a pillar of the Ward 4 community.

WHEREAS, Natural Motion is a beauty salon located at the corner of Georgia Avenue, N.W., and Jefferson Street, N.W., in Ward 4;

WHEREAS, Liz Nolan opened Natural Motion in 1967, at only 18 years of age, shortly after moving to the District from her hometown of Greenville, South Carolina and graduating from Madam CJ Walker Beauty School;

WHEREAS, Natural Motion began as just Liz Nolan and one shampoo assistant, but quickly expanded and now is a full-service salon offering haircuts and styling, hair coloring, hair texture services, a wide variety of spa services, and services specially for men;

WHEREAS, Natural Motion boasts an impressive list of former and current clients, including Marion Barry, Jesse L. Jackson, Eartha Kitt, and Jayne Kennedy;

WHEREAS, Liz Nolan popularized blow-drying hair and became well known for the “Liz Nolan blowout”;

WHEREAS, for nearly one decade, Liz Nolan sat on the District of Columbia Board of Cosmetology, where she served as Vice President;

WHEREAS, in the 1970s, Liz Nolan was voted one of the top 10 hair colorists in the United States;

WHEREAS, in 1983, Liz Nolan received the business woman of the year award, and in her honor President Ronald Reagan flew a flag over Washington, D.C.;

WHEREAS, at one time, Liz Nolan’s business had expanded to 10 salons across the country and 2 beauty schools;

**ENROLLED ORIGINAL**

WHEREAS, in 1983, Liz Nolan opened Scanners Beauty Academy, which taught underprivileged students about business, hair design, self-esteem, and self-confidence;

WHEREAS, numerous Scanners Beauty Academy students went on to open their own salons, many of which are open to this date;

WHEREAS, Natural Motion is unique in its emphasis on hair care and hair growth, ensuring clients are on the path to healthy and strong hair; and

WHEREAS, Liz Nolan and Natural Motion have assisted cancer survivors, those with Alopecia, and women who have lost their hair due to chemicals, showing compassion and recognizing hair as part of one’s identity.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Liz Nolan Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia celebrates Liz Nolan’s contributions to the District of Columbia, including training and encouraging others to become small business owners, and recognizes Natural Motion as a beauty salon that has long been a staple of the Ward 4 community.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-323

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To recognize and congratulate the Greater Washington Community Foundation on its 45th anniversary and to recognize the organization for its many accomplishments and achievements.

WHEREAS, The Community Foundation was formed in 1973 by business and community leaders to provide a permanent source of philanthropic capital for the Washington, D.C. metropolitan region;

WHEREAS, The Community Foundation strengthens the Washington, D.C. metropolitan region by encouraging and supporting effective giving and by providing leadership on critical issues in our community;

WHEREAS, The Community Foundation serves the District of Columbia, Montgomery County, Northern Virginia, and Prince George’s County, and is part of a network of nearly 700 community foundations nationwide, each a tax-exempt, public charity made up of charitable giving funds established by individuals, families, corporations, and other organizations;

WHEREAS, from 2001-2008, The Community Foundation administered the \$26 million Survivor’s Fund, the largest fund in the United States devoted solely to providing emergency services to families and victims of the 9/11 Pentagon attack;

WHEREAS, since its establishment in 2007, The Community Foundation’s Greater Washington Workforce Development Collaborative has helped more than 6,200 local workers advance job training, skills, and credentials to earn family-sustaining wages;

WHEREAS, in 2008, The Community Foundation’s Neighbors in Need Fund was established, and has mobilized more than \$5 million to help residents hit hardest by the economic crisis with food, shelter, clothing, foreclosure prevention, and healthcare services;

**ENROLLED ORIGINAL**

WHEREAS, in 2017, The Community Foundation’s Resilience Fund was established to provide support to local nonprofits responding to changes in federal policy affecting our region’s residents;

WHEREAS, in June 2017, The Community Foundation changed its name to the Greater Washington Community Foundation;

WHEREAS, since its inception 45 years ago, the Greater Washington Community Foundation has impacted countless lives and has granted out more than \$1 billion to over 8,000 nonprofit organizations;

WHEREAS, on March 12, 2018, the Greater Washington Community Foundation celebrated its 45th anniversary at the 2018 Celebration of Philanthropy, held at Ronald Arena Stage in Washington, D.C.; and

WHEREAS, under the leadership of President and CEO Bruce McNamer, the Greater Washington Community Foundation continues to provide community leadership and investments in safety net, education, and workforce development solutions to help our most vulnerable neighbors achieve economic security.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Greater Washington Community Foundation 45th Anniversary Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia recognizes, honors, and celebrates the Greater Washington Community Foundation for 45 years of service and advocacy, and commends the organization for its many contributions to the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-324

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To recognize and congratulate the Latin America Youth Center on its 50th anniversary and to recognize the organization for its many accomplishments and achievements.

WHEREAS, the mission of the Latin America Youth Center is to empower a diverse population of youth to achieve a successful transition to adulthood through multi-cultural, comprehensive, and innovative programs that address youths' social, academic, and career needs;

WHEREAS, in 1968, the Latin America Youth Center was founded to address the absence of services for the emerging Latino community, offering educational and vocational activities in after school and in the summer at several locations in the community;

WHEREAS, in 1974, the Latin America Youth Center received 501(c)(3) status, permitting it to seek funding as a nonprofit organization;

WHEREAS, in 1996, The Next Step Public Charter School, originating from a program for young parents developed by The Latin American Youth Center, was chartered, and the school occupied the second floor of the Latin American Youth Center until 2012;

WHEREAS, in 2001, the Latin American Youth Center established a second public charter school, the Latin American Montessori Bilingual Public Charter School, the first public and bilingual Montessori school in the District of Columbia and the second in the United States;

WHEREAS, in 2005, the Latin American Youth Center expanded into Prince George's and Montgomery Counties, establishing the Maryland Multicultural Youth Centers in Langley Park, Riverdale, and Silver Spring;

WHEREAS, in 2005, the Latin American Youth Center established its third public charter school, YouthBuild Public Charter School, an alternative high school for young people

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seeking to transform their lives by re-engaging in their education in a non-traditional school environment;

WHEREAS, in 2009, the Latin American Youth Center opened Hope House, a residential facility for teen parents and their children that is the District's only residence providing bilingual services to teen parents;

WHEREAS, in 2012, the Latin American Youth Center established its fourth public charter school, LAYC Career Academy, an innovative model of college credits, AP-style classes, a rigorous and flexible GED, college preparatory curriculum, and career preparation in the health care and information technology fields;

WHEREAS, the Latin American Youth Center offers multi-cultural, multi-lingual services to youth of all backgrounds in the Washington, D.C. area and administers programs for youth in Academics, Arts and Recreation, Health and Wellness, and Safe Housing;

WHEREAS, since its inception 50 years ago, the Latin American Youth Center has grown to be a nationally recognized agency that has impacted thousands of lives, and annually serves over 4,000 youth and families through youth centers, school-based sites, and public charter schools in the District of Columbia and Maryland;

WHEREAS, on May 10, 2018, the Latin American Youth Center will celebrate its 50th anniversary at the 2018 Gala held at the Marriott Wardman Park Hotel in Washington, D.C.; and

WHEREAS, under the leadership of President and CEO Lori Kaplan, the Latin American Youth Center has helped guide thousands of low-income youth to better opportunity and continues to empower communities and improve the quality of life for historically vulnerable and diverse youth populations in the Washington, D.C. metropolitan area.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Latin America Youth Center 50th Anniversary Recognition Resolution of 2018".

Sec. 2. The Council of the District of Columbia recognizes, honors, and celebrates the Latin America Youth Center for 50 years of service and advocacy, and commends the organization for its many contributions to the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-325

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To recognize Asian American and Pacific Islander Heritage Month and the Asian American and Pacific Islander community as a valued and celebrated cultural community in the District of Columbia.

WHEREAS, with 32,376 Asian American and Pacific Islander residents, Asian American and Pacific Islanders make up approximately 5% of the District’s population;

WHEREAS, in 1978, Congress passed a Joint Resolution to commemorate Asian American Heritage Week during the first week of May;

WHEREAS, beginning in 1992, the celebration was extended to the entire month of May and designated Asian-Pacific American Heritage Month;

WHEREAS, Asian American and Pacific Islander Heritage Month celebrates the culture, traditions, and history of Asian Americans and Pacific Islanders in the United States;

WHEREAS, the month of May was selected to commemorate the immigration of the first Japanese to the United States on May 7, 1843, and to coincide with the anniversary of the completion of the Transcontinental Railroad, whose tracks were laid largely by Chinese, on May 10, 1869;

WHEREAS, Asian American and Pacific Islanders immigrants have contributed greatly the social, economic, and political development of the District throughout its history and have added cultural vibrancy;

WHEREAS, countless residents of Asian and Pacific Island heritage serve the District of Columbia in the areas of public service, education, business, technology, healthcare, family services, the arts, and culture;

**ENROLLED ORIGINAL**

WHEREAS, May has become a symbolic month in which Asian Americans and Pacific Islanders, and their supporters come together in various celebrations of culture, traditions and history; and

WHEREAS, the District of Columbia celebrates Asian American and Pacific Islander Heritage Month with the Mayor’s Annual Asian American and Pacific Islander Heritage Month Celebration and by awarding the Mayor’s Community Service Award to an individual, organization, or business that has demonstrated extraordinary dedication to serving the District’s Asian Americans and Pacific Islander community.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Asian American and Pacific Islander Heritage Month Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia recognizes the contributions and valued accomplishments of the Asian American and Pacific Islander community in the District of Columbia and the United States of America, celebrates the rich cultural heritage of Asian Americans and Pacific Islanders, and recognizes District residents who trace their ancestry to Asia and the Pacific Islands on the occasion of Asian American and Pacific Islander Heritage Month.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-326

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To recognize and honor all members of the United States Armed Forces, past and present, as well as their families for their service and sacrifice, and to declare May as “National Military Appreciation Month” in the District of Columbia.

WHEREAS, in 1999, the United States Senate passed a resolution designating May as National Military Appreciation Month;

WHEREAS, National Military Appreciation Month serves as a way to gather America around its military family to honor, remember, recognize, and appreciate those who have served and to know the history behind it all;

WHEREAS, National Military Appreciation Month helps to remind Americans of the important role the United States Armed Forces have played in the history and development of our country;

WHEREAS, the vigilance of the members of the United States Armed Forces has been instrumental to the preservation of the freedom, security, and prosperity enjoyed by the people of the United States;

WHEREAS, to foster and sustain such a commitment, it is vital for the youth of the United States to understand that the service provided by members of the United States Armed Forces is an honorable legacy that protects the freedoms enjoyed by citizens of the United States as well as citizens of many other nations;

WHEREAS, the District of Columbia has a proud history of service in the United States Armed Forces in times of peace and war;

**ENROLLED ORIGINAL**

WHEREAS, the District of Columbia is home to over 28,000 brave veterans;

WHEREAS, the District of Columbia is committed to its veterans and the District of Columbia government has a responsibility to raise awareness of and respect for this aspect of the heritage of the United States and to encourage the people of the United States to dedicate themselves to the values and principles for which Americans have served and sacrificed throughout the history of the Nation; and

WHEREAS, the month of May is a time to remember those who gave their lives in defense of freedom and to honor the men and women of the United States Armed Services who have served, or are currently serving our country.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “National Military Appreciation Month Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia recognizes and honors the current and former members of the U.S. Armed Forces, including those who have died in the pursuit of freedom, and declares May as “National Military Appreciation Month” in the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

## A CEREMONIAL RESOLUTION

22-327

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To honor and recognize the work of The Morris and Gwendolyn Cafritz Foundation, which is committed to building a stronger community for residents of the Washington, D.C. metropolitan area.

WHEREAS, since 1948, The Morris and Gwendolyn Cafritz Foundation has supported programs in the arts and humanities, community services, education, health, and the environment to uplift the lives of community members;

WHEREAS, since 1970, The Morris and Gwendolyn Cafritz Foundation has supported the nonprofit community with more than \$465 million in charitable giving;

WHEREAS, this year, in 2018, as Ayuda celebrates its 45th anniversary, its sustainability has been supported by more than \$900,000 in grants from The Morris and Gwendolyn Cafritz Foundation over a period of more than 20 years; and

WHEREAS, the lives of more than 100,000 low-income immigrants – men, women, and children – in the Washington, D.C. metropolitan region have been enriched because of the generosity of many, including The Morris and Gwendolyn Cafritz Foundation.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “The Morris and Gwendolyn Cafritz Foundation Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia honors and recognizes the philanthropic contributions of The Morris and Gwendolyn Cafritz Foundation in serving the residents of the Washington, D.C. community.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

## A CEREMONIAL RESOLUTION

22-328

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To honor and recognize the work of Verizon, whose services are indispensable to millions of individuals, charities, businesses, and institutions in the nation.

WHEREAS, Verizon is committed to the communities where it operates, and to connecting the talents of its employees with unmet needs in those communities where they work and live;

WHEREAS, Verizon created its Pro Bono Program in 2009, to provide legal advice or representation to individuals or organizations that cannot afford to pay, as well as activities that aid legal service organizations or promote the administration of justice;

WHEREAS, the Verizon Pro Bono Program formed a founding partnership with Ayuda in 2010, working to assist undocumented survivors of domestic violence gain legal status in the United States;

WHEREAS, Verizon attorneys have contributed thousands of hours in pro bono work dedicated to securing U visas for clients and provided legal expertise during countless legal consultation clinics organized by Ayuda and other service organizations around the country; and

WHEREAS, many of the more than 100,000 low-income immigrants – men, women, and children served by Ayuda – in the District of Columbia, Maryland, and Virginia have benefited from the time, talent, and resources contributed by the Verizon community.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Verizon Pro Bono Program Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia honors and recognizes the important pro bono work of Verizon in serving underserved communities nationally.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

## A CEREMONIAL RESOLUTION

22-329

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To recognize and honor Hill's Kitchen, a woman-owned, independent, gourmet kitchenware store in the heart of the Capitol Hill community, as it celebrates 10 years of successful business, and to declare May 17, 2018, "Hill's Kitchen Day" in the District of Columbia.

WHEREAS, Leah Daniels, owner of Hill's Kitchen, opened a small business dedicated to cooking in her home town and neighborhood of Capitol Hill;

WHEREAS, Hill's Kitchen opened its doors in May of 2008, occupying a renovated townhouse built in 1884 in the historic Capitol Hill neighborhood;

WHEREAS, the philosophy of Hill's Kitchen is to offer everything a cook needs or desires, in a lively and welcoming store with knowledgeable staff and extraordinary service;

WHEREAS, Hill's Kitchen has withstood a major recession, the Internet, sequestration, Snowmageddon, second grade field trips, and federal government shutdowns;

WHEREAS, Hill's Kitchen has become a neighborhood institution devoted to Capitol Hill, Washington, D.C., and the Washington Nationals in equal measure; and

WHEREAS, the Capitol Hill and Washington, D.C. community appreciates the bravery, expertise, and tenacity of Hill's Kitchen's Leah Daniels.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Hill's Kitchen 10th Anniversary Recognition Resolution of 2018".

Sec. 2. The Council of the District of Columbia recognizes and honors Hill's Kitchen, a woman-owned, independent, gourmet kitchenware store in the heart of the Capitol Hill community, as it celebrates 10 years of successful business, and declares May 17, 2018, "Hill's Kitchen Day" in the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

## ENROLLED ORIGINAL

## A CEREMONIAL RESOLUTION

22-330

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To recognize and honor the 70th anniversary of *Hurd v. Hodge*, 334 U.S. 24 (1948), the seminal Supreme Court case establishing that the judicial enforcement of racial covenants restricting conveyance of property based on color was prohibited by the Civil Rights Act of 1866, a precedent which changed the trajectory of fair housing and anti-discriminatory legislation on a national stage.

WHEREAS, Frederic and Lena Hodge sued their new neighbors, James and Mary Hurd, in District Court, contesting their ‘unlawful’ purchase of a home on the 100 block of Bryant Street in Ward 5;

WHEREAS, the Hurds lost their case through the enforcement of a racial covenant that prevented the sale of property to black families and were ordered “to remove themselves and all of their personal belongings from the premises”;

WHEREAS, the Hurds challenged the verdict in the United States Court of Appeals for the District of Columbia and were defeated again, yet they did not relent in their fight for justice;

WHEREAS, Charles Hamilton Houston, a native Washingtonian, graduate of Dunbar High School, mentor to Thurgood Marshall and former Dean of the Howard University School of Law, represented the Hurds and requested a petition for Writ of Certiorari and the United States Supreme Court agreed to review the case;

WHEREAS, on May 3, 1948, Chief Justice Fred M. Vinson delivered the Supreme Court’s unanimous opinion that “...judicial enforcement of the restrictive covenants by the courts of the District of Columbia is prohibited by the Civil Rights Act”;

WHEREAS, Chief Justice Fred M. Vinson called upon the language and spirit of the Civil Rights Act to render equitable treatment of all persons regardless of race and opined, “[the Civil Rights Act], by its terms, requires that all citizens of the United States shall have the same right ‘as is enjoyed by white citizens... to inherit, purchase, lease, sell, hold, and convey real and personal property.’” Civil Rights Act of 1866, § 1, 14 Stat. 27; 42 U.S.C. § 1982;

WHEREAS, *Hurd v. Hodge* established that the District of Columbia was included in the phrase “every State and Territory” within the provision of the Civil Rights Act that all citizens of the United States shall have the same right in “every State and Territory”;

## ENROLLED ORIGINAL

WHEREAS, *Hurd v. Hodge* inspired an amicus brief from the American Civil Liberties Union asserting, “the problem of racial discrimination in housing is a most serious threat...In the development of a sound democracy it matters little whether the discrimination exercised be overt or discreet. In either event, basic freedoms guaranteed by the Bill of Rights are undermined”;

WHEREAS, *Hurd v. Hodge* is cited in hundreds of cases focusing on civil rights, labor, covenants, and the power of federal courts, including *Jones v. Alfred H. Mayer Co.*, 392 U.S. 409 (1968), determining the scope of the § 1982 and holding that “Congress has the authority to enforce the Thirteenth Amendment by ‘appropriate legislation’ includ[ing] the power to eliminate all racial barriers from the acquisition of real and personal property”;

WHEREAS, *Hurd v. Hodge* was pivotal in the civil rights advocacy movement that helped establish the Department of Housing and Urban Development, advancing federal and state fair housing regulations;

WHEREAS, *Hurd v. Hodge* influenced recent local legislation, such as the Fair Criminal Record Screening for Housing Act, reducing housing discrimination against the District’s returning citizens;

WHEREAS, the Hurd’s Ward 5 family home, standing in memorial to parity and progress, has been incorporated into the African American Heritage Trail devoted to the District’s rich culture and history;

WHEREAS, the District aspires to promote social justice by pioneering equitable laws for all people, especially those from communities who have historically faced discrimination; and

WHEREAS, *Hurd v. Hodge* reminds the District that to envision the future we must commemorate the past.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “The *Hurd v. Hodge* 70th Anniversary Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia recognizes the extraordinary legacy of this landmark case.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-331

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To declare June 20, 2018 as “District of Columbia Chamber of Commerce Day” in the District of Columbia to commemorate the 80th anniversary of the District of Columbia Chamber of Commerce, and to recognize the District of Columbia Chamber of Commerce for its devotion to the local business community and its commitment to create a vibrant, thriving economy that improves the quality of life for all in the District, establishing mutually beneficial partnerships between business, government, and the community.

WHEREAS, the Washington Chamber of Commerce was incorporated on June 20, 1938;

WHEREAS, the Washington Chamber of Commerce initially formed to provide services for African-American businesses in the city;

WHEREAS, the name of the organization was changed to the Negro Chamber of Commerce in 1946 to reflect the unique needs of black businesses in the District of Columbia;

WHEREAS, on October 23, 1956, the name was changed to the District of Columbia Chamber of Commerce;

WHEREAS, with the new name established, the District of Columbia Chamber of Commerce expanded its operations to address the needs of all businesses in the District of Columbia;

WHEREAS, the mission of District of Columbia Chamber of Commerce is to be the most valuable resource and leading advocate for businesses throughout the District of Columbia;

WHEREAS, the District of Columbia Chamber of Commerce has continued to uphold its commitment to delivering the capital to businesses and citizens;

WHEREAS, the District of Columbia Chamber of Commerce provides invaluable tools to help business develop, and it leverages relationships with key contacts in the Council of the

**ENROLLED ORIGINAL**

District of Columbia and the federal government to improve the business climate and attract new businesses to the District;

WHEREAS, on August 15, 2016, Vincent Bernard Orange, Sr. was named President & Chief Executive Officer of the District of Columbia Chamber of Commerce;

WHEREAS, under the leadership of its Board of Directors and Officers, including Chair of the Board, Marie Johns of Leftwich LLC; Chair-Elect, Ajay Madan of Optimal Solutions and Technologies; 1<sup>st</sup> Vice Chair, Henry Osborne of Anchor Construction; 2<sup>nd</sup> Vice Chair, Jan Adams of AMA Solutions; Treasurer James Martinko of CohnReznick; and Secretary, Benjamin Soto of Premium Title & Escrow, the District of Columbia Chamber of Commerce builds on its efforts to develop businesses, build resources for the community, sponsor opportunities for events and networking, and cultivate learning opportunities for call businesses;

WHEREAS, the District of Columbia Chamber of Commerce is building economic trade opportunities through a Memorandum of Understanding with the Bahamas Chamber of Commerce;

WHEREAS, the District of Columbia Chamber of Commerce is a DC Talent Leader, placing youth in the Marion S. Barry Summer Youth Employment Program in private sector positions;

WHEREAS, the District of Columbia Chamber of Commerce promotes the approval of business-friendly laws and regulations that encourage company growth and create and maintain a tax environment that draws companies and entrepreneurs to the District;

WHEREAS, the District of Columbia Chamber of Commerce offers a wide variety of business and professional development programs for members and helps connect and forge relationships between members and the broader business community; and

WHEREAS, the District of Columbia Chamber of Commerce is a 501(c)(6) organization that has for 80 years dedicated its efforts to improving the climate of business in the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “80th Anniversary of the District of Columbia Chamber of Commerce Recognition Resolution of 2018”.

**ENROLLED ORIGINAL**

Sec. 2. The Council of the District of Columbia declares June 20, 2018, as “District of Columbia Chamber of Commerce Day” in the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-332

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To declare April 30 through May 4, 2018, as “District of Columbia Small Business Week” in the District of Columbia.

WHEREAS, small businesses are the economic engines of the economy and the foundation of the District’s economic growth and fiscal health;

WHEREAS, the President of the United States has proclaimed National Small Business Week every year since 1963 to highlight the programs and services available to entrepreneurs through the U.S. Small Business Administration and other government agencies;

WHEREAS, the District of Columbia supports and joins in this national effort to help America’s small businesses grow, create jobs, and ensure the District’s local communities remain vibrant;

WHEREAS, the District’s 71,146 small businesses account for 240,441 small business employees, nearly half of private sector employment, and firms with fewer than 100 employees have the largest share of small business employment;

WHEREAS, the Department of Small and Local Business Development, along with key agencies of local government, work to facilitate economic growth through collaboration with small businesses;

WHEREAS, the District has registered over 1,650 Certified Business Enterprises and in Fiscal Year 2017 spent over \$741 million with Small Business Enterprises; and

WHEREAS, the District reaffirms its commitment to helping small businesses thrive and prosper.

**ENROLLED ORIGINAL**

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “District of Columbia Small Business Week Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia declares April 30 through May 4, 2018, as “District of Columbia Small Business Week” in the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

## A CEREMONIAL RESOLUTION

22-333

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To congratulate retired Rear Admiral Lawrence Cleveland “Larry” Chambers ’52, USN, on his 89th birthday, for his recent receipt of the United States Naval Academy’s Distinguished Graduate Award and to commemorate his significant historical contributions to our country and the United States Navy.

WHEREAS, Lawrence Cleveland “Larry” Chambers, a lifelong resident of the District of Columbia, attended Paul Laurence Dunbar High School, where he participated in the Junior ROTC program and graduated as the Commander of the Corps of Cadets and Class Valedictorian in 1948;

WHEREAS, Lawrence Cleveland “Larry” Chambers was encouraged to attend the United States Naval Academy by his friend LCDR Wesley A. Brown, USN, (Ret.), who was also a Dunbar High School alum and the first African American graduate, in 1949, from the United States Naval Academy;

WHEREAS, on June 6, 1952, Lawrence Cleveland “Larry” Chambers graduated from the United States Naval Academy and was acknowledged as the first African American graduate from the institution to attain flag rank;

WHEREAS, Lawrence Cleveland “Larry” Chambers, and his younger brother, the late Army Lieutenant General Andrew P. Chambers, USA, (Ret.) became the first African American siblings to obtain flag rank in the United States Military;

WHEREAS, Lawrence Cleveland “Larry” Chambers served in the Vietnam War between 1968 and 1976, during which time he became the first African American to command an aircraft carrier, the USS *Midway*, on which he made his well-publicized decision to push overboard millions of dollars’ worth of UH-1 Huey helicopters, so a South Vietnamese Air Force Major and his wife and 5 children could land on the aircraft carrier, thereby saving their lives;

## ENROLLED ORIGINAL

WHEREAS, Lawrence Cleveland “Larry” Chambers has received a myriad of military awards and medals including: The Legion of Merit Award with 2 Gold Stars, the Meritorious Service Medal, the Bronze Star, the Armed Forces Expeditionary Medal, and the Republic of Vietnam Campaign Medal with Device; and

WHEREAS, Lawrence Cleveland “Larry” Chambers was recently awarded the Naval Academy’s Distinguished Graduate Award and is now recognized among a highly revered group of Naval Academy Distinguished Graduate Awardees and as one of the District’s most valued residents.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Rear Admiral Lawrence Cleveland “Larry” Chambers, USN, (Ret.) Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia congratulates retired Rear Admiral Lawrence Cleveland “Larry” Chambers, USN, (Ret.), for leading a life of selfless and dedicated service, and recognizes him, on his 89th birthday, as a significant military and historical figure in the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first day of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-334

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To recognize, honor, and raise community awareness about older Americans in the United States and in the District of Columbia, and to declare May 2018 as “Older Americans Month” in the District of Columbia.

WHEREAS, President Kennedy first celebrated older Americans by designating May 1963 as Senior Citizens Month;

WHEREAS, in 1980, President Jimmy Carter’s proclamation changed the name to Older Americans Month, and the month of May continues to be a time to celebrate those 65 years of age and older through ceremonies, events, and public recognition;

WHEREAS, the theme for 2018’s Older Americans Month is “Engage at Every Age”, which emphasizes that you are never too old to take part in activities that can enrich your physical, mental, and emotional well-being and celebrates the many ways older adults make a difference in our communities;

WHEREAS, the District of Columbia is home to over 107,000 seniors who richly contribute to our community;

WHEREAS, older Americans of every race, class, and ethnic background have made historic contributions to the growth and strength of the District of Columbia in countless recorded and unrecorded ways;

WHEREAS, the District of Columbia Office on Aging, under the leadership of Executive Director Laura Newland, is dedicated to serving the needs of senior residents in the District of Columbia;

WHEREAS, the District of Columbia is one of the most age-friendly cities in the United States and on pace to become only the third U.S. city designated by the World Health Organization as an Age-Friendly City in October 2017;

**ENROLLED ORIGINAL**

WHEREAS, the District of Columbia acknowledges the contributions and sacrifices older persons have made to ensure a better life for the future generations of Washingtonians and Americans, especially those seniors who defended our freedoms as veterans of the United States Armed Forces; and

WHEREAS, the District of Columbia strives to provide opportunities to enrich the lives of individuals of all ages by involving older adults in the redefinition of aging in our community, promoting home and community-based services that support independent living, encouraging older adults to speak up for themselves and others, and providing opportunities for older adults to share their experiences.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Older Americans Month Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia declares May 2018 as “Older Americans Month” in the District of Columbia and urges every resident to take time during this month to acknowledge older adults and the people who serve them as influential and vital parts of our community.

Sec. 3. This resolution shall take into effect immediately upon the first date of publication in the District of Columbia Registrar.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-335

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To recognize and honor the Salvation Army National Capital Area Command on the occasion of National Salvation Army Week and to declare May 14 through May 20, 2018, as “National Salvation Army Week” in the District of Columbia.

WHEREAS, since 1885, the Salvation Army National Capital Area Command has offered programs that feed, shelter, and empower individuals in need who reside in the District of Columbia metropolitan area;

WHEREAS, the Salvation Army National Capital Area Command served more than 66,000 people in the Washington, D.C. metropolitan area last year and, of that number, over 20,000 were District of Columbia residents;

WHEREAS, the Salvation Army has 3 key programs that serve District residents: the Turning Point Center for Women and Children, which provides young mothers experiencing homelessness with transitional housing, case management, and independent living skills to help them achieve a future of stability and self-sufficiency; the Harbor Light Center, a 136-bed residential drug and alcohol treatment program providing individual and group therapy and recovery services; and the Grate Patrol program, a mobile meal and homeless outreach program providing an evening meal and street-side case management services 365 nights per year;

WHEREAS, National Salvation Army week was originally declared by President Dwight D. Eisenhower in 1954 and has been observed during the week following Mother’s Day each year since;

WHEREAS, the original proclamation notes, “Among Americans, The Salvation Army has long been a symbol of wholehearted dedication to the cause of human brotherhood... Their work has been a constant reminder to us all that each of us is neighbor and kin to all Americans. By giving freely of themselves, the men and women of The Salvation Army have won the respect of us all.”; and

**ENROLLED ORIGINAL**

WHEREAS, the Salvation Army National Capital Area Command, along with its volunteers, donors, and business and government partners, is honored to serve the local community in accordance with its mission, “to meet human needs without discrimination”.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as “National Salvation Army Week Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia recognizes and honors the Salvation Army’s observance of National Salvation Army Week in the Nation’s Capital, and declares May 14 through May 20, 2018, as “National Salvation Army Week” in the District of Columbia.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-336

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To celebrate and recognize the 25th anniversary of the Program on Law and Government at the American University Washington College of Law.

WHEREAS, the Program on Law and Government distinguishes American University Washington College of Law as a vibrant center of critical thinking and dialogue about the institutions of law, government, and public policy;

WHEREAS, August 23, 2018, marks the 25th anniversary of the Program on Law and Government;

WHEREAS, the Program on Law and Government was co-founded by Congressman Jamie Raskin and the late Washington College of Law professor, Thomas Sargentich;

WHEREAS, the Program on Law and Government has been one of the hallmark programs at the Washington College of Law for students who wish to go on to careers in public policy;

WHEREAS, the Program on Law and Government empowers students, alumni, and the broader legal and political communities to engage in political discourse for the common good;

WHEREAS, the Program on Law and Government includes the Marshall-Brennan Constitutional Literacy Project, a nationally recognized program that promotes democratic engagement, constitutional literacy, and legal and oral advocacy among high school students in the District;

WHEREAS, the Program on Law and Government imparts essential analytical tools, skills, and values through teaching and professional coaching to public lawyers, and highlights important ethics questions for Congress, the executive branch, and the Supreme Court of the United States; and

**ENROLLED ORIGINAL**

WHEREAS, the Program on Law and Government creates access for students to meet trailblazers in government, society, private industry, and law practice.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution be cited as the “25th Anniversary of the Program on Law and Government Recognition Resolution of 2018”.

Sec. 2. The Council of the District of Columbia recognizes and honors the American University Washington College of Law’s Program on Law and Government for uniting law students, alumni, and professors to provide emerging lawyers with a firm foundation for successful careers in public service.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A CEREMONIAL RESOLUTION

22-337

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2018

To recognize the importance of DC Black Lesbian & Gay Pride, commonly referred to as DC Black Pride, and to welcome visitors from this region, across the country, and around the world to the festival and associated events.

WHEREAS, the mission of DC Black Pride is to increase awareness and showcase pride in the diversity of lesbians, gays, bisexuals, and the transgender population in the African American community, and support organizations that focus on health disparities, education, youth, and families;

WHEREAS, May 22, 2018, through May 28, 2018, marks the 28th Annual DC Black Pride celebration;

WHEREAS, DC Black Pride is the oldest and one of the largest Black Pride events in the world, drawing thousands of residents and visitors from around the globe;

WHEREAS, DC Black Pride is led by an Executive Board that includes President Earl D. Fowlkes, Jr., Project Manager Kenya Hutton, and Volunteer Coordinator Genise Chamber-Woods, all of whom plan and execute this annual event;

WHEREAS, the Executive Board is assisted by a volunteer Advisory Board that includes Shannon Garcon, Palomas Yazmina Tadesse, Re’ginald Shaw-Richardson, Silas Burris, and Gladece Knight;

WHEREAS, DC Black Pride inspired the Center for Black Equity (formerly known as the International Federation of Black Prides, Inc.) and the “Black Pride Movement,” which now consists of 40 Black Prides on 4 continents;

WHEREAS, Black Pride has become popular across the world because it provides a safe space for members of Black LGBTQ communities to come together to celebrate being both African American and members of LGBTQ communities;

**ENROLLED ORIGINAL**

WHEREAS, DC Black Pride is a multi-day festival featuring an Awards Reception honoring Congressman John Lewis and others, a Transgender and Youth Community Town Hall, an Interfaith Service, performances by musicians and dancers, social events, and the DC Black Pride Health and Wellness Exposition;

WHEREAS, DC Black Pride remains one of the world's preeminent Black Pride celebrations, drawing more than 40,000 people to the Nation's Capital from across the United States as well as Canada, the Caribbean, South Africa, Great Britain, France, Germany, and the Netherlands; and

WHEREAS, the theme for this year's celebrations is "Communities Together, Building Communities".

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution be cited as the "DC Black Lesbian & Gay Pride Recognition Resolution of 2018".

Sec. 2. The Council of the District of Columbia recognizes and honors the hard work of all those involved in organizing the 28th Annual DC Black Pride Celebration.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

**COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE ON EDUCATION  
NOTICE OF PUBLIC OVERSIGHT HEARING**  
1350 Pennsylvania Avenue, NW, Washington, DC 20004

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**COUNCILMEMBER DAVID GROSSO  
COMMITTEE ON EDUCATION  
ANNOUNCES A PUBLIC OVERSIGHT HEARING**

On

**Issues Facing District of Columbia Youth**

on

**Monday, October 15, 2018  
4:00 p.m., Hearing Room 500, John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004**

Councilmember David Grosso announces the scheduling of a public oversight hearing of the Committee on Education on student related issues with a focus on Pre-K3 through 12<sup>th</sup> grade. The roundtable will be held at 4:00 p.m. on Monday, October 15, 2018 in Hearing Room 500s of the John A. Wilson Building.

The purpose of this hearing is to hear testimony from District of Columbia youth regarding issues that impact their lives as they make their way through the public education system.

Youth, aged 21 and younger, who wish to testify may sign-up online at <http://bit.do/educationhearings> or call the Committee on Education at (202) 724-8061 by 5:00p.m. Thursday, October 11, 2018 and provide their name, age, telephone number, school (if applicable), current grade (if applicable), organizational affiliation and title (if any). Each person should limit their testimony to three (3) minutes in order to permit each witness an opportunity to testify.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Written statements should be submitted by email to Ashley Strange, or by post to the Committee on Education, Council of the District of Columbia, Suite 116 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, DC 20004. The record will close at 5:00 p.m. on Monday, October 29, 2018.

**Council of the District of Columbia  
COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY  
NOTICE OF PUBLIC OVERSIGHT ROUNDTABLE  
1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004**

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**COUNCILMEMBER CHARLES ALLEN, CHAIRPERSON  
COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY**

**ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE ON**

**THE DISTRICT'S SUMMER PUBLIC SAFETY AND CRIME PREVENTION EFFORTS**

**Tuesday, September 25, 2018, 1:00 p.m.  
Room 500, John A. Wilson Building  
1350 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004**

On Tuesday, September 25, 2018, Councilmember Charles Allen, Chairperson of the Committee on the Judiciary and Public Safety, will hold a public oversight roundtable to discuss the District's summer public safety and crime prevention efforts. The roundtable will take place in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., at 1:00 p.m.

At the roundtable, the Committee will examine recent violent and non-violent crime trends across the District and discuss District agencies' summer crime prevention and intervention efforts, including those of agencies outside the traditional public safety cluster such as the Department of Parks and Recreation and the Department of Employment Services.

Anyone wishing to testify at the roundtable should contact the Committee via email at [judiciary@dccouncil.us](mailto:judiciary@dccouncil.us) or at (202) 724-7808, and provide their name, telephone number, organizational affiliation, and title (if any), by **close of business Thursday, September 20**. Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals will be allowed a maximum of three minutes. Witnesses should bring **twenty double-sided copies** of their written testimony and, if possible, also submit a copy of their testimony electronically in advance to [judiciary@dccouncil.us](mailto:judiciary@dccouncil.us).

For witnesses who are unable to testify at the roundtable, written statements will be made part of the official record. Copies of written statements should be submitted to the Committee at [judiciary@dccouncil.us](mailto:judiciary@dccouncil.us). **The record will close at the end of the business day on October 9, 2018.**

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: August 31, 2018
Protest Petition Deadline: October 15, 2018
Roll Call Hearing Date: October 29, 2018
Protest Hearing Date: December 12, 2018

License No.: ABRA-111216
Licensee: Boqueria Penn Quarter, LLC
Trade Name: Boqueria
License Class: Retailer's Class "C" Restaurant
Address: 799 9th Street, N.W.
Contact: Stephen J. O'Brien, Esq.: (202) 625-7700

WARD 2

ANC 2C

SMD 2C01

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 October 29, 2018 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline. The Protest Hearing date is scheduled on December 12, 2018 at 1:30 p.m.

NATURE OF OPERATION

New Class "C" Restaurant specializing in Spanish cuisine with a Sidewalk Café endorsement with 22 seats. Total Occupancy Load of 256 with seating for 209 patrons.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION (INSIDE PREMISES)

Sunday through Thursday 8am – 2am
Friday and Saturday 8am – 3am

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION (SIDEWALK CAFE)

Sunday through Saturday 11:30am – 11:30pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

**\*\*RESCIND**

Placard Posting Date: July 20, 2018  
Protest Petition Deadline: September 4, 2018  
Roll Call Hearing Date: September 17, 2018

License No.: ABRA-099787  
Licensee: Chaia Georgetown, LLC  
Trade Name: Chaia LLC  
License Class: Retailer’s Class “D” Restaurant  
Address: 3207 Grace Street, N.W.  
Contact: Suzanne Simon, Managing Member: (202) 352-6645

WARD 2                      ANC 2E                      SMD 2E05

Notice is hereby given that this licensee has requested a Substantial Change to their 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 September 17, 2018 at 10 a.m., 4th Floor, 2000 14<sup>th</sup> Street, N.W., Washington, DC 20009**. Petition and/or request to appear before the Board must be filed on or before the Petition Date.

**NATURE OF SUBSTANTIAL CHANGE**

Request to add a Summer Garden with 16 seats.

**CURRENT HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION INSIDE PREMISES**

Sunday through Thursday 8am – 2am  
Friday and Saturday 8am – 3am

**PROPOSED HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR SUMMER GARDEN**

Sunday 10am – 9pm  
Monday through Friday 11am – 9pm  
Saturday 10am – 9pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
8/31/2018

Notice is hereby given that:

License Number: ABRA-095442

License Class/Type: C Hotel

Applicant: Pacific District Lessee Corporation

Trade Name: Eaton DC

ANC: 2F08

Has applied for the renewal of an alcoholic beverage license at the premises:

**1201 K ST NW, WASHINGTON, DC 20005**

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

**10/15/2018**

A HEARING WILL BE HELD ON:

**10/29/2018**

AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	24 Hours -	10 am - 2 am	-
Monday:	24 Hours -	8 am - 2 am	-
Tuesday:	24 Hours -	8 am - 2 am	-
Wednesday:	24 Hours -	8 am - 2 am	-
Thursday:	24 Hours -	8 am - 2 am	-
Friday:	24 Hours -	8 am - 3 am	-
Saturday:	24 Hours -	8 am - 3 am	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

## ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

## NOTICE OF PUBLIC HEARING

Placard Posting Date: August 31, 2018  
Protest Petition Deadline: October 15, 2018  
Roll Call Hearing Date: October 29, 2018

License No.: ABRA-094107  
Licensee: New York Avenue Beach Bar, LLC  
Trade Name: Halftime Sports Bar  
License Class: Retailer's Class "C" Tavern  
Address: 1427 H Street, N.E.  
Contact: Camelia Mazard: (202) 589-1837

WARD 6

ANC 6A

SMD 6A06

Notice is hereby given that this licensee has applied for substantial changes 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 October 29, 2018 at 10 a.m., 4th Floor, 2000 14<sup>th</sup> Street, N.W., Washington, DC 20009**. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline.

**NATURE OF SUBSTANTIAL CHANGES**

Licensee is requesting to add a Cover Charge Endorsement to the existing Entertainment Endorsement. They are also requesting to add a 39 seat Summer Garden and to increase the premises occupancy load and seating. The first floor will have 54 seats and a Total Occupancy Load of 64, and the second floor will have 64 seats and a Total Occupancy Load of 65. The Total Occupancy Load of the entire premises, including the Summer Garden and interior spaces, will be 168.

**CURRENT HOURS OF OPERATION, ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION, AND LIVE ENTERTAINMENT INSIDE PREMISES**

Sunday 10am – 2am

Monday through Thursday 12pm – 2am

Friday 12pm – 3am

Saturday 10am – 3am

**PROPOSED HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR SUMMER GARDEN**

Sunday 10am – 11pm

Monday through Thursday 12pm – 11pm

Friday 12pm – 12am

Saturday 10am – 12am

## ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

## NOTICE OF PUBLIC HEARING

**\*\*CORRECTION\*\***

Placard Posting Date: August 24, 2018  
Protest Petition Deadline: October 9, 2018  
Roll Call Hearing Date: October 22, 2018  
Protest Hearing Date: December 12, 2018

License No.: ABRA-110934  
Licensee: Petworth Cigars, LLC  
Trade Name: Petworth Cigars  
License Class: Retailer's Class "C" Tavern  
Address: 4203 Georgia Avenue, N.W.  
Contact: Dyane Johnson: (240) 535-5202

WARD 4

ANC 4C

SMD 4C07

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 October 22, 2018 at 10 a.m., 4th Floor, 2000 14<sup>th</sup> Street, N.W., Washington, DC 20009**. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline. **The Protest Hearing date** is scheduled on **December 12, 2018 at 4:30 p.m.**

**NATURE OF OPERATION**

New Class "C" Tavern that will serve as a cigar retailer serving spirits, wine, and beer in addition to tobacco products and other cigar-related products. **\*\*The Tavern will have 80 seats inside, and a Total Occupancy Load of 99, and also a Summer Garden with 10 seats. Licensee is requesting an indoors-only Entertainment Endorsement to provide Live Entertainment.**

**PROPOSED HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION (INSIDE PREMISES)**

Sunday – Wednesday, 10am – 12am

Thursday – Saturday, 10am – 2am

**PROPOSED HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE, SALES, SERVICE, AND CONSUMPTION (SUMMER GARDEN)**

Sunday – Saturday, 10am – 11pm

**PROPOSED HOURS OF LIVE ENTERTAINMENT INSIDE PREMISES ONLY**

Sunday – Wednesday 4pm – 12am

Thursday – Saturday 6pm – 2am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

\*\*RESCIND\*\*

Placard Posting Date: August 24, 2018
Protest Petition Deadline: October 9, 2018
Roll Call Hearing Date: October 22, 2018
Protest Hearing Date: December 12, 2018

License No.: ABRA-110934
Licensee: Petworth Cigars, LLC
Trade Name: Petworth Cigars
License Class: Retailer's Class "C" Tavern
Address: 4203 Georgia Avenue, N.W.
Contact: Dyane Johnson: (240) 535-5202

WARD 4 ANC 4C SMD 4C07

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 October 22, 2018 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline. The Protest Hearing date is scheduled on December 12, 2018 at 4:30 p.m.

NATURE OF OPERATION

New Class "C" Tavern that will serve as a cigar retailer serving spirits, wine, and beer in addition to tobacco products and other cigar-related products. \*\*The Tavern will have 100 seats inside, and a Total Occupancy Load of 100, and also a Summer Garden with 10 seats. Licensee is requesting an indoors-only Entertainment Endorsement to provide Live Entertainment.

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

Sunday - Wednesday, 10am - 12am
Thursday - Saturday, 10am - 2am

PROPOSED HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE, SALES, SERVICE, AND CONSUMPTION (SUMMER GARDEN)

Sunday - Saturday, 10am - 11pm

PROPOSED HOURS OF LIVE ENTERTAINMENT INSIDE PREMISES ONLY

Sunday - Wednesday 4pm - 12am
Thursday - Saturday 6pm - 2am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: August 31, 2018
Protest Petition Deadline: October 15, 2018
Roll Call Hearing Date: October 29, 2018
Protest Hearing Date: December 12, 2018

License No.: ABRA-111118
Licensee: Potomac Paddle Pub, LLC
Trade Name: Potomac Paddle Pub
License Class: Retailer's Class "DX" Marine Vessel
Address: Columbia Island Marina, George Washington Memorial Parkway, Arlington, VA, 22202
Contact: Jack Maher: (703) 310-9979

WARD 6 ANC 6D SMD 6D04

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 October 29, 2018 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline. The Protest Hearing date is scheduled on December 12, 2018 at 4:30 p.m.

NATURE OF OPERATION

A new Marine Vessel. Seating Capacity of 18. Total Occupancy Load of 18.

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

Sunday 9am - 11pm, Monday through Thursday 3pm - 11pm, Friday and Saturday 9am - 11pm

## ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

## NOTICE OF PUBLIC HEARING

Placard Posting Date: August 31, 2018  
Protest Petition Deadline: October 15, 2018  
Roll Call Hearing Date: October 29, 2018  
Protest Hearing Date: December 12, 2018

License No.: ABRA-110984  
Licensee: Scotts DC, LLC  
Trade Name: Scotts DC  
License Class: Retailer's Class "C" Restaurant  
Address: 927 F Street, N.W.  
Contact: Sean T. Morris, Esq.: (301) 654-6570

WARD 2

ANC 2C

SMD 2C01

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 October 29, 2018 at 10 a.m., 4th Floor, 2000 14<sup>th</sup> Street, N.W., Washington, DC 20009**. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline. The **Protest Hearing date** is scheduled on **December 12, 2018 at 4:30 p.m.**

**NATURE OF OPERATION**

New Class "C" Restaurant American brasserie serving fresh salads, carved meats, homemade charcuterie, and fresh seafood. Restaurant will feature a British décor and have a full bar with an emphasis on malt whiskies and fine liquors. The licensee requests an Entertainment Endorsement to provide live entertainment. Total Occupancy Load of 180 with seating for 147 patrons.

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

Sunday 11am – 11pm  
Monday through Thursday 12pm – 11pm  
Friday 12pm – 12am  
Saturday 11am – 12am

**HOURS OF LIVE ENTERTAINMENT**

Saturday and Sunday 11:30am – 3pm

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

Placard Posting Date: August 31, 2018  
Protest Petition Deadline: October 15, 2018  
Roll Call Hearing Date: October 29, 2018

License No.: ABRA-108135  
Licensee: SLK 6, LLC  
Trade Name: TBD  
License Class: Retailer's Class "A" Liquor Store  
Address: 1123 18<sup>th</sup> Street, N.W.  
Contact: Andrew Kline: (202) 686-7600

WARD 2

ANC 2B

SMD 2B06

Notice is hereby given that this licensee has requested to transfer the license to a new location 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 October 29, 2018 at 10 a.m., 4th Floor, 2000 14<sup>th</sup> Street, N.W., Washington, DC 20009**. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline.

**NATURE OF LICENSE CHANGE**

Licensee requests to transfer license from 4009 South Capitol Street, N.W., to a new location at 1123 18<sup>th</sup> Street, N.W. Establishment is a Retailer's Class "A" liquor store that is requesting a Tasting Endorsement.

**HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/TASTING**

Sunday – Saturday 9am – 11:30pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: August 31, 2018
Protest Petition Deadline: October 15, 2018
Roll Call Hearing Date: October 29, 2018
Protest Hearing Date: December 12, 2018

License No.: ABRA-100238
Licensee: Eve, LLC
Trade Name: Zemen
License Class: Retailer's Class "B" Full-Service Grocery
Address: 4418 Georgia Avenue, N.W.
Contact: Mekedes D. Zeleke: (202) 468-4231

WARD 4

ANC 4C

SMD 4C07

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 October 29, 2018 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline. The Protest Hearing date is scheduled on December 12, 2018 at 1:30pm.

NATURE OF OPERATION

New Class "B" Full-Service Grocery Store selling beer and wine.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES

Sunday through Wednesday 8am - 11pm, Thursday through Saturday 8am - 12am

## ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

## NOTICE OF PUBLIC HEARING

Placard Posting Date: August 31, 2018  
Protest Petition Deadline: October 15, 2018  
Roll Call Hearing Date: October 29, 2018  
Protest Hearing Date: December 12, 2018

License No.: ABRA-111146  
Licensee: Zeppelin Restaurant DC, LLC  
Trade Name: Zeppelin  
License Class: Retailer's Class "C" Restaurant  
Address: 1544 9<sup>th</sup> Street, N.W.  
Contact: Joyce Njoroge: (202) 526-5500

WARD 6

ANC 6E

SMD 6E01

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 October 29, 2018 at 10 a.m., 4th Floor, 2000 14<sup>th</sup> Street, N.W., Washington, DC 20009**. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline. **The Protest Hearing date** is scheduled on **December 12, 2018 at 1:30 p.m.**

**NATURE OF OPERATION**

A restaurant that will serve Japanese-themed sushi. The licensee is requesting a Sidewalk Café with seating for 60 patrons. They are also requesting an Entertainment Endorsement to provide live entertainment indoors only. Interior seating for 99, with a Total Occupancy Load of 122.

**HOURS OF OPERATION/ALCOHOLIC BEVERAGE SALES, SERVICE AND CONSUMPTION FOR INSIDE PREMISES**

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

**HOURS OF OPERATION/ALCOHOLIC BEVERAGE SALES, SERVICE AND CONSUMPTION FOR SIDEWALK CAFE**

Sunday through Saturday 8am – 1am

**HOURS OF LIVE ENTERTAINMENT FOR INSIDE PREMISES ONLY**

Sunday through Thursday 6pm – 1:30am, Friday and Saturday 6pm – 2:30am

**BOARD OF ZONING ADJUSTMENT  
PUBLIC HEARING NOTICE  
WEDNESDAY, OCTOBER 24, 2018  
441 4<sup>TH</sup> 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**

19829            **Application of RUPSHA 2011 LLC**, pursuant to 11 DCMR Subtitle X, Chapter  
ANC 7E            10, for area variances from the lot dimension requirements of Subtitle D § 302.1  
and the side yard requirements of Subtitle D § 307.1, to construct a new detached  
principal dwelling unit in the R-2 Zone at premises 4417 A Street S.E. (Square  
5350, Lot 38).

**WARD EIGHT**

19830            **Application of Yasmine Sikder**, pursuant to 11 DCMR Subtitle X, Chapter 10,  
ANC 8C            for an area variance from side yard requirements of Subtitle D § 307.4  
to construct a new principal dwelling unit in the R-3 Zone at premises 3902 1st  
Street S.E. (Square 6128, Lot 834).

**WARD SEVEN**

19831            **Application of RUPSHA 2011 LLC**, pursuant to 11 DCMR Subtitle X, Chapter  
ANC 7C            10, for area variances from the lot dimension requirements of Subtitle D § 302.1  
and the side yard requirements of Subtitle D § 307.1, to construct a new detached  
principal dwelling unit in the R-2 Zone at premises 4813 Jay Street N.E. (Square  
5149, Lot 87).

**WARD SEVEN**

19832            **Application of Yasmine Sikder**, pursuant to 11 DCMR Subtitle X, Chapter 10,  
ANC 7C            for area variances from the lot dimension requirements of Subtitle D § 302.1 and  
the side yard requirements of Subtitle D § 307.1, to construct a new principal  
dwelling unit in the R-2 Zone at premises 308 62nd Street N.E. (Square 5267, Lot  
44).

## BZA PUBLIC HEARING NOTICE

OCTOBER 24, 2018

PAGE NO. 2

WARD SIX

19837            **Application of Peter and Stephanie Eicher**, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exception under Subtitle D § 5201 from the lot occupancy requirements of Subtitle D § 304.1, the rear yard requirements of Subtitle D § 306.2, and the pervious surface requirements of Subtitle D § 308.3, to construct a three-story rear addition and deck in the R-3 Zone at premises 600 H Street S.W. (Square 468, Lot 67).

ANC 6D

WARD SIX

19838            **Application of Andrew Cooper**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1, and pursuant to Subtitle X, Chapter 10, for a variance from the access requirements of Subtitle U § 301.1(c)(4), to construct a two-story accessory structure containing a garage and second-floor dwelling unit in the RF-1 at premises 912 5th Street N.E. (Square 807, Lot 42).

ANC 6C

WARD SEVEN

19841            **Application of Habitat for Humanity of Washington DC**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle C § 305.1 from the subdivision regulations of Subtitle C § 302.2, to replace two detached dwelling units with 17 new semi-detached and detached dwelling units on a single record lot in the R-2 Zone at premises 900-914 55th Street N.E. (Square 5204, Lot 22).

ANC 7C

**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**

BZA PUBLIC HEARING NOTICE  
OCTOBER 24, 2018  
PAGE NO. 3

**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](http://www.dcoz.dc.gov). All requests and comments should be submitted to the Board through the Director, Office of Zoning, 441 4<sup>th</sup> 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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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?

## BZA PUBLIC HEARING NOTICE

OCTOBER 24, 2018

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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](mailto: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**  
**LORNA L. JOHN, MEMBER**  
**CARLTON HART, VICE-CHAIRPERSON,**  
**NATIONAL CAPITAL PLANNING COMMISSION**  
**A PARTICIPATING MEMBER OF THE ZONING COMMISSION**  
**CLIFFORD W. MOY, SECRETARY TO THE BZA**  
**SARA A. BARDIN, DIRECTOR, OFFICE OF ZONING**

## ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

## NOTICE OF FURTHER PUBLIC HEARING

**TIME AND PLACE:** Monday, October 15, 2018, @ 6:30 p.m.  
Jerrily R. Kress Memorial Hearing Room  
441 4<sup>th</sup> Street, N.W., Suite 220-South  
Washington, D.C. 20001

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

**CASE NO. 17-23 (Text Amendment to Subtitles A, B, C, D, E, F, K, and U re: Changes to Definitions and Rules of Measurement Pertaining to Side Yards)**

**THIS CASE IS OF INTEREST TO ALL ANCs**

On December 1, 2017, the Office of Zoning (OZ) received a report that served as a petition from the District of Columbia Office of Planning (“OP”) proposing text amendments to the Zoning Regulations of 2016 (11 DCMR) to eliminate the “common division wall” language that appeared in § 405.3 of the 1958 Regulations and in multiple sections in the 2016 Regulations and amend the definitions for detached, semi-detached, and attached buildings. The OP set down report served as a pre-hearing filing.

On December 11, 2017, the Commission voted to set down the petition for a public hearing, which was held April 19, 2018. At the April public hearing, the Zoning Commission encouraged Op to explore alternative approaches to the regulation of side yards beyond that which was setdown.

On July 20, 2018, OZ received a report that served as an amended petition from OP proposing revised text amendments to the Zoning Regulations (11 DCMR) that, in addition to the changes described above would replace the defined term “attached building” with “row building” and make any associated changes, and to amend the side yard development standards for the R, RF, and RA zones. The OP set down report served as a pre-hearing filing.

On July 30, 2018, the Commission voted to set down the amended petition for a public hearing.

The following amendments to Title 11 DCMR are proposed (additions are shown in **bold** and **underlined** text and deleted text is shown ~~striketrough~~ text).

*1. Changes to Subtitle A, Authority and Applicability*

Amend the text in Subtitle A § 301, Building Permits, as follows:

CHAPTER 3 ADMINISTRATION AND ENFORCEMENT

...

301 BUILDING PERMITS

...

301.14 Notwithstanding Subtitle A § 301.4, Subtitle D §§ 306.3, 306.4, 706.3, 706.4, 1006.2, 1006.3 1206.3, and 1206.4, and Subtitle E §§ 205.4 and 205.5, a rear wall of ~~an attached~~ **a row** or semi-detached building may be constructed to extend farther than ten feet (10 ft.) beyond the farthest rear wall of any adjoining principal residential building on an adjoining property provided that the building permit application for such construction was filed and accepted as complete by the Department of Consumer and Regulatory Affairs on or before March 27, 2017 and not substantially changed after filing.

2. *Changes to Subtitle B, Definitions, Rules of Measurement, and Use Categories*

Amend the text in Subtitle B § 100, Definitions, as follows:

Building, Row Attached: A building that **has no side yards** ~~abuts or shares walls on both side lot lines with other buildings on adjoining lots.~~ **The terms “row dwelling” and “row house” shall have the same meaning.**

Building, Detached: A ~~freestanding building that does not abut any other building and where all sides of the building are surrounded by yards or open areas within the lot~~ **is completely separated from all other buildings and has two (2) side yards.**

Building, Semi-detached: A building that ~~abuts or shares one (1) wall, on a side lot line, with another building on an adjoining lot and where the remaining sides of the building are surrounded by open areas or street lot lines~~ **has only one (1) side yard.**

Amend the text in Subtitle B § 315, Rules of Measurement for Front Setbacks for Residential House (R) and Residential Flat (RF) Zones, as follows:

CHAPTER 3 GENERAL RULES OF MEASUREMENT

...

315 RULES OF MEASUREMENT FOR FRONT SETBACKS FOR RESIDENTIAL HOUSE (R) AND RESIDENTIAL FLAT (RF) ZONES

315.1 A proposed building façade or structure facing a street lot line shall:

...

- (c) In the case of an interior-lot ~~attached~~ **row** or semi-detached building, not be further forward or further back than the building façade of one (1) of the immediately adjoining buildings.

...

Amend the text in Subtitle B § 320, Rules of Measurement for Side Yards, as follows:

320 RULES OF MEASUREMENT FOR SIDE YARDS

320.1 A required side yard shall be parallel to a side lot line and apply to the entirety of principal buildings and structures. If a required side yard intersects with a required rear yard, the larger yard shall apply for the required distance of the larger yard.

~~320.2 An addition to an existing semi-detached or detached principal building must meet the side yard requirements for that type of building in the zone. An existing detached or semi-detached building may not be treated as an attached building through the construction of additions. **[DELETED]**~~

3. *Changes to Subtitle C, General Rules*

Amend the text in Subtitle C § 702, Exemptions from Minimum Parking Requirements, as follows:

CHAPTER 7 VEHICLE PARKING

702 EXEMPTIONS FROM MINIMUM PARKING REQUIREMENTS

702.3 Vehicle parking shall not be required:

- (a) For a **building containing a detached single principal** dwelling unit, ~~a semi-detached single dwelling unit, an attached single dwelling unit, rowhouse, or flat within the **an R and or RF zone** zones~~, if the lot does not have access to an open, improved, and public alley with a right of way of ten feet (10 ft.) width minimum;

...

Amend the text in Subtitle C § 1001, Applicability, as follows:

CHAPTER 10 INCLUSIONARY ZONING

...

1001.2 Except as provided in Subtitle C § 1001.5, the requirements and modifications of this chapter shall apply to developments meeting the following criteria:

...

- (e) Any semi-detached, ~~attached~~**row**, flat, or multiple dwelling development not described in Subtitle C § 1001.2(b) through 1001.2(d) if the owner voluntarily agrees to the requirements of Subtitle C § 1003 and meets all other requirements of this chapter, provided:

...

4. *Changes to Subtitle D, Residential House (R) Zones*

Amend the text in Subtitle D, Chapter 2 General Development Standards (R) §§ 202 and 206, as follows:

202 LOT OCCUPANCY

202.1 ~~In the R zones, a detached or semi-detached building shall not be considered an attached unit for the purposes of lot occupancy through the use of building or structure additions that reduce an otherwise required or permitted side yard for a detached or semi-detached dwelling. [DELETED]~~

...

206 SIDE YARD

206.1 ~~Side yard requirements are as provided in each zone.~~ **Except in the R-8, R-9, R-10, R-19, and R-20 zones, the minimum side yard requirements are as provided in this section.**

**206.2 Two side yards, each a minimum of eight feet (8 ft.) in width, shall be provided for all detached buildings.**

**206.3 One side yard, a minimum of eight feet (8 ft.) in width, shall be provided for all semi-detached buildings in the R-2 zone.**

**206.4 One side yard, a minimum of five feet (5 ft.) in width, shall be provided for all semi-detached buildings in the R-3, R-13, and R-17 zones.**

**206.5 No side yards are required for row buildings.**

**206.6 Existing conforming side yards may not be reduced to a non-conforming width or eliminated.**

**206.7 In the case of a building with a non-conforming side yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be reduced or eliminated; and provided further, that the width of the side yard adjacent to the extension or addition shall be a minimum of five feet (5 ft.).**

Amend the text in Subtitle D, Chapter 3 Residential House Zones – R-1-A, R-1-B, R-2, AND R-3 §§ 302, 304, 306, and 307, as follows:

302 DENSITY – LOT DIMENSIONS

302.1 Except as prescribed in other provisions of this title, the minimum dimensions of lots in the R-1-A, R-1-B, R-2, and R-3 zones shall be as set forth in the following table:

TABLE D § 302.1: MINIMUM LOT WIDTH AND MINIMUM LOT AREA REQUIREMENTS

Zone	Minimum Lot Width (ft.) for building type; applicable to all zones in left column	Minimum Lot Area (sq. ft.)
...	...	...
R-3	40 (detached)	4,000 (detached)
	30 (semi-detached)	3,000 (semi-detached)
	20 ( <del>attached</del> <u>row</u> )	2,000 ( <del>attached</del> <u>row</u> )
	16 (IZ <del>attached</del> <u>row</u> )	1,600 (IZ <del>attached</del> <u>row</u> )
	40 (all other structures)	4,000 (all other structures)

304 LOT OCCUPANCY

304.1 The maximum permitted lot occupancy in the R-1-A, R-1-B, R-2, and R-3 zones shall be as set forth in the following table:

TABLE D § 304.1: MAXIMUM LOT OCCUPANCY

Zone	Structure	Maximum Percentage of Lot Occupancy
...	...	...
R-3	<del>Attached</del> <u>Row</u> Dwellings	60%
	Places of Worship	60%
	All Other Structures	40%

306 REAR YARD

...

306.3 Notwithstanding Subtitle D §§ 306.1 and 306.2, a rear wall of an ~~attached~~ a row or semi-detached building shall not be constructed to extend farther than ten feet (10 ft.) beyond the farthest rear wall of any adjoining principal residential building on an adjoining property.

306.4 A rear wall of an attached a row or semi-detached building may be constructed to extend farther than ten feet (10 ft.) beyond the farthest rear wall of any adjoining principal residential building on an adjoining property if approved as a special exception pursuant to Subtitle X, Chapter 9 and as evaluated against the criteria of Subtitle D §§ 5201.3(a) through 5201.3(d) and §§ 5201.4 through 5201.6.

307 SIDE YARD

~~307.1 A minimum side yard of eight feet (8 ft.) shall be provided in the R-1-A, R-1-B, and R-2 zones. **[DELETED]**~~

~~307.2 A detached single dwelling unit in the R-2 and R-3 zone shall be subject to the side yard requirements of an R-1-B zone. **[DELETED]**~~

~~307.3 No side yard shall be required for attached dwellings in the R-3 zone; however, if a side yard is provided, it shall be no less than five feet (5 ft.). **[DELETED]**~~

~~307.4 In the R-2 and R-3 zones, when a single dwelling unit, flat, or multiple dwelling unit development is erected that does not share a common division wall with an existing building or a building being constructed together with the new building, it shall have a side yard on each resulting free-standing side. **[DELETED]**~~

~~307.5 For a building subject to a side yard requirement but which has an existing side yard less than eight feet (8 ft.) wide, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of five feet (5 ft.). **[DELETED]**~~

Amend the text in Subtitle D, Chapter 4 Tree and Slope Protection Residential House Zones – R-6 and R-7, § 407 as follows:

407 SIDE YARD

~~407.1 A minimum side yard of eight feet (8 ft.) shall be provided in the R-6 and R-7 zones. **[DELETED]**~~

~~407.2 For a building subject to a side yard requirement, but which has an existing side yard less than eight feet (8 ft.) wide, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of five feet (5 ft.). **[DELETED]**~~

Amend the text in Subtitle D, Chapter 5 Forest Hills Tree and Slope Residential House Zones – R-8, R-9, and R-10, § 507 as follows:

507 SIDE YARD

507.1 The minimum side yard requirement for all buildings, accessory buildings, or additions to buildings in the R-8, R-9, and R-10 zones shall be twenty-four feet (24 ft.) in the aggregate, with no single side yard having a width of less than eight feet (8 ft.).

~~507.2 In the R-10 zone when a single dwelling unit, flat, or multiple dwelling unit development is erected that does not share a common division wall with an existing building or a building being constructed together with the new building, it shall have a side yard on each resulting free-standing side. **[DELETED]**~~

Amend the text in Subtitle D, Chapter 6 Naval Observatory/Tree and Slope Residential House Zone – R-11, § 607, as follows:

607 SIDE YARD

~~607.1 A minimum side yard of eight feet (8 ft.) shall be provided in the R-11 zone. **[DELETED]**~~

~~607.2 For a building subject to a side yard requirement but which has an existing side yard less than eight feet (8 ft.) wide, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of five feet (5 ft.). **[DELETED]**~~

Amend the text in Subtitle D, Chapter 7 Naval Observatory Residential House Zones – R-12 and R-13, §§ 700, 702, 704, 706, and 707, as follows:

700 PURPOSE AND INTENT

...

700.3 The R-13 zone is intended to permit single dwelling unit ~~attached~~-row houses on small lots, include areas where attached houses are mingled with detached houses and semi-detached houses, and retain the single dwelling unit nature of these areas.

...

702 DENSITY – LOT DIMENSIONS

702.1 Except as prescribed in other provisions of this title, the minimum dimensions of lots in the R-12 and R-13 zones shall be as set forth in the following table:

TABLE D § 702.1: MINIMUM LOT WIDTH AND MINIMUM LOT AREA REQUIREMENTS

Zone	Minimum Lot Width (ft.)	Minimum Lot Area (sq. ft.)
...	...	...
R-13	40 (detached)	4,000 (detached)
	30 (semi-detached)	3,000 (semi-detached)
	20 ( <del>attached</del> <b>row</b> )	2,000 ( <del>attached</del> <b>row</b> )
	16 (IZ <del>attached</del> <b>row</b> )	1,600 (IZ <del>attached</del> <b>row</b> )
	40 (all other structures)	4,000 (all other structures)

...

704 LOT OCCUPANCY

704.1 The maximum permitted lot occupancy in the R-12 and R-13 zones shall be as set forth in the following table:

TABLE D § 704.1: MAXIMUM LOT OCCUPANCY

Zone	Structure	Maximum Percentage of Lot Occupancy
...	...	...
R-13	<del>Attached</del> <b>Row</b> Dwellings	60%
	Places of Worship	60%
	All Other Structures	40%

...

706 REAR YARD

...

706.3 Notwithstanding Subtitle D §§ 706.1 and 706.2, a rear wall of ~~an attached~~**a row** or semi-detached building shall not be constructed to extend farther than ten feet (10 ft.) beyond the farthest rear wall of any adjoining principal residential building on an adjoining property.

706.4 A rear wall of ~~an attached~~**a row** or semi-detached building may be constructed to extend farther than ten feet (10 ft.) beyond the farthest rear wall of any adjoining principal residential building on an adjoining property if approved as a special exception pursuant to Subtitle X, Chapter 9 and as evaluated against the criteria of Subtitle D §§ 5201.3(a) through 5201.3(d) and §§ 5201.4 through 5201.6.

707 SIDE YARD

707.1 ~~A minimum side yard of eight feet (8 ft.) shall be provided in the R-12 zone.~~  
**[DELETED]**

~~707.2 — No side yard shall be required in the R-13 zone; however, if a side yard is provided, it shall be no less than five feet (5 ft.). **[DELETED]**~~

~~707.3 — For a building subject to a side yard requirement, but which has an existing side yard less than eight feet (8 ft.) wide, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of five feet (5 ft.). **[DELETED]**~~

~~707.4 — In the R-13 zone, when a single dwelling unit, flat, or multiple dwelling unit development is erected that does not share a common division wall with an existing building or a building being constructed together with the new building, it shall have a side yard on each resulting free-standing side. **[DELETED]**~~

Amend the text in Subtitle D, Chapter 8 Wesley Heights Residential House Zones – R-14 AND R-15, § 807, as follows:

807 SIDE YARD

~~807.1 — A minimum side yard of eight feet (8 ft.) shall be provided in the R-14 and R-15 zones. **[DELETED]**~~

~~807.2 — For a building subject to a side yard requirement but which has an existing side yard less than eight feet (8 ft.) wide, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of five feet (5 ft.). **[DELETED]**~~

Amend the text in Subtitle D, Chapter 9 Sixteenth Street Residential House Zone – R-16, § 907, as follows:

907 SIDE YARD

~~907.1 — A minimum side yard of eight feet (8 ft.) shall be provided in the R-16 zone. **[DELETED]**~~

~~907.2 — For a building subject to a side yard requirement, but which has an existing side yard less than eight feet (8 ft.) wide, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of five feet (5 ft.). **[DELETED]**~~

Amend the text in Subtitle D, Chapter 10 Foggy Bottom Residential House Zone – R 17, §§ 1000, 1002, 1004, 1006, and 1007, as follows:

1000 PURPOSE AND INTENT

...

1000.2 The R-17 zone is intended to permit single dwelling unit ~~attached~~-row houses on small lots.

...

1002 DENSITY – LOT DIMENSIONS

1002.1 Except as prescribed in other provisions of this title, the minimum dimensions of a lot in the R-17 zone shall be as set forth in the following table:

TABLE D § 1002.1: MINIMUM LOT WIDTH AND MINIMUM LOT AREA REQUIREMENTS

Zone	Minimum Lot Width (ft.) for building type;	Minimum Lot Area (sq. ft.)
R-17	40 (detached)	4,000 (detached)
	30 (semi-detached)	3,000 (semi-detached)
	20 ( <del>attached</del> <u>row</u> )	2,000 ( <del>attached</del> <u>row</u> )
	16 (IZ <del>attached</del> <u>row</u> )	1,600 (IZ <del>attached</del> <u>row</u> )
	40 (all other structures)	4,000 (all other structures)

...

1004 LOT OCCUPANCY

1004.1 The maximum permitted lot occupancy in the R-17 zone shall be as set forth in the following table:

TABLE D § 1004.1: MAXIMUM LOT OCCUPANCY

Zone	Structure	Maximum Percentage of Lot Occupancy
R-13	<del>Attached</del> <u>Row</u> Dwellings	60%
	Places of Worship	60%
	All Other Structures	40%

...

1006 REAR YARD

...

1006.2 Notwithstanding Subtitle D §§ 1006.1, a rear wall of an ~~an attached~~a row or semi-detached building shall not be constructed to extend farther than ten feet (10 ft.)

beyond the farthest rear wall of any adjoining principal residential building on an adjoining property.

1006.3 A rear wall of an ~~attached~~ **a row** or semi-detached building may be constructed to extend farther than ten feet (10 ft.) beyond the farthest rear wall of any adjoining principal residential building on an adjoining property if approved as a special exception pursuant to Subtitle X, Chapter 9 and as evaluated against the criteria of Subtitle D §§ 5201.3(a) through 5201.3(d) and §§ 5201.4 through 5201.6.

1007 SIDE YARD

~~1007.1 No side yard shall be required in the R-17 zone; however, if a side yard is provided, it shall be no less than five feet (5 ft.). [DELETED]~~

~~1007.2 In the R-17 zone, when a single dwelling unit, flat, or multiple dwelling is erected that does not share a common division wall with an existing building or a building being constructed together with the new building, it shall have a side yard on each resulting free-standing side. [DELETED]~~

~~1007.3 For a building with a side yard less than eight feet (8 ft.) wide, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of five feet (5 ft.). [DELETED]~~

Amend the text in Subtitle D, Chapter 12 Georgetown Residential House Zones – R-19 and R-20, §§ 1200, 1202, 1204, 1206, and 1207, as follows:

1200 PURPOSE AND INTENT

...

1200.3 The R-20 zone is intended to retain and reinforce the unique mix of housing types including detached, semi-detached and ~~attached dwellings~~ **row buildings** and permit ~~attached row houses~~ **buildings** on small lots, and includes areas where ~~attached houses~~ **row buildings** are mingled with detached **buildings** houses and semi-detached **buildings** houses.

...

1202 DENSITY – LOT DIMENSIONS

1202.1 Except as prescribed in other provisions of this title, the minimum dimensions of a lot in the R-19 and R-20 zones shall be as set forth in the following table:

TABLE D § 1202.1: MINIMUM LOT WIDTH AND MINIMUM LOT AREA REQUIREMENTS

Zone	Minimum Lot Width (ft.) for building type;	Minimum Lot Area (sq. ft.)
...	...	...
R-20	40 (detached) 30 (semi-detached) 20 ( <del>attached</del> <b>row</b> ) 16 (IZ <del>attached</del> <b>row</b> ) 40 (all other structures)	4,000 (detached) 3,000 (semi-detached) 2,000 ( <del>attached</del> <b>row</b> ) 1,600 (IZ <del>attached</del> <b>row</b> ) 4,000 (all other structures)

...

1204 LOT OCCUPANCY

1204.1 The maximum permitted lot occupancy in the R-19 and R-20 zones shall be as set forth in the following table:

TABLE D § 1204.1: MAXIMUM LOT OCCUPANCY

Zone	Structure	Maximum Percentage of Lot Occupancy
...	...	...
R-20	<del>Attached</del> <b>Row</b> Dwellings Places of Worship All Other Structures	60% 60% 40%

1204.2 **In the R-20 zone, a detached or semi-detached building shall not be considered an attached a row building for the purposes of lot occupancy through the use of building or structure additions that reduce an otherwise required or permitted side yard for a detached or semi-detached building.**

...

1206 REAR YARD

...

1206.3 Notwithstanding Subtitle D § 1206.2, a rear wall of ~~an attached~~**a row** or semi-detached building shall not be constructed to extend farther than ten feet (10 ft.) beyond the farthest rear wall of any adjoining principal residential building on an adjoining property.

1206.4 In the R-20 zone, a rear wall of ~~an attached~~**a row** or semi-detached building may be constructed to extend farther than ten feet (10 ft.) beyond the farthest rear wall of any adjoining principal residential building on an adjoining property if

approved as a special exception pursuant to Subtitle X, Chapter 9 and as evaluated against the criteria of Subtitle D §§ 5201.3(a) through 5201.3(d) and §§ 5201.4 through 5201.6.

1207 SIDE YARD

1207.1 ~~A minimum~~ Side yards in the R-19 zone shall be a minimum of eight feet (8 ft.) ~~shall be provided in the R-19 zone.~~

1207.2 ~~No~~ Side yards in the R-20 zone shall be required for an attached building in the R-20 zone; however, if a side yard is provided, it shall be at least a minimum of five feet (5 ft.).

1207.3 ~~A minimum side yard of five feet (5 ft.) shall be provided for all buildings other than attached buildings in the R-20 zone.~~ **[DELETED]**.

1207.4~~3~~ In the R-19 and R-20 zones, a building with a side yard less than required may be extended or an addition may be made to the building, provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard In the case of a building with a non-conforming side yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the side yard adjacent to the extension or addition shall be a minimum of five feet (5 ft.) in the R-19 zone and a minimum of three feet (3 ft.) in the R-20 zone.

1207.5 ~~In the R-20 zone, when a single dwelling unit, flat, or multiple dwelling unit development is erected that does not share a common division wall with an existing building, or a building being constructed together with the new building, it shall have a side yard on each resulting free-standing side.~~ **[DELETED]**

Amend the text in Subtitle D, Chapter 13 Chain Bridge Road/University Terrace Residential House Zone – R-21, § 1307, as follows:

1307 SIDE YARD

1307.1 ~~A minimum side yard of eight feet (8 ft.) shall be provided in the R-21 zone.~~ **[DELETED]**

1307.2 ~~For a building with a side yard less than eight feet (8 ft.) wide, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of five feet (5 ft.).~~ **[DELETED]**

Amend the text in Subtitle D, Chapter 50 Accessory Building Regulations for R Zones, § 5005, as follows:

5005 SIDE YARD

5005.1 ~~No minimum side yard is required for an accessory building in an R zone, unless An accessory building in an R zone may be located within a side yard or beside the main building; provided,~~ if the accessory building is located beside the ~~main~~ principal building it shall be removed from the side lot line a distance equal to the required side yard and from ~~all the principal building lines~~ a ~~distance~~ minimum of not less than ten feet (10 ft.).

Amend the text in Subtitle D, Chapter 52 Relief from Required Development Standards, § 5201, as follows:

5201 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE

...

5201.3 An applicant for special exception under this section shall demonstrate that the proposed addition or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

...

- (e) The Board of Zoning Adjustment may approve lot occupancy of all new and existing structures on the lot as specified in the following table:

TABLE D § 5201.3: MAXIMUM PERMITTED LOT OCCUPANCY

Zone	Maximum Lot Occupancy
...	...
R-20 – <del>attached</del> <u>row</u> dwellings only	70%
...	...

...

5. *Changes to Subtitle E, Residential Flat (RF) Zones*

Amend the text in Subtitle E, Chapter 2 General Development Standards (RF), §§ 203, 205, and 207, as follows:

203 COURT

203.1 Where a court is provided, the court shall have the following minimum dimensions:

TABLE E § 203.1: MINIMUM COURT DIMENSIONS

Type of Structure	Minimum Width Open Court	Minimum Width Closed Court	Minimum Area Closed Court
Detached Dwellings Semi-Detached Dwellings <del>Attached-Row</del> Dwellings and Flats	Not applicable	Not applicable	Not applicable
...	...	...	...

...

**205 REAR YARD**

...

205.4 Notwithstanding §§ 205.1 through 205.3, a rear wall of an ~~attached~~ **a row** or semi-detached building shall not be constructed to extend farther than ten feet (10 ft.) beyond the farthest rear wall of any adjoining principal residential building on an adjoining property.

205.5 A rear wall of an ~~attached~~ **a row** or semi-detached building may be constructed to extend farther than ten feet (10 ft.) beyond the farthest rear wall of any principal residential building on an adjoining property if approved as a special exception pursuant to Subtitle X, Chapter 9 and as evaluated against the criteria of Subtitle E §§ 5201.3 through 5201.6.

...

**207 SIDE YARD**

**207.1 Two side yards shall be provided for detached buildings; one side yard shall be provided for semi-detached buildings; and no side yards are required for row buildings.**

**207.2 Any side yard provided shall be a minimum of five feet (5 ft.).**

**207.3 Existing conforming side yards may not be reduced to a nonconforming width or eliminated.**

**207.4 In the case of a building with a non-conforming side yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be reduced or eliminated; and provided further, that the width of the side yard adjacent to the extension or addition shall be a minimum of three feet (3 ft.).**

Amend the text in Subtitle E, Chapter 3 Residential Flat Zone – RF-1, §§ 300, 304, and 307, as follows:

300 PURPOSE AND INTENT

300.1 The purpose of the RF-1 zone is to provide for areas predominantly developed with ~~attached~~ row houses on small lots within which no more than two (2) dwelling units are permitted.

...

304 LOT OCCUPANCY

304.1 The maximum permitted lot occupancy in the RF-1 zone shall be as set forth in the following table:

TABLE E § 304.1: MAXIMUM LOT OCCUPANCY STRUCTURE MAXIMUM PERCENTAGE OF LOT OCCUPANCY

Structure	Maximum Percentage Lot Occupancy
Detached dwellings; Semi-detached dwellings; <del>Attached</del> <b>Row</b> dwellings and flats; Places of worship	60%
...	...

...

307 SIDE YARD

~~307.1 When a new dwelling or flat is erected that does not share a common division wall with an existing building or a building being constructed together with the new building, it shall have a side yard on each resulting free standing side.~~  
**[DELETED]**

~~307.2 A side yard shall not be required along a side street abutting a corner lot in an RF-1 zone.~~  
**[DELETED]**

~~307.3 No side yard is required for a principal building; however, any side yard provided on any portion of a principal building shall be at least five feet (5 ft.) except as provided in this section.~~  
**[DELETED]**

~~307.4 In the case of a building existing on or before the effective date of this title, with a non-conforming side yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased and provided further, that the width of the existing side yard shall be a minimum of two feet (2 ft.).~~  
**[DELETED]**

Amend the text in Subtitle E, Chapter 4 Dupont Circle Residential Flat Zone – RF-2, §§ 400, 404, and 407, as follows:

400 PURPOSE AND INTENT

400.1 The purpose of the RF-2 zone is to provide for areas proximate to Dupont Circle predominantly developed with ~~attached~~ row houses within which no more than two (2) dwellings are permitted.

...

404 LOT OCCUPANCY

404.1 The maximum permitted lot occupancy in the RF-2 zone shall be as set forth in the following table:

TABLE E § 404.1: MAXIMUM LOT OCCUPANCY STRUCTURE MAXIMUM PERCENTAGE OF LOT OCCUPANCY

Structure	Maximum Percentage Lot Occupancy
Detached dwellings; Semi-detached dwellings; <del>Attached</del> <b>Row</b> dwellings and flats; Places of worship	60%
...	...

...

407 SIDE YARD

~~407.1 When a new dwelling, flat, or multiple dwelling is erected that does not share a common division wall with an existing building or a building being constructed together with the new building, it shall have a side yard on each resulting free-standing side. **[DELETED]**~~

~~407.2 A side yard shall not be required along a side street abutting a corner lot in an RF-2 zone. **[DELETED]**~~

~~407.3 A side yard shall not be required for a principal building, however, any side yard provided on any portion of a principal building shall be at least five feet (5 ft.) except as provided in Subtitle E § 407.4. **[DELETED]**~~

~~407.4 In the case of a building existing on or before the effective date of this title, with a non-conforming side yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of two feet (2 ft.). **[DELETED]**~~

Amend the text in Subtitle E, Chapter 5 Capitol Precinct Residential Flat Zone – RF-3, §§ 500 and 507, as follows:

500 PURPOSE AND INTENT

500.1 The purpose of the RF-3 zone is to provide for areas adjacent to the U.S. Capitol precinct predominantly developed with attached row houses on small lots within which no more than two (2) dwelling units are permitted.

....

507 SIDE YARD

~~507.1 When a new dwelling, flat, or multiple dwelling is erected that does not share a common division wall with an existing building or a building being constructed together with the new building, it shall have a side yard on each resulting free-standing side.~~

~~507.2 A side yard shall not be required along a side street abutting a corner lot in an RF-3 zone.~~

~~507.3 A side yard shall not be required for a principal building, however, any side yard provided for any portion of a principal building shall be at least five feet (5 ft.) except as provided in Subtitle E § 507.4.~~

~~507.4 In the case of a building existing on or before the effective date of this title, with a non-conforming side yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of two feet (2 ft.) **[DELETED]**.~~

Amend the text in Subtitle E, Chapter 6 Residential Flat Zone – RF-4 and RF-5, §§ 600 and 607, as follows:

600 PURPOSE AND INTENT

600.1 The purpose of the RF-4 and RF-5 zones is to provide for areas predominantly developed with attached row houses of three (3) or more stories and within which may also exist a mix of apartment buildings.

...

607 SIDE YARD

~~607.1 When a new dwelling, flat, or multiple dwelling is erected that does not share a common division wall with an existing building or a building being constructed together with the new building, it shall have a side yard on each resulting free-standing side. **[DELETED]**~~

~~607.2 A side yard shall not be required along a side street abutting a corner lot in an RF-4 and RF-5 zone. **[DELETED]**~~

~~607.3 A side yard shall not be required for a principal building, however, any side yard provided for any portion of a principal building shall be at least five feet (5 ft.) except as provided in Subtitle E § 607.4. **[DELETED]**~~

~~607.4 In the case of a building existing on or before the effective date of this title, with a non-conforming side yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of two feet (2 ft.). **[DELETED]**~~

5. *Changes to Subtitle F, Residential Apartment (RA) Zones*

Amend the text in Subtitle F, Chapter 3 Residential Apartment Zones – RA-1, RA-2, RA-3, RA-4, and RA-5, § 306, as follows:

306 SIDE YARD

306.1 ~~An eight foot (8 ft.) s~~ **Side yards shall be provided for a detached or semi-detached dwelling building containing one (1) or two (2) dwelling units shall be a minimum of eight feet (8 ft.).**

306.2 ~~For all other buildings~~ **Except as provided in F § 306.1, the following side yard rules apply:**

- (a) In the RA-1 zone, one (1) side yard shall be provided unless the building contains three (3) or more dwelling units per floor, in which case two (2) side yards shall be provided, each with the minimum distance equal to three inches (3 in.) per foot of building height but not less than eight feet (8 ft.); and
- (b) In the RA-2, RA-3, RA-4, and RA-5 zones, no side yards **are** ~~shall be~~ required; however, if a side yard is provided, it shall be ~~no less than a~~ **minimum of** four feet (4 ft.).

306.3 ~~When a new dwelling, flat, or multiple dwelling is erected that does not share a common division wall with an existing building or a building being constructed together with the new building, it shall have a side yard on each resulting free-standing side. **[DELETED]**~~

306.4 A side yard shall not be required along a side street abutting a corner lot in an RA-1, RA-2, RA-3, RA-4, and RA-5 zone.

306.5 **Existing conforming side yards may not be reduced to a non-conforming width or eliminated.** ~~In the case of a building existing on or before the effective date of this title, with a non-conforming side yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall~~

~~not be decreased; and provided further, that the width of the existing side yard shall be a minimum of two feet (2 ft.).~~

**306.6 In the case of a building with a non-conforming side yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be reduced or eliminated; and provided further, that the width of the existing side yard adjacent to the extension or addition shall be a minimum of three feet (3 ft.).**

Amend the text in Subtitle E, Chapter 4 Naval Observatory Residential Apartment Zone – RA-6, § 406, as follows:

406 SIDE YARD

406.1 ~~In the RA-6 zone,~~ **A minimum of** one (1) side yard shall be provided for all ~~structures~~ **buildings** unless the ~~structure~~ **building** contains three (3) or more dwelling units per floor, in which case two (2) side yards shall be provided, each with the minimum distance equal to three inches (3 in.) per foot of building height but not less than eight feet (8 ft.).

406.2 ~~An eight-foot (8 ft.)~~ **Side yards** shall be provided for a detached ~~and~~ **or** semi-detached dwelling, **building containing one (1) or two (2) dwelling units shall be a minimum of eight feet (8 ft.)** in the RA-6 zone.

406.3 ~~When a new dwelling, flat, or multiple dwelling is erected that does not share a common division wall with an existing building or a building being constructed together with the new building, it shall have a side yard on each resulting free-standing side.~~ **[DELETED]**

406.4 A side yard shall not be required along a side street abutting a corner lot ~~in an RA-6 zone.~~

406.5 **Existing conforming side yards may not be reduced to a non-conforming width or eliminated.** ~~In the case of a building existing on or before the effective date of this title, with a non-conforming side yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of two feet (2 ft.).~~

**406.6 In the case of a building with a non-conforming side yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be reduced or eliminated; and provided further, that the width of the existing side yard adjacent to the extension or addition shall be a minimum of three feet (3 ft.).**

Amend the text in Subtitle E, Chapter 5 Capitol Precinct Residential Apartment Zone – RA-7, § 506, as follows:

## 506 SIDE YARD

506.1 In the RA-7 zones, ~~n~~No side yards are shall be required; however, if a side yard is provided, it shall be ~~no less than~~ a minimum of four feet (4 ft.).

506.2 ~~An eight foot (8 ft.) s~~Side yards shall be ~~provided~~ for a detached and ~~or~~ semi-detached dwelling building containing one (1) or two (2) dwelling units shall be a minimum of eight feet (8 ft.) in the RA-7 zone.

506.3 ~~When a new dwelling, flat, or multiple dwelling is erected that does not share a common division wall with an existing building or a building being constructed together with the new building, it shall have a side yard on each resulting free-standing side.~~ [DELETED].

506.4 A side yard shall not be required along a side street abutting a corner lot ~~in an~~ RA-7 zone.

506.5 Existing conforming side yards may not be reduced to a non-conforming width or eliminated. ~~In the case of a building existing on or before the effective date of this title, with a non-conforming side yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of two feet (2 ft.).~~

506.6 In the case of a building with a non-conforming side yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be reduced or eliminated; and provided further, that the width of the existing side yard adjacent to the extension or addition shall be a minimum of three feet (3 ft.).

Amend the text in Subtitle E, Chapter 6 Dupont Circle Residential Apartment Zones – RA-8, RA-9, and RA-10, § 606, as follows:

## 606 SIDE YARD

606.1 No side yards are shall ~~be~~ required in the RA-8, RA-9, and RA-10 zones; however, if a side yard is provided, it shall be ~~no less than~~ a minimum of four feet (4 ft.).

606.2 ~~An eight foot (8 ft.) s~~Side yards shall be ~~provided~~ for a detached and ~~or~~ semi-detached dwelling building containing one (1) or two (2) dwelling units in the RA-8, RA-9, and RA-10 zones shall be a minimum of eight feet (8 ft.).

606.3 ~~When a new dwelling, flat, or multiple dwelling is erected that does not share a common division wall with an existing building or a building being constructed together with the new building, it shall have a side yard on each resulting free-standing side.~~ [DELETED]

606.4 A side yard shall not be required along a side street abutting a corner lot in the RA-8, RA-9, and RA-10 zones.

606.5 Existing conforming side yards may not be reduced to a non-conforming width or eliminated. ~~In the case of a building existing on or before the effective date of this title, with a non-conforming side yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of two feet (2 ft.).~~

606.6 In the case of a building with a non-conforming side yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be reduced or eliminated; and provided further, that the width of the existing side yard adjacent to the extension or addition shall be a minimum of three feet (3 ft.).

6. *Changes to Subtitle K, Special Purpose Zones*

Amend the text in Subtitle K, Chapter 6 Saint Elizabeths East Campus Zones – STE-1 Through STE-19, § 613, as follows:

613 USE LIMITATIONS (STE)

...

613.2 Uses permitted within the StE-10 and StE-14A zones shall be in accordance with the RF-1 use provisions of Subtitle E, Chapter 18, which includes, but is not limited to, ~~rowhouses, flats, attached or detached dwellings,~~ **residential flats with a maximum of two principal dwelling units** and other uses compatible with a low- to moderate-density residential zone.

7. *Changes to Subtitle U, Use Permissions*

Amend the text in Subtitle U, Chapter 2 Use Permissions Residential House (R) Zones, § 201, as follows:

201 MATTER-OF-RIGHT USES – R-USE GROUPS A, B, C, AND D

201.1 The following uses in this section shall be permitted as a matter of right subject to any applicable conditions:

(a) A principal dwelling unit shall be permitted as follows:

...

(3) In the R-Use Group C, the principal dwelling unit may be in either a detached, semi-detached, or ~~an attached~~ **row** building; and

...

Proposed amendments to the Zoning Regulations of the District of Columbia are authorized pursuant to the Zoning Act of June 20, 1938, (52 Stat. 797), as amended, D.C. Official Code § 6-641.01, *et seq.*

This public hearing will be conducted in accordance with the rulemaking case provisions of the Zoning Regulations, 11 DCMR Subtitle Z, Chapter 5.

**How to participate as a witness.**

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail ([donna.hanousek@dc.gov](mailto:donna.hanousek@dc.gov)), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- |    |               |                |
|----|---------------|----------------|
| 1. | Organizations | 5 minutes each |
| 2. | Individuals   | 3 minutes each |

The Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <http://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4<sup>th</sup> Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to [zcsubmissions@dc.gov](mailto:zcsubmissions@dc.gov); or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**ANTHONY J. HOOD, ROBERT E. MILLER, PETER A. SHAPIRO, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION**

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**¿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](mailto:Zelalem.Hill@dc.gov) cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

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**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](mailto:Zelalem.Hill@dc.gov) trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

**ለመከተል ዕርዳታ ያስፈልግዎታል?** 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](mailto:Zelalem.Hill@dc.gov) ይገናኙ። እነኚህ አገልግሎቶች የሚሰጡት በነጻ ነው።

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
NOTICE OF PUBLIC HEARING**

**TIME AND PLACE:**                      **Thursday, October 25, 2018, @ 6:30 p.m.**  
**Jerrily R. Kress Memorial Hearing Room**  
**441 4<sup>th</sup> Street, N.W., Suite 220-South**  
**Washington, D.C. 20001**

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

**CASE NO. 18-08 (BSREP II Dupont Circle, LLC – Zoning Map Amendment @ Square 72, Lot 74)**

**THIS CASE IS OF INTEREST TO ANC 2A**

On June 12, 2018, the Office of Zoning received an application from BSREP II Dupont Circle, LLC (“Applicant”) requesting approval of a Zoning Map amendment for Square 72, Lot 74. The Office of Planning submitted its report in support of setting the application down for a public hearing on July 20, 2018. On July 31, 2018, the Commission voted to set down the application for public hearing. The Zoning Commission determined that the case will be heard as a contested case.

The property is located in the Mixed-Use High Density Residential/High-Density Commercial Land Use category on the Comprehensive Plan’s Future Land Use Map.

The Applicant is requesting to rezone the Property from the RA-5 zone to the MU-10 zone and owns a hotel on the subject property. The RA-5 zone permits hotel use provided that (i) such hotel was in existence as of May 16, 1980 and (ii) such hotel’s total area devoted to function rooms, exhibit space and commercial adjuncts was not increased. The MU-10 zone does not contain such or similar restrictions on hotel adjunct or function room uses. Although the Applicant’s motivation for applying for the map amendment derives from its plans for the hotel, the Zoning Commission must consider the potential use of the property for or any building or use permitted by right or special exception in the MU-10 zone.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR Subtitle Z, Chapter 4.

**How to participate as a witness**

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

**How to participate as a party.**

Any person who desires to participate as a party in this case must so request and must comply with the provisions of Subtitle Z § 404.1.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations. If you are still unsure of what it means to participate as a party and would like more information on this, please contact the Office of Zoning at [dcoz@dc.gov](mailto:dcoz@dc.gov) or at (202) 727-6311.

Except for an 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 Commission, not less than 14 days prior to the date set for the hearing, or 14 days prior to a scheduled public meeting if seeking advanced party status consideration, a Form 140 – Party Status Application, a copy of which may be downloaded from the Office of Zoning’s website at: <http://dcoz.dc.gov/services/app.shtm>.** This form may also be obtained from the Office of Zoning at the address stated below.

Subtitle Z § 406.2 provides that the written report of an affected ANC shall be given great weight if received at any time prior to the date of a Commission meeting to consider final action, including any continuation thereof on the application, and sets forth the information that the report must contain. Pursuant to Subtitle Z § 406.3, if an ANC wishes to participate in the hearing, it must file a written report at least seven days in advance of the public hearing and provide the name of the person who is authorized by the ANC to represent it at the hearing.

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail ([donna.hanousek@dc.gov](mailto:donna.hanousek@dc.gov)), or by calling (202) 727-0789.

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail ([donna.hanousek@dc.gov](mailto:donna.hanousek@dc.gov)), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- |    |                                  |                         |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition            | 60 minutes collectively |
| 3. | Organizations                    | 5 minutes each          |
| 4. | Individuals                      | 3 minutes each          |

Pursuant to Subtitle Z § 408.4, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to [zcsubmissions@dc.gov](mailto:zcsubmissions@dc.gov); or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

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**ለመከተል 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](mailto:Zelalem.Hill@dc.gov) ይገናኙ። እነኝህ አገልግሎቶች የሚሰጡት በነጻ ነው።

**DEPARTMENT OF HUMAN SERVICES  
ECONOMIC SECURITY ADMINISTRATION**

**NOTICE OF FINAL RULEMAKING**

The Director of the Department of Human Services (DHS), pursuant to the authority set forth in Sections 205(e) and 552 of the District of Columbia Public Assistance Act of 1982 (Act), effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-202.05(e) and § 4-205.52 (2012 Repl.)), as added by Section 5002 of the TANF Benefit Protection Act of 2017, effective December 13, 2017 (D.C. Law 22-0033; 64 DCR 7652 (August 11, 2017)), and any substantially similar subsequent legislation; Mayor's Reorganization Plan No. 3 of 1986; and Mayor's Orders 2006-50, dated April 13, 2006, and 2017-192, dated August 25, 2017; hereby gives notice of the adoption of amendments to Chapter 58 (Temporary Assistance for Needy Families) and Chapter 72 (Standards of Assistance and Payment Levels in Public Assistance Programs) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

The rules establish new payment levels for recipients of the following benefits: Temporary Assistance for Needy Families (TANF) (D.C. Official Code § 4-205.52); General Assistance for Children (D.C. Official Code § 4-205.05a); Interim Disability Assistance (IDA) (D.C. Official Code § 4-204.07); and Program on Work, Employment and Responsibility (POWER) (D.C. Official Code § 4-205.78). The rules also amend 29 DCMR § 5814.5 to refer to the new payment levels enumerated in Chapter 72.

The purpose of the rulemaking is to modify the District of Columbia's (District's) public assistance payment levels for District residents participating in the TANF, General Assistance for Children, IDA, and POWER public benefit programs. The rules increase payment levels by thirteen and three tenths percent (13.3%) in accordance with D.C. Official Code § 4-205.52(d-1)(1)(B) (2017 Supp.) for Fiscal Year 2018. The rules also implement Section 5002(e) of the TANF Child Benefit Protection Congressional Review Emergency Amendment Act of 2017, which repeals Subsections 552 (c-2) and (c-3) of the Act that required reduction of public assistance payment levels for District of Columbia residents who have been participating in the TANF program for more than sixty (60) months. The elimination of this requirement was implemented April 1, 2018, when funds to support it became available. In addition, the rules modify specific sections of 29 DCMR § 5814.5 to direct the application of the modified payment levels for public benefits, pursuant to Chapter 72.

The Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on February 2, 2018, at 65 DCR 001095. DHS did not receive any comments from the public concerning the proposed rules during the thirty (30)-day comment period, which expired on March 4, 2018. No changes have been made to the text of the rules since published as proposed.

These rules were adopted as final on April 25, 2018, and shall take effect upon publication of this notice in *D.C. Register*.

**Chapter 72, STANDARDS OF ASSISTANCE AND PAYMENT LEVELS IN PUBLIC ASSISTANCE PROGRAMS, of Title 29 DCMR, PUBLIC WELFARE, is amended as follows:**

**Section 7200, STANDARDS OF ASSISTANCE AND PAYMENT LEVELS, is amended to read as follows:**

7200.1 For the purposes of payments under TANF (D.C. Official Code § 205.52), POWER (D.C. Official Code § 4-205.78), General Assistance for Children (D.C. Official Code § 4-205.05a) and Interim Disability Assistance (D.C. Official Code § 4-204.07) (public assistance payments), effective October 1, 2017, the District of Columbia's payments levels are adjusted as set forth in § 7200.2.

7200.2 Pursuant to D.C. Official Code § 4-205.52(d), the payment levels set forth in this subsection shall apply to public assistance payments made after October 1, 2017.

	Family Size	Standards of Assistance	Payment Level
	1	\$ 450	\$362
	2	\$ 560	\$450
	3	\$ 712	\$575
	4	\$ 870	\$703
	5	\$ 1,002	\$811
	6	\$ 1,178	\$953
	7	\$ 1,352	\$1,093
	8	\$ 1,494	\$1,207
	9	\$ 1,642	\$1,329
	10	\$ 1,786	\$1,443
	11	\$ 1,884	\$1,522
	12	\$ 2,024	\$1,637
	13	\$ 2,116	\$1,711
	14	\$ 2,232	\$1,804
	15	\$ 2,316	\$1,873
	16	\$ 2,432	\$1,968
	17	\$ 2,668	\$2,157
	18	\$ 2,730	\$2,208
	19	\$ 2,786	\$2,252

7200.3 [REPEALED].

7200.4 Effective October 1, 2017 through March 31, 2018, the payment levels set forth in this subsection shall apply to recipients who have received TANF benefits for more than sixty (60) months:

	Family Size	Standards of Assistance	Payment Level
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1	\$ 450	\$109
2	\$ 560	\$138
3	\$ 712	\$174
4	\$ 870	\$214
5	\$ 1,002	\$246
6	\$ 1,178	\$290
7	\$ 1,352	\$332
8	\$ 1,494	\$367
9	\$ 1,642	\$404
10	\$ 1,786	\$438
11	\$ 1,884	\$462
12	\$ 2,024	\$497
13	\$ 2,116	\$520
14	\$ 2,232	\$547
15	\$ 2,316	\$568
16	\$ 2,432	\$597
17	\$ 2,668	\$654
18	\$ 2,730	\$669
19	\$ 2,786	\$683

7200.5 Effective April 1, 2018, the payment levels set forth in § 7200.2 shall apply to recipients who have received TANF benefits for more than sixty (60) months.

**Section 5814, INCOME DISREGARDS, of Chapter 58, TEMPORARY ASSISTANCE FOR NEEDY FAMILIES, is amended as follows:**

**Subsection 5814.5 is amended to read as follows:**

5814.5 After application of these disregards in § 5814.4, the remaining income shall be compared to the Standard of Assistance for the applicable family unit size as specified in the District of Columbia Public Assistance Act of 1982, as amended. If the remaining income is less than the Standard of Assistance, the income shall be compared to the payment standard for the applicable family unit size as specified in the District of Columbia Public Assistance Act of 1982, as amended. The payment levels set forth in Chapter 72 of Title 29 DCMR shall apply to payments made beginning on October 1, 2017.

**OFFICE OF CABLE TELEVISION, FILM, MUSIC AND ENTERTAINMENT****NOTICE OF EXTENSION OF PUBLIC COMMENT PERIOD**

Notice is hereby given that the comment period concerning the Notice of Proposed Rulemaking to provide privacy protections for District cable customers will be extended such that all public comments will now be due by Tuesday, September 25, 2018, by 5 p.m.

The Notice of Proposed Rulemaking to amend Chapter 31 (Customer Service Standards) of Title 15 (Public Utilities and Cable Television) of the District of Columbia Municipal Regulations (DCMR), was originally published in the *D.C. Register* on July 27, 2018, at 65 DCR 7859, with a thirty (30)-day comment period. The comment period is being extended to allow the public sufficient time to submit comments.

All comments must be submitted in writing to: Lawrence Cooper, General Counsel, Office of Cable Television, Film, Music, and Entertainment (OCTFME), 1899 Ninth Street, N.E., Washington, D.C. 20018, or via email at [lawrence.cooper@dc.gov](mailto:lawrence.cooper@dc.gov). Additional copies of these proposed rules are available from the above address.

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

NOTICE OF SECOND EMERGENCY RULEMAKING

The Director of the Department of Consumer and Regulatory Affairs (“Department”), pursuant to paragraph 7 of the General Expenses title of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes, approved March 3, 1909 (35 Stat. 689; Pub. L. 60-303; D.C. Official Code § 6-661.01(a) (2012 Repl.)) and Mayor’s Order 2013-23, dated January 29, 2013, hereby gives notice of the adoption, on an emergency basis, of the following amendment to Chapter 1 (DCRA Permits Division Schedule of Fees) of Title 12 (Construction Codes Supplement of 2013), Subtitle M (Fees), of the District of Columbia Municipal Regulations (DCMR) .

This emergency rulemaking establishes a pilot program and fee for accelerated plan reviews at four stages of design completion.

This emergency rulemaking is necessary to protect the health, safety, and well-being of the District of Columbia by establishing an appropriate fee for expedited plan reviews. The 120-day period for the rules will also provide the agency with time to pilot and evaluate the fees associated with the program so that the agency can determine whether they are, as proposed, appropriate to compensate for the time and skill set of the new government team, and to ensure that staffing is appropriate so that this program does not slow regular approvals, but rather supplements them. The proposed fee structure is competitive with those charged by the private sector for reviews. A second notice of emergency is required in order for the publication process of the Notice of Final Rulemaking to be completed. Identical language was adopted on March 28, 2018 and published in the *D.C. Register* on June 22, 2018 at 65 DCR 6880, expiring July 26, 2018. No comments were received.

This emergency rulemaking was adopted on July 26, 2018 and became effective immediately. Pursuant to Section 6(c) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; Pub. L. 90-614; D.C. Official Code § 2-505(c) (2016 Repl. & 2017 Supp.)), this emergency rulemaking will remain in effect for up to one hundred twenty (120) days from the date of adoption and will expire on November 23, 2018, unless superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*.

**Chapter 1, DCRA PERMITS DIVISION SCHEDULE OF FEES, of Title 12-M DCMR, FEES, is amended as follows:**

**Section 101, BUILDING PERMIT FEES, Subsection 101.1(b), is amended by adding the following phrase to the end of the subsection:**

Accelerated Stage Plan Review	Projects 10,000 square feet or less	\$5,000 per meeting for 4 meetings
	Projects 10,001 square feet and more	\$10,000 per meeting for 4 meetings

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

**NOTICE OF EMERGENCY AND PROPOSED RULEMAKING**

The Alcoholic Beverage Control Board (Board), pursuant to the authority set forth in Omnibus Alcoholic Beverage Amendment Act of 2004, effective September 30, 2004 (D.C. Law 15-187; D.C. Official Code § 25-211(b) (2012 Repl. & 2017 Supp.)), and delegated in Mayor's Order 2001-96, dated June 28, 2001, hereby gives notice of the adoption of emergency rules to amend Chapter 7 (General Operating Requirements) of Title 23 (Alcoholic Beverages) of the District of Columbia Municipal Regulations (DCMR).

The rulemaking amends 23 DCMR § 718.2 and § 718.3 by increasing the percentage of distribution of subsidies paid by the Alcoholic Beverage Regulation Administration (ABRA) to the Metropolitan Police Department (MPD) from sixty percent (60%) to sixty-five percent (65%) when covering the costs incurred by Alcoholic Beverage Control (ABC) licensees participating in the District of Columbia's MPD Reimbursable Detail Subsidy Program ("RDO Program" or "Program").

By way of background, the RDO Program assists licensed establishments by defraying the costs of retaining off-duty MPD officers to patrol the surrounding area of an establishment or an outdoor special event or pub crawl event for the purposes of ensuring the peace, order, and quiet of the community, including the remediation of traffic congestion and promoting public safety. Over the past several years, the Board has revised the reimbursable detail coverage percentages on an as-needed basis. Most recently, the ABC Board reduced the reimbursable distribution percentage from seventy percent (70%) to sixty percent (60%) based on then-existing Fiscal Year 2017 funding levels and the potential increase in demand by pub crawl event promoters who are now able to request RDO officers for their events.

There are three primary reasons as to why the ABC Board is now seeking to increase the reimbursement percentage. First, as a result of previously reducing the reimbursement percentage, the Alcohol Beverage Regulation Administration (ABRA) has more funding remaining in its budget for the RDO Program than anticipated due to various licensees deciding to no longer participate or limit participation in the Program. This additional funding will make it possible for ABRA to provide a greater reimbursement percentage than originally anticipated.

Secondly, the District experiences a significant increase in the number of persons patronizing licensed establishments during the summer. This is particularly true of licensed establishments with sidewalk café and/or summer garden endorsements.

Pursuant to Section 6(c) of the District of Columbia Administrative Procedure Act, effective October 2, 1968 (82 Stat. 1026; D.C. Official Code § 2-505(c) (2016 Repl.)), the Board has determined that emergency action is necessary for the immediate preservation of health, safety, and welfare of District of Columbia residents, for the reasons above.

These emergency and proposed rules were adopted by the Board on June 6, 2018, by a vote of six (6) to zero (0), to take effect on July 1, 2018. The emergency rules will remain in effect for up to one hundred twenty (120) days from adoption, expiring October 4, 2018, unless earlier superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*.

The Board also gives notice of its intent to take final rulemaking action to adopt these rules on a permanent basis in not fewer than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Pursuant to D.C. Official Code § 25-211(b)(2)(2013 Repl. & 2017 Supp.), these emergency and proposed rules will be transmitted to the Council of the District of Columbia (Council) for a ninety (90) day period of review. The final rules shall not become effective absent approval by the Council.

**Chapter 7, GENERAL OPERATING REQUIREMENTS, of Title 23 DCMR, ALCOHOLIC BEVERAGES, is amended as follows:**

**Section 718, REIMBURSABLE DETAIL SUBSIDY PROGRAM, is amended by replacing Subsections 718.2 and 718.3 to read as follows, and renumbering the following subsections:**

- 718.2 ABRA will reimburse MPD sixty-five percent (65%) of the total cost of invoices submitted by MPD to cover the costs incurred by licensees for MPD officers working reimbursable details on Sunday through Saturday nights. The hours eligible for reimbursement for on-premises retailer licensees shall be 11:30 p.m. to 5:00 a.m. ABRA will also reimburse MPD sixty-five percent (65%) of the total costs of invoices submitted by MPD to cover the costs incurred for pub crawl events and for outdoor special events where the Licensee has been approved for a One Day Substantial Change License or a Temporary License. The hours eligible for an outdoor special event operating under a One Day Substantial Change License or a Temporary License or a pub crawl event operating under a pub crawl license shall be twenty-four (24) hours a day.
- 718.3 MPD shall submit to ABRA on a monthly basis invoices documenting the sixty-five percent (65%) amount owed by each licensee. Invoices will be paid by ABRA to MPD within thirty (30) days of receipt in the order that they are received until the subsidy program's funds are depleted.

Copies of the proposed rulemaking can be obtained by contacting Martha Jenkins, General Counsel, Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., 4th Floor, Washington, D.C. 20009. All persons desiring to comment on the emergency and proposed rulemaking must submit their written comments, not later than thirty (30) days after the date of the publication of this notice in the *D.C. Register*, to the above address or via email to [martha.jenkins@dc.gov](mailto:martha.jenkins@dc.gov).

## GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2018-059  
August 27, 2018

**SUBJECT:** Delegation - Authority to the Deputy Mayor for Planning and Economic Development to be the Mayor's Designee and Landlord with Respect to the District-owned Real Property Located at 620 T Street, N.W., and Known for Tax and Assessment Purposes as Lot 0090 in Square 0441.

**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by sections 422(6) and (11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. No. 93-198; D.C. Official Code § 1-204.22(6) and (11) (2016 Repl.); section 1 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 (2013 Repl. & 2017 Supp.); and section 1(c) of An Act to grant additional powers to the Commissioners of the District of Columbia and for other purposes, approved December 20, 1944, 58 Stat. 819; D.C. Official Code § 1-301.01(c) (2016 Repl. & 2017 Supp.), it is hereby **ORDERED** that:

1. The Deputy Mayor for Planning and Economic Development ("**Deputy Mayor**") is delegated the authority to act as the Mayor's Designee and Landlord pursuant to the ground lease by and between the District of Columbia, acting by and through the Office of the Deputy Mayor for Planning and Economic Development and Howard Theatre Development Group, LLC, dated October 1, 2008 (as amended, "**Ground Lease**") and to execute on behalf of the District of Columbia any documents or take any actions necessary or useful to or incidental to the District owned real property located at 620 T Street, and known for tax and assessment purposes as Lot 0090 in Square 0441 ("**Property**") pursuant to the Ground Lease.
2. The authority delegated herein to the Deputy Mayor may be further delegated to subordinates under the jurisdiction of the Deputy Mayor.
3. This Order supersedes all previous Mayor's Orders to the extent of any inconsistency therein.

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

  
MURIEL BOWSER  
MAYOR

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

**DC CORRECTIONS INFORMATION COUNCIL  
OPEN MEETING**

**Thursday, September 6, 2018, 6:00 pm to 7:30 pm  
Pepco Room, Ground Floor  
Greater Washington Urban League  
2901 14th Street, NW, Washington, DC 20009**

- I. Call to Order
- II. Roll Call
- III. Agency Liaison Report
- IV. CIC Board Composition - Update
- V. Recent Reports
- VI. Recent and Scheduled Inspections
- VII. Other
- VIII. Schedule Next CIC Open Meeting and Set Open Meeting Schedule
- IX. Vote to Close Remainder of Meeting, pursuant to DC Code § 2-575(b)(10) to discuss the appointment, employment, assignment, promotion, performance evaluation, compensation, discipline, demotion, removal, or resignation of government appointees, employees, or officials.
- X. Closed Session of Meeting (if approved by the Board)
- XI. Adjournment

**CLOSED MEETING**

- I. Closed Session of Meeting (if approved by the Board)
- II. Adjournment

GOVERNMENT OF THE DISTRICT OF COLUMBIA

DEPARTMENT ON DISABILITY SERVICES

NOTICE OF PUBLIC MEETINGS

D.C. Statewide Independent Living Council (SILC) Final 2018 and 2019 Meetings

Department on Disability Services  
Rehabilitation Services Administration  
One Independence Square  
250 E Street, SW  
Washington, DC 20024

The D.C. Statewide Independent Living Council (SILC) will hold public meetings regarding the operation of the D.C. independent living program, as mandated by Title VII of the Rehabilitation Act of 1973, as amended. The following meetings are to be conducted from 12 noon to 2:00 pm on the following dates:

<b>Date</b>	<b>Location</b>
Thursday, September 27, 2018	1400 Florida Avenue, NE
Thursday, November 15, 2018*	250 E Street, SW
Thursday, January 24, 2019	1400 Florida Avenue, NE
Thursday, March 28, 2019*	250 E Street, SW
Thursday, April 25, 2019	1400 Florida Avenue, NE
Thursday, July 25, 2019	1400 Florida Avenue, NE
Thursday, October 24, 2019	1400 Florida Avenue, NE

SILC general meetings are open to the public. These public meetings will be held at the D.C. Center for Independent Living, which is located at 1400 Florida Avenue, NE, Washington, DC 20002. Please note that on November 15, 2018 and March 28, 2019 (marked \*), SILC will hold special meetings at the Department on Disability Services, which is located at 250 E Street, SW, Washington, DC 20024, in the First Floor Conference Room. The public is invited to these meetings but their participation shall be limited as special meetings are for member discussion and report completion.

Persons who wish to attend a meeting and need additional information or special accommodations should contact Ms. Dahlia Johnson at least seven (7) calendar days prior to the scheduled meeting date at 202-442-8748, or by email at [dahlia.johnson@dc.gov](mailto:dahlia.johnson@dc.gov).

## OFFICE OF THE DEPUTY MAYOR FOR EDUCATION

NOTICE OF PUBLIC MEETING  
COMMISSION ON OUT OF SCHOOL TIME GRANTS AND YOUTH  
OUTCOMES

The Commission on Out of School Time Grants and Youth Outcomes will hold a public meeting on Thursday, September 6, 2018 from 6:00 pm to 7:30 pm at One Judiciary Square, 441 4<sup>th</sup> Street NW, Room 1107 South. The OST Commission will have a public vote to adopt the strategic plan and a discussion regarding committees. In addition, the Commission will hear updates from the Office of Out of School Time Grants and Youth Outcomes.

Individuals and representatives of organizations who wish to comment at a public meeting are asked to notify the OST Office in advance by phone at (202) 481-3932 or by email at [learn24@dc.gov](mailto:learn24@dc.gov). Individuals should furnish their names, addresses, telephone numbers, and organizational affiliation, if any, and if available, submit one electronic copy of their testimony by the close of business on Tuesday, September 4<sup>th</sup> at 5:00 pm.

Below is the draft agenda for the meeting.

- I. Call to Order
- II. Public Comment
- III. Announcement of a Quorum
- IV. Approval of the Agenda
- V. Approval of Minutes
- VI. Updates: Office of Out of School Time Grants and Youth Outcomes
- VII. Strategic Plan Adoption (Public Vote)
- VIII. Committee Discussion
- IX. Adjournment

The Office of Out of School Time Grants and Youth Outcomes (OST Office) and the OST Commission support the equitable distribution of high-quality, out-of-school-time programs to District of Columbia youth through coordination among government agencies, grant-making, data collection and evaluation, and the provision of technical assistance to service providers. The OST Commission's purpose is to develop a District-wide strategy for equitable access to out-of-school-time programs and to facilitate interagency planning and coordination for out-of-school time programs and funding.

**Date:** September 6, 2018  
**Time:** 6:00 p.m. – 7:30 p.m.  
**Location:** One Judiciary Square  
Room 1107 South  
441 4<sup>th</sup> Street, NW  
Washington, DC 20001  
**Contact:** Debra Eichenbaum  
Grants Management Specialist  
Office of Out of School Time Grants and Youth Outcomes  
Office of the Deputy Mayor for Education  
(202) 478-5913  
[Debra.eichenbaum@dc.gov](mailto:Debra.eichenbaum@dc.gov)

## DEPARTMENT OF ENERGY AND ENVIRONMENT

## NOTICE OF FUNDING AVAILABILITY

**Support for Trainings and Research on DOEE's Stormwater Rules**

The Department of Energy and Environment (the Department) seeks eligible entities to help implement the 2013 Stormwater Rule; improve stakeholders' understanding of compliance with the 2013 Stormwater Rule; expand and deepen the Department's stormwater management technical guidance; and evaluate the Department's internal plan review process. The amount available for the project is approximately \$870,000.00 for two years, with the Department's option to extend for two additional years.

Beginning 8/31/2018, the full text of the Request for Applications (RFA) will be available on the Department's website. A person may obtain a copy of this RFA by any of the following means:

**Download** from the Department's website, [www.doe.dc.gov](http://www.doe.dc.gov). Select the *Resources* tab. Cursor over the pull-down list and select *Grants and Funding*. On the new page, cursor down to this RFA. Click on *Read More* and download this RFA and related information from the *Attachments* section.

**Email** a request to [2018RRDSupportRFA.grants@dc.gov](mailto:2018RRDSupportRFA.grants@dc.gov) with "Request copy of RFA 2019-1819-SWR" in the subject line.

**Pick up a copy in person** from the Department's reception desk, located at 1200 First Street NE, 5th Floor, Washington, DC 20002. To make an appointment, call James Dunbar at (202) 573-4925 and mention this RFA by name.

**Write** DOEE at 1200 First Street NE, 5th Floor, Washington, DC 20002, "Attn: James Dunbar RE:2019-1819-SWR" on the outside of the envelope.

**The deadline for application submissions is 10/1/2018, at 4:30 p.m.** Five hard copies must be submitted to the above address and a complete electronic copy must be e-mailed to [2018RRDSupportRFA.grants@dc.gov](mailto:2018RRDSupportRFA.grants@dc.gov).

**Eligibility:** Nonprofit organizations, including those with IRS 501(c)(3) or 501(c)(4) determinations, are eligible to apply for this grant opportunity.

For additional information regarding this RFA, write to: [2018RRDSupportRFA.grants@dc.gov](mailto:2018RRDSupportRFA.grants@dc.gov).

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF FOR-HIRE VEHICLES (DFHV)**

**NOTICE OF FUNDING AVAILABILITY (NOFA)**

**DFHV INNOVATIONS PROGRAMS GRANTS  
Second Amendment**

The Government of the District of Columbia, Department of For-Hire Vehicles (“DFHV”), is soliciting applications for DFHV-licensed independent taxicab owner-operators, company-affiliated owners, and rental drivers through which the Department will make several awards. Funding under this RFA is up to nine hundred thousand dollars (\$900,000.00) in grant funds. The purpose of these grant opportunities is to select one or more For-Hire Vehicle companies, taxicab owners, and operators with current DFHV operating authority to participate in innovative pilot projects and partnership programs aimed at improving transportation equity, expanding economic opportunities, solving problems within the taxicab industry that benefit taxicab consumers, and fostering innovation.

To access the RFA click on <https://dfhv.dc.gov/page/grant-funding>. Subsequent new program announcements and information sessions under this NOFA will also be found on the same page as new programs are developed. DFHV will publish on its website, any new funding opportunities under the DFHV Innovations Program.

**ONLINE APPLICATION PROCESS:** Visit DFHV grant portal [here](#).

**APPLICATION DEADLINE(S):** Applicants interested in the School Transportation Service Pilot Program must apply **September 17, 2018, 4:00 p.m. EST.**

DFHV will **not** accept applications submitted via hand delivery, mail or courier service. Late submissions and incomplete applications will not be forwarded to the review panel.

**SELECTION PROCESS:** Each application will be scored against a rubric and applications will have multiple reviewers to ensure accurate scoring. Upon completion of its review, the panel(s) shall make recommendations for awards based on the scoring rubric(s). The Agency Director or his designee will make all final award decisions.

**RESERVATIONS:** DFHV reserves the right to issue addenda and/or amendments after the issuance of the NOFA or RFA, or to rescind the NOFA or RFA.

**FRIENDSHIP PUBLIC CHARTER SCHOOL****NOTICE OF INTENT TO ENTER A SOLE SOURCE CONTRACT****Granite State College**

Friendship PCS intends to enter into a sole source contract with **Granite State College** to offer Friendship School students access to a dual enrollment program via online college courses. Granite State College is accredited by the Commission on Institutions of Higher Education of New England Association of Schools and Colleges. The decision to sole source is based on Granite State College's ability to provide unique programs customized for Friendship Public Charter School students. Their responsive delivery model enables them to offer a greater number of courses to a more diverse group of students increasing educational opportunities for students. The estimated yearly cost is approximately \$65,000. The contract term shall be automatically renewed for the same period unless either party, 60 days before expiration, gives notice to the other of its desire to end the agreement.

Questions can be addressed to: [ProcurementInquiry@friendshipschools.org](mailto:ProcurementInquiry@friendshipschools.org)

**FRIENDSHIP PUBLIC CHARTER SCHOOL****REQUEST FOR PROPOSALS**

Friendship Public Charter School is soliciting proposals from qualified vendors for:

- **Temporary Staffing Services**

The competitive Request for Proposal can be found on FPCS website at <http://www.friendshipschools.org/procurement>. Proposals are due no later than 4:00 P.M., EST, **Tuesday, September 25th, 2018**. No proposal will be accepted after the deadline. Questions can be addressed to: [ProcurementInquiry@friendshipschools.org](mailto:ProcurementInquiry@friendshipschools.org)

## DEPARTMENT OF HEALTH CARE FINANCE

## PUBLIC NOTICE

**MEDICAID FEE SCHEDULE UPDATES FOR EMERGENCY MEDICAL  
TRANSPORTATION SERVICES**

The Department of Health Care Finance (DHCF), in accordance with the requirements set forth in Section 988 of Chapter 9 of Title 29 of the District of Columbia Municipal Regulations, published January 1, 2016 (63 DCR 40), announces changes to the Medicaid reimbursement rates for emergency medical transportation services provided to beneficiaries enrolled in the District Medicaid program. The changes to the rates will become effective on October 1, 2018, or at a later effective date, pending approval of the corresponding State Plan Amendment by the federal Centers for Medicare and Medicaid Services.

The District of Columbia's Fire and Emergency Medical Services Department (FEMS) provides the majority of emergency medical transportation services for District Medicaid beneficiaries. DHCF worked with FEMS to determine the appropriateness of emergency medical transportation rates. At the recommendation of FEMS, DHCF is updating the Medicaid fee schedule to ensure emergency medical transportation reimbursement rates are equitable and reflective of reasonable costs incurred by providers in delivering emergency medical transportation services. The Medicaid Fee Schedule is located on the DHCF website at <https://www.dc-medicaid.com/dcwebportal/home>.

DHCF estimates that the aggregate fiscal impact on Medicaid expenditures of the fee schedule change is an increase of \$ 3,060,563 in fiscal year (FY) 2019 and an increase of \$ 3,143,198 in FY 2020.

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](mailto:amy.xing2@dc.gov), or via telephone at (202) 481-3375.

## DEPARTMENT OF HEALTH CARE FINANCE

## PUBLIC NOTICE

**MEDICAID FEE SCHEDULE UPDATES FOR MENTAL HEALTH REHABILITATION SERVICES**

The Department of Health Care Finance (DHCF), in accordance with the requirements set forth in Section 5213 (Reimbursement) of Chapter 52 (Medicaid Reimbursement for Mental Health Rehabilitative Services) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations, published July 27, 2018 (65 DCR 007837), announces changes to the Medicaid reimbursement rates for Mental Health Rehabilitation Services (MHRS) provided by behavioral health providers participating in the District Medicaid program. The changes to the rates will become effective on October 1, 2018, or at a later effective date, pending approval of the corresponding State Plan Amendment (SPA) by the Centers for Medicare and Medicaid Services (CMS).

DHCF works with the Department of Behavioral Health (DBH) to provide behavioral health services to District Medicaid beneficiaries. DBH credentials providers and provides oversight to ensure the delivery of quality behavioral health services. Based on the reported costs of a sample of providers, DBH conducted a rate study to determine the appropriateness of MHRS rates. At the recommendation of DBH, DHCF is updating the Medicaid fee schedule to ensure MHRS reimbursement rates are equitable and reflective of the reasonable costs incurred by providers in delivering MHRS services. The Medicaid Fee Schedule is located on the DHCF website at <https://www.dc-medicaid.com/dcwebportal/home>.

DHCF estimates that the aggregate fiscal impact on Medicaid expenditures of the fee schedule change is an increase of \$ 4,581,650 in fiscal year (FY) 2019 and an increase of \$ 4,700,773 in FY 2020.

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](mailto:amy.xing2@dc.gov), or via telephone at (202) 481-3375.

**IDEAL ACADEMY PUBLIC CHARTER SCHOOL**  
**REQUEST FOR PROPOSALS**

Ideal Academy Public Charter School hereby solicits proposals to provide:

- Transportation Services
- Janitorial Services
- Landscaping and Snow Removal
- General Contracting Services – Miscellaneous small projects and repairs
- Special Education Services
- Accounting Services

Please email [zuella.evans@iapcs.com](mailto:zuella.evans@iapcs.com) for more details about requirements.

**BIDS ARE DUE BY MONDAY SEPTEMBER 10 at 5pm.**

**KIPP DC PUBLIC CHARTER SCHOOLS****REQUEST FOR PROPOSALS****Certified Athletic Training Services**

KIPP DC is soliciting proposals from qualified vendors for Certified Athletic Training services. The RFP can be found on KIPP DC's website at [www.kippdc.org/procurement](http://www.kippdc.org/procurement). Proposals should be uploaded to the website no later than 5:00 PM EST, on September 14, 2018. Questions can be addressed to [Emmanuelle.StJean@kippdc.org](mailto:Emmanuelle.StJean@kippdc.org).

**Voucher Visitor Parking**

KIPP DC is soliciting proposals from qualified vendors for Voucher Visitor Parking within immediate proximity to 2600 Virginia Ave NW. The RFP can be found on KIPP DC's website at [www.kippdc.org/procurement](http://www.kippdc.org/procurement). Proposals should be uploaded to the website no later than 5:00 PM EST, on September 12, 2018. Questions can be addressed to [tania.honig-silbiger@kippdc.org](mailto:tania.honig-silbiger@kippdc.org).

**LAYC CAREER ACADEMY PUBLIC CHARTER SCHOOL**  
**REQUEST FOR PROPOSALS**

LAYC Career Academy Public Charter School is seeking bids from prospective vendors to provide:

- Student Data Management Services

Proposals are due no later than Noon (12:00 PM EST) Friday, Sept 28, 2018. No proposals will be accepted after the deadline. Questions can be addressed to [jeremy@laycca.org](mailto:jeremy@laycca.org).

**Details:**

LAYC Career Academy is soliciting proposals for a one (1) year contract, with opportunity for renewal, for Student Data Management Services for our school. Vendors are required to submit written proposals that present the vendor's qualifications and understanding of the work to be performed. The vendor's proposal should be prepared simply and economically and should provide all the information it considers pertinent to its qualifications for the specifications listed herein. Emphasis should be placed on completeness of services offered and clarity of content.

**The proposal must be submitted no later than 12:00 PM on September 28, 2018, to the following email address: [jeremy@laycca.org](mailto:jeremy@laycca.org), Attn: Request for Proposal for Student Data Management Services.**

- a) Proposal Content - A completed proposal must contain the following:
  - Proposal with Signature Page – the proposal and signature must be completed and signed by an individual authorized to bind the vendor. All proposals submitted without a signature may be deemed non responsive.
  - References – Proposals shall include a list of two or three (2-3) references including name, address, phone number and contact person
- b) Proposal Period – Services are to start on January 01, 2019
- c) Proposal Award - It is the intent of the school to accept the lowest responsible proposal, provided it has been submitted in accordance with the proposal documents. If a proposal is selected it will be the most advantageous regarding price, quality of service, the vendors qualifications and capabilities to provide the specified service, and other factors which LAYC Career Academy may consider. The school reserves the right to accept or reject any or all proposals and to waive irregularities therein
- d) Term and Renewal – The term of the Contract shall be for one (1) year unless earlier terminated. The Contract may be terminated by either party with a ninety (90) day written notice. The services are to start January 01, 2019.
- e) Basis of Payment – Payment will be made to the contractor within 30 days upon receiving the contractor's monthly invoice. The invoice shall state the date the service was performed. Special services provided will be billed via a separate invoice and described by the service provided and the date it was provided.

## Specifications

1. Student Information Audit and Maintenance
  - Perform weekly/ ongoing updates of testing (TABE, BEST, GED) and school specific (Casey Life Skills) data in SIS (eSchoolPLUS)
  - Technical support with OSSE/ eSchoolPLUS in implementing new additional school-specific modules.
2. Process Consulting
  - Processes and Templates – Develop or advise on student data management procedures, processes, and regulations
  - Training – Provide information and/or training to school staff on the use of the SIS
3. Enrollment Data
  - Ensure accurate upload of enrollment data to OSSE (SLED). Assist in the troubleshooting of any enrollment or demographic errors through OST tool process.
  - Ensure OSSE (SLED) is updated for new student enrollments or withdrawals throughout the year
  - Reconciliations – Perform weekly reconciliation of enrollment demographic data, special education levels, and ELL information between eSchoolPLUS, SLED, and Qlik.
4. Attendance Compliance
  - Attendance Reconciliation – Manage and verify attendance feed to OSSE is aligned between SIS and Qlik database.
  - Development/ Distribution of Truancy Reports – Provide weekly reports that track the school's overall truancy rate and list of truant and potentially truant students.
5. Internal Reporting
  - Data Dashboard – Summarize and analyze information from SIS for standard statistical reports to school administrators and board on a monthly basis.
6. Miscellaneous OSSE/ PCSB Reporting
  - OSSE/ PCSB Report – complete miscellaneous OSSE/PCSB reporting requirements related to enrollment and attendance, e.g., enrollment and attendance section of annual PMF data validation.
7. Student Data Special Project Support
  - Special Data project Support – Support with specific data projects as requested by data/ school leadership.

Pricing should be inclusive of all staffing, labor, and necessary supplies and external costs.

**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 October 1, 2018.

Comments on these potential appointments should be submitted, in writing, to the Office of Notary Commissions and Authentications, 441 4<sup>th</sup> Street, NW, Suite 810 South, Washington, D.C. 20001 within seven (7) days of the publication of this notice in the *D.C. Register* on August 31, 2018. Additional copies of this list are available at the above address or the website of the Office of the Secretary at [www.os.dc.gov](http://www.os.dc.gov).

**D.C. Office of the Secretary  
Recommendations for Appointments as DC Notaries Public**

**Effective: October 1, 2018**

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Abdul	Aayan Ateef	DMAT Services, LLC 2 M Street, NE, Suite 917	20002
Abecassis	Lilia D.	Covington and Burling, LLP 850 10th Street, NW	20001
Adams	Tamara	The Public Defender Service 633 Indiana Avenue, NW	20004
Adams II	Eugene F.	United States Coast Guard 2703 Martin Luther King Jr Avenue, SE	20593
Ajayi	Bosedede Joy	Bank of America 901 K Street, NW	20001
Alabiso	Kelsey	Cunningham Quill Architects 1054 31st Street, NW, Suite 315	20007
Alleyne Sr.	Ignacio M.	Metropolitan Police Department 101 M Street, SW	20024
Alvarado	Juan	The Essex Condominium 4740 Connecticut Avenue, NW	20008
Anderson	Camille D.	Office of Attorney General 441 4th Street, NW, Suite 550 North	20001
Aponte Mojica	Aidaliz	Guidehouse 1730 Pennsylvania Avenue, NW	20006
Arrojo	Daniel Edward	Bank Of America 3131 Mount Pleasant Street, NW	20010
Avery	Bess	Olender Reporting Litigation Solutions 1100 Connecticut Avenue, NW, Suite 810	20036
Barricelli	Jillian	Planet Depos 1100 Connecticut Avenue, NW, Suite 950	20036
Becerra	Diana	Wells Fargo Bank 1750 H Street, NW, Suite 550	20006

**D.C. Office of the Secretary  
Recommendations for Appointments as DC Notaries Public**

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Bell	Jahvoney	The UPS Store 455 Massachusetts Avenue, NW	20001
Benito	Luz M.	Self 4871 Potomac Avenue, NW	20007
Benoit	Anna	Klamp & Associates 2000 P Street, NW	20036
Beuchert IV	George	TD Bank 1753 Connecticut Avenue, NW	20009
Bibbs	Jasmine	Birchstone Moore, LLC 5335 Wisconsin Avenue, NW, Suite 640	20015
Blowe	Sherri Avis	Coan & Lyons 1100 Connecticut Avenue, NW, Suite 600	20036
Braxton	Maya Shirley	Self 5027 11th Street, NE	20017
Brown	Ray	Department of Corrections 1901 E Street, SE	20003
Bryant-Williams	Angela	Quinn Emanuel Urquhart & Sullivan, LLC 1300 I Street, NW, Suite 900	25404
Burns	Carolyn	Fort Myer Construction Corporation 2237 33rd Street, NE	20018
Byers	Laura	American Society for Engineering Education 1818 N Street, NW, Suite 600	20036
Calderon	Marilyn Danissa	Latin American Youth Center 3045 15th Street, NW	20009
Calloway	Katherine C.	Troutman Sanders, LLP 401 9th Street, NW, Suite 1000	20004
Cameron	Adele	Democracy Fund 1200 17th Street, NW, Suite 300	20036

**D.C. Office of the Secretary  
Recommendations for Appointments as DC Notaries Public**

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Castillo	Marina Feliciano	Self 100 Florida Avenue, NW, #421	20002
Chapman	Lisa	Metropolitan Police Department 101 M Street, SW	20024
Chick	Christine E.	Self 4012 Ames Street, NE	20019
Claussion	Isabella	The Public Defender Service 633 Indiana Avenue, NW	20004
Cofield-Lynch	Keisha	Self 4218 10th Street, NE	20017
Coney	Ingrid F.	Zwerdling, Paul, Kaul & Wolly, PC 1025 Connecticut Avenue, NW	20036
Critcher	Christopher Morton	Terra Nova Title & Settlement Services, LLC 1211 Connecticut Avenue, NW, Suite 401	20036
Davis	Cherie	The Law Offices of J. Kenneth Kruvant 1100 Connecticut Avenue, NW, Suite 450	20036
Dawson	Tameka	Advantage Financial Federal Credit Union 1319 F Street, NW, Suite 500	20004
Deckelbaum	David A.	Settlementcorp 5301 Wisconsin Avenue, NW, Suite 710	20015
Dessyalew	Bezawit	HSBC Bank USA, NA 1401 I Street, NW, Suite 110	20005
Dewey	Donald H.	McClain-Dewey Real Estate 1906 R Street, NW	20009
DiCaprio	Katherine	CAIR Coalition 1612 K Street, NW	20006
Dowels	Alexandria	Self (Dual) 1932 17th Street, NW	20009

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Recommendations for Appointments as DC Notaries Public**

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Duchek	Benjamin Franklin	District Notary 1875 Connecticut Avenue, NW, 10th Floor	20009
Dunston	Cynthia A.	Self 716 Crittenden Street, NE	20017
Elias	Brittania	Ayuda 6925B Willow Street, NW	20012
Engle	Brandon S.	Birchstone Moore, LLC 5335 Wisconsin Avenue, NW, Suite 640	20015
Etienne-Best	Amanda	Self 3400 Highwood Drive, SE	20020
Evans Jr.	Elgie G.	United States Office of Personnel Management 1900 E Street, NW, Suite 5H09	20415
Fils-Aime	James	Citi Bank, NA 5250 MacArthur Boulevard, NW	20016
Gill	Randy	Self (Dual) 1338 Shepard Street, NW	20011
Goel	Prabodh Kumar	G3 Holdings, LLC 6201 Dix Street, NE	20019
Gomes	Daniel A.	The Golan Firm 355 I Street, SW, Suite S411	20024
Gordon	Abril Mercedes	Fannie Mae 1100 15th Street, NW	20005
Gordon	Jeremy	The Public Defender Service 633 Indiana Avenue, NW	20004
Gray	Marva A.	Self 4708 12th Street, NE	20017
Habash	Maya	The Public Defender Service 633 Indiana Avenue, NW	20004

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 Recommendations for Appointments as DC Notaries Public

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Halverson	Jordan L.	The UPS Store 6205 1300 Pennsylvania Avenue, NW, Box 190	20004
Harwood	Deborah	National Wildlife Refuge Association 1001 Connecticut Avenue, NW, Suite 905	20036
Haynesworth- Murrell	Carolyn	Self (Dual)  3811 W Street, SE, Unit A	20020
Helbringer	Clara E.	Milbank, Tweed, Hadley & Mcc 1850 K Street, NW, Suite 1100	20006
Hernandez- Martinez	Vanessa	CAIR Coalition  1612 K Street, NW	20006
Hobbs	Darby B.	MoloLamken, LLP 600 New Hampshire Avenue, NW, Suite 600	20037
Holman-Malone	Zenola	Self (Dual) 1846 Minnesota Avenue, SE	20020
Holmes	Catherine R.	John Hancock Life Insurance Company 1101 17th Street, NW, Suite 202	20036
Holmes	Fummilayo O.	South Capitol Bridgebuilders 1220 12th Street, SE, Suite 255	20003
Hosea	Elizabeth Renee	Settlementcorp 5301 Wisconsin Avenue, NW, Suite 710	20015
Hurst	Diana V.	Alex. Brown Raymond James 801 17th Street, NW, Suite 310	20006
Hyter	Jameka N.	Advantage Financial Federal Credit Union 1319 F Street, NW, Suite 500	20004
Jackson	Michelle D.	Greenstein DeLorme & Luchs, PC 16620 L Street, NW, Suite 900	20036

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Jefferson	Mikki	Lautman Maska Neill & Company 1730 Rhode Island Avenue, NW, Suite #301	20036
Jessup	Harvey	Same Day Process 1413 K Street, NW, 7th Floor	20005
Johnson	Cynthia M.	Self 1313 Belmont Street, NW	20009
Joseph	Alfred John	The Public Defender Service 633 Indiana Avenue, NW	20004
Keaton	Ada D.	Self 1328 Longfellow Street, NW	20011
Khan	Aisha	DLR Group 419 7th Street, NW, 2nd Floor	20004
Lea	Shirley M.	Self 512 Newton Street, NW	20010
Lee	Dana L.	Arnold & Porter Kaye Scholer, LLP 601 Massachusetts Avenue, NW	20001
Little	Maya K.	The Public Defender Service 633 Indiana Avenue, NW	20004
Lockwood	Michelle M.	National Women's Health Network 1413 K Street, NW, 4th Floor	20005
Maddrey	Mark F.	Pension Benefit Guaranty Corporation 1200 K Street, NW	20005
Madrid Flores	Mairene I.	Andrew McGuire, Esq. IN REM, PLLC 1231 Good Hope Road, SE	20020
Makindu	Nadine M.	Bank Of America 888 17th Street, NW	20006
Malvin Jr.	Jerome P.	GSA Federal Credit Union 1800 F Street, NW, Room 1211	20405
Mandel	Marc E.	Fort Myer Construction Corporation 2237 33rd Street, NE	20018

D.C. Office of the Secretary  
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McCrae	Sabrina A.	McShane, PC 1211 Connecticut Avenue, NW, Suite 425	20036
McFadden-Elliott	Donna	District of Columbia Child and Family Services 200 I Street, SE	20024
McWilliams	Sean	Ferrari & Associates, P. C. 1445 Pennsylvania Avenue, NW, Suite 400	20004
Mesard	Phoebe	The Public Defender Service 633 Indiana Avenue, NW	20004
Molster	Jenna M.	National Public Radio, Inc. 1111 North Capitol Street, NE	20002
Morris	Katy C.	Republican National Committee 310 First Street, SE	20003
Movaghar	Jean Pierre	Wells Fargo Bank 3314 Wisconsin Avenue, NW	20016
Neal	Terrye E.	Metropolitan Police Department 101 M Street, SW	20024
Neil	Patricia A.	Skadden, Arps, Slate Meagher & Flom, LLP 1440 New York Avenue, NW	20005
Nelson	Tricia	PNC Bank 800 17th Street, NW	20006
Oza	Charmi S.	American Beverage Association 1275 Pennsylvania Avenue, NW, Suite 1100	20004
Parente, Jr.	Peter M.	Monarch Title, Inc. 210 7th Street, SE, Suite 100	20003
Patterson	Daisy Patricia	Consumer Financial Protection Bureau 1700 G Street, NW	20552
Peralta	Maria	IDB IIC FCU 1300 New York Avenue, NW	20005

**D.C. Office of the Secretary**  
**Recommendations for Appointments as DC Notaries Public**

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Peterson	Caetrina	Amtrak 1 Massachusetts Avenue, NW	20001
Pinchback-Bent	Sandra A.	Department of Parks and Recreation 1250 U Street, NW, 2nd Floor	20009
Pinkney	Omari Caldwell	Daylily Landscaping, LLC 2421 Otis Street, NE	20018
Proctor	Gregory	K & L Gates, LLP 1601 K Street, NW	20006
Pulley	Dalyce H.	Planet Depos 1100 Connecticut Avenue, NW, Suite 950	20036
Randolph	Lynda	United States Attorney's Office 555 4th Street, NW	20530
Rees	Kit Carlson	The Public Defender Service 633 Indiana Avenue, NW	20004
Rippe	Mariah	Self 1520 3rd Street, NW	20001
Riveness	Nathanael	Alderson Court Reporting 2020 K Street, NW, Suite 700	20006
Robinson	Jeanetta M.	Department of Justice 950 Pennsylvania Avenue, NW, Room 4263	20530
Sanchez	Tracy B. Gloria	John D. Ward, Attorney at Law 2201 N Street, NW, Suite 212	20037
Scott	Maliaka E.	Metropolitan Police Department 101 M Street, SW	20024
Shepard	Matt	The Public Defender Service 633 Indiana Avenue, NW	20004
Skic	John	Democratic Legislative Campaign Committee 1225 Eye Street, NW, Suite 1250	20005

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Smith	Deborah J.	Christian Legal Aid of the District of Columbia 907 Maryland Avenue, NE	20002
Smith	Martin	Best Messenger Inc. 1513 P Street, NW, #200	20005
Solomon	Michelle Morales	Guidehouse 1730 Pennsylvania Avenue, NW	20006
Soto	Evelin	IDB IIC FCU 1300 New York Avenue, NW	20005
Sumargo	Felisitas	CoStar Group 1331 L Street, NW	20005
Tabach	Linda	Grantmakers in Health 1100 Connecticut Avenue, NW, Suite 1200	20036
Thome	Leatha M.	My Uptown Office 1140 3rd Street, NE, 2nd Floor	20002
Thompson	Nadia	Wells Fargo Bank 444 North Capitol Street, NW	20001
Thornburgh	Jacob W.	Shearman & Sterling, LLP 401 9th Street, NW, #800	20004
Tolomeo	Demi	The Watergate Hotel 2650 Virginia Avenue, NW	20037
Velasquez	Citlalli	Latino Economic Development Center 641 S Street, NW	20001
Velazquez	Joseph	Planet Depos 1100 Connecticut Avenue, NW, Suite 950	20036
Vinceciová	Simona	Carmel & Carmel, PC 2141 Wisconsin Avenue, NW, Suite M	20007
Wagstaff	Samuel Louis	Arent Fox, LLP 1717 K Street, NW	20006

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Walker	Sarah M.	The Public Defender Service 633 Indiana Avenue, NW	20004
Washington	Rosa M.	United States Department of Justice 810 7th Street, NW	20531
Wheeler	Allison	The Golan Firm 1712 N Street, NW	20036
Williams	Anita	Blank Rome 1825 Eye Street, NW	20006
Williams	Loree Yvette	UATP 1425 K Street, NW, Suite 700	20005
Woodard	Jaqueline C.	State Department Federal Credit Union 4th & P Street, SW, Building #41	20319
Wynn	Maria H.	Self (Dual) 3400 21st Street, SE	20020
Yaffee	Ariele	McLarty Associates 900 17th Street, NW, Suite 800	20006
Young-Clayborne	LaTonya M.	Wardman Tower Residential Condominiums 2660 Connecticut Avenue, NW	20008

**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

**BOARD OF DIRECTORS**

**NOTICE OF PUBLIC MEETING**

**Governance Committee**

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Governance Committee will be holding a meeting on Wednesday, September 12, 2018 at 9:00 a.m. The meeting will be held in the Board Room (4<sup>th</sup> floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water’s website at [www.dewater.com](http://www.dewater.com).

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or [linda.manley@dewater.com](mailto:linda.manley@dewater.com).

**DRAFT AGENDA**

- |  |                       |
|--|-----------------------|
| 1. Call to Order                         | Committee Chairperson |
| 2. Emerging Issues                       | Committee Chairperson |
| 3. Agenda for Upcoming Committee Meeting | Committee Chairperson |
| 4. Executive Session                     | Committee Chairperson |
| 5. Adjournment                           | Committee Chairperson |

**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY****BOARD OF DIRECTORS****NOTICE OF PUBLIC MEETING****Human Resources and Labor Relations Committee**

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Human Resources and Labor Relations Committee will be holding a meeting on Wednesday, September 12, 2018 at 11:00 a.m. The meeting will be held in the Board Room (4<sup>th</sup> floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water's website at [www.dewater.com](http://www.dewater.com).

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or [لمانley@dewater.com](mailto:لمانley@dewater.com).

**DRAFT AGENDA**

- |                      |                       |
|----------------------|-----------------------|
| 1. Call to Order     | Committee Chairperson |
| 2. Other Business    | Committee Chairperson |
| 3. Executive Session | Committee Chairperson |
| 4. Adjournment       | Committee Chairperson |

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

**Application No. 19446 of Max Karasik**, as amended, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1 and the nonconforming structure requirements of Subtitle C § 202.2 to allow construction of a third-floor addition above an existing two-story principal dwelling in the RF-1 Zone at premises 646 6th Street, N.E. (Square 834, Lot 89).<sup>1</sup>

**HEARING DATE:** March 8, 2017<sup>2</sup> and April 5, 2017  
**DECISION DATE:** April 19, 2017

**DECISION AND ORDER**

This self-certified application was submitted on December 22, 2016 on behalf of Max Karasik, the owner of the property that is the subject of the application (the “Applicant”). The application, as subsequently amended, requested special exception relief to allow a third-story addition to a two-story attached principal dwelling, not meeting requirements for lot occupancy or enlargement of a nonconforming structure in the RF-1 district at 646 6<sup>th</sup> Street, N.E. (Square 834, Lot 89). After a public hearing, the Board of Zoning Adjustment (“Board”) voted to grant the application.

**PRELIMINARY MATTERS**

Notice of Application and Notice of Hearing. By memoranda dated January 4, 2017, the Office of Zoning provided notice of the application to the Office of Planning (“OP”); the District Department of Transportation (“DDOT”); the Councilmember for Ward 6 as well as the Chairman and the four at-large members of the D.C. Council; Advisory Neighborhood Commission (“ANC”) 6C, the ANC in which the subject property is located; and Single Member District/ANC 6C05. Pursuant to 11 DCMR Subtitle Y § 402.1, on January 4, 2017 the Office of Zoning mailed letters providing notice of the hearing to the Applicant, the Councilmember for Ward 6, ANC 6C, and the owners of all property within 200 feet of the subject property. Notice was published in the *District of Columbia Register* on January 13, 2017 (64 DCR 334).

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<sup>1</sup> The caption has been modified to reflect a change in the relief initially requested. As originally filed, the application also requested a special exception to allow removal of a rooftop architectural element, required by Subtitle E § 206.1, and a special exception from the building height requirements of Subtitle E § 5203.3. The Applicant subsequently withdrew the request for relief from Subtitle E § 206.1 (see Exhibit 42) and did not pursue the request for height relief from the requirements of Subtitle E § 5203.3 (see Exhibits 44, 46).

<sup>2</sup> The hearing was postponed from March 8, 2017 to April 5, 2017 at the Applicant’s request.

Party Status. The Applicant and ANC 6C were automatically parties in this proceeding. The Board granted a request for party status in opposition to the application from Robert Lyons, the owner of the residence abutting the subject property to the south.

Applicant's Case. The Applicant provided evidence and testimony about the planned addition, and asserted that the proposal would satisfy all requirements for approval of the requested zoning relief.

OP Report. By memorandum dated February 24, 2017, the Office of Planning recommended approval of both special exceptions initially requested by the Applicant. (Exhibit 33.) In a supplemental report dated March 24, 2017, OP recommended approval of the revised application. (Exhibit 54.)

DDOT. By memorandum dated February 22, 2017, the District Department of Transportation indicated no objection to approval of the initial application. (Exhibit 37.)

ANC Report. By letter dated February 13, 2017, ANC 6C indicated that, at a properly noticed public meeting on February 8, 2017 with a quorum present, the ANC voted to support the original application without stating any issues or concerns.

Party in Opposition. The party in opposition contended that the Applicant's proposed addition would cause a loss of light and air to his property, and would negatively affect the character of the street. He also objected to removal of the mansard roof, in the Applicant's initial design, and contended that the planned setback of the third-floor addition in the revised design would be insufficient to avoid changing the appearance and character of the property.

Persons in support. The Board received letters from persons in support of the application indicating that those persons had seen the Applicant's plans and had no objection to the proposed addition.

Persons in opposition. The Board received letters from persons in opposition to the application. The persons in opposition objected that the Applicant's proposed addition would be out of character with other residences in the neighborhood, citing especially the Applicant's initial plan to alter the building's historic façade and asserting that the planned setback, as proposed in the amended application, would not be sufficient to minimize the visibility of the addition.

## **FINDINGS OF FACT**

1. The subject property is located on the west side of 6<sup>th</sup> Street, N.E. near its intersection with G Street (Square 834, Lot 89).
2. The subject property is irregularly shaped but generally rectangular, with approximately 18.33 feet of frontage on 6<sup>th</sup> Street. The lot is approximately 11.67 feet wide at the rear

- (west), where the parcel abuts a public alley; an alley also extends along the northern property line for a distance of approximately 25 feet from the rear lot line. The lot is approximately 97 feet deep.
3. The subject property is improved with a two-story attached building used a principal dwelling. A one-story accessory structure, located in the rear yard, is used as a garage.
  4. The subject property is nonconforming with respect to lot occupancy, since the existing lot occupancy is 68.2 percent where a maximum of 60 percent is permitted as a matter of right. (Subtitle E § 304.1.) At 1,622 square feet, the subject property is also nonconforming with respect to lot area, since a minimum of 1,800 square feet is required. (Subtitle E § 201.1.)
  5. The rear yard, at 39.5 feet, exceeds the applicable minimum requirement of 20 feet. (Subtitle E § 306.1.)
  6. The Applicant plans to construct a new third floor at the residence containing approximately 694 square feet of space, sufficient to add another bedroom, a family room, bathroom, and office to the residence. The addition will be set back three feet, four inches from the face of the existing building, and will maintain the face of the existing mansard roof intact. The addition will rise approximately five feet, five inches above the mansard roof, increasing building height from 29.6 feet to 35 feet.
  7. The planned addition will not increase the existing lot occupancy or decrease the existing rear yard. The addition will extend an existing open court of the south side of the subject property.
  8. The Applicant submitted a sun study illustrating the expected impacts of the planned addition with respect to shadows created by the new construction on nearby properties. (Exhibit 45.)
  9. The Applicant's attached dwelling abuts similar attached dwellings on each of the adjoining lots to the north and south. The subject property is at a distance of approximately 100 feet from the closest residences to the west, which are separated from the Applicant's residence by rear yards and a public alley.
  10. The Applicant's new third-floor addition will extend approximately five feet, five inches above the existing roof of the residence on the abutting property to the north (648 6<sup>th</sup> Street, N.E.). The northern wall of the addition will not have any windows.
  11. The residence on the abutting property to the south (644 6<sup>th</sup> Street, N.E.) has a partial third-floor addition that is set back approximately nine feet from the face of the building, where a small patio is located. The roof of the Applicant's planned third-floor addition

will be approximately one foot lower than the existing roof of the third floor at the abutting property.

12. The new third-floor addition will not extend beyond the rear wall of the Applicant's residence or beyond the rear walls of the two abutting residences.
13. The attached dwellings in the 600 block of 6<sup>th</sup> Street, N.E. are characterized by a variety of façade designs and elements, including circular bays with turrets, Victorian bay front houses, and mansard roofs of different styles and heights. The surrounding neighborhood is primarily residential, characterized especially by one- and two-family dwellings in attached buildings.
14. The subject property is located in an RF-1 zone, where applicable zoning provisions are intended, among other things, to recognize and reinforce the importance of neighborhood character, walkable neighborhoods, housing affordability, aging in place, preservation of housing stock, improvements to the overall environment, and low- and moderate-density housing to the overall housing mix and health of the city. (Subtitle E § 100.3(a).)
15. The purpose of the RF-1 zone is to provide for areas predominantly developed with attached row houses on small lots within which no more than two dwelling units are permitted. (Subtitle E § 300.1.)

## CONCLUSIONS OF LAW AND OPINION

The Applicant seeks a special exception under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1 and the requirements for enlargement of a nonconforming structure under Subtitle C § 202.2 to allow a third-floor addition above an existing two-story principal dwelling in the RF-1 Zone at 646 6<sup>th</sup> Street, N.E. (Square 834, Lot 89). The Board is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2) (2012 Repl.) to grant special exceptions, as provided in the Zoning Regulations, where, in the judgment of the Board, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Map, subject to specific conditions. (*See* 11 DCMR Subtitle X § 901.2.)

Pursuant to Subtitle E §§ 5201.1 and 5201.2, the Board may approve, as a special exception under Subtitle X, chapter 9, relief from specific development standards applicable to residential buildings in the RF-1 zone, including lot occupancy and the limitations on the enlargement of or an addition to a nonconforming structure, subject to certain requirements. Pursuant to Subtitle E § 5201.3, an applicant for a special exception must demonstrate that the addition will not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property. In particular, the applicant must demonstrate that the addition will not unduly affect the light and air available to neighboring properties, or unduly compromise the privacy of use

and enjoyment of neighboring properties. The planned addition, as viewed from a street, alley, and other public way, must not substantially visually intrude on the character, scale, and pattern of houses along the street frontage.

Based on the findings of fact, the Board concludes that the application satisfies the requirements for special exception relief in accordance with Subtitle E § 5201 and Subtitle X, chapter 9. Consistent with Subtitle E § 5201.3(d), the Applicant has provided graphical representations, including plans, photographs, and drawings sufficient to represent the relationship of the proposed addition to adjacent buildings and views from public ways.

The Applicant's proposal will not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property. The relatively small addition will not alter the existing lot occupancy or rear yard of the Applicant's residence, and will maintain an existing open court, so that the light and air available to neighboring properties will not be unduly affected by the new third floor. The sun study submitted by the Applicant demonstrated that the new construction will not have significant impacts on the shadows created on neighboring properties, since the impact on daylight will be limited to shadows cast into the rear yard of the abutting property to the north during the morning hours. The Office of Planning concluded that the addition would have "no impact" on light available to neighboring properties. (Transcript of April 5, 2017 at 181.) Similarly, the privacy of use and enjoyment of neighboring properties will not be unduly compromised by the third-floor addition, which will abut an existing third floor on the south side, will not have any windows on the north side, and will be located a considerable distance from the nearest neighbors to the west while the east side will face the street.

The planned addition, as viewed from 6<sup>th</sup> Street and from the rear alley, will not substantially visually intrude on the character, scale, and pattern of houses along the street frontage. The Applicant's revised design will maintain the face of the existing mansard roof and will set the front of the addition back more than three feet away from the face of the existing building, thereby minimizing views of the new third floor from the street and preserving the appearance of the existing residence. The Applicant's addition will be similar in size to an existing third-floor addition on an adjoining property. The remainder of the block is characterized by a variety of housing styles, which will not be greatly affected by the Applicant's planned addition. The new addition will not alter the character of the existing residence as seen from the alley, since the existing residences are similar but not uniform in size and architectural style.

In accordance with Subtitle X § 901.2, the Board concludes that approval of the requested special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Map. As discussed above, the Board does not find that the new third-floor addition will create any adverse impacts on the use of neighboring property. Approval of the requested special exception will be in harmony with the purpose of the RF-1 zone, and consistent with the intention of provisions applicable in the RF-1 zone to recognize and reinforce the importance of neighborhood character, housing

affordability, aging in place, preservation of housing stock, improvements to the overall environment, and low- and moderate-density housing to the overall housing mix and health of the city.

The Board is required to give “great weight” to the recommendation of the Office of Planning. (D.C. Official Code § 6-623.04 (2012 Repl.)) For the reasons discussed above, the Board concurs with OP’s recommendation that the application should be approved in this case.

The Board is also required to give “great weight” to the issues and concerns raised by the affected ANC. 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)(3)(A) (2012 Repl.)) In this case ANC 6C expressed support for the Applicant’s proposal without stating any issues and concerns to which the Board can give great weight.

Based on the findings of fact and conclusion of law, the Board concludes that the Applicant has satisfied the burden of proof with respect to the request for a special exception under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1 and the nonconforming structure requirements of Subtitle C § 202.2 to allow a third-floor addition above an existing two-story principal dwelling in the RF-1 Zone at 646 6<sup>th</sup> Street, N.E. (Square 834, Lot 89). Accordingly, it is **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 43 – REVISED ARCHITECTURAL PLANS.**

**VOTE: 4-0-1** (Frederick L. Hill, Carlton E. Hart, Lesylleé M. White, and Robert E. Miller 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:** August 20, 2018

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

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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.

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.

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

**Application No. 19570 of GWC 220 Residential LLC**, pursuant to 11 DCMR Subtitle X, Chapter 10, for an area variance from the lot area requirements of Subtitle E § 201.4 to allow an additional apartment in an existing 12-unit apartment house in the RF-3 Zone at premises 220 2nd Street, S.E. (Square 762, Lot 8).<sup>1</sup>

**HEARING DATE:** September 27, 2017

**DECISION DATES:** October 18, 2017 and October 25, 2017<sup>2</sup>

**DECISION AND ORDER**

This self-certified application was submitted on June 26, 2017 on behalf of GWC 220 Residential LLC, the owner of the property that is the subject of the application (the “Applicant”) to request an area variance from the lot area requirements of Subtitle E § 201.4 to allow an additional apartment in an existing 12-unit apartment house in the RF-3 zone at 220 2<sup>nd</sup> Street, S.E. (Square 762, Lot 8). Following a public hearing, the Board voted to grant the application.

**PRELIMINARY MATTERS**

Notice of Application and Notice of Hearing. By memoranda dated July 18, 2017, the Office of Zoning provided notice of the application to the Office of Planning (“OP”); the District Department of Transportation (“DDOT”); the Councilmember for Ward 6 as well as the Chairman and the four at-large members of the D.C. Council; Advisory Neighborhood Commission (“ANC”) 6B, the ANC in which the subject property is located; and Single Member District/ANC 6B01. On the same date, the Office of Zoning also provided notice of the application to the Architect of the Capitol. Pursuant to 11 DCMR Subtitle Y § 402.1, on July 18, 2017 the Office of Zoning also mailed letters providing notice of the hearing to the Applicant, the Councilmember for Ward 6, ANC 6B, and the owners of all property within 200 feet of the subject property. Notice was published in the *DC Register* on August 11, 2017 (64 DCR 7886).

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<sup>1</sup> The caption has been modified to reflect the name of the applicant. The initial application was submitted on behalf of George Calomiris and William Calomiris. (*See Exhibit 8.*) A statement in support of the application was submitted on behalf of “William Calomiris Company and George and William Calomiris.” (*See Exhibit 12.*) In its prehearing statement, the Applicant indicated that the “BZA application was initially submitted under the names of two of the managing members of the limited liability company that owns the property. The correct ownership entity name is GWC 220 Residential LLC.” (*See Exhibit 32.*)

<sup>2</sup> The Board deferred its decision in the case from October 18, 2018 to the decision meeting of October 25, 2018.

Party Status. The Applicant and ANC 6B were automatically parties in this proceeding. The Board granted a request for party status in opposition to the application from Peter Waldron, the owner and resident of an attached principal dwelling abutting the subject property to the north.

Applicant's Case. The Applicant provided evidence in support of the requested zoning relief to allow a new apartment in the existing partial basement of the building. The Applicant proposed to create the new apartment since, according to the Applicant, the basement space was not needed for storage and was no longer needed for laundry facilities, and would otherwise go unused.

OP Report. By memorandum dated September 15, 2017, the Office of Planning recommended approval of the requested zoning relief. (Exhibit 35.)

DDOT. By memorandum dated September 15, 2017, the District Department of Transportation indicated no objection to approval of the application. (Exhibit 36.)

ANC Report. By letter dated September 15, 2017, ANC 6B indicated that, at a properly noticed public meeting on September 12, 2017 with a quorum present, the ANC voted to support the application provided that the Applicant was required to provide "an exclusive indoor trash storage room." (Exhibit 37.)

Party in Opposition. The party in opposition alleged that approval of the application would create "construction disruption and possible issues with rodents."<sup>3</sup> (Exhibit 34.)

Person in support. The Board received a letter in support of the application from the National Indian Gaming Association, the owner of the abutting property to the south. The letter stated that the creation of an additional apartment unit in the building at the subject property would have no substantial impact on the neighborhood.

Person in opposition. The Board received a letter in opposition to the application from the zoning committee of the Capitol Hill Restoration Society. The letter stated that the requirements for approval of the requested variance relief had not been met because the Applicant had not demonstrated a need for the additional apartment; the Applicant's proposal to provide bicycle storage in the rear yard, rather than in the basement, was not workable because only the basement apartment would have access to the rear yard; and the building lacked adequate space to provide indoor trash storage.

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<sup>3</sup> The Applicant had discussions with the party in opposition about construction issues, which are outside the purview of the Board of Zoning Adjustment. They were unable to reach agreement at the time of the public hearing on this application but the Applicant expressed an intent to continue to efforts to enter into a construction management agreement with Mr. Waldron. The party in opposition agreed that the Applicant's proposed trash storage and collection measures would be "adequate" to address concerns about rodents. (Transcript of September 27, 2017 at 214.)

**FINDINGS OF FACT**

1. The subject property is a relatively large parcel located on the east side of 2<sup>nd</sup> Street S.E. between C Street and Pennsylvania Avenue, S.E. (Square 762, Lot 8).
2. The subject property is irregularly shaped but generally rectangular, with 54 feet of frontage along 2<sup>nd</sup> Street and a narrower lot width for approximately one-third of the length of the lot at the rear. The lot area is 6,657 square feet.
3. The subject property is improved with a three-story building, with a partial basement, built as an apartment house around 1955-1956. The building is configured as 12 apartments, each containing two bedrooms and approximately 800 square feet of space. A paved area is located at the rear of the lot, accessible by public alleys that abut the subject property along the rear (east) lot line and along a portion of the northern property line.
4. The partial basement is accessible via a stairway located in the first-floor hallway of the building near the front door, or via an entry located on the north side of the building. The basement has been used primarily as a laundry room for building residents. As part of a renovation of the building, the Applicant has provided laundry facilities in each of the existing apartments and the space formerly occupied by the communal laundry facilities is vacant and unused.
5. The Building has never provided storage, and because the existing apartments are relatively large, the residents' demand for storage facilities in the basement would be minimal.
6. A portion of the basement is used to provide trash storage. The Applicant now plans to create a new room in the basement for trash storage. The trash will be removed from the building via the front door for collection, which the Applicant indicated will occur three times per week.
7. The apartment building shares a party wall with buildings on each of the adjoining lots. The property to the south is used as office space by a nonprofit entity, the National Indian Gaming Association.<sup>4</sup> The party in opposition lives in the attached principal residence to the north.
8. Properties near the subject property are developed primarily with two-story attached dwellings, some used as flats. Other nearby properties include attached buildings used as offices, a hotel, and commercial buildings. The Madison Building of the Library of Congress is located across 2<sup>nd</sup> Street to the west of the subject property.

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<sup>4</sup> The Board approved, subject to conditions, the special exception and area variance relief requested to allow the expansion of the abutting building at 224 2<sup>nd</sup> Street, S.E. for use by a non-profit organization. *See* Application No. 17985 (final date of order: November 10, 2009); modified in Application No. 18114 (December 9, 2010).

9. The subject property is located within convenient walking distance of public transit, including bus stops on Pennsylvania Avenue and the nearby Capitol South Metrorail station. Shared bicycle facilities are also available in the vicinity. The Applicant plans to install bicycle parking facilities at the rear of the apartment building.
10. The subject property is located in the Capitol Hill historic district. However, the apartment building was constructed after the designated period of significance and is not a contributing building to the historic district.
11. The subject property is zoned RF-3. The purpose of the RF-3 zone is to provide for areas adjacent to the U.S. Capitol precinct predominantly developed with attached houses on small lots within which no more than two dwelling units are permitted. (Subtitle E § 500.1.) The RF-3 zone is intended to: (a) promote and protect the public health, safety, and general welfare of the U.S. Capitol precinct and the adjacent area; (b) reflect the importance of and provide sufficient controls for the area adjacent to the U.S. Capitol; (c) provide particular controls for properties adjacent to the U.S. Capitol precinct and the adjacent area, having a well-recognized general public interest; and (d) restrict some of the permitted uses to reduce the possibility of harming the U.S. Capitol precinct and the adjacent area. (Subtitle E § 500.2.)
12. The Applicant proposes to create a new apartment, which will become the 13<sup>th</sup> apartment unit in the building, by converting the area formerly used for laundry facilities into a one-bedroom apartment containing approximately 615 square feet of space. Creation of the new apartment will not entail any enlargement or other change to the exterior of the building.
13. An apartment house in an RF-3 zone, including an apartment house existing before May 12, 1958, may not be renovated or expanded so as to increase the number of dwelling units unless there are 900 square feet of lot area for each dwelling unit, both existing and new. (Subtitle E § 201.4.) With a lot area of 6,657 square feet, the subject property would contain 512 square feet of lot area for each of the 13 planned apartments.

## CONCLUSIONS OF LAW AND OPINION

The Applicant seeks an area variance from the minimum lot area requirement of 900 square feet per apartment unit set forth in Subtitle E § 201.4 to allow one additional apartment in an existing 12-unit apartment house in the RF-3 zone at 220 2<sup>nd</sup> Street, S.E. (Square 762, Lot 8). The Board is authorized under § 8 of the Zoning Act to grant variance relief where, “by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the original adoption of the regulations or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property,” the strict application of the Zoning Regulations would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property, provided that 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. (See 11 DCMR Subtitle X § 1000.1.)

Extraordinary or exceptional situation. For purposes of variance relief, the “extraordinary or exceptional situation” need not inhere in the land itself. *Clerics of St. Viator, Inc. v. District of Columbia Bd. of Zoning Adjustment*, 320 A.2d 291, 294 (D.C. 1974). Rather, the extraordinary or exceptional conditions that justify a finding of uniqueness can be caused by subsequent events extraneous to the land at issue, provided that the condition uniquely affects a single property. *Capitol Hill Restoration Society, Inc. v. District of Columbia Bd. of Zoning Adjustment*, 534 A.2d 939, 942 (D.C. 1987); *DeAzcarate v. District of Columbia Bd. of Zoning Adjustment*, 388 A.2d 1233, 1237 (D.C. 1978) (the extraordinary or exceptional condition that is the basis for a use variance need not be inherent in the land but can be caused by subsequent events extraneous to the land itself....[The] term was designed to serve as an additional source of authority enabling the Board to temper the strict application of the zoning regulations in appropriate cases....); *Monaco v. District of Columbia Bd. of Zoning Adjustment*, 407 A.2d 1091, 1097 (D.C. 1979) (for purposes of approval of variance relief, “extraordinary circumstances” need not be limited to physical aspects of the land). The extraordinary or exceptional conditions affecting a property can arise from a confluence of factors; the critical requirement is that the extraordinary condition must affect a single property. *Metropole Condominium Ass’n v. District of Columbia Bd. of Zoning Adjustment*, 141 A.3d 1079, 1082-1083 (D.C. 2016), citing *Gilmartin v. District of Columbia Bd. of Zoning Adjustment*, 579 A.2d 1164, 1168 (D.C. 1990).

The Board concurs with the Applicant’s assertion that the subject property is characterized by an exceptional condition arising from the confluence of the size, age, history, and location of the existing apartment house. The building was constructed as a 12-unit apartment house at a time when that use was permitted as a matter of right at that location. The Applicant’s building is the only purpose-built apartment house in the square, an area characterized by a variety of residential, commercial, and institutional uses. The building provided laundry facilities in the basement for the residents’ use, but, in response to changes in market conditions and technology since the building was constructed around 1955, the Applicant has undertaken a renovation of the building that will provide individual laundry facilities in each apartment. As a result, the former laundry space in the basement has become vacant. Especially since the basement was only partially excavated, the building was configured in such a way that limits access to the basement by residents of the existing apartments, which now limits the potential reuse of the space.

Practical difficulties. An applicant for area variance relief is required to show that the strict application of the zoning regulations would result in “practical difficulties.” *French v. District of Columbia Bd. of Zoning Adjustment*, 658 A.2d 1023, 1035 (D.C. 1995), quoting *Roumel v. District of Columbia Bd. of Zoning Adjustment*, 417 A.2d 405, 408 (D.C. 1980). A showing of practical difficulty requires “[t]he applicant [to] demonstrate that ... compliance with the area restriction would be unnecessarily burdensome....” *Metropole Condominium Ass’n v. District of Columbia Bd. of Zoning Adjustment*, 141 A.3d 1079, 1084 (D.C. 2016), quoting *Fleishman v. District of Columbia Bd. of Zoning Adjustment*, 27 A.3d 554, 561-62 (D.C. 2011). In assessing a

claim of practical difficulty, proper factors for the Board's consideration include the added expense and inconvenience to the applicant inherent in alternatives that would not require the requested variance relief. *Barbour v. District of Columbia Bd. of Zoning Adjustment*, 358 A.2d 326, 327 (D.C. 1976).

The strict application of the Zoning Regulations would result in peculiar and exceptional practical difficulties to the Applicant by precluding reuse of a basement space no longer needed for its original purpose but not well suited to another use that would not require variance relief, such as storage. The Applicant demonstrated that, absent variance relief, the basement space formerly occupied by the communal laundry facilities would likely remain vacant and unused, or at best underutilized. Because of the interior configuration of the building and the existing areas of access, the partial basement is not readily accessible to residents, and cannot be practically incorporated into the existing ground floor units. Because the existing apartments are relatively large, the Applicant predicted that the residents' demand for storage facilities in the basement would be minimal; the building has never offered storage. The Applicant also predicted low demand for bicycle storage in the basement, especially in light of plans to provide bicycle storage at the rear of the property.

No substantial detriment or impairment. The Board finds that approval of the requested variance will not result in substantial detriment to the public good or cause any impairment of the zone plan. The Applicant does not propose any enlargement of the existing building but will continue the existing apartment house use with one additional apartment. The Board does not find that the addition of a single one-bedroom apartment within the existing building will have any significant impact on the vicinity of the subject property, including the U.S. Capitol precinct and the adjacent area. The Applicant indicated that certain measures will be undertaken with respect to trash storage and collection in an effort to minimize the potential for adverse impacts especially pertaining to rodents, and the Board adopts those measures as conditions of approval in this order. The addition of an apartment within the existing building will be consistent with the residential nature of the RF-3 zone, without affecting the principal dwellings and flats in small attached buildings near the subject property.

### **Great weight**

The Board is required to give "great weight" to the recommendation of the Office of Planning. (D.C. Official Code § 6-623.04 (2012 Repl.)) For the reasons discussed above, the Board concurs with OP's recommendation that the application should be approved in this case.

The Board is also required to give "great weight" to the issues and concerns raised by the affected ANC. (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)(3)(A) (2012 Repl.)).) In this case ANC 6B expressed support for the Applicant's proposal provided that the Board "specifically requires an exclusive indoor trash storage room." The ANC expressed concern about "trash management for the building" and opposed the placement of receptacles in front of the apartment building. The Board concurs with the ANC that "the option of placing

trash receptacles in the exterior of this building [is] unacceptable given the history of rodent problems in that area.” (Exhibit 37.) The Board concludes that the conditions of approval adopted in this order are sufficient to address the concerns of ANC 6B with respect to trash storage, which will occur inside the building. Collection of the trash by way of the front door will ensure that trash will not be stored improperly at the rear of the building.

Based on the findings of fact and conclusion of law, the Board concludes that the Applicant has satisfied the burden of proof with respect to the request for an area variance from the lot area requirement of Subtitle E § 201.4 to allow an additional apartment in an existing 12-unit apartment house in the RF-3 zone at 220 2<sup>nd</sup> Street, S.E. (Square 762, Lot 8). It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 33 – REVISED ARCHITECTURAL PLANS AND ELEVATIONS - AND WITH THE FOLLOWING CONDITIONS:**

1. The Applicant shall store trash receptacles within the building.
2. The Applicant shall ensure that trash is removed from the interior storage location through the front door of the building.
3. The Applicant shall schedule trash collection at least three times per week.

**VOTE: 4-0-1** (Frederick L. Hill, Carlton E. Hart, Lesylleé M. White, and Anthony J. Hood (by absentee ballot) voting 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:** August 16, 2018

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

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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. 19686-A of Trang Nguyen**, as amended, pursuant to 11 DCMR Subtitle X, Chapter 10, for a use variance from the use restrictions of Subtitle U § 301.1, to permit a prepared food shop or retail establishment on the ground floor of a residential flat in the RF-1 zone at premises 207 New York Avenue N.W. (Square 555, Lot 159).<sup>1</sup>

**HEARING DATE:** February 28, 2018

**DECISION DATE:** February 28, 2018

**CORRECTED SUMMARY ORDER<sup>2</sup>**

**REVIEW BY THE ZONING ADMINISTRATOR**

The application was accompanied by a memorandum, dated November 7, 2017, from the Zoning Administrator, certifying the required relief. (Exhibit 7.)

The Board of Zoning Adjustment (“Board” or “BZA”) 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”) 6E and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6E, which is automatically a party to this application. The ANC submitted a report recommending approval of the application. The ANC’s report indicated that at a regularly scheduled, properly noticed public meeting on February 6, 2018, at which a quorum was present, the ANC voted 6-0-0 to support the application. (Exhibit 38.)

The Office of Planning (“OP”) submitted a timely report recommending approval with four conditions. (Exhibit 36.) The District Department of Transportation (“DDOT”) submitted a timely report indicating that it had no objection to the application. (Exhibit 37.)

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 §

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<sup>1</sup> Though the application originally described the proposed use as a retail establishment, (Exhibits 5 and 7,) subsequent written submissions and testimony from the Applicant clarified that the proposed use is a prepared food shop. (Exhibit 39.) The caption has been revised accordingly.

<sup>2</sup> The Corrected Order was issued to revise the caption of the case to include the prepared food shop use approved by the Board. No further revisions were made to this Order.

1002.1 for a use variance from the use restrictions of Subtitle U § 301.1, to permit a prepared food shop or retail establishment on the ground floor of a residential flat in the RF-1 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 U § 301.1, 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 an undue hardship for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

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, AND WITH THE FOLLOWING CONDITIONS:**

1. The hours of operation shall not exceed 6:00 AM to 7:00 PM, Monday through Saturday.
2. Trash shall be stored within the building. Rodent and pest control measures shall be implemented.
3. Loading/deliveries shall take place in the rear.
4. Liquor shall not be sold on the premises.

**VOTE: 3-0-2** (Carlton E. Hart, Lorna L. John, and Michael G. Turnbull to Approve; Frederick L. Hill and Lesylleé M. White not present, 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:** August 21, 2018

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.

**BZA APPLICATION NO. 19686-A  
PAGE NO. 2**

PURSUANT TO 11 DCMR SUBTITLE Y § 702.2, THIS ORDER SHALL NOT BE VALID FOR MORE THAN SIX MONTHS AFTER IT BECOMES EFFECTIVE UNLESS THE USE APPROVED IN THIS ORDER IS ESTABLISHED WITHIN SUCH SIX-MONTH PERIOD.

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. 19785 of Paul Vinovich**, as amended<sup>1</sup>, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under the use requirements of Subtitle U § 301.1(g), and under Subtitle E § 5201 from the nonconforming structure requirements of Subtitle C § 202.2 and from the lot occupancy requirements of Subtitle E § 304.1, to construct a second story and roof deck addition to an existing accessory structure in the RF-1 Zone at premises 322 8th Street S.E. (Square 924, Lot 50).

**HEARING DATE:** July 11, 2018

**DECISION DATE:** July 11, 2018

**SUMMARY ORDER**

**SELF-CERTIFIED**

The zoning relief requested in this case was self-certified, pursuant to 11-Y DCMR § 300.6. (Exhibits 5 (original) and 28 (revised).) 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") 6B and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6B, which is automatically a party to this application. The ANC submitted a report of support. The ANC report indicated that at a duly noticed and regularly scheduled public meeting on June 12, 2018, at which a quorum was present, the ANC voted 8-2-0 to support the project with the understanding that the Applicant and the adjacent neighbor would have a "full and robust conversation" to address unresolved privacy issues in advance of the hearing. (Exhibit 40.) The Chair of ANC 6B testified at the hearing in support of the application.

The Office of Planning ("OP") submitted a report dated June 29, 2018, in which it recommended approval of the revised application. (Exhibit 39.)

The District Department of Transportation ("DDOT") submitted a timely report indicating that it had no objection to the grant of the application. (Exhibit 38.)

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<sup>1</sup> The Applicant amended the original application to add a special exception from the lot occupancy requirements under Subtitle E § 304.1 and by withdrawing his request in his original application for a special exception from the use requirements under Subtitle U § 301.1(d). (Exhibits 26-31, and 35.) The caption has been altered accordingly.

Mr. L. Leonard Hacker, 319 9<sup>th</sup> Street, S.E., submitted a late filed application for Party Status in opposition and a request for a waiver from the time limits to submit such an application. (Exhibit 45.) Mr. Hacker lives behind the Applicant and both his and the Applicant's garages face each other across the alley. The Board granted the waiver for the untimely filing of Mr. Hacker's application and granted Mr. Hacker's request for party status in opposition. At the hearing, Mr. Hacker gave testimony in opposition, citing his concerns about how the project would impact safety and ease of egress from his garage, privacy, and potential noise. (Exhibit 46.)

After the Board approved the application but before an order was issued, Mr. Hacker withdrew his opposition to the application and became a party proponent.<sup>2</sup> (Exhibit 48.) The Board Chair granted leave for this summary order to be issued, as authorized by 11-Y DCMR § 604.3. (Exhibit 49.)

The Capitol Hill Restoration Society submitted a letter in opposition to the record. (Exhibit 43.)

Two neighbors, Neaha Raol and Derek Farwaqi, testified in opposition to the application.

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 special exceptions under the use requirements of Subtitle U § 301.1(g), and under Subtitle E § 5201 from the nonconforming structure requirements of Subtitle C § 202.2 and from the lot occupancy requirements of Subtitle E § 304.1, to construct a second story and roof deck addition to an existing accessory structure in the RF-1 Zone. As Mr. Hacker withdrew his opposition, 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, Subtitle U § 301.1(g), Subtitle E §§ 304.1 and 5201, and Subtitle C § 202.2, 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.

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<sup>2</sup> Mr. Hacker's withdrawal of opposition was based on an agreement with the Applicant to modify his plans. (Exhibit 48.) The final plans cited in this order are the ones that the Board approved; it is expected that after this order is issued, the Applicant will return to the Board for a modification to his plans based on his agreement with Mr. Hacker.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 35.**

**VOTE:**           **4-1-0** (Frederick L. Hill, Lesylleé M. White, Carlton E. Hart, and Michael G. Turnbull to APPROVE; Lorna L. John, opposed.)

**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:** August 17, 2018

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.

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

**BZA APPLICATION NO. 19785**

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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. 04-13C  
(1210C “R” Street, LLC – Modification of Significance to a PUD @  
Square 277, Lots 45 and 50)  
August 21, 2018**

**THIS CASE IS OF INTEREST TO ANC 2F**

On August 14, 2018, the Office of Zoning received a completed application from 1210C “R” Street, LLC (the “Applicant”) for approval of a modification of significance to a planned unit development (“PUD”) for the above-referenced property.

The property that is the subject of this application consists of Lots 45 and 50 in Square 277 in northwest Washington, D.C. (Ward 2), on property located at 1210 R Street, N.W.

The Applicant proposes to modify a previously approved PUD in order to make a substitution of public benefits, specifically, to modify Condition Nos. 3 and 7 in Z.C. Order No. 03-14 and to add other benefits to the PUD at 1210 R Street, N.W.

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.

**District of Columbia REGISTER – August 31, 2018 – Vol. 65 - No. 35 008967 – 009122**