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District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council passes Law 25-326 to mandate the Department of Corrections to improve pregnancy resources and support for incarcerated individuals
- D.C. Council mandates the Department of Employment Services to conduct background and motor vehicle record checks of employees and volunteers with direct contact with youth participating in employment programs (Law 26-3)
- D.C. Council schedules a public hearing on Bill 26-38 to discuss granting the Clemency Board authority to waive the five-year waiting period before an individual can apply for clemency
- D.C. Council schedules a public hearing on Bill 26-93 to discuss banning the sale of non-tamper-resistant battery-operated smoke detectors in the District
- D.C. Council schedules a public hearing on Bill 26-176, Early Childhood Educator Pay Scales Amendment Act of 2025
- Department of Behavioral Health solicits partners to provide training on substance use disorders (SUD) and opioid use disorder (OUD) screening and treatment to maternal and child healthcare providers in the District
- Department of Housing and Community Development announces the upcoming launch of the RentRegistry web portal to provide the public with real-time, searchable information on buildings, rental units, base rents, and services
- Office of Victim Services and Justice Grants announces availability of the FY26 Consolidated Justice Grants for implementing criminal justice, reentry, and juvenile justice programs

DISTRICT OF COLUMBIA REGISTER

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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 § 2-611 *et seq*. (2016 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. Rulemaking documents are also subject to the requirements of the *District of Columbia Administrative Procedure Act*, D.C. Official Code §§2-50l *et seq*. (2016 Repl.).

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DISTRICT OF COLUMBIA
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ADMINISTRATOR

CONTENTS

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA

D.C. LAWS

L25-324 Fairness and Stability in Housing Amendment Act of 2024 005848

L25-325 Fraudulent Vehicle Tag and Parking Enforcement Modernization Amendment Act of 2024 005849

L25-326 Safe and Supported Pregnancy and Delivery Amendment Act of 2024 005850

L26-2 Association Meeting Flexibility Temporary Amendment Act of 2025 005851

L26-3 Youth Workforce Development Programs Temporary Amendment Act of 2025 005852

L26-4 Office of Juvenile Justice Facilities Oversight Plan Temporary Act of 2025 005853

L26-5 Virtual Open Meetings Authority Extension Temporary Amendment Act of 2025 005854

RESOLUTIONS

Res 26-100 Clemency Board Waiver Authority Congressional Review Emergency Declaration Resolution of 2025 005855

Res 26-107 Modification Nos. 8 and 9 to Contract No. DCAM-20-CS-RFQ-0002F with American Combustion Industries, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2025 005856

Res 26-108 Contract No. CW108863 with La Clínica del Pueblo, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2025 ..... 005857 - 005858

Res 26-109 Multiyear Contract Number 0032-2024E with Ruppert Landscape, LLC Approval Resolution of 2025 005859

Res 26-110 Multiyear Contract Number 0013-D-2022 with Vigil Contracting, Inc. Approval Resolution of 2025 005860

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA

RESOLUTIONS CONT'D

Res 26-111 Local Rent Supplement Program Contract No. 2025-LRSP-04A with Harvard Court Owner, LLC Approval Resolution of 2025 005861

Res 26-112 Local Rent Supplement Program Contract No. 2025-LRSP-03A with 2607 Connecticut LLC Approval Resolution of 2025 005862

Res 26-113 Uniform College Athlete Name, Image, or Likeness Emergency Declaration Resolution of 2025..... 005863 - 005864

Res 26-114 Child Fatality Review Committee Emergency Declaration Resolution of 2025..... 005865

Res 26-115 Certified Business Enterprise Program Compliance and Enforcement Support Emergency Declaration Resolution of 2025 ..... 005866 - 005867

BILLS INTRODUCED AND PROPOSED RESOLUTIONS

Notice of Intent to Act on New Legislation -
Bills B26-0243 through B26-0247 and Proposed Resolutions PR26-0192 through PR26-0204 ..... 005868 - 005871

COUNCIL HEARINGS

Notices of Public Hearings -
B26-38 Clemency Board Waiver Authority Amendment Act of 2025 ..... 005872 - 005873

B26-93 Smoke Detector Safety Amendment Act of 2025..... 005872 - 005873

B26-0176 Early Childhood Educator Pay Scales Amendment Act of 2025 005874

OTHER COUNCIL ACTIONS

Notice of Grant Budget Modification -
GBM 26-0018 Grant Budget Modification as of May 8, 2025..... 005875

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES

PUBLIC HEARINGS

Alcoholic Beverage and Cannabis Administration -
Alero Restaurant Florida Ave - ANC 5F - New....005876
Alta Strada Embassy Row / Canopy Embassy Row - ANC 2C -
Sidewalk Cafe....005877
Atomic Billiards - ANC 3C - Game of Skill....005878
Causa - ANC 2G - Renewal - CORRECTION....005879
Causa - ANC 2G - Renewal - RESCIND....005880
Class C and D Renewal Placards for May 16, 2025....005881 - 005912
DC Garden Hill LLC - Medical Cannabis Retailer - ANC 6B - New....005913
Doobie District - Medical Cannabis Retailer - ANC 2B - Expansion....005914
Las Delicias Restaurant & Catering - ANC 1D - Games of Skill....005915
Maman - ANC 2A - New....005916
Marv's Dogs - ANC 3E - New....005917
My Way - Medical Cannabis Retailer - ANC 7E - New....005918
Say High - Medical Cannabis Retailer - ANC 8F - New....005919
Street Lawyer Services - Medical Cannabis Retailer - ANC 3C -
New - READVERTISEMENT....005920
Street Lawyer Services - Medical Cannabis Retailer - ANC 3C -
New - RESCIND....005921
Whiskey Source - ANC 5C - New....005922

Health, Department of (DC Health) -
State Health Planning and Development Agency - Notice of
Information Hearing - Solis Mammography Buyer, Inc. for a
Change of Effective Control of WRA Management, Inc.
(Certificate of Need Registration No. 2025-0-03) - May 16, 2025....005923

Zoning Commission - Cases
13-14E Modification with Hearing to Consolidated, 1st Stage, and
2nd Stage PUDs at Parcels 2 and 4 of the Reservoir District
(Square 3128, Lots 809, 814, & 815)....005924 - 005927
20-08E Howard University - Amendment to the Central Campus
Plan and Further Processing of Temporary Modular Units
at 2345-2525 Sherman Avenue, N.W.
(Square 2882, Lots 950-953 & 1037)....005928 - 005931

PROPOSED RULEMAKING

Water and Sewer Authority, DC -
Amend 21 DCMR (Water and Sanitation),
Ch. 1 (Water Supply),
Sec. 112 (Fees),
to add and amend the District of Columbia Water and Sewer Authority
fees and charges, effective October 1, 2025.... 005932 - 005945

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

PROPOSED RULEMAKING CONT'D

Zoning Commission - Z.C. Case No. 24-10 -
Amend 11 DCMR (Zoning Regulations of 2016),
Subtitle H (Neighborhood Mixed-Use (NMU) Zones),
Ch. 11 (Pennsylvania Avenue East Neighborhood Mixed-Use
(NMU-5A/PAE) Zone) is added,
Sections 1100 -1109,
Ch. 60 (Use Permissions for Neighborhood Mixed-Use (NMU) Zones),
Sec. 6000 (General Use Permissions),
Sec. 6001 (Designated and Restricted Uses),
Subtitle W (Specific Zone Boundaries),
Ch. 1 (Boundaries),
Sec. 126 (Pennsylvania Avenue East Neighborhood Mixed-Use
(NMU-5A/PAE) Zone) is added,
to create and map a new Pennsylvania Avenue East Neighborhood
Mixed Use zone.....005946 - 005955

NOTICES, OPINIONS, AND ORDERS
MAYOR'S ORDERS

2025-069 Amendment — Climate Commitment Task Force.....005956 - 005957

2025-070 Reappointment — Zoning Commission (Robert Miller).....005958 - 005959

NOTICES, OPINIONS, AND ORDERS CONT'D
BOARDS, COMMISSIONS, AND AGENCIES

Alcoholic Beverage and Cannabis Administration -
ABC Boards Calendar for May 20, 2025.....005960
ABC Boards Calendar for May 21, 2025.....005961 - 005965
Alcohol License Cancellation Agenda for May 21, 2025.....005966
Caterer Cease and Desist List for May 21, 2025.....005967

Arts and Humanities, Commission on the -
Board of Commissioners Monthly Meeting - May 19, 2025.....005968

BASIS DC Public Charter School -
Request for Proposals - Elevator Modernization Services.....005969

Behavioral Health, Department of -
Notice of Funding Availability - Pregnant and Parenting Women -
Screening for Substance Use Disorders.....005970 - 005971

Bridges Public Charter School -
Request for Proposals -
Computer/Technology purchases, Related Service Providers,
Special education services, and Janitorial services.....005972

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

NOTICES, OPINIONS, AND ORDERS CONT'D
BOARDS, COMMISSIONS, AND AGENCIES

Chief Medical Examiner, Office of the -
Child Fatality Review Committee Meeting - May 15, 2025 005973
Developmental Disabilities Fatality Review Committee Meeting -
May 16, 2025 005974
Maternal Mortality Review Committee Meeting - May 27, 2025 005975
Opioid Fatality Review Committee Meeting - May 12, 2025 005976
Violence Fatality Review Committee Meeting - May 22, 2025 005977

Education, State Board of -
Educator Excellence Committee Meeting - May 27, 2025 005978

Elections, Board of -
Monthly Voter Registration Statistics - April 30, 2025 ..... 005979 - 005987

Health Care Finance, Department of -
Pharmacy and Therapeutics Committee Meeting - June 5, 2025 ..... 005988 - 005989

Health Care Finance, Department of / Disability Services, Department on -
Public Notice of Waiver Renewal - Home and Community-Based
Services Waiver for Individual and Family Support ..... 005990 - 005991

Health, Department of (DC Health) -
Board of Medicine Meeting - May 28, 2025 005992
Board of Nursing Special Meeting - May 19, 2025 005993

Historic Preservation Review Board -
Notice of Historic Landmark and Historic District Designations
25-03 Euram Building,
21 Dupont Circle NW 005994

Housing and Community Development, Department of -
Rent Control Housing Database Announcement - Effective June 2, 2025 ..... 005995 - 005996

Kingsman Academy Public Charter School -
Request for Proposals - Multiple Services ..... 005997 - 005998

Licensing and Consumer Protection, Department of -
D.C. Board of Architecture, Interior Design, and Landscape Architecture
Meeting - May 23, 2025 005999
D.C. Board of Professional Engineers Meeting - May 22, 2025 006000
D.C. Board of Real Estate Appraisers Meeting - May 21, 2025 006001

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

NOTICES, OPINIONS, AND ORDERS CONT'D
BOARDS, COMMISSIONS, AND AGENCIES

Public Charter School Board, DC -
Notice of Petition to Amend Charter Mission Statement -
Elsie Whitlow Stokes Community Freedom Public Charter School -
Open for Public Comment Accepted Until June 23, 2025 ..... 006002 - 006003

Public Service Commission -
Notice of Final Tariff - Formal Case Nos. 1017, 1134, and Electric
Tariff 2024-01- Pepco's Procurement Cost Adjustment Tariff ..... 006004 - 006005

Secretary, Office of the -
Recommendations for Appointments as DC Notaries Public -
Effective July 15, 2025..... 006006 - 006009

Senior Advisor, Office of the -
DC America 250 Commission Meeting - May 19, 2025 006010

Sentencing Commission, DC -
Notice of Hybrid Meeting - May 20, 2025..... 006011 - 006012

Shining Stars Montessori Academy Public Charter School -
Request for Proposals - Multiple Services ..... 006013 - 006014

Victim Services and Justice Grants, Office of -
Notice of Funding Availability - FY26 Consolidated Justice Grants RFA.....006015

Washington Leadership Academy Public Charter School -
Request for Proposals -
Interior Painting.....006016
Student Chromebooks 006017

Water and Sewer Authority, DC -
Retail Water and Sewer Rates Committee Meeting - May 27, 2025 006018

Zoning Adjustment Board of - Cases
19887-A Marjorie Hutchinson - ANC 5E and 5F - Order..... 006019 - 006024
21226 Alexander-Benons, LLC - ANC 5D - Order ..... 006025 - 006028
21254 1355-1359, LLC - ANC 6A - Order..... 006029 - 006032
21275 HSMG Properties, LLC - ANC 4E - Order..... 006033 - 006036
21277 Erica Spencer - ANC 7D - Order ..... 006037 - 006039
21286 3822 Van Ness NW, LLC - ANC 3A and 3E - Order..... 006040 - 006042

Zoning Commission - Cases
23-29 Martin's View, LLC - Order.....006043 - 006105
25-04 Ed Villard - Notice of Filing.....006106

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 25-324

"Fairness and Stability in Housing Amendment Act of 2024"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 25-418 on First Reading and Final Reading, on December 3, 2024, and December 17, 2024, respectively. Following the signature of the Mayor on January 16, 2025, pursuant to Section 404(e) of the Charter, the bill became Act 25-694 and was published in the January 31, 2025 edition of the D.C. Register (Vol. 72, page 000754). Act 25-694 was transmitted to Congress on February 6, 2025 for a 60-day review, in accordance with Section 602(c)(2) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 60-day Congressional review period has ended, and Act 25-694 is now D.C. Law 25-324, effective May 2, 2025.

Phil Mendelson
Chairman of the Council

Days Counted During the 60-day Congressional Review Period:

Month	Dates Counted
February	6,7,10,11,12,13,14,18,19,20,21,24,25,26,27,28
March	3,4,5,6,7,10,11,12,13,14,17,18,19,20,21,24,25,26,27,28,31
April	1,2,3,4,7,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
May	1

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 25-325

"Fraudulent Vehicle Tag and Parking Enforcement Modernization Amendment Act of 2024"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 25-435 on First Reading and Final Reading, on December 3, 2024, and December 17, 2024, respectively. Pursuant to Section 404(e) of the Charter, the bill became Act 25-695 and was published in the February 14, 2025 edition of the D.C. Register (Vol. 72, page 001284). Act 25-695 was transmitted to Congress on February 6, 2025 for a 60-day review, in accordance with Section 602(c)(2) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 60-day Congressional review period has ended, and Act 25-695 is now D.C. Law 25-325, effective May 2, 2025.

Phil Mendelson
Chairman of the Council

Days Counted During the 60-day Congressional Review Period:

Month	Dates Counted
February	6,7,10,11,12,13,14,18,19,20,21,24,25,26,27,28
March	3,4,5,6,7,10,11,12,13,14,17,18,19,20,21,24,25,26,27,28,31
April	1,2,3,4,7,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
May	1

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 25-326

"Safe and Supported Pregnancy and Delivery Amendment Act of 2024"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 25-914 on First Reading and Final Reading, on December 3, 2024, and December 17, 2024, respectively. Pursuant to Section 404(e) of the Charter, the bill became Act 25-704 and was published in the February 7, 2025 edition of the D.C. Register (Vol. 72, page 001079). Act 25-704 was transmitted to Congress on February 6, 2025 for a 60-day review, in accordance with Section 602(c)(2) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 60-day Congressional review period has ended, and Act 25-704 is now D.C. Law 25-326, effective May 2, 2025.

Phil Mendelson
Chairman of the Council

Days Counted During the 60-day Congressional Review Period:

Month	Dates Counted
February	6,7,10,11,12,13,14,18,19,20,21,24,25,26,27,28
March	3,4,5,6,7,10,11,12,13,14,17,18,19,20,21,24,25,26,27,28,31
April	1,2,3,4,7,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
May	1

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 26-2

"Association Meeting Flexibility Temporary Amendment Act of 2025"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 26-78 on First Reading and Final Reading, on February 4, 2025, and February 18, 2025, respectively. Following the signature of the Mayor on March 13, 2025, pursuant to Section 404(e) of the Charter, the bill became Act 26-21 and was published in the March 21, 2025 edition of the D.C. Register (Vol. 72, page 003107). Act 26-21 was transmitted to Congress on March 24, 2025 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 26-21 is now D.C. Law 26-2, effective May 3, 2025.

Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
March	24,25,26,27,28,31
April	1,2,3,4,7,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
May	1,2

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 26-3

"Youth Workforce Development Programs Temporary Amendment Act of 2025"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 26-85 on First Reading and Final Reading, on February 4, 2025, and February 18, 2025, respectively. Following the signature of the Mayor on March 13, 2025, pursuant to Section 404(e) of the Charter, the bill became Act 26-23 and was published in the March 21, 2025 edition of the D.C. Register (Vol. 72, page 003113). Act 26-23 was transmitted to Congress on March 24, 2025 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 26-23 is now D.C. Law 26-3, effective May 3, 2025.

Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
March	24,25,26,27,28,31
April	1,2,3,4,7,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
May	1,2

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 26-4

"Office of Juvenile Justice Facilities Oversight Plan Temporary Act of 2025"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 26-75 on First Reading and Final Reading, on February 4, 2025, and February 18, 2025, respectively. Pursuant to Section 404(e) of the Charter, the bill became Act 26-25 and was published in the March 21, 2025 edition of the D.C. Register (Vol. 72, page 003118). Act 26-25 was transmitted to Congress on March 25, 2025 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 26-25 is now D.C. Law 26-4, effective May 6, 2025.

Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
March	25,26,27,28,31
April	1,2,3,4,7,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
May	1,2,5

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 26-5

"Virtual Open Meetings Authority Extension Temporary Amendment Act of 2025"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 26-88 on First Reading and Final Reading, on February 4, 2025, and February 18, 2025, respectively. Pursuant to Section 404(e) of the Charter, the bill became Act 26-26 and was published in the March 21, 2025 edition of the D.C. Register (Vol. 72, page 003120). Act 26-26 was transmitted to Congress on March 25, 2025 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 26-26 is now D.C. Law 26-5, effective May 6, 2025.

Phil Mendelson
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Month	Dates Counted
March	25,26,27,28,31
April	1,2,3,4,7,8,9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
May	1,2,5

ENROLLED ORIGINAL

A RESOLUTION

26-100

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 6, 2025

To declare the existence of an emergency, due to congressional review, with respect to the need to amend section 205 of the Clemency Board Establishment Act of 2018 to authorize the Clemency Board to, for applicants seeking a pardon, grant a waiver of the 5-year waiting period.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Clemency Board Waiver Authority Congressional Review Emergency Declaration Resolution of 2025".

Sec. 2. (a) On March 4, 2025, the Council approved the Clemency Board Waiver Authority Emergency Amendment Act of 2025, effective March 20, 2025 (D.C. Act 26-27; 72 DCR 3320) ("emergency measure"). The emergency measure is set to expire on June 18, 2025.

(b) The Clemency Board Waiver Authority Temporary Amendment Act of 2025, enacted on April 22, 2025 (D.C. Act 25-45; 72 DCR 4888) ("temporary measure"), was approved by the Council on final reading at the April 1, 2025, legislative meeting. Because the temporary measure must undergo congressional review, it will not be in effect before the emergency measure expires.

(c) This congressional review emergency is necessary to prevent a gap in the law between the expiration of the emergency measure and effective date of the temporary measure.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Clemency Board Waiver Authority Congressional Review Emergency Amendment Act of 2025 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-107

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 6, 2025

To declare the existence of an emergency with respect to the need to approve Modification No. 8 and proposed Modification No. 9 to Contract No. DCAM-20-CS-RFQ-0002F, and to authorize payment for the goods and services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification Nos. 8 and 9 to Contract No. DCAM-20-CS-RFQ-0002F with American Combustion Industries, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2025".

Sec. 2. (a) There exists an immediate need to approve Modification No. 8 and proposed Modification No. 9 to Contract No. DCAM-20-CS-RFQ-0002F, and to authorize payment for the goods and services received and to be received under the contract.

(b) On June 6, 2024, via Modification No. 8, the Department of General Services partially exercised Option Year 4 for the period June 8, 2024, through June 7, 2025, in the not-to-exceed amount of $990,000.

(d) Proposed Modification No. 9 would fully exercise Option Year 4, increasing the not-to-exceed amount by $9,010,000 to $10 million.

(e) Council approval is necessary because the modifications will increase the value of the contract to more than $1 million during a 12-month period.

(f) Council approval is necessary to allow the continuation of these vital services. Without Council approval, American Combustion Industries, Inc., cannot be paid for goods and services in excess of $1 million for the period June 8, 2024, through June 7, 2025.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification Nos. 8 and 9 to Contract No. DCAM-20-CS-RFQ-0002F with American Combustion Industries, Inc. Approval and Payment Authorization Emergency Act of 2025 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-108

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 6, 2025

To declare the existence of an emergency with respect to the need to approve Modification Nos. M0001, M0002, and M0003 to Contract No. CW108863 with La Clínica del Pueblo, Inc., and to authorize payment for the goods and services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CW108863 with La Clínica del Pueblo, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2025".

Sec. 2. (a) There exists an immediate need to approve Modification Nos. M0001, M0002, and M0003 to Contract No. CW108863 with La Clínica del Pueblo, Inc., and to authorize payment for the goods and services received and to be received under the contract.

(b) On July 6, 2023, the Office of Contracting and Procurement ("OCP"), on behalf of the Department of Behavioral Health, executed Contract No. CW108863 with La Clínica del Pueblo, Inc., for substance use disorder outpatient treatment services, in the not-to-exceed ("NTE") amount of $700,000 for the period July 6, 2023, through July 5, 2024.

(c) On July 3, 2024, via Modification No. M0001, OCP exercised option year one in the NTE amount of $700,000 for the period July 6, 2024, though July 5, 2025.

(d) Modification No. M0002 increased the NTE amount of option year one by $280,000, from $700,000 to $980,000.

(e) Modification No. M0003 would increase the NTE amount of option year one by $620,000, from $980,000 to $1.6 million.

(f) Council approval is necessary because the modifications will increase the value of the contract to more than $1 million during a 12-month period.

(g) Council approval is necessary to allow the continuation of these vital services. Without Council approval, La Clínica del Pueblo, Inc. cannot be paid for goods and services provided in excess of $1 million for the period from July 6, 2024, through July 5, 2025.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the

ENROLLED ORIGINAL

Contract No. CW108863 with La Clínica del Pueblo, Inc. Approval and Payment Authorization Emergency Act of 2025 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-109

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 6, 2025

To approve Multiyear Contract Number 0032-2024E with Ruppert Landscape, LLC to provide grounds maintenance and landscaping services for select District of Columbia Housing Authority buildings.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Multiyear Contract Number 0032-2024E with Ruppert Landscape, LLC Approval Resolution of 2025".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Multiyear Contract Number 0032-2024E with Ruppert Landscape, LLC to provide grounds maintenance and landscaping services to select District of Columbia Housing Authority buildings in the not-to-exceed amount of $301,738.80 for the period from the execution date of the contract to the 2-year anniversary date of the execution date of the contract.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the District of Columbia Housing Authority and the Mayor.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-110

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 6, 2025

To approve Multiyear Contract Number 0013-D-2022 with Vigil Contracting, Inc. to provide Phase 1 Security Camera and Access Control Upgrades services for various District of Columbia Housing Authority properties.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Multiyear Contract Number 0013-D-2022 with Vigil Contracting, Inc. Approval Resolution of 2025".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Multiyear Contract Number 0013-D-2022 with Vigil Contracting, Inc. to provide Phase 1 Security Camera and Access Control Upgrades services to select District of Columbia Housing Authority properties in the not-to-exceed amount of $3.7 million for a 4 year contract.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the District of Columbia Housing Authority and the Mayor.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-111

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 6, 2025

To approve an agreement to enter into a long-term subsidy contract for 20 years in support of the District's Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2025-LRSP-04A with Harvard Court Owner, LLC for program units at the Harvard Court Apartments located at 1425 Harvard Street, NW.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2025-LRSP-04A with Harvard Court Owner, LLC Approval Resolution of 2025."

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. 2025-LRSP-04A, a long-term subsidy contract, with Harvard Court Owner, LLC to provide an operating subsidy in support of 22 affordable housing units in an initial amount not to exceed $707,035 annually.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the District of Columbia Housing Authority and the Mayor.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-112

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 6, 2025

To approve an agreement to enter into a long-term subsidy contract for 20 years in support of the District's Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2025-LRSP-03A with 2607 Connecticut LLC for 2 program units at SOME 2607 Connecticut Avenue located at 2607 Connecticut Avenue, NW.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2025-LRSP-03A with 2607 Connecticut LLC Approval Resolution of 2025".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. 2025-LRSP-03A, a long-term subsidy contract, with 2607 Connecticut, LLC to provide an operating subsidy in support of 2 affordable housing units in an initial amount not to exceed $50,116 annually.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the District of Columbia Housing Authority and the Mayor.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-113

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 6, 2025

To declare the existence of an emergency with respect to the need to amend section 215 of the Uniform College Athlete Name, Image, or Likeness Act of 2022 to permit an institution, conference, or athletic association to assist a college athlete in selecting, arranging for, or providing payment to a name, image, or likeness agent and in selecting, arranging for, or collecting payment from a third party engaged in specific name, image, or likeness agreements with college athletes, and to remove the prohibition against institutions or conferences providing compensation to a college athlete for the use of the athlete's name, image, or likeness; and to amend section 5710 of Title 3 of the District of Columbia Municipal Regulations to delay applicability of expanded financial disclosure requirements for certain boards and commissions.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Uniform College Athlete Name, Image, or Likeness Emergency Declaration Resolution of 2025".

Sec. 2. (a) On March 1, 2021, Chairman Phil Mendelson, at the request of the Uniform Law Commission, introduced the Omnibus Uniform Athlete Agent and College Athlete Name, Image, or Likeness Amendment Act of 2022, which contained the Uniform College Athlete Name, Image, or Likeness Act of 2022 in Title II. The purpose of the legislation was to regulate student-athlete compensation for the use of an athlete's name, image, or likeness and to update the District's regulations of athlete agents. The Council adopted this legislation on February 23, 2023.

(b) Now, the District's Uniform Law Commissioners propose an amendment to section 215 of the Uniform College Athlete Name, Image, or Likeness Act of 2022, effective February 23, 2023 (D.C. Law 24-245; D.C. Official Code § 38-1631.05). The amendment would authorize institutions, athletic conferences, and athletic associations to assist college athletes in certain activities related to the monetization of their name, image, or likeness ("NIL"), including selecting an NIL agent. Additionally, the amendment eliminates the current prohibition that prevents institutions or conferences from providing direct compensation to college athletes for the use of their names, images, or likenesses.

(c) On April 18, 2024, the National Collegiate Athletic Association ("NCAA") amended its bylaws to expand the permissible role of institutions in supporting student athlete NIL activities. The NCAA bylaws are set to go into effect on July 1, 2025, pending court approval of a settlement agreement in *House v. NCAA*. These developments broaden the scope of activities that educational institutions may undertake to support college athletes in monetizing their NIL.

(d) Emergency legislation is necessary to align District law with the anticipated NCAA framework and national legal landscape before the start of the next school year in August, which will ensure that institutions and college athletes in the District are not placed at a competitive disadvantage.

(e) In addition, in 2024, the Board of Ethics and Government Accountability ("BEGA") issued a rulemaking adding 47 new boards and commissions to the public financial disclosure requirements. While this might be reasonable, the mostly volunteer members of these boards and commissions were unaware until now, and members of some boards may not want to continue their service if subject to public financial disclosure.

(f) Applicability of the new requirements should be paused until the end of the year, so that Council committees may work with affected boards and commissions, as well as with BEGA, to better understand the rationale behind the new requirements and whether other forms of disclosure may be more appropriate.

(g) Emergency legislation is warranted because the BEGA public disclosures are due on May 15, 2025.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances, making it necessary that the Uniform College Athlete Name, Image, or Likeness Emergency Amendment Act of 2025 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-114

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 6, 2025

To declare the existence of an emergency with respect to the need to amend the Child Fatality Review Committee Establishment Act of 2001 to revise the composition of the Child Fatality Review Committee to include the relevant committee within the Council that has oversight over the Child and Family Services Agency.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Child Fatality Review Committee Emergency Declaration Resolution of 2025".

Sec. 2. (a) There exists an immediate need to revise the composition of the Child Fatality Review Committee ("CFRC") so that the Councilmember and committee staff who oversee the Child and Family Services Agency ("CFSA") may begin to attend and have access to all CFRC-related meetings and work product. In January 2025, the Committee on Youth Affairs was established in the Council Period 26 Rules. In its establishment, the Committee on Youth Affairs was granted oversight of CFSA and all matters related to it. Previously, in Council Period 25, the Committee on Facilities and Family Services, in their oversight capacity of CFSA, attended all meetings and had access to work product related to the CFRC even though the Committee did not have a formal right to such access. At the onset of Council Period 26, the Committee on Youth Affairs attempted to formally join the CFRC, as the new committee designated with oversight of CFSA; however, the Committee on Youth Affairs was informed that this request would not be accommodated without changes to the law. As a result, the Committee on Youth Affairs has been unable to access any CFRC meetings or materials, which is necessary for its oversight of CFSA and youth in the District.

(b) Emergency legislation is needed to immediately grant the Committee on Youth Affairs the proper authority to join the CFRC so that the Committee can continue to properly execute its Council-assigned oversight responsibilities.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances, making it necessary that the Child Fatality Review Committee Emergency Amendment Act of 2025 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-115

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 6, 2025

To declare the existence of an emergency with respect to the need to amend the Small and Certified Business Enterprise Development and Assistance Act of 2005 to require a business applying for certification as a local business enterprise to be independently owned and operated, to amend minimum certified business enterprise performance requirements in a certified joint venture, and to establish uniform hearing procedures for enforcement actions.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Certified Business Enterprise Program Compliance and Enforcement Support Emergency Declaration Resolution of 2025".

Sec. 2. (a) A Certified Business Enterprise ("CBE") is a business enterprise certified by the Department of Small and Local Business Development ("DSLBD") as a local business enterprise.

(b) Businesses with CBE certification may receive preference when submitting bids or proposals for procurement and contracting opportunities.

(c) There are currently over 2,000 businesses participating in the District's CBE program.

(d) In 2021, 2022, and 2023, the Council passed a series of Local Business Enterprise Clarification Emergency Amendment Acts ("the Acts") that required local businesses participating in the CBE program to be independently owned and operated, thereby furthering the spirit of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*).

(e) Emergency legislation is needed to reinstate the most recent version of the provisions passed by Council in the Acts.

(f) Further, following a recent revocation hearing before the Office of Administrative Hearings, DSLBD determined that uniform hearing procedures for complaints needed to be established expeditiously to ensure procedural consistency and fairness for businesses, as well as increased effectiveness and efficiency in departmental compliance and enforcement procedures.

(g) Accordingly, emergency legislation is needed to maintain provisions passed by the Council in the Certified Business Enterprise Program Compliance and Enforcement Support

Emergency Amendment Act of 2024, which clarified and updated procedures under section 2363 of the act.

(h) Failure to move these amendments will have an adverse effect on CBE program administration, agency operations, and agency compliance and enforcement mechanisms.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Certified Business Enterprise Program Compliance and Enforcement Support Emergency Amendment Act of 2025 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE OF INTENT TO ACT ON NEW LEGISLATION

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

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

COUNCIL OF THE DISTRICT OF COLUMBIA PROPOSED LEGISLATION

B26-0243 Automatic Enrollment for Utility Affordability Programs Act of 2025

Intro. 05-06-2025 by Councilmembers Allen, Nadeau, R. White, Lewis George, McDuffie, and Parker and referred sequentially to the Committee on Transportation and the Environment with comments from the Committee on Business and Economic Development, Committee on Human Services, and Committee on Health

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B26-0244 Micromobility Fire Safety Standards Act of 2025

Intro. 05-06-2025 by Councilmembers Allen, Frumin, R. White, Pinto, Bonds, and Henderson and referred to the Committee on Transportation and the Environment

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B26-0245 Personal Delivery Device Weight Limit Amendment Act of 2025

Intro. 05-06-2025 by Councilmembers Allen, Parker, and Henderson and referred to the Committee on Transportation and the Environment

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B26-0246 Automated Curbside Management System Amendment Act of 2025

Intro. 05-13-2025 by Councilmembers Allen, Nadeau, Henderson, and Lewis George and referred to the Committee on Transportation and the Environment

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B26-0247 Anacostia Business Improvement Districts Amendment Act of 2025

Intro. 05-12-2025 by Councilmembers McDuffie, R. White, and Bonds and referred to the Committee on Business and Economic Development

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PR26-0192 Board of Rehabilitative Therapies Charles Bond Confirmation Resolution of 2025

Intro. 05-07-2025 by Chairman Mendelson and referred to the Committee on Health

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PR26-0193 Board of Rehabilitative Therapies Dr. Bernardine Evans Confirmation Resolution of 2025

Intro. 05-07-2025 by Chairman Mendelson and referred to the Committee on Health

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PR26-0194 Board of Rehabilitative Therapies Dr. Angela Grice Confirmation Resolution of 2025

Intro. 05-07-2025 by Chairman Mendelson and referred to the Committee on Health

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PR26-0195 Board of Rehabilitative Therapies Dr. Nicholas Caylor Confirmation Resolution of 2025

Intro. 05-07-2025 by Chairman Mendelson and referred to the Committee on Health

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PR26-0196 Board of Rehabilitative Therapies Jayme Menier Confirmation Resolution of 2025

Intro. 05-07-2025 by Chairman Mendelson and referred to the Committee on Health

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PR26-0197 Board of Rehabilitative Therapies Omololu Majekodunmi Confirmation Resolution of 2025

Intro. 05-07-2025 by Chairman Mendelson and referred to the Committee on Health

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PR26-0198 Board of Rehabilitative Therapies Rayan Hagona-Wordie Confirmation Resolution of 2025

Intro. 05-07-2025 by Chairman Mendelson and referred to the Committee on Health

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PR26-0199 Board of Rehabilitative Therapies Dr. Gillian Rai Confirmation Resolution of 2025

Intro. 05-07-2025 by Chairman Mendelson and referred to the Committee on Health

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PR26-0200 Citizen Review Panel Andrew Miller Reappointment Resolution of 2025

Intro. 05-12-2025 by Chairman Mendelson and referred to the Committee of the Whole

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PR26-0201 Science Advisory Board Justine Kreso Confirmation Resolution of 2025

Intro. 05-12-2025 by Chairman Mendelson and referred to the Committee on Judiciary and Public Safety

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PR26-0202 Science Advisory Board Laura Sudkamp Confirmation Resolution of 2025

Intro. 05-12-2025 by Chairman Mendelson and referred to the Committee on Judiciary and Public Safety

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PR26-0203 Science Advisory Board Mark Mogle Confirmation Resolution of 2025

Intro. 05-12-2025 by Chairman Mendelson and referred to the Committee on Judiciary and Public Safety

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PR26-0204 Citizen Review Panel Elizabeth C. Mohler Vice Chair Designation Resolution of 2025

Intro. 05-13-2025 by Chairman Mendelson and referred to the Committee of the Whole

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COUNCIL OF THE DISTRICT OF COLUMBIA

COMMITTEE ON THE JUDICIARY AND PUBLIC SAFETY

BROOKE PINTO, CHAIR

NOTICE OF PUBLIC HEARING ON

Bill 26-38, the "Clemency Board Waiver Authority Amendment Act of 2025"

and

Bill 26-93 the "Smoke Detector Safety Amendment Act of 2025"

on

Monday, June 2, 2025, at 11 a.m.

In the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Room 120
and virtually via Zoom

To watch live:
Councilmember Pinto's YouTube Page (www.youtube.com/@cmbrookepinto)
DC Council Website (dccouncil.gov)
Council Channel 13 (Cable Television Providers)
Office of Cable Television Website (entertainment.dc.gov)

On Monday, June 2, 2025, at 11:00 am, Councilmember Brooke Pinto, Chairwoman of the Committee on the Judiciary and Public Safety, will hold a public hearing on **Bill 26-38, the "Clemency Board Waiver Authority Amendment Act of 2025,"** and **Bill 26-93, the "Smoke Detector Safety Amendment Act of 2025."** The hearing will be held in Room 120 of the John A. Wilson Building.

B26-38, the "Clemency Board Waiver Authority Amendment Act of 2025," would confer on the District's Clemency Board ("Board") the authority to waive the condition that a pardon applicant wait five years after the date of conviction or release from confinement. In 2018, the Council passed the Clemency Board Establishment Act, which formed the Board and the process for applicants to seek a letter of recommendation to support their application for clemency to the President of the United States. The Act was deliberately structured by the Council to mirror the eligibility requirements and process used by the Department of Justice ("DOJ"), Office of the Pardon Attorney. In particular, D.C. Official Code § 24-481.05(c)(l) requires that a pardon applicant wait five years after the date of their release from confinement or, in cases where no prison sentence was imposed, five years after the date of conviction. This mirrors the DOJ's requirement for a five-year waiting period for pardon applicants.

Earlier this year, Board staff learned that the DOJ is authorized to grant waivers of this five-year waiting period, pursuant to § 9-140.112 of the Department of Justice Manual. The Act as passed by Council in 2018, however, did not provide the Board with a similar authority to grant a waiver of this requirement. To avoid the Board deeming applications ineligible that have

received a waiver of the five-year waiting period from the DOJ, this legislation would amend the Act to provide the Board with this authority. This bill would make permanent the changes that the Council passed on an emergency and temporary basis in March of this year.

B26-93, the "Smoke Detector Safety Amendment Act of 2025," would update the District's Security Alarms Systems Regulations Act to prevent any future sale in the District of battery-operated smoke detectors that are not tamper-resistant. The bill would also establish a civil fine, not to exceed $500, and penalties and fees, for violations, and would allow District residents to file complaints for alleged violations with the Mayor.

The Committee invites the public to testify. Those who wish to do so must register using the Council's Hearing Management System at https://lims.dccouncil.gov/hearings **by 10:00 a.m. Friday, May 30th.** All public witnesses will have 3 minutes to speak.[1] **Witnesses will have the option to testify in person or virtually**; witnesses should specify which option they are electing at the time they sign up to testify.

Witnesses who anticipate needing spoken language interpretation, or who require sign language interpretation, are requested to inform the Committee office of the need as soon as possible, but no later than 5 business days before the proceeding. We will make every effort to fulfill timely requests, although alternatives may be offered. Requests may be submitted via the Hearing Management System during registration or by contacting Ms. Aukima Benjamin, Committee Manager to the Committee on the Judiciary and Public Safety, at (202) 724-8058 or via e-mail at abenjamin@dccouncil.gov. It may not be possible to fulfill requests received less than 5 business days before the proceeding. Witnesses will receive instructions on how to participate by Zoom prior to the hearing. If you have additional questions, please contact Ms. Benjamin at the phone number or e-mail listed above.

If you are unable to testify at the public hearing, written statements are encouraged and will be made a part of the official record; written testimony should be submitted through the Council's Hearing Management System at https://lims.dccouncil.gov/hearings. Testimony will be publicly accessible following review by Committee staff.

The record will close at 5:00 p.m. on Monday, June 16, 2025.

[1] If there is a large number of witnesses, the Committee may allow less time for each witness in order to ensure all witnesses have an opportunity to testify.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
NOTICE OF PUBLIC HEARING

1350 Pennsylvania Avenue, NW, Washington, DC 20004

CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC HEARING

on

Bill 26-0176, "Early Childhood Educator Pay Scales Amendment Act of 2025"

on

Wednesday, June 4th at 9:30 a.m.
(in conjunction with the Office of the State Superintendent of Education Budget Hearing)
Hearing Room 412 (Track B)
John A. Wilson Building
1350 Pennsylvania Avenue NW
DC Council Website (www.dccouncil.gov)

Council Chairman Phil Mendelson announces a public hearing before the Committee of the Whole on **Bill 26-0176**, the "Early Childhood Educator Pay Scales Amendment Act of 2025." The hearing will be held at **9:30 a.m. on Wednesday, June 4th, 2025 in conjunction with the Office of the State Superintendent Fiscal Year 2026 proposed budget hearing.**

The stated purpose of Bill 26-0176 is to permanently revise the early childhood assistant and lead teacher compensation scales to those recommended by the Early Childhood Equitable Educator Compensation Task Force in report RC25-0240. The bill also provides an additional method by which the Office of the State Superintendent of Education can mitigate fiscal pressures on the program. The compensation scales establish minimum salaries based on credentials. The bill seeks to balance the limits of the pay equity fund with the compensation and benefits of pre-k and kindergarten teachers employed at the District of Columbia Public Schools and District public charter schools. The purpose of this hearing is to hear public opinion on the bill and on approaches to attenuate fiscal pressures on the program throughout the financial plan and beyond.

Those who wish to testify must register using the Council's Hearing Management System at https://lims.dccouncil.gov/hearings by **5:00 p.m. on Monday, June 2, 2025**. **Testimony is limited to three minutes**. Witnesses who anticipate needing spoken language interpretation, or require sign language interpretation, are requested to inform the Committee office of the need as soon as possible but no later than five business days before the proceeding by emailing cow@dccouncil.gov. We will make every effort to fulfill timely requests, although alternatives may be offered. Requests received in less than five business days may not be fulfilled. Witnesses will receive instructions on how to participate by Zoom prior to the hearing. If you have additional questions, please contact Hannah Kozik, Legislative Policy Advisor, at (202) 724-8137 or hkozik@dccouncil.gov.

Public witnesses may participate in person or virtually via the Internet on the Zoom Video Conference platform. Testimony should be submitted through the Council's Hearing Management System (https://lims.dccouncil.gov/hearings) in advance of the hearing. That testimony will be publicly accessible upon Committee review. If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Statements for the record should be submitted through the Hearing Management System or left by voicemail by calling (202) 430-6948 (up to 3 minutes which will be transcribed). The record will close at 5:00 pm on June 18, 2025.

COUNCIL OF THE DISTRICT OF COLUMBIA
Notice of Grant Budget Modifications

Pursuant to the Consolidated Appropriations Act of 2017, approved May 5, 2017 (P.L. 115-31), the Council of the District of Columbia gives notice that the Mayor has transmitted the following Grant Budget Modification (GBM).

A GBM will become effective on the 15th day after official receipt unless a Member of the Council files a notice of disapproval of the request which extends the Council's review period to 30 days. If such notice is given, a GBM will become effective on the 31st day after its official receipt unless a resolution of approval or disapproval is adopted by the Council prior to that time.

Comments should be addressed to the Secretary to the Council, John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Room 5 Washington, D.C. 20004. Copies of the GBMs are available in the Legislative Services Division, Room 10.
Telephone: 724-8050

GBM 26-0018 Grant Budget Modification as of May 8, 2025

RECEIVED: 14-day review begins May 14, 2025

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	May 16, 2025
Protest Petition Deadline:	June 30, 2025
Roll Call Hearing Date:	July 21, 2025
Protest Hearing Date:	September 10, 2025
License No.:	ABRA-132427
Licensee:	NaMaBu, LLC
Trade Name:	Alero Restaurant Florida Ave
License Class:	Retailer's Class "C" Restaurant
Address:	202 Florida Avenue, N.E.
Contact:	Cameron Mixon, Esq.: (202) 686-7600, cmixon@theveritaslawfirm.com

WARD 5 ANC 5F SMD 5F06

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 July 21, 2025, at 10 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002**. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the Petition deadline. The **Protest Hearing date** is scheduled on **September 10, 2025 at 1:30 p.m.**

NATURE OF OPERATION

A full-service Mexican restaurant. Seating for 114 and capacity of 114 inside. Summer Garden with seating for 20. Total Occupancy Load of 134 for the entire establishment. Sidewalk Café with seating for 20. Entertainment Endorsement with Dancing and Cover Charge to provide live entertainment inside the premises. Alcohol Carry-out and Delivery Endorsement.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR INSIDE PREMISES, SUMMER GARDEN, AND SIDEWALK CAFE

Sunday through Thursday 9am – 2am, Friday and Saturday 9am – 3am

HOURS OF LIVE ENTERTAINMENT INSIDE PREMISES

Sunday through Thursday 9am – 2am, Friday and Saturday 9am – 3am

HOURS OF ALCOHOLIC BEVERAGE CARRY-OUT AND DELIVERY

Sunday through Saturday 9am – 1am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	May 16, 2025
Protest Petition Deadline:	June 30, 2025
Roll Call Hearing Date:	July 21, 2025
License No.:	ABRA-071165
Licensee:	Millbank Partners-Mass Ave. LP / Alta Strada Embassy Row, LLC
Trade Name:	Alta Strada Embassy Row / Canopy- Embassy Row
License Class:	Retailer's Class "C" Hotel
Address:	1600 Rhode Island Avenue, N.W.
Contact:	Daniel Koffman: (202) 686-7600, atekle@theveritaslawfirm.com

WARD 2 ANC 2C SMD 2C02

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 July 21, 2025, at 10 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002**. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the Petition deadline.

NATURE OF SUBSTANTIAL CHANGE
Request for a Sidewalk Café Endorsement with 39 seats.

CURRENT HOURS OF OPERATION INSIDE THE PREMISES
Sunday through Thursday 7am – 2am, Friday and Saturday 7am – 3am

CURRENT HOURS OF ALCOHOLIC BEVERAGE SALES. SERVICE. AND CONSUMPTION INSIDE THE PREMISES
Sunday 10am – 2am, Monday through Thursday 8am – 2am, Friday and Saturday 8am – 3am

PROPOSED HOURS OF OPERATION OUTSIDE ON THE SIDEWALK CAFÉ
Sunday through Thursday 7am – 2am, Friday and Saturday 7am – 3am

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION OUTSIDE ON THE SIDWALK CAFE
Sunday 10am – 2am, Monday through Thursday 8am – 2am, Friday and Saturday 8am – 3am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	May 16, 2025
Protest Petition Deadline:	June 30, 2025
Roll Call Hearing Date:	July 21, 2025

License No.:	ABRA-019007
Licensee:	Atomic Billiards Corporation
Trade Name:	Atomic Billiards
License Class:	Retailer's Class "C Tavern
Address:	3427 Connecticut Avenue, N.W.
Contact:	Stephen O'Brien: (202) 625-7700, sobrien@malliosobrien.com

WARD 3 ANC 3C SMD 3C06

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 July 21, 2025 at 10 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002**. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the Petition deadline.

NATURE OF SUBSTANTIAL CHANGE

Licensee request to reinstate Game of Skill Endorsement, offering the Dragon's Ascent electronic game with up to three (3) consoles.

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

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

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
4/11/2025

****CORRECTION**

Notice is hereby given that:
License Number: ABRA-114552 **License Class/Type: C Restaurant**
Applicant: Causa, LLC
Trade Name: Causa
SMD: 2G04

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

920 N (Rear) STREET NW, WASHINGTON, DC 20001

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

5/27/2025

A HEARING WILL BE HELD ON:
6/16/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Entertainment Summer Garden

Days	Hours of Operation	**Hours of Sales/Service	Hours of Entertainment
Sunday:	10 am - 2 am	10 am - 1 am	**12 pm - 12 am
Monday:	10 am - 2 am	10 am - 1 am	12 pm - 12 am
Tuesday:	10 am - 2 am	10 am - 1 am	12 pm - 12 am
Wednesday:	10 am - 2 am	10 am - 1 am	12 pm - 12 am
Thursday:	10 am - 2 am	10 am - 1 am	12 pm - 12 am
Friday:	10 am - 3 am	10 am - 1 am	**12 pm - 12 am
Saturday:	10 am - 3 am	10 am - 1 am	**12 pm - 12 am

	**Hours of Summer Garden Operation	**Hours of Sales Summer Garden
Sunday:	10 am - 12 am	10 am - 12 am
Monday:	10 am - 12 am	10 am - 12 am
Tuesday:	10 am - 12 am	10 am - 12 am
Wednesday:	10 am - 12 am	10 am - 12 am
Thursday:	10 am - 12 am	10 am - 12 am
Friday:	10 am - 12 am	10 am - 12 am
Saturday:	10 am - 12 am	10 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
4/11/2025

****RESCIND**

Notice is hereby given that:
License Number: ABRA-114552 **License Class/Type: C Restaurant**
Applicant: Causa, LLC
Trade Name: Causa
SMD: 2G04

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

920 N (Rear) STREET NW, WASHINGTON, DC 20001

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

5/27/2025

A HEARING WILL BE HELD ON:
6/16/2025

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Entertainment Summer Garden

Days	Hours of Operation	**Hours of Sales/Service	Hours of Entertainment
Sunday:	10 am - 2 am	10 am - 2 am	**12 pm - 1 am
Monday:	10 am - 2 am	10 am - 2 am	12 pm - 12 am
Tuesday:	10 am - 2 am	10 am - 2 am	12 pm - 12 am
Wednesday:	10 am - 2 am	10 am - 2 am	12 pm - 12 am
Thursday:	10 am - 2 am	10 am - 2 am	12 pm - 12 am
Friday:	10 am - 3 am	10 am - 3 am	**12 pm - 2 am
Saturday:	10 am - 3 am	10 am - 3 am	**12 pm - 2 am

	**Hours of Summer Garden Operation	**Hours of Sales Summer Garden
Sunday:	10 am - 2 am	10 am - 2 am
Monday:	10 am - 2 am	10 am - 2 am
Tuesday:	10 am - 2 am	10 am - 2 am
Wednesday:	10 am - 2 am	10 am - 2 am
Thursday:	10 am - 2 am	10 am - 2 am
Friday:	10 am - 3 am	10 am - 3 am
Saturday:	10 am - 3 am	10 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-025750 **License Class/Type: C Multipurpose**
Applicant: Studio 1333, LLC/ The Studio Theatre, Inc.
Trade Name: The Studio Theatre
SMD: 2F03

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

1333 P STREET NW, WASHINGTON, DC 20005

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	9 am - 12 am	10 am - 12 am	-
Monday:	9 am - 12 am	10 am - 12 am	-
Tuesday:	9 am - 12 am	10 am - 12 am	-
Wednesday:	9 am - 12 am	10 am - 12 pm	-
Thursday:	9 am - 12 am	10 am - 12 am	-
Friday:	9 am - 12 am	10 am - 1 am	-
Saturday:	9 am - 12 am	10 am - 1 am	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-060754 **License Class/Type: C Restaurant**
Applicant: Cafe Europa, LLC
Trade Name: LeDesales
SMD: 2C02

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

1725 DE SALES STREET NW, WASHINGTON, DC 20036

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Entertainment Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	10 am - 1:30 am	11 am - 1:30 am	11 am - 1 am
Monday:	10 am - 1:30 am	11 am - 1:30 am	N/A -
Tuesday:	10 am - 1:30 am	11 am - 1:30 am	N/A -
Wednesday:	10 am - 1:30 am	11 am - 1:30 am	N/A -
Thursday:	10 am - 1:30 am	11 am - 1:30 am	N/A -
Friday:	10 am - 2:30 am	11 am - 2:30 am	11 pm - 2 am
Saturday:	10 am - 2:30 am	11 am - 2:30 am	11 pm - 2 am

	Hours Of Sidewalk Cafe Operation	Hours Of Sales Sidewalk Cafe
Sunday:	closed	closed - 1:30 am
Monday:	11 am - 10:30 pm	11 am - 10:30 pm
Tuesday:	11 am - 10:30 pm	11 am - 10:30 pm
Wednesday:	11 am - 10:30 pm	11 am - 10:30 pm
Thursday:	11 am - 10:30 pm	11 am - 10:30 pm
Friday:	11 am - 11 pm	11 am - 11 pm
Saturday:	11 am - 11 pm	11 am - 11 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-060706 **License Class/Type: C Restaurant**
Applicant: Logan Dining, LLC
Trade Name: Logan Tavern
SMD: 2F03

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

1423 P STREET NW, WASHINGTON, DC 20005

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11 am - 12 am	11 am - 12 am	-
Monday:	12 pm - 12 am	12 pm - 12 am	-
Tuesday:	12 pm - 12 am	12 pm - 12 am	-
Wednesday:	12 pm - 12 am	12 pm - 12 am	-
Thursday:	12 pm - 12 am	12 pm - 12 am	-
Friday:	12 am - 1 am	12 am - 1 am	-
Saturday:	11 am - 1 am	11 am - 1 am	-

	Hours Of Sidewalk Cafe Operation	Hours Of Sales Sidewalk Cafe
Sunday:	11 am - 10:30 pm	11 am - 10:30 pm
Monday:	12 pm - 10:30 pm	12 pm - 10:30 pm
Tuesday:	12 pm - 10:30 pm	12 pm - 10:30 pm
Wednesday:	12 pm - 10:30 pm	12 pm - 10:30 pm
Thursday:	12 pm - 10:30 pm	12 pm - 10:30 pm
Friday:	12 pm - 11:30 pm	12 pm - 11:30 pm
Saturday:	11 am - 11:30 pm	11 am - 11:30 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-017199 **License Class/Type: C Restaurant**
Applicant: Brasil, Inc.
Trade Name: The Grill From Ipanema
SMD: 1C03

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

1858 COLUMBIA NW, WASHINGTON, DC 20009

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Entertainment Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11:30 am - 11 pm	11:30 am - 11 pm	6 pm - 9 pm
Monday:	11:30 am - 12 am	11:30 am - 12 am	-
Tuesday:	11:30 am - 12 am	11:30 am - 12 am	-
Wednesday:	11:30 am - 12 am	11:30 am - 12 am	6 pm - 11 pm
Thursday:	11:30 am - 1 am	11:30 am - 1 am	6 pm - 11 pm
Friday:	11:30 am - 2 am	11:30 am - 2 am	-
Saturday:	11:30 am - 2 am	11:30 am - 2 am	-

	Hours Of Sidewalk Cafe Operation	Hours Of Sales Sidewalk Cafe
Sunday:	11:30 am - 11:00 pm	11:30 am - 11:00 pm
Monday:	5 pm - 11 pm	5 pm - 11 pm
Tuesday:	5 pm - 11 pm	5 pm - 11 pm
Wednesday:	5 pm - 11 pm	5 pm - 11 pm
Thursday:	5 pm - 11 pm	5 pm - 11 pm
Friday:	5 pm - 11 pm	5 pm - 11 pm
Saturday:	11:30 am - 11:00 pm	11:30 am - 11:00 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-087667 **License Class/Type: C Restaurant**
Applicant: Luke's Lobster IV, LLC
Trade Name: Luke's Lobster
SMD: 2C03

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

624 E STREET NW, WASHINGTON, DC 20004

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11 am - 10 pm	11 am - 10 pm	-
Monday:	11 am - 10 pm	11 am - 10 pm	-
Tuesday:	11 am - 10 pm	11 am - 10 pm	-
Wednesday:	11 am - 10 pm	11 am - 10 pm	-
Thursday:	11 am - 10 pm	11 am - 10 pm	-
Friday:	11 am - 10 pm	11 am - 10 pm	-
Saturday:	11 am - 10 pm	11 am - 10 pm	-

	Hours Of Sidewalk Cafe Operation	Hours Of Sales Sidewalk Cafe
Sunday:	11 am - 10 pm	11 am - 10 pm
Monday:	11 am - 10 pm	11 am - 10 pm
Tuesday:	11 am - 10 pm	11 am - 10 pm
Wednesday:	11 am - 10 pm	11 am - 10 pm
Thursday:	11 am - 10 pm	11 am - 10 pm
Friday:	11 am - 10 pm	11 am - 10 pm
Saturday:	11 am - 10 pm	11 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-087730 **License Class/Type: C Restaurant**
Applicant: Tortino Restaurant, Inc.
Trade Name: Tortino Restaurant
SMD: 2F07

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

1228 11TH STREET NW, WASHINGTON, DC 20001

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Dancing Entertainment Sidewalk Cafe

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

	Hours Of Sidewalk Cafe Operation	Hours Of Sales Sidewalk Cafe
Sunday:	10:30 am - 11:00 pm	10:30 am - 11:00 pm
Monday:	10:30 am - 11:00 pm	10:30 am - 11:00 pm
Tuesday:	10:30 am - 11:00 pm	10:30 am - 11:00 pm
Wednesday:	10:30 am - 11:00 pm	10:30 am - 11:00 pm
Thursday:	10:30 am - 11:00 pm	10:30 am - 11:00 pm
Friday:	10:30 am - 12 am	10:30 am - 12 am
Saturday:	10:30 am - 12 am	10:30 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-098505 **License Class/Type: C Restaurant**
Applicant: Creative Consolidation LLC
Trade Name: Masseria
SMD: 5D01

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

1340 4TH STREET NE, WASHINGTON, DC 20002

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	7AM - 2AM	8AM - 2AM	-
Monday:	7AM - 2AM	8AM - 2AM	-
Tuesday:	7AM - 2AM	8AM - 2AM	-
Wednesday:	7AM - 2AM	8AM - 2AM	-
Thursday:	7AM - 2AM	8AM - 2AM	-
Friday:	7AM - 3AM	8AM - 3AM	-
Saturday:	7AM - 3AM	8AM - 3AM	-

	Hours of Summer Garden Operation	Hours of Sales Summer Garden
Sunday:	7AM - 2AM	8AM - 2AM
Monday:	7AM - 2AM	8AM - 2AM
Tuesday:	7AM - 2AM	8AM - 2AM
Wednesday:	7AM - 2AM	8AM - 2AM
Thursday:	7AM - 2AM	8AM - 2AM
Friday:	7AM - 3AM	8AM - 3AM
Saturday:	7AM - 3AM	8AM - 3AM

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-100312 **License Class/Type: C Restaurant**
Applicant: EL AGAVETEX MEX REST. LLC
Trade Name: VILLA TUSCANA
SMD: 1C06

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

1723 COLUMBIA ROAD NW, WASHINGTON, DC 20009

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	10 am - 12:30 am	10 am - 12:30 am	7 pm - 12:30 am
Monday:	11 am - 12:30 am	11 am - 12:30 am	7 pm - 12:30 am
Tuesday:	11 am - 12:30 am	11 am - 12:30 am	7 pm - 12:30 am
Wednesday:	11 am - 12:30 am	11 am - 12:30 am	7 pm - 12:30 am
Thursday:	11 am - 12:30 am	11 am - 12:30 am	7 pm - 12:30 am
Friday:	11 am - 2 am	11 am - 2 am	7 pm - 2 am
Saturday:	11 am - 2 am	11 am - 2 am	7 pm - 2 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-104701 **License Class/Type: C Restaurant**
Applicant: M & S INC.
Trade Name: GLO - Lalibela Ethiopian Restaurant & Lounge
SMD: 2G02

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

1608 7TH STREET NW, WASHINGTON, DC 20001

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	7 am - 2 am	11 am - 2 am	9 pm - 2 am
Monday:	7 am - 2 am	11 am - 2 am	9 pm - 2 am
Tuesday:	7 am - 2 am	11 am - 2 am	9 pm - 2 am
Wednesday:	7 am - 2 am	11 am - 2 am	9 pm - 2 am
Thursday:	7 am - 2 am	11 am - 2 am	9 pm - 2 am
Friday:	7 am - 3 am	11 am - 3 am	9 pm - 3 am
Saturday:	7 am - 3 am	11 am - 3 am	9 pm - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-107309 **License Class/Type: C Restaurant**
Applicant: Lert, Inc.
Trade Name: Thai Chef
SMD: 2B01

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

1712 CONNECTICUT AVENUE NW, WASHINGTON, DC 20009

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	12 pm - 10:30 pm	12 pm - 10:30 pm	-
Monday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm	-
Tuesday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm	-
Wednesday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm	-
Thursday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm	-
Friday:	11:30 am - 11 pm	11:30 am - 11 pm	-
Saturday:	12 pm - 11 pm	12 pm - 11 pm	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-107664 **License Class/Type: C Restaurant**
Applicant: Creative Food Group, LLC
Trade Name: Officina
SMD: 6D01

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

1120 MAINE AVENUE SW, WASHINGTON, DC 20024

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Entertainment Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	7 am - 3 am	8 am - 2 am	6 pm - 2 am
Monday:	7am - 3am	8 am - 2 am	6 pm - 2 am
Tuesday:	7 am - 3 am	8 am - 2 am	6 pm - 2 am
Wednesday:	7 am - 3 am	8 am - 2 am	6 pm - 2 am
Thursday:	7 am - 3 am	8 am - 2 am	6 pm - 2 am
Friday:	7 am - 3 am	8 am - 3 am	6 pm - 3 am
Saturday:	7 am - 3 am	8 am - 3 am	6 pm - 3 am

	Hours of Summer Garden Operation	Hours of Sales Summer Garden
Sunday:	7 am - 3 am	8 am - 1 am
Monday:	7 am - 3 am	8 am - 1 am
Tuesday:	7 am - 3 am	8 am - 1 am
Wednesday:	7 am - 3 am	8 am - 1 am
Thursday:	7 am - 3 am	8 am - 1 am
Friday:	7 am - 3 am	8 am - 2 am
Saturday:	7 am - 3 am	8 am - 2 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-107853 **License Class/Type: C Restaurant**
Applicant: Regal Cinemas, Inc.
Trade Name: Regal Gallery Place Stadium 14
SMD: 2C01

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

701 7TH STREET NW, WASHINGTON, DC 20001

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	9 am - 2 am	9 am - 2 am	-
Monday:	9 am - 2 am	9 am - 2 am	-
Tuesday:	9 am - 2 am	9 am - 2 am	-
Wednesday:	9 am - 2 am	9 am - 2 am	-
Thursday:	9 am - 2 am	9 am - 2 am	-
Friday:	9 am - 3 am	9 am - 3 am	-
Saturday:	9 am - 3 am	9 am - 3 am	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-108322 **License Class/Type: C Restaurant**
Applicant: Lukes Lobster XXIX, LLC
Trade Name: Luke's Lobster
SMD: 2C02

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

800 17TH STREET NW, WASHINGTON, DC 20006

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11 am - 11 pm	11 am - 11 pm	-
Monday:	11 am - 11 pm	11 am - 11 pm	-
Tuesday:	11 am - 11 pm	11 am - 11 pm	-
Wednesday:	11 am - 11 pm	11 am - 11 pm	-
Thursday:	11 am - 11 pm	11 am - 11 pm	-
Friday:	11 am - 11 pm	11 am - 11 pm	-
Saturday:	11 am - 11 pm	11 am - 11 pm	-

	Hours of Summer Garden Operation	Hours of Sales Summer Garden
Sunday:	11 am - 11 pm	11 am - 11 pm
Monday:	11 am - 11 pm	11 am - 11 pm
Tuesday:	11 am - 11 pm	11 am - 11 pm
Wednesday:	11 am - 11 pm	11 am - 11 pm
Thursday:	11 am - 11 pm	11 am - 11 pm
Friday:	11 am - 11 pm	11 am - 11 pm
Saturday:	11 am - 11 pm	11 am - 11 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-113994 **License Class/Type: C Restaurant**
Applicant: Lahlou Restaurant Group LLC
Trade Name: Lupo Pizzeria
SMD: 2F01

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

1908 14TH STREET NW, WASHINGTON, DC 20009

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-114006 **License Class/Type: C Restaurant**
Applicant: First Brother, LLC
Trade Name: Beautea/Reren
SMD: 2E05

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

1073 WISCONSIN AVENUE NW, WASHINGTON, DC 20007

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-114288 **License Class/Type: C Restaurant**
Applicant: Quilox, LLC
Trade Name: Quilox Restaurant and Lounge
SMD: 4B01

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

7303 GEORGIA AVENUE NW, WASHINGTON, DC 20012

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11 am - 2 am	12 pm - 1 am	11 am - 1:30 am
Monday:	11 am - 2 am	12 pm - 1 am	11 am - 1:30 am
Tuesday:	11 am - 2 am	12 pm - 1 am	11 am - 1:30 am
Wednesday:	11 am - 2 am	12 pm - 1 am	11 am - 1:30 am
Thursday:	11 am - 2 am	12 pm - 1 am	11 am - 1:30 am
Friday:	11 am - 3 am	12 pm - 2 am	11 am - 2:30 am
Saturday:	11 am - 3 am	12 pm - 2 am	11 am - 2:30 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-114514 **License Class/Type: C Restaurant**
Applicant: Mechos Dominican Kitchen of Dakota Crossing LLC
Trade Name: Mechos Dominican Kitchen
SMD: 5C03

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

2450 MARKET STREET NE, WASHINGTON, DC 20018

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	7am - 12:30am	8am - 12:30am	-
Monday:	7am - 12:30am	8am - 12:30am	-
Tuesday:	7am - 12:30am	8am - 12:30am	-
Wednesday:	7am - 12:30am	8am - 12:30am	-
Thursday:	7am - 12:30am	8am - 12:30am	-
Friday:	7am - 12:30am	8am - 12:30am	-
Saturday:	7am - 12:30am	8am - 12:30am	-

	Hours of Summer Garden Operation	Hours of Sales Summer Garden
Sunday:	7am - 12:30am	8am - 12:30am
Monday:	7am - 12:30am	8am - 12:30am
Tuesday:	7am - 12:30am	8am - 12:30am
Wednesday:	7am - 12:30am	8am - 12:30am
Thursday:	7am - 12:30am	8am - 12:30am
Friday:	7am - 12:30am	8am - 12:30am
Saturday:	7am - 12:30am	8am - 12:30am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-114779 **License Class/Type: C Restaurant**
Applicant: RCSH Operations, LLC
Trade Name: Ruth's Chris Steak House
SMD: 2A08

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

2001 K STREET NW, WASHINGTON, DC 20036

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-114799 **License Class/Type: C Restaurant**
Applicant: Swahili Village M Street, LLC
Trade Name: Swahili Village The Consulate
SMD: 2C02

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

1990 M STREET NW, WASHINGTON, DC 20036

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11 am - 3 am	11 am - 2 am	8 pm - 2 am
Monday:	11 am - 1 am	11 am - 1 am	8 pm - 1 am
Tuesday:	11 am - 1 am	11 am - 1 am	8 pm - 1 am
Wednesday:	11 am - 1 am	11 am - 1 am	8 pm - 1 am
Thursday:	11 am - 1 am	11 am - 1 am	8 pm - 1 am
Friday:	11 am - 3 am	11 am - 3 am	8 pm - 3 am
Saturday:	11 am - 3 am	11 am - 3 am	8 pm - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-116333 **License Class/Type: C Restaurant**
Applicant: 1401 Potomac Hall, LLC
Trade Name: The Roost
SMD: 6B09

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

1401 PENNSYLVANIA AVENUE SE, WASHINGTON, DC 20003

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Entertainment Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	7 am - 2 am	8 am - 2 am	8 am - 2 am
Monday:	7 am - 2 am	8 am - 2 am	8 am - 2 am
Tuesday:	7 am - 2 am	8 am - 2 am	8 am - 2 am
Wednesday:	7 am - 2 am	8 am - 2 am	8 am - 2 am
Thursday:	7 am - 2 am	8 am - 2 am	8 am - 2 am
Friday:	7 am - 3 am	8 am - 3 am	8 am - 3 am
Saturday:	7 am - 3 am	8 am - 3 am	8 am - 3 am

	Hours Of Sidewalk Cafe Operation	Hours Of Sales Sidewalk Cafe
Sunday:	7am - 2 am	8 am - 2 am
Monday:	7 am - 2 am	8 am - 2 am
Tuesday:	7 am - 2 am	8 am - 2 am
Wednesday:	7 am - 2 am	8 am - 2 am
Thursday:	7 am - 2 am	8 am - 2 am
Friday:	7 am - 3 am	8 am - 3 am
Saturday:	7 am - 3 am	8 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-116741 **License Class/Type: C Restaurant**
Applicant: AH Petit Monde, LLC
Trade Name: Petit Monde
SMD: 3C01

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

2653 CONNECTICUT AVENUE NW, WASHINGTON, DC 20008

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11:30 am - 11 pm	11:30 am - 11 pm	-
Monday:	11:30 am - 11 pm	11:30 am - 11 pm	-
Tuesday:	11:30 am - 11 pm	11:30 am - 11 pm	-
Wednesday:	11:30 am - 11 pm	11:30 am - 11 pm	-
Thursday:	11:30 am - 11 pm	11:30 am - 11 pm	-
Friday:	11:30 am - 11 pm	11:30 am - 11 pm	-
Saturday:	11:30 am - 11 pm	11:30 am - 11 pm	-

	Hours Of Sidewalk Cafe Operation	Hours Of Sales Sidewalk Cafe
Sunday:	11:30 am - 11 pm	11:30 am - 11 pm
Monday:	11:30 am - 11 pm	11:30 am - 11 pm
Tuesday:	11:30 am - 11 pm	11:30 am - 11 pm
Wednesday:	11:30 am - 11 pm	11:30 am - 11 pm
Thursday:	11:30 am - 11 pm	11:30 am - 11 pm
Friday:	11:30 am - 11 pm	11:30 am - 11 pm
Saturday:	11:30 am - 11 pm	11:30 am - 11 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-118103 **License Class/Type: C Restaurant**
Applicant: Charlene's Bar & Grille, LLC
Trade Name: Charlene's Bar & Grille
SMD: 1E06

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

2618 GEORGIA AVENUE NW, WASHINGTON, DC 20001

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	7 am - 3 am	11 am - 2 am	-
Monday:	7 am - 3 am	11 am - 2 am	-
Tuesday:	7 am - 3 am	11 am - 2 am	-
Wednesday:	7 am - 3 am	11 am - 2 am	-
Thursday:	7 am - 3 am	11 am - 2 am	-
Friday:	7 am - 3 am	11 am - 2 am	-
Saturday:	7 am - 3 am	11 am - 2 am	-

	Hours of Summer Garden Operation	Hours of Sales Summer Garden
Sunday:	7 am - 10 pm	11 am - 10 pm
Monday:	7 am - 10 pm	11 am - 10 pm
Tuesday:	7 am - 10 pm	11 am - 10 pm
Wednesday:	7 am - 10 pm	11 am - 10 pm
Thursday:	7 am - 10 pm	11 am - 10 pm
Friday:	7 am - 11 pm	11 am - 11 pm
Saturday:	7 am - 11 pm	11 am - 11 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-118586 **License Class/Type: C Restaurant**
Applicant: Chicken & Whiskey Ballpark,LLC
Trade Name: Chicken + Whiskey
SMD: 8F02

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

70 N STREET SE, WASHINGTON, DC 20003

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Entertainment Sidewalk Cafe Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11am - 2am	11am - 2am	11am - 2am
Monday:	11am - 2am	11am - 2am	11am - 2am
Tuesday:	11am - 2am	11am - 2am	11am - 2am
Wednesday:	11am - 2am	11am - 2am	11am - 2am
Thursday:	11am - 2am	11am - 2am	11am - 2am
Friday:	11am - 3am	11am - 3am	11am - 3am
Saturday:	11am - 3am	11am - 3am	11am - 3am

	Hours Of Sidewalk Cafe Operation	Hours of Summer Garden Operation
Sunday:	11am - 12am	11am - 2am
Monday:	11am - 12am	11am - 2am
Tuesday:	11am - 12am	11am - 2am
Wednesday:	11am - 12am	11am - 2am
Thursday:	11am - 12am	11am - 2am
Friday:	11am - 12am	11am - 3am
Saturday:	11am - 12am	11am - 3am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-118901 **License Class/Type: C Multipurpose**
Applicant: Hashtag DC, LLC
Trade Name: Privilege
SMD: 1B08

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

1115 U STREET NW, WASHINGTON, DC 20009

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	6 am - 3 am	11 am - 2 am	-
Monday:	6 am - 3 am	5 pm - 2 am	-
Tuesday:	6 am - 3 am	5 pm - 2 am	-
Wednesday:	6 am - 3 am	5 pm - 2 am	-
Thursday:	6 am - 3 am	5 pm - 2 am	-
Friday:	6 am - 4 am	5 pm - 3 am	-
Saturday:	6 am - 4 am	5 pm - 3 am	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-120846 **License Class/Type: C Restaurant**
Applicant: Shell Returns, LLC
Trade Name: The Greene Turtle
SMD: 8F02

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

1237 1ST STREET SE, WASHINGTON, DC 20003

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Entertainment Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	10 am - 2 am	10 am - 2 am	10 am - 11 pm
Monday:	11 am - 2 am	11 am - 2 am	11 am - 11 pm
Tuesday:	11 am - 2 am	11 am - 2 am	11 am - 11 pm
Wednesday:	11 am - 2 am	11 am - 2 am	11 am - 11 pm
Thursday:	11 am - 2 am	11 am - 2 am	11 am - 11 pm
Friday:	11 am - 3 am	11 am - 3 am	11 am - 1 am
Saturday:	11 am - 3 am	11 am - 3 am	11 am - 1 am

	Hours Of Sidewalk Cafe Operation	Hours Of Sales Sidewalk Cafe
Sunday:	11 am - 12 am	11 am - 12 am
Monday:	11 am - 12 am	11 am - 12 am
Tuesday:	11 am - 12 am	11 am - 12 am
Wednesday:	11 am - 12 am	11 am - 12 am
Thursday:	11 am - 12 am	11 am - 12 am
Friday:	11 am - 1 am	11 am - 1 am
Saturday:	11 am - 1 am	11 am - 1 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-121695 **License Class/Type: D Restaurant**
Applicant: Bozzelli's Frontier VT, LLC
Trade Name: Bozzelli's Italian Deli
SMD: 2C02

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

1025 VERMONT AVENUE NW, WASHINGTON, DC 20005

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	10 am - 9 pm	10 am - 9 pm	-
Monday:	10 am - 9 pm	10 am - 9 pm	-
Tuesday:	10 am - 9 pm	10 am - 9 pm	-
Wednesday:	10 am - 9 pm	10 am - 9 pm	-
Thursday:	10 am - 9 pm	10 am - 9 pm	-
Friday:	10 am - 10 pm	10 am - 10 pm	-
Saturday:	10 am - 10 pm	10 am - 10 pm	-

	Hours of Summer Garden Operation	Hours of Sales Summer Garden
Sunday:	11 am - 7 pm	11 am - 7 pm
Monday:	9 am - 9 pm	10 am - 9 pm
Tuesday:	9 am - 9 pm	10 am - 9 pm
Wednesday:	9 am - 9 pm	10 am - 9 pm
Thursday:	9 am - 9 pm	10 am - 9 pm
Friday:	9 am - 10 pm	10am - 10 pm
Saturday:	9 am - 10 pm	10 am - 10 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-123418 **License Class/Type: C Restaurant**
Applicant: S&S U Street, LLC
Trade Name: Sports & Social
SMD: 1B08

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

1314 U STREET NW, WASHINGTON, DC 20009

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Cover Charge Entertainment Sidewalk Cafe

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

	Hours Of Sidewalk Cafe Operation	Hours Of Sales Sidewalk Cafe
Sunday:	8 am - 2 am	8 am - 2 am
Monday:	8 am - 2 am	8 am - 2 am
Tuesday:	8 am - 2 am	8 am - 2 am
Wednesday:	8 am - 2 am	8 am - 2 am
Thursday:	8 am - 2 am	8 am - 2 am
Friday:	8 am - 3 am	8 am - 3 am
Saturday:	8 am - 3 am	8 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-124934 **License Class/Type: C Restaurant**
Applicant: Assena, Inc.
Trade Name: Nile Ethiopian Restaurant and Nile Market
SMD: 4B01

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

7815 GEORGIA AVENUE NW, WASHINGTON, DC 20012

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	10 am - 1 am	10 am - 12 am	-
Monday:	10 am - 12 am	10 am - 11:30 pm	-
Tuesday:	10 am - 12 am	10 am - 11:30 pm	-
Wednesday:	10 am - 12 am	10 am - 11:30 pm	-
Thursday:	10 am - 12 am	10 am - 11:30 pm	-
Friday:	10 am - 3 am	12 pm - 2 am	-
Saturday:	10 am - 3 am	12 pm - 2 am	-

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-126810 **License Class/Type: C Hotel**
Applicant: 411 New York Ave. Holdings LLC
Trade Name: Union Market Hotel/Treehouse
SMD: 5D01

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

411 NEW YORK AVENUE NE, WASHINGTON, DC 20002

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Cover Charge Dancing Entertainment Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	6 am - 3 am	10 am - 2 am	8 am - 2 am
Monday:	6 am - 3 am	10 am - 2 am	8 am - 2 am
Tuesday:	6 am - 3 am	10 am - 2 am	8 am - 2 am
Wednesday:	6 am - 3 am	10 am - 2 am	8 am - 2 am
Thursday:	6 am - 3 am	10 am - 2 am	8 am - 2 am
Friday:	6 am - 3 am	10 am - 3 am	8 am - 3 am
Saturday:	6 am - 3 am	10 am - 3 am	8 am - 3 am

	Hours of Summer Garden Operation	Hours of Sales Summer Garden
Sunday:	8 am - 2 am	10 am - 2 am
Monday:	8 am - 2 am	10 am - 2 am
Tuesday:	8 am - 2 am	10 am - 2 am
Wednesday:	8 am - 2 am	10 am - 2 am
Thursday:	8 am - 2 am	10 am - 2 am
Friday:	8 am - 3 am	10 am - 3 am
Saturday:	8 am - 3 am	10 am - 3 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-127317 **License Class/Type: C Restaurant**
Applicant: DTR Enterprises Corporation
Trade Name: Dionne's
SMD: 8C03

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

1110 OAK DRIVE SE, WASHINGTON, DC 20032

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	12pm - 5pm	12pm - 5pm	12pm - 5pm
Monday:	Closed - Closed	Closed - Closed	Closed - Closed
Tuesday:	11am - 8pm	11am - 8pm	11am - 8pm
Wednesday:	11am - 8pm	11am - 8pm	11am - 8pm
Thursday:	11am - 10pm	11am - 10pm	11am - 10pm
Friday:	10am - 10pm	10am - 10pm	10am - 10pm
Saturday:	10am - 12am	10am - 12am	10am - 12am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-131070 **License Class/Type: C Restaurant**
Applicant: Gourmet Pizza, LLC
Trade Name: Redrocks
SMD: 1A06

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

1036 PARK ROAD NW, WASHINGTON, DC 20010

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Summer Garden

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	11 am - 12:30 am	11 am - 12 am	-
Monday:	11 am - 12:30 am	11 am - 12 am	-
Tuesday:	11 am - 12:30 am	11 am - 12 am	-
Wednesday:	11 am - 12:30 am	11 am - 12 am	-
Thursday:	11 am - 12:30 am	11 am - 12 am	-
Friday:	11 am - 1:30 am	11 am - 1 am	-
Saturday:	11 am - 1:30 am	11 am - 1 am	-

	Hours of Summer Garden Operation	Hours of Sales Summer Garden
Sunday:	11 am - 11 pm	11 am - 11 pm
Monday:	11 am - 11 pm	11 am - 11 pm
Tuesday:	11 am - 11 pm	11 am - 11 pm
Wednesday:	11 am - 11 pm	11 am - 11 pm
Thursday:	11 am - 11 pm	11 am - 11 pm
Friday:	11 am - 12 am	11 am - 12 am
Saturday:	11 am - 12 am	11 am - 12 am

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
5/16/2025

Notice is hereby given that:
License Number: ABRA-131280 **License Class/Type: C Restaurant**
Applicant: OkiGT LLC
Trade Name: Oki Shoten
SMD: 2E02

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

1614 WISCONSIN AVENUE NW, WASHINGTON, DC 20007

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

6/30/2025

A HEARING WILL BE HELD ON:
7/21/2025

AT 10:00 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002

ENDORSEMENT(S): Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	10 am - 10 pm	10 am - 10 pm	6 pm - 9 pm
Monday:	10 am - 10 pm	10 am - 10 pm	-
Tuesday:	10 am - 10 pm	10 am - 10 pm	-
Wednesday:	10 am - 10 pm	10 am - 10 pm	-
Thursday:	10 am - 10 pm	10 am - 10 pm	-
Friday:	10 am - 2 am	10 am - 2 am	6 pm - 9 pm
Saturday:	10 am - 2 am	10 am - 2 am	6 pm - 9 pm

FOR FURTHER INFORMATION CALL: (202) 442-4423

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	May 16, 2025
Protest Petition Deadline:	June 30, 2025
Roll Call Hearing Date:	July 21, 2025
Protest Hearing Date:	September 10, 2025

License No.:	ABRA-128406
Licensee:	DC GARDEN HILL LLC
Trade Name:	N/A
Registration/License Type:	Medical Cannabis Retailer
Address:	1322 G Street S.E.
Contact:	Mark Lumpkins; 202-853-5077; DC.Gardenhill@gmail.com

WARD 6 ANC 6B SMD 6B07

Notice is given that the above-named medical cannabis retailer applicant has requested a new license to be located at **1322 G Street S.E.** Pursuant to Title 22-C of the DCMR (Medical Cannabis Program) objectors are entitled to be heard regarding the new license application. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the petition deadline. The **Roll Call Hearing is scheduled for July 21, 2025, at 10 a.m., Suite 4200-A, 899 North Capitol Street N.E., Washington, DC, 20002**. The **Protest Hearing date** is scheduled for **September 10, 2025, at 1:30 p.m.** All hearings before the Board are conducted virtually.

NATURE OF OPERATION

The medical cannabis retailer applicant is requesting to locate its operations **1322 G Street S.E.** proposed facility with approximately 850 square feet of space will provide cannabis flowers, cannabis concentrates, and a line of edible products and home delivery services to registered patients in Washington, D.C. The applicant is requesting the following endorsements: delivery.

HOURS OF OPERATION FOR RETAILER

Sunday – Saturday 10:00 am – 9:00 pm

HOURS OF RETAILER SALES OPEN TO THE PUBLIC

Sunday – Saturday 10:00 am – 9:00 pm

HOURS OF DELIVERY FOR RETAILER

Sunday – Saturday 10:00 am – 8:00 pm

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	May 16, 2025
Protest Petition Deadline:	June 30, 2025
Roll Call Hearing Date:	July 21, 2025
Protest Hearing Date:	September 10, 2025

License No.:	ABCA-126751
Licensee:	KLM LLC
Trade Name:	Doobie District
Registration/License Type:	Medical Cannabis Retailer
Address:	1526 U Street N.W.
Contact:	Young Min Lee: (202) 400-0869 jimmylee@gmail.com

WARD 2 ANC 2B SMD 2B09

Notice is given that the above-named medical cannabis retailer applicant has requested an expansion to be located at **1526 U Street, N.W**. Pursuant to Title 22-C of the DCMR (Medical Cannabis Program) objectors are entitled to be heard regarding the expansion application. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the petition deadline. The **Roll Call Hearing is scheduled for July 21, 2025, at 10 a.m., Suite 4200-A, 899 North Capitol Street N.E., Washington, DC, 20002**. The **Protest Hearing date** is scheduled for **September 10, 2025, at 1:30 p.m.** All hearings before the Board are conducted virtually.

NATURE OF OPERATION

The medical cannabis retailer applicant is requesting to locate its operations **1526 U Street, N.W**. proposed facility to expand from the basement to include the 1st Floor and will provide cannabis flowers, cannabis concentrates, and a line of edible products and home delivery services to registered patients in Washington, D.C. The applicant is currently is approved for the following endorsements: delivery.

HOURS OF OPERATION FOR RETAILER

Sunday – Saturday 10 am – 9 pm

HOURS OF RETAILER SALES OPEN TO THE PUBLIC

Sunday – Saturday 11 am – 8 pm

HOURS OF DELIVERY FOR RETAILER

Sunday – Saturday 11 am – 8 pm

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	May 16, 2025
Protest Petition Deadline:	June 30, 2025
Roll Call Hearing Date:	July 21, 2025
License No.:	ABRA-127367
Licensee:	Las Delicias Restaurant & Catering, LLC
Trade Name:	Las Delicias Restaurant & Catering
License Class:	Retailer's Class "C" Tavern
Address:	3548 14th Street, N.W.
Contact:	Stephen O'Brien: (202) 625-7700, sobrien@malliosobrien.com

WARD 1 ANC 1D SMD 1D07

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 July 21, 2025, at 10 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002**. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the Petition deadline.

NATURE OF SUBSTANTIAL CHANGE

Licensee is requesting to add a Game of Skill Endorsement to their operations. The Establishment plans to place up to (5) consoles to offer the game Edge District of Skill.

CURRENT HOURS OF OPERATION

Sunday through Saturday 6am – 3am

CURRENT OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION

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

CURRENT HOURS OF LIVE ENTERTAINMENT

Sunday through Thursday 8am – 12am, Friday and Saturday 8am – 1am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	May 16, 2025
Protest Petition Deadline:	June 30, 2025
Roll Call Hearing Date:	July 21, 2025
Protest Hearing Date:	September 10, 2025
License No.:	ABRA-132331
Licensee:	Maman Foggy Bottom, LLC
Trade Name:	Maman
License Class:	Retailer's Class "C" Restaurant
Address:	2000 Pennsylvania Avenue, N.W.
Contact:	Manalle Mahmoud, Esq.: (202) 625-7700, mmahmoud@malliosobrien.com

WARD 2 ANC 2A SMD 2A08

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 July 21, 2025, at 10 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002**. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the Petition deadline. The **Protest Hearing date** is scheduled for **September 10, 2025, at 1:30 p.m.**

NATURE OF OPERATION

New Retailer's Class "C" Restaurant with a Seating Capacity of 72, Total Occupancy Load of 101, and a Sidewalk Café with 40 Seats. The Licensee is also requesting the Alcohol Carry-out and Delivery Endorsement.

HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION INSIDE PREMISES, AND HOURS OF ALCOHOLIC BEVERAGE CARRY–OUT AND DELIVERY

Sunday through Saturday 7:30am – 12am

HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR THE OUTDOOR SIDEWALK CAFÉ

Sunday through Saturday 7:30am – 11pm

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	May 16, 2025
Protest Petition Deadline:	June 30, 2025
Roll Call Hearing Date:	July 21, 2025
Protest Hearing Date:	September 10, 2025
License No.:	ABRA-132441
Licensee:	Marv's Dogs, LLC
Trade Name:	Marv's Dogs
License Class:	Retailer's Class "D" Restaurant
Address:	4936 Wisconsin Avenue, N.W.
Contact:	Cameron Mixon, Esq.: (202) 686-7600, cmixon@theveritaslawfirm.com

WARD 3 ANC 3E SMD 3E03

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 July 21, 2025, at 10 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002**. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the Petition deadline. The **Protest Hearing date** is scheduled on **September 10, 2025 at 1:30 p.m.**

NATURE OF OPERATION

A full-service American cuisine restaurant. Seating for 35 inside and a Total Occupancy Load of 83. Sidewalk Café with seating for 29. Alcohol Carry-out and Delivery and Holiday Extended Hours Endorsements.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR INSIDE PREMISES AND SIDEWALK CAFE

Sunday through Saturday 9am – 12am

HOURS OF ALCOHOLIC BEVERAGE CARRY-OUT AND DELIVERY

Sunday through Saturday 9am – 10pm

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	May 16, 2025
Protest Petition Deadline:	June 30, 2025
Roll Call Hearing Date:	July 21, 2025
Protest Hearing Date:	September 10, 2025

License No.:	ABRA-131536
Licensee:	Pot Paradise Inc
Trade Name:	My Way
Registration/License Type:	Medical Cannabis Retailer
Address:	5571 Central Avenue S.E.
Contact:	Solomon Lagebo; 202-509-1553; wondayda@yahoo.com

WARD 7 ANC 7E SMD 7E06

Notice is given that the above-named medical cannabis retailer applicant has requested a new license to be located at **5571 Central Avenue S.E.** Pursuant to Title 22-C of the DCMR (Medical Cannabis Program) objectors are entitled to be heard regarding the new license application. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the petition deadline. The **Roll Call Hearing is scheduled for July 21, 2025, at 10 a.m., Suite 4200-A, 899 North Capitol Street N.E., Washington, DC, 20002**. The **Protest Hearing date** is scheduled for **September 10, 2025, at 1:30 p.m.** All hearings before the Board are conducted virtually.

NATURE OF OPERATION

The medical cannabis retailer applicant is requesting to locate its operations **5571 Central Avenue S.E.** proposed facility with approximately 1,200 square feet of space will provide cannabis flowers, cannabis concentrates, and a line of edible products and home delivery services to registered patients in Washington, D.C. The applicant is requesting the following endorsements: delivery.

HOURS OF OPERATION FOR RETAILER

Sunday – Saturday 9:00 am – 11:00 pm

HOURS OF RETAILER SALES OPEN TO THE PUBLIC

Sunday – Saturday 9:00 am – 11:00 pm

HOURS OF DELIVERY FOR RETAILER

Sunday – Saturday 10:00 am – 10:00 pm

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	May 16, 2025
Protest Petition Deadline:	June 30, 2025
Roll Call Hearing Date:	July 21, 2025
Protest Hearing Date:	September 10, 2025

License No.:	ABRA-128727
Licensee:	Kae LLC
Trade Name:	Say High
Registration/License Type:	Medical Cannabis Retailer
Address:	125 L Street S.E.
Retailer Contact:	Kelvi Escano: 202-926-6966; Escanokelvi@gmail.com

WARD 8 ANC 8F SMD 8F04

Notice is given that the above-named medical cannabis retailer applicant has requested a new license to be located at **125 L Street S.E**. Pursuant to Title 22-C of the DCMR (Medical Cannabis Program) objectors are entitled to be heard regarding the new license application. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the petition deadline. The **Roll Call Hearing is scheduled for July 21, 2025, at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009**. The **Protest Hearing date** is scheduled for **September 10, 2025, at 1:30 p.m.** All hearings before the Board are conducted virtually.

NATURE OF OPERATION

The medical cannabis retailer applicant is requesting to locate its operations **125 L Street S.E.** The proposed facility with approximately 800 square feet of space will provide cannabis flowers, cannabis concentrates, and a line of edible products and home delivery services to registered patients in Washington, D.C. The applicant is requesting delivery, education tasting, safe-use treatment facility and summer garden endorsements.

HOURS OF OPERATION FOR RETAILER

Sunday – Saturday 9 am – 11 pm

HOURS OF RETAILER SALES OPEN TO THE PUBLIC

Sunday – Saturday 9 am – 10 pm

HOURS OF DELIVERY FOR RETAILER

Sunday – Saturday 9 am – 9 pm

HOURS OF SAFE-USE TREATMENT FACILTY

Sunday – Saturday 9 am – 10 pm

HOURS OF SUMMER GARDEN

Sunday – Saturday 9 am – 10 pm

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

****READVERTISEMENT**

Placard Posting Date:	May 16, 2025
Protest Petition Deadline:	June 30, 2025
Roll Call Hearing Date:	July 21, 2025
Protest Hearing Date:	September 10, 2025

License No.:	ABRA-127549
Licensee:	Street Lawyer Services DC, LLC
Trade Name:	Street Lawyer Services
Registration/License Type:	Medical Cannabis Retailer
Address:	3400 Connecticut Avenue N.W.
Contact:	Lonny Bramzon; 646-270-4174; lonny79@aol.com

WARD 3 ANC 3C SMD 3C05

Notice is given that the above-named medical cannabis retailer applicant has requested a new license to be located at **3400 Connecticut Avenue N.W.** Pursuant to Title 22-C of the DCMR (Medical Cannabis Program) objectors are entitled to be heard regarding the new license application. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the petition deadline. The **Roll Call Hearing is scheduled for July 21, 2025, at 10 a.m., Suite 4200-A, 899 North Capitol Street N.E., Washington, DC, 20002**. The **Protest Hearing date** is scheduled for **September 10, 2025, at 1:30 p.m.** All hearings before the Board are conducted virtually.

NATURE OF OPERATION

The medical cannabis retailer applicant is requesting to locate its operations at **3400 Connecticut Avenue N.W.** The proposed facility with approximately 1,500 square feet of space will provide cannabis flowers, cannabis concentrates, and a line of edible products and home delivery services to registered patients in Washington, D.C. The applicant is requesting a delivery endorsement.

HOURS OF OPERATION FOR RETAILER

Sunday – Saturday 10 am – 9 pm

HOURS OF RETAILER SALES OPEN TO THE PUBLIC

Sunday – Saturday 10 am – 9 pm

HOURS OF DELIVERY FOR RETAILER

Sunday – Saturday 10 am – 9 pm

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND**

Placard Posting Date:	March 14, 2025
Protest Petition Deadline:	April 28, 2025
Roll Call Hearing Date:	May 19, 2025
Protest Hearing Date:	June 25, 2025

License No.:	ABRA-127549
Licensee:	Street Lawyer Services DC, LLC
Trade Name:	Street Lawyer Services
Registration/License Type:	Medical Cannabis Retailer
Address:	3400 Connecticut Avenue N.W.
Contact:	Lonny Bramzon; 646-270-4174; lonny79@aol.com

WARD 3 ANC 3C SMD 3C05

Notice is given that the above-named medical cannabis retailer applicant has requested a new license to be located at **3400 Connecticut Avenue N.W.** Pursuant to Title 22-C of the DCMR (Medical Cannabis Program) objectors are entitled to be heard regarding the new license application. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the petition deadline. The **Roll Call Hearing is scheduled for May 19, 2025, at 10 a.m., Suite 4200-A, 899 North Capitol Street N.E., Washington, DC, 20002**. The **Protest Hearing date** is scheduled for **June 25, 2025, at 1:30 p.m.** All hearings before the Board are conducted virtually.

NATURE OF OPERATION

The medical cannabis retailer applicant is requesting to locate its operations at **3400 Connecticut Avenue N.W.** The proposed facility with approximately 1,500 square feet of space will provide cannabis flowers, cannabis concentrates, and a line of edible products and home delivery services to registered patients in Washington, D.C. The applicant is requesting a delivery endorsement.

HOURS OF OPERATION FOR RETAILER

Sunday – Saturday 10 am – 9 pm

HOURS OF RETAILER SALES OPEN TO THE PUBLIC

Sunday – Saturday 10 am – 9 pm

HOURS OF DELIVERY FOR RETAILER

Sunday – Saturday 10 am – 9 pm

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	May 16, 2025
Protest Petition Deadline:	June 30, 2025
Roll Call Hearing Date:	July 21, 2025
Protest Hearing Date:	September 10, 2025
License No.:	ABRA-131903
Licensee:	Whiskey Source, LLC
Trade Name:	Whiskey Source
License Class:	Retailer's Class "A" Internet
Address:	3521 V Street, N.E.
Contact:	Frank Knizner: (571) 895-2853, frank.knizner@bevlaw.com

WARD 5 ANC 5C SMD 5C04

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 July 21, 2025, at 10 a.m., Suite 4200 - B, 899 North Capitol Street, N.E., Washington, DC 20002**. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the Petition deadline. The **Protest Hearing date** is scheduled for **September 10, 2025, at 1:30 p.m.**

NATURE OF OPERATION

New Class "A" Internet Retailer selling beer, wine, and spirits online only for off-premises consumption. This location will not be open to the public.

HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES

Sunday through Saturday 7am – 11pm

DEPARTMENT OF HEALTH

STATE HEALTH PLANNING AND DEVELOPMENT AGENCY

NOTICE OF INFORMATION HEARING

Pursuant to D.C. Official Code § 44-406(b)(2) and (b)(4), the District of Columbia State Health Planning and Development Agency ("SHPDA") will hold an Information Hearing on the application of Solis Mammography Buyer, Inc. (“Solis”) for a Change of Effective Control of WRA Management, Inc. (Certificate of Need Registration No. 2025-0-03).

The hearing will be held on **Friday, May 16, 2025**, beginning at **10:00 a.m**. using WebEx Conferencing. **Please send an email to dana.mitchener@dc.gov to register for the Information Hearing and receive a link to the WebEx Conferencing**.

The hearing will include a presentation by Solis describing its plans and addressing the certifications required pursuant to D.C. Official Code § 44-406(b). The hearing also includes an opportunity for affected and interested persons to testify. Persons who wish to testify should contact Dana Mitchener at the email address above or the SHPDA at (202) 442-5875 **before 4:45 p.m. on Thursday, May 15, 2025**. Each member of the public who wishes to testify must register in advance of the Information Hearing and will be allowed a maximum of five (5) minutes. Written statements may be submitted to Dana Mitchener at the email address above or to the following address:

The State Health Planning and Development Agency
2201 Shannon Place, S.E.
Sixth Floor
Washington, D.C. 20020

Written statements must be received before the record closes at **4:45 p.m. on Friday, May 23, 2025**. Persons who would like to review the Certificate of Need application or who have questions related to the hearing may contact the SHPDA on (202) 442-5875.

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

TIME AND PLACE: **Thursday, July 17, 2025 @ 4:00 p.m.**
Via WebEx: https://dcoz.dc.gov/ZC13-14E (to participate & watch)
Via Telephone: 1-650-479-3208 **Access code:** 2300 845 1930 (audio participation & listen)
Via YouTube: https://www.youtube.com/c/DCOfficeofZoning (to watch)
Instructions: https://dcoz.dc.gov/release/virtual-public-hearings
Witness Sign Up: https://dcoz.dc.gov/service/sign-testify

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 13-14E – Modification with Hearing to Consolidated, 1st Stage, and 2nd Stage PUDs at Parcels 2 and 4 of the Reservoir District (Square 3128, Lots 809, 814, & 815)

Oral and Written Testimony

- All who wish to testify in this case are **strongly encouraged** to sign up to do so **at least 24 hours prior to the start of the hearing** on OZ's website indicated above. Also, see below: *How to participate as a witness – oral statements*. **On the day of the hearing – by 3:00 p.m.**, call 202-727-0789 to sign up to testify.
- All written comments and/or testimony **must be submitted to the record at least 24 hours prior to the start of the hearing** – see below: *How to participate as a witness – written statements*.

THIS CASE IS OF INTEREST TO ANCs 5E and 1E

McMillan Parcel 2 Owner LLC and McMillan Parcel 4 Owner LLC (together, "Applicant") filed an application ("Application") on December 23, 2024, pursuant to the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations, Zoning Regulations of 2016, to which all references are made unless otherwise specified) requesting review and approval by the Zoning Commission for the District of Columbia (the "Commission") of a Modification with Hearing to Consolidated, 1st Stage, and 2nd Stage Planned Unit Developments ("PUDs").

The subject properties in the Application are known as Parcel 2 and Parcel 4 of the former McMillan Reservoir Slow Sand Filtration Site (the "Overall PUD Site"), now known as the Reservoir District. The Overall PUD Site contains approximately 24.69 acres of land area and is bounded by North Capitol Street NW on the east, Michigan Avenue NW on the north, First Street NW on the west, and Channing Street NW on the south. Parcel 2 contains approximately 61,065 square feet of land area and is in the northern portion of the Overall PUD Site, along First Street NW and immediately south of the North Service Court. Parcel 4 contains approximately 84,462 square feet of land area and is also in the northern portion of the Overall PUD Site, along North Capitol Street and immediately south of the North Service Court.

This hearing is governed by the Open Meetings Act. Please address any questions or complaints arising under this hearing to the Office of Open Government at opengovoffice@dc.gov.

The Commission previously approved a Consolidated PUD for a mixed-use residential/retail building on Parcel 4 (the "Parcel 4 Building") and a Second-Stage PUD for a mixed-use residential/retail building on Parcel 2 (the "Parcel 2 Building").

With the Application, the Applicant proposes both modifications to the approved PUDs and additional future flexibility.

Parcel 2 Building Modification: The Applicant proposes to modify the Parcel 2 Building with changes including but not limited to: removal of the pedestrian bridge (resulting in two separate buildings); exterior details and materials; changes to loading entrances; changing the ground floor retail to approximately 17,000 square feet; devoting the east building to approximately 88-141 senior affordable apartments; devoting the west building to approximately 125 market-rate apartments; moderately increasing the building heights to approximately 83 feet; and changing the FAR to approximately 4.18. In addition, the Application includes requests for flexibility regarding the amount of ground floor retail floor area; the ability to include lodging use in the west building; the ability to convert ground floor retail space to residential units; the number of senior affordable and market rate residential units; and the number of underground parking spaces (as long as the minimum number of spaces required by zoning is still provided).

Parcel 4 Building Modification: The Applicant proposes to modify the Parcel 4 Building with changes including but not limited to: locations of parking and loading entrances; exterior details and materials; relocating the senior affordable apartments to Parcel 2; moderately increasing the number of residential units to approximately 324; changing the amount of ground-floor retail to approximately 59,000 square feet, of which at least 10,000 square feet will be for a grocery store; and moderately increasing the building height to approximately 84 feet, and changing the floor area ratio to approximately 4.14. In addition, the Application includes requests for flexibility regarding the amount of ground floor retail floor area; the ability to convert retail space to residential units; the ability to include lodging use; and to reduce the number of underground parking spaces (as long as the minimum number of spaces required by zoning is still provided).

In addition to the above-described modifications to the Parcel 2 and 4 Buildings, the Applicant proposes to modify the construction phasing, deadlines for filing building permit applications, and deadlines for commencing construction for both Parcels.

On March 17, 2025, the Office of Planning filed a report recommending the Application be set down for a public hearing. On March 27, 2025, the Commission considered the Application at a public meeting and voted to set the Application down for a public hearing. The Applicant filed a Prehearing Submission on April 11, 2025.

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

How to participate as a witness – oral presentation

Interested persons or representatives of organizations may be heard at the virtual public hearing. All individuals, organizations, or associations wishing to testify in this case are **strongly encouraged to**

sign up to testify at least 24 hours prior to the start of the hearing on OZ's website at https://dcoz.dc.gov/ or by calling Ella Ackerman at (202) 727-0789 in order to ensure the success of the new virtual public hearing procedures.

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 Commission must base its decision on the record before them. Therefore, **all written comments and/or testimony MUST be submitted to the record at least 24 hours prior to the start of the hearing**. 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.

How to participate as a witness – written statements

Written statements, in lieu of personal appearances or oral presentation, 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 e-mail to zcsubmissions@dc.gov. Please include the case number on your submission. If you are unable to use either of these means of submission, please contact Ella Ackerman at (202) 727-0789 for further assistance.

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 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 OZ at 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 must comply with the provisions of Subtitle Z § 404. **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,** persons seeking party status **must submit, a Form 140 –**

Party Status Application, through the Interactive Zoning Information System ("IZIS"). This form may also be downloaded from OZ's website at**: https://app.dcoz.dc.gov/Help/Forms.html.**

"Great weight" to written report of ANC

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, an ANC that wishes to participate in the hearing 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.

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

ANTHONY J. HOOD, ROBERT E. MILLER, GWEN WRIGHT, JOSEPH S. IMAMURA, AND TAMMY STIDHAM, ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA B. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

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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 በኤሜል Zelalem.Hill@dc.gov ይገናኙ። እነኝህ አገልግሎቶች የሚሰጡት በነጻ ነው።

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

TIME AND PLACE: **July 21, 2025 @ 4:00 p.m.**
Via WebEx: https://dcoz.dc.gov/ZC20-08E (to participate & watch)
Via Telephone: 1-650-479-3208 Access code: 2315 530 1632 (audio participation & listen)
Via YouTube: https://www.youtube.com/c/DCOfficeofZoning (to watch)
Instructions: https://dcoz.dc.gov/release/virtual-public-hearings
Witness Sign Up: https://dcoz.dc.gov/service/sign-testify

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 20-08E (HOWARD UNIVERSITY – Amendment to the Central Campus Plan and Further Processing of Temporary Modular Units at 2345-2525 Sherman Avenue, N.W. (Square 2882, Lots 950-953 & 1037)

Oral and Written Testimony

- All who wish to testify in this case are **strongly encouraged** to sign up to do so **at least 24 hours prior to the start of the hearing** on OZ's website indicated above. Also, see below: *How to participate as a witness – oral statements*. **On the day of the hearing – by 3:00 p.m.**, call 202-727-0789 to sign up to testify.
- All written comments and/or testimony **must be submitted to the record at least 24 hours prior to the start of the hearing** – see below: *How to participate as a witness – written statements*.

THIS CASE IS OF INTEREST TO ANCs 1B and 1E

This is an application of The Howard University ("Howard") for an amendment to the University's 2020-2030 Central Campus Plan (Z.C. Order No. 20-08) ("Campus Plan") and for further processing to permit the temporary installation and use of prefabricated, modular units which will be used for classroom, lab and administrative office space on the University's Banneker parking lot at 2345-2525 Sherman Avenue, N.W. (Square 2882, lots 950-953 and 1037) ("Property") pursuant to Subtitle X, Chapter 1 of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations, Zoning Regulations of 2016, to which all references are made unless otherwise specified). The proposed modular units are needed for swing space to accommodate students and faculty who have to vacate their current accommodations on the campus.

Campus Plan Amendment

The University's 2020-2030 Central Campus Plan contemplated that the Property would be developed with apartment style student housing. That long term use will remain unchanged. The amendment to the Campus Plan is to permit the installation and use of prefabricated modular units on the Property as an interim use.

This hearing is governed by the Open Meetings Act. Please address any questions or complaints arising under this hearing to the Office of Open Government at opengovoffice@dc.gov.

Further Processing

Further processing of the modular units is also requested. The modular units include three existing modules located on the southern portion of the Property. They were installed on an emergency basis when the University's steam plant failed damaging the nearby nursing school classrooms. These units house classroom and administrative offices.

In addition, one new modular unit will be installed on the southern portion of the Property to house labs and associated research offices that will be vacated from the nearby, Thirkield Hall while Thirkield is renovated. Thirkield Hall was constructed in 1901 and houses the University's Physics Department.

The Property is currently used for University parking as well as parking for the adjacent 9:30 Club on a limited basis. The parking is underutilized, and some parking will remain on the Property to meet the University's needs. The 9:30 Club's parking needs will be accommodated on other nearby University property.

The interim use is proposed for a five year period.

How to participate as a witness – oral presentation

Interested persons or representatives of organizations may be heard at the virtual public hearing. All individuals, organizations, or associations wishing to testify in this case are **strongly encouraged to sign up to testify at least 24 hours prior to the start of the hearing** on OZ's website at https://dcoz.dc.gov/ or by calling Ella Ackerman at (202) 727-0789 in order to ensure the success of the new virtual public hearing procedures.

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 Commission must base its decision on the record before them. 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.

How to participate as a witness - written statements

Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record, **provided all written comments and/or testimony must be submitted to the record at least 24 hours prior to the start of the hearing.** 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 e-mail to zcsubmissions@dc.gov. Please include the case number on your submission. If you are unable

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How to participate as a party

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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 must comply with the provisions of Subtitle Z § 404. **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,** persons seeking party status **must submit, a Form 140 – Party Status Application, through the Interactive Zoning Information System ("IZIS").** This form may also be downloaded from OZ's website at**: https://app.dcoz.dc.gov/Help/Forms.html.**

"Great weight" to written report of ANC

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ANTHONY J. HOOD, ROBERT E. MILLER, GWEN WRIGHT, JOSEPH S. IMAMURA, AND TAMMY STIDHAM——————————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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DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

NOTICE OF PROPOSED RULEMAKING

The Board of Directors (Board) of the District of Columbia Water and Sewer Authority (DC Water), pursuant to the authority set forth in Sections 203(3) and (11) and 216 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111, §§ 203(3), (11), and 216; D.C. Official Code §§ 34-2202.03(3) and (11) and § 34-2202.16 (2019 Repl.)) and Section 6(a) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(a) (2016 Repl.)), hereby gives notice that at its regularly scheduled meeting on May 1, 2025, the Board adopted Resolution #25-21 to propose the amendment of Section 112 (Fees) of Chapter 1 (Water Supply) of Title 21 (Water and Sanitation) of the District of Columbia Municipal Regulations (DCMR).

The purpose of this rulemaking is to add and amend the DC Water fees and charges, effective October 1, 2025, including, but not limited to: Inspection Fees; Tap Inspection and Abandonment Fees; Fire Hydrant Flow Test, Use Charges, and Meter Rental Fees; Retail Customer Fees, Legal and Copying Fees, Event and Equipment Fees; Engineering/Permitting Fees; Hauled Waste Fees, Pretreatment Fees, Fats, Oil, and Grease Facility Fee; Cross-Connection Control/Backflow Fees; and Freedom of Information Act Fees; and other miscellaneous fees as provided herein.

The Board requests comments on these proposed regulations. Final rulemaking action shall be taken in not less than thirty (30) days from the date of publication of this notice in the *District of Columbia Register*.

This proposed rulemaking, if finalized, will be effective October 1, 2025.

Chapter 1, WATER SUPPLY, of Title 21 DCMR, WATER AND SANITATION, is amended as follows:

Section 112, FEES, is amended as follows:

Subsection 112.1 is amended to read as follows, effective October 1, 2025:

112.1 Fees for installation, inspection and removal/abandonment of water and sewer tap or connection, inspect meter setter or vault, inspect sewer main, manhole, catch basin, and meter relocation shall be as follows:

(a) Inspection Fees:

Inspection Fees	**Fee**
Inspect Pointing Up Sewer Taps	$970
Inspect Insertion of Y-Branch	$345
Inspect Installation of Standard Cleanout	$345
Inspect Sewer Tap Removal	$345

Inspection Fees	Fee
Meter Setter Inspection	$265
Meter Setter Re-Inspection	$265
Meter Vault Inspection	$1,060
Meter Vault Re-Inspection	$1,060
Inspect pre-cast conc. vault for new meters	$4,000
Inspect installation of fire hydrant relocation	$3,000
Inspect installation of new fire hydrant	$3,000
Inspect new 8", 10", 12" water main	$7,000 + $12/LF
Inspect new 16", 20" water main	$10,000 + $12/LF
Inspect new ≥24" water main	$14,000 + $12/LF
Inspect new 10"–15" diameter sewer main	$7,000 + $12/LF
Inspect new 18"–30" diameter sewer main	$10,000 + $12/LF
Inspect new 36"–48" diameter sewer main	$20,000 + $12/LF
Inspect new ≥54" diameter sewer main	$25,000 + $12/LF
Inspect new sewer manhole/Catch Basin 0–10 vertical feet (vft)	$5,000
Inspect new sewer manhole/Catch Basin >10 ≤ 20 vft	$8,000
Inspect new sewer manhole/Catch Basin >20 ≤ 30 vft	$15,000
Inspect new sewer manhole/Catch Basin >30 vft	$20,000
Inspect sewer CCTV ≤ 24" public sewer main	$1,300 + $13/LF
Inspect sewer CCTV 24"–36" public sewer main	$1,500 + $15/LF
Inspect sewer CCTV 42"–48" public sewer main	$1,700 + $17/LF
Inspect sewer CCTV 54"–72" public sewer main	$2,000 + $20/LF
Inspect sewer CCTV > 72" public sewer main	$4,000 + $40/LF
Inspect sewer CCTV and relining ≤ 24" public sewer	$2,300 + $23/LF
Inspect sewer CCTV and relining 24"–36" public sewer	$2,900 + $29/LF
Inspect sewer CCTV and relining 42"–48" public sewer	$3,400 + $34/LF
Inspect sewer CCTV and relining 54"–72" public sewer	$4,000 + $40/LF
Inspect sewer CCTV and relining > 72" public sewer	$8,000 + $80/LF

(b) Tap Insertion and Abandonment Fees:

Fee Name	Fee
Tap Insertion – 1” diameter	$485
Tap Insertion – 1-1/2” diameter	$565
Tap Insertion – 2” diameter	$610
Water Connection 3” and Larger	$2,650
Water Tap Removal/Abandonment – 2” diameter or less	$455
Water Tap Removal/Abandonment – greater than 2” diameter	$905

Subsection 112.2 is amended to read as follows, effective October 1, 2025:

112.2 Fees for fire hydrants flow tests; fire hydrant meter rentals; rentals of fire hydrant meters with backflow preventer; and for the installation and removal of water bubblers shall be as follows:

Fee Name	Fee
Fire Hydrant Flow Test (Field Test)	$340
Fire Hydrant Flow Test (Computer Model)	$340
Fire Hydrant Flow Test (Recent Test Record Available)	$145
Fire Hydrant Use – Water and Sewer Rate	Usage-Based, see 21 DCMR Chapter 41
Letter in Lieu of Hydrant Flow Test	$265
Fire Hydrant Permit Fee	$80
Private Fire Hydrant Flush	$100
3” Fire Hydrant Meter Deposit	$2,000 per rental
3” Fire Hydrant Meter Rental <15 days	$225
3” Fire Hydrant Meter Rental ≥15 days	$15 per day
3” Fire Hydrant Meter w/Backflow Preventer Deposit	$3,000 per rental
3” Fire Hydrant Meter w/Backflow Preventer Rental <15 days	$300 per rental
3” Fire Hydrant Meter w/Backflow Preventer Rental ≥15 days	$20 per day
5/8” Fire Hydrant Meter w/Backflow Preventer Deposit	$1,000 per rental
5/8” Fire Hydrant Meter w/Backflow Preventer Rental <15 days	$225 per rental
5/8” Fire Hydrant Meter w/Backflow Preventer Rental ≥15 days	$15 per day

Subsection 112.4 is amended to read as follows, effective October 1, 2025:

112.4 Retail customer fees and charges; legal and copying fees; and event and equipment fees shall be as follows:

(a) Retail customer fees and charges shall be as follows:

Fee Name	Fee
Customer Bad Check Fee	$35
Declined Credit Card Fee	$45
Customer Penalty Late Payment Fee	10.00% after 30 days
Additional Penalty Late Payment Fee	1%/month after 60 days, compounded monthly
New Customer Account Initiation Fee	$60
Disconnection Fee	$60
Reconnection Fee – Residential Customer	$55
Reconnection Fee – Multi-Family and Non-Residential Customer	$110
Unauthorized Water or Sewer Connection:	
First Offense	$400
Second Offense	$800
Each Subsequent Offense	$1,200
Notice of Follow Up (NOFOL) Compliance Fee	$505
Broken Bypass Seal	$790
Second Water Audit within 24 months	$145

Fee Name	Fee
Manual Meter Reading Fee Residential[1]	$25 per month/meter
Manual Meter Reading Fee[1] Multi-Family and Non-Residential	
5/8"-2"	$110 per month/meter
3"-4"	$265 per month/meter
6" & greater	$530 per month/meter

(b) Manual Meter Read Fee in paragraph 112.14(a) is charged, after notice, when the meter reads are not transmitting and 1) customer does not provide access to the premises for DC Water to read the meter, 2) customer does not provide access to the premises for DC Water to maintain the meter or meter transmission system, or 3) customer fails to perform corrective action necessary for DC Water to install or maintain the meter or meter transmission system.

(c) Legal and copying fees shall be as follows:

Fee Name	Fee
Witness Fee	$40 + Travel Expenses
DC Water Staff Expert Witness Fee	Hour(s) x (Base Salary + Fringe) $/hr. + Travel Expenses
Document Duplication Fee	
Standard Letter and Legal Page	$0.75 per sheet

(d) Event fees shall be as follows:

Size of Event (Attendees)	Minimum Number of DC Water Personnel Per Event[1]	Cost per Event at $100/hour per person
100 – 2,000	2	$200/hour
2,000 – 5,000	4	$400/hour
5,000 or more	6	$600/hour

(e) The "Number of DC Water Personnel Per Event" referenced in paragraph 112.4(d) refers to the minimum number of personnel required for the event. Upon review of the event specifications, DC Water shall determine the appropriate number of personnel based on the assessed need.

(f) Equipment fees shall be as follows:

Event Equipment	Cost per Unit per Event
Misting Tent	$625/day
Cooling Station	$480/day
DC Water Mascot	$85/hour

Subsection 112.5 is amended to read as follows, effective October 1, 2025:

112.5 Fees for engineering reviews both standard and expedited, excessive submission, and as-builts shall be as follows:

(a) **Small Project and Hybrid Project Plan Review Fees** shall be as provided in the table below for Small Projects, which are defined to include:

(1) Small Residential project subject to 12-B DCMR Residential Code Supplement with water service and meter two inches (2") or less;

(2) Small Non-Residential project subject to 12-A DCMR Building Code Supplement with water service and meter inches (2") or less;

(3) Small Hybrid means a Small Residential or Small Non-Residential project with a domestic water service and meter two inches (2") or less and a fire service greater than two inches (2"); or

(4) Projects requiring only a sewer connection six inches (6") or less in diameter or only a storm connection less than fifteen inches (15") in diameter.

Fee Name	Standard Fee	Expedited Review Fee	Standard Review Time* (Business Days)	Expedited Review Time* (Business Days)
Small Project Base Plan - 1st Submission Administrative Fee – All Small Projects	$215	N/A	N/A	N/A
Small Project Rejected Plan Resubmission Administrative Fee - All Small Projects	$110	N/A	N/A	N/A
Small Project Sheet and Shore - All Small Projects	$1,325	$2,650	14	7
Small Residential Project per meter connection	$1,590	$3,180	14	7
Small Non-Residential Project per meter connection	$5,300	$10,600	21	11
Small Hybrid Project per meter connection	$7,155	$14,310	21	11
Small Residential Approved Plan Revision (APR) per metered connection	$530	$1,060	14	7

Fee Name	Standard Fee	Expedited Review Fee	Standard Review Time* (Business Days)	Expedited Review Time* (Business Days)
Small Non-Residential or Hybrid APR per metered connection	$1,540	$3,075	21	11
Small Residential, Small Non-Residential or Small Hybrid Raze Permit Review and Utility Release Letter - No Abandonment	$425	$850	14	7
Small Project Raze Permit Review and Utility Release Letter - With Abandonments	$1,060	$2,120	14	7
Small Non-Residential Temporary Water Connections	$2,120	$4,240	21	11
Small Project Sanitary or Combined Sewer connection 6" or less	$1,060	$2,120	14	7
Small Project Storm sewer connection only less than 15"	$1,060	$2,120	14	7

***Review times are estimated; Actual time may vary.**

(b) **Large Project Plan Review Fees** for projects having a domestic water service and fire service greater than two inches (2") in diameter shall be subject to fees provided in the table below as follows:

Fee Name	Standard Fee	Expedited Review Fee	Standard Review Time* (Business Days)	Expedited Review Time* (Business Days)
Large Project Base Plan - 1st Submission Administrative Fee	$215	N/A	N/A	N/A
Large Project Rejected Plan Resubmission Administrative Fee	$110	N/A	N/A	N/A
Large Project Plan Review Fee per meter:	$15,900	$ 31,800	30	15
Large Project Foundation to Grade	$1,860	$3,710	21	11
Large Project Approved Plan Revision (APR)	$2,120	$4,240	14	7

Fee Name	Standard Fee	Expedited Review Fee	Standard Review Time* (Business Days)	Expedited Review Time* (Business Days)
Large Project Sheeting and Shoring	$13,250	$26,500	30	15
Large Project Temporary Water Connections	$5,300	$10,600	21	11
Large Fire Service Only Greater than 2” - with no interior renovations	$5,300	$10,600	21	11
Large Sanitary or Combined Connection Only 8” or larger	$5,300	$10,600	21	11
Large Storm Connection Only 15” or larger	$5,300	$10,600	21	11
Large Water Meter Size Reduction Plan (with no other work)	$5,300	$10,600	21	11
Large Project Raze Only Utility Release Letter - No Abandonments	$530	$1,060	14	7
Large Project Raze Only Utility Release Letter - With Abandonments	$1,590	$3,180	14	7
Utility Infrastructure Only Review Fee (0 to 1,000 linear feet of water and/or sewer mains)	$10,600	$21,200	30	15
Utility Infrastructure Only Review Fee (1,000 – 2,500 linear feet of water and/or sewer mains)	$15,900	$31,800	30	15
Utility Infrastructure Only Review Fee (greater than 2,500 linear feet of water and/or sewer mains)	$19,080	$38,160	30	15

***Review times are estimated; Actual time may vary.**

(c) **Miscellaneous Fees** shall be as provided in the table below as follows:

Fee Name	Standard Fee	Expedited Review Fee	Standard Review Time* (Business Days)	Expedited Review Time* (Business Days
Small Residential Plan Excessive Submission Review (5th review or more) per metered connection	$530	N/A	Based on No. of metered connections	Based on No. of metered connections
1 to 5 metered connections			14	7
6 to 20 metered connections			21	11
21 to 50 metered connections			40	20
greater than 50 metered connections			50	25
Small Non-Residential and Small Hybrid Plan Excessive Submission Review (5th review or more) per metered connection	$795	N/A	Based on No. of metered connections	Based on No. of metered connections
1-3 metered connections			21	11
4 or more metered connections			30	15
Large Plan Excessive Submission Review (5th review or more)	$3,710	$7,420	30	15
Request for Information (RFI)	$190	$375	20	10
Request for As-Built Drawings	$215	$425	20	10
Water and Sewer Availability Letter	$795	$1,380	14	7
Processing of Standard Easement and Covenant (Initial Document)	$2,120	$4,240	14	7
Processing of Non-Standard Easement and Covenant (Initial Document)	$9,010	$18,020	21	11
One Day Plan Design and Review and Approval	$26,500	N/A	1	N/A

Fee Name	Standard Fee	Expedited Review Fee	Standard Review Time* (Business Days)	Expedited Review Time* (Business Days
(Velocity Sign-Off Program)				
Large Meter Relocation Fee	$5,000	N/A	N/A	N/A
Small Meter Relocation Fee (Non-Residential/Multi-Family)	$2,500	N/A	N/A	N/A
Small Meter Relocation Fee (Residential)	$1,500	N/A	N/A	N/A
Reconfiguration of Fire System (adding small Fire Split, 2" or less) (Non-Residential/Multi-Family)	$2,500	N/A	N/A	N/A
Reconfiguration of Fire System (adding small Fire Split, 2" or less) (Residential)	$1,500	N/A	N/A	N/A
ProjectDox Signoff on Category I & II and Swimming Pool	$200	N/A	N/A	N/A
Non-DC Water Zone of Influence (ZOI) Sheeting and Shoring (not within the influence of DC Water's assets)	$500	N/A	N/A	N/A
ProjectDox Foundation to Grade	$500	N/A	N/A	N/A
Non-Department of Transportation (DDOT) Building Civil Permit (non-DDOT BCIV) (Any project that is not DDOT related)	$500	N/A	N/A	N/A
Building Civil Permit Erosion Sediment Control (BCIV ESC)	$500	N/A	N/A	N/A

***Review times are estimated; Actual time may vary.**

(d) **DC Water "Velocity" Sign-Off Program** (One Day Final Plan Review and Approval) - a District Department of Buildings (DOB) permit applicant may request to participate in the DC Water "Velocity" program in accordance with the following requirements:

(1) Participation in DC Water's "Velocity" Sign-Off Program only applies to plans resubmitted after DC Water's initial standard or expedited plan review.

(2) Applicant shall pay the minimum DC Water "Velocity" Sign-Off Program fee of $25,000 in addition to the applicable plan review fee and any other applicable fees.

(3) DC Water shall determine if the plans are eligible (complete and suitable) to participate in the program and that staff are available to perform the review requested.

(4) Upon acceptance into the DC Water "Velocity" Sign-Off Program, DC Water shall schedule a meeting with the Applicant to review and approve the plans, not less than one (1) week after the request to participate in the program.

(5) DC Water shall schedule one four-hour plan review and approval meeting, during which the Applicant shall present the revised plans and responses.

(6) If approved, the Applicant shall pay all required fees (e.g., SAF, inspection review, deposits, etc.) and DC Water shall issue the Water and Sewer Approval Certificate and approve the plans in ProjectDox.

(7) If DC Water issues additional comments or requirements, the applicant shall resubmit the revised plans within two (2) business days, and if all comments are acceptable, the plans shall be approved within one business day.

(e) **Existing/Proposed As-Built Fee** shall be as provided in the table below as follows:

Fee Name	**Fee**
Small Residential	$265 (each bldg.)
Small Non-Residential	$265 (each bldg.)
Small Hybrid	$265 (each bldg.)
Large Project	$795 (Each Connection – water or sewer)
Installation of New Water or Sewer Main (20 to 100 feet)	$2,650
Each additional 200 feet of Water Main	$2,120
Each additional 400 feet of Sewer Main	$2,120
Installation of Water Main - larger than 24" in diameter	Determined on a per project basis
Installation of Sewer Main - larger than 60" in diameter	Determined on a per project basis

Subsection 112.6 is amended to read as follows, effective October 1, 2025:

112.6 Waste Hauler Permit and Disposal Fees; Pretreatment Industrial User Permit and Sampling Fees; High Strength Waste Fees; and FOG Facility fees shall be as follows:

Fee Name	**Fee**
Waste Hauler Discharge Annual Permit Fee per Vehicle	$55
Waste Hauling Disposal Fees	
High strength grease trap waste	$0.091 per gallon
High strength septage waste	$0.091 per gallon
Domestic strength waste	$0.004 per gallon
Low strength waste	$0.004 per gallon
Industrial User Permit Fees	
Permit Initial Fee	$3,040
Permit Renewal Fee	$1,015
Industrial User Annual Compliance Fees	
Significant or Non-Significant Categorical Industrial User	
1 Outfall	$3,490
2 or more Outfalls	$4,835
Significant Non-Categorical Industrial User Fees	
1 Outfall	$3,490
2 or more Outfalls	$4,835
Non-Significant Non-Categorical User	
1 Outfall	$790
2 or more Outfalls	$1,015
Sampling and Analysis Fees	
PFAS	
1st Sample	$895/sample
Each Additional Sample	$420/sample
High Strength Waste Fees	
Biochemical Oxygen Demand (BOD)	$0.151 per pound
Total Suspended Solids (TSS)	$0.350 per pound
Total Kjeldahl Nitrogen (TKN) or Total Nitrogen (TN)	$1.526 per pound
Total Phosphorus (TP)	$9.815 per pound
Fats, Oil and Grease (FOG) Facility Monthly Fee	$24.50 per month

Subsection 112.12(a) is amended to read as follows, effective October 1, 2025:

112.12 Cross-Connection/ Back Flow Prevention Fees and Turn-Off Charges

(a) The Cross-Connection/ Back Flow Prevention Fees and Turn-Off Charges shall be as follows:

Fee Name	Fee
Cross-Connection/Back Flow Prevention Monthly Fee per Assembly	$6.20
Cross-Connection - Water Service Disconnection - 5/8" to 2"	$230
Cross-Connection - Water Service Disconnection - 3" to 5"	$455
Cross-Connection - Water Service Disconnection - 6" and larger	$1,015

A new Subsection 112.14 is added to read as follows, effective October 1, 2025:

112.14 Freedom of Information Act Request Response Processing Fees shall be as follows:

(a) DC Water shall charge the following FOIA Fees in response to a Freedom Information Act (FOIA) request for documents pursuant to the FOIA of 1976, effective March 25, 1977, D.C. Law 1-96, as amended:

FOIA Fee Name	Fee
FOIA Document Search Fee	Hour(s) x Staff Base Salary/hr.
FOIA Document Review & Redaction Fee	Hour(s) x Staff Base Salary/hr.
FOIA Document Duplication Fee	
Standard Letter and Legal Page	$0.75 per sheet
Electronic Conversion Fee	Hour(s) x Staff Base Salary/hr.

(b) The Staff Base Salary shall be the current Base Salary for the staff performing the search, review or electronic conversion and applied at a hourly rate to the nearest penny.

(c) The FOIA Document Search Fee, FOIA Document Review & Redaction Fee, and FOIA Document Electronic Conversion Fee shall be calculated by multiplying the number of hours by the hourly rate of the staff person performing that task.

(d) The FOIA Document Search Fee shall be charged even if the requested records cannot be located after a thorough, good-faith search.

(e) FOIA Fees may be waived or reduced if DC Water determines the request is in the public interest because furnishing the information can be considered as primarily benefiting the general public.

(f) A FOIA requester seeking a FOIA Fee waiver or reduction under Section 112.14(d), shall provide a statement in the FOIA request explaining how furnishing the requested record(s) will primarily benefit the general public. The explanation shall address how the requested records will likely contribute significantly to public understanding of the operation or activities of DC Water.

(g) DC Water may request an advanced payment in full of the FOIA Fees if:

(1) The requester previously failed to pay the FOIA Fees; or

(2) DC Water determines the estimated FOIA Fees will exceed $250.

(h) With respect to any FOIA request for which payment of FOIA Fees in advance is required, DC Water shall consider such request to have been withdrawn and shall administratively close such request if the requester has not paid the required FOIA Fee within sixty (60) days of the date when the requester is informed of the fee.

(i) FOIA fees shall be paid in full prior to DC Water providing access or issuance of the requested documents.

(j) A receipt of FOIA Fees paid shall be given only upon request. No refund of the FOIA Fees shall be made for services rendered.

(k) If a request is administratively closed, a requester must submit a new FOIA request to obtain the requested records.

(l) If the FOIA requester withdraws their request or it is administratively closed, the requester shall be responsible for payment of the FOIA Fees incurred up to the date of withdrawal.

(m) In accordance with applicable law:

(1) Fees shall be limited to reasonable standard charges for document search, duplication, and review and redaction when records are requested for commercial use;

(2) Fees shall be limited to reasonable standard charges for document duplication when records are not sought for commercial use and the request is made by an educational or non-commercial scientific institution for scholarly or scientific research or a representative of the news media;

(3) For any request for records not described in paragraphs (1) or (2) of this subsection, fees shall be limited to reasonable standard charges for document search and duplication; and

(4) Only the direct costs of search, duplication, or review and redaction may be recovered.

All persons desiring to comment on this Notice of Proposed Rulemaking should submit comments in writing not later than June 16, 2025 - thirty (30) days after the date of the publication of this notice in the *District of Columbia Register*. Comments should be submitted to Michelle Rhodd,

Secretary to the Board, District of Columbia Water and Sewer Authority, 1385 Canal Street, S.E., Washington, D.C. 20003 or by email to Board.Secretary@dcwater.com. Copies of the Notice of Proposed Rulemaking may be obtained from DC Water at the same address or by contacting Ms. Rhodd at (202) 787-2331.

NOTICE OF PROPOSED RULEMAKING
Z.C. CASE NO. 24-10
Office of Planning
(Zoning Text and Map Amendments to Create the Pennsylvania Avenue East Neighborhood Mixed Use (NMU-5A/PAE) Zone @ Square 5553, Lots 1, 27, 52, 809 & 810; Square 5556, Lots 29, 38, 39, 61, 62, 823, 824 & 825; Square 5559, Lots 35 & 806; Square 5560, Lots 39, 40, 43, 44, 45, 46, 52, 55, 814, 815, 816 & 817; Square 5579, Lots 63, 64, 67, 806 & 807; and Square 5581, Lot 804)

The Zoning Commission for the District of Columbia (Commission), pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797), as amended; D.C. Official Code § 6-641.01 (2018 Rep1.), and pursuant to § 6 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2505(c) (2016 Repl.)), hereby gives notice of its intent to amend the Zoning Map to create and map a proposed new Pennsylvania Avenue East Neighborhood Mixed Use (NMU-5A/PAE) zone and to amend the following sections of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations, Zoning Regulations of 2016, to which all references are made unless otherwise specified), with the proposed text at end of this notice.

The proposed text amendments would do the following to create a new NMU-5A/PAE zone:

- Amend Subtitle H to add a new Chapter 11, PENNSYLVANIA AVENUE EAST NEIGHBORHOOD MIXED-USE (NMU-5A/PAE) ZONE, to add the proposed new NMU-5A/PAE zone;
- Amend Subtitle H, Chapter 60, USE PERMISSIONS FOR NEIGHBORHOOD MIXED-USE (NMU) ZONES, to add the proposed new NMU-5A/PAE zone; and
- Amend Subtitle W, Chapter 1 BOUNDARIES, to add a new § 126 describing the area where the new NMU-5A/PAE zone would be applied.

Setdown

On July 15, 2024, the Office of Planning (OP) filed a report that served as a petition requesting amendments to the Zoning Regulations and Map to create a new Pennsylvania Avenue East Neighborhood Mixed Use (NMU-5A/PAE) zone (OP Setdown Report) (Exhibit ["Ex."] 2). The NMU-5A/PAE zone is proposed for properties located in Ward 7 generally fronting on Pennsylvania Avenue, S.E. between Fairlawn Avenue, S.E., and 27th Street, S.E. (Property). The OP Setdown Report stated that as part of the 2021 update of the Comprehensive Plan, the Ward 7 Economic Development Advisory Council requested that the designation for the Pennsylvania Avenue, S.E. and Minnesota Avenue, S.E. intersection change on the Future Land Use Map (FLUM) from low density commercial to moderate density commercial to promote a mix of uses to increase housing supply, including workforce housing, and enhance opportunities for retail and neighborhood services for Ward 7 residents. Additionally, the Pennsylvania Avenue East Community Coalition, residents, and other stakeholders requested to have a small area plan for the area to attract responsible inclusive development, establish the corridor as a retail destination, address pedestrian/vehicle safety, and improve the public realm; following community outreach and collaboration, the Pennsylvania Avenue East Small Area Plan (PAESAP) was approved by the Council of the District of Columbia on February 7, 2023 (Resolution 25-0027). The OP

Setdown Report stated that the proposed text and map amendments to create the new NMU-5A/PAE zone are the next step in implementing policies of the Comprehensive Plan and the guidelines of the PAESAP envisioned for the eastern end of the Pennsylvania Avenue East corridor.

The OP Setdown Report stated that the Property's current MU-4 zoning is consistent with the low density commercial FLUM category and does not provide adequate density to support the additional housing and retail envisioned for the area by the Comprehensive Plan and the PAESAP. The OP Setdown Report stated that the proposed NMU-5A/PAE zone is based on the MU-5A zone because the MU-5 zone is listed as a consistent zone in the Comprehensive Plan Framework Element description of the moderate density commercial FLUM category, and it allows a density and height appropriate for the level of development desired by the Comprehensive Plan and PAESAP.

The OP Setdown Report stated that the Neighborhood Mixed Use (NMU) zones are applied to many neighborhood commercial corridors and are intended to, among other things: provide for a mix of residential, employment, retail, and service uses; preserve and enhance neighborhood shopping areas; encourage a general compatibility in scale between new and older buildings; and identify designated areas within which ground floor use restriction can apply. OP noted other NMU zones such as Takoma, Woodley Park, and H Street N.E., and stated that while each NMU zone is different, the zoning text that applies to all NMU zones would also apply to the proposed NMU-5A/PAE zone. The NMU-5A/PAE zone would allow moderate density mixed use development generally consisting of retail, restaurant, or service uses (as would be required by the zone) on the ground floor, and residential use on the floors above, and would reflect the recommendations and guidelines of the PAESAP, including:

- New buildings and additions along Pennsylvania Avenue, S.E. would have a minimum height of twenty-five feet (25 ft.);
- Ground floor commercial spaces of new building would have a minimum clear floor to ceiling height of fifteen feet (15 ft.);
- Retail space along a building frontage would have a minimum depth of fifty feet (50 ft.);
- At least seventy-five percent (75%) of the front building façade would be built to the front lot line;
- Commercial entrances would be spaced out on average every forty feet (40 ft.) on the ground floor;
- Retail space required to be accessed from Pennsylvania Avenue S.E. and be at grade with the sidewalk;
- Where the lot has access to an alley or side street, parking and loading would not be accessed from Pennsylvania Avenue, S.E.;
- A rear step-back of 1:1 above a building height of twenty-five feet (25 ft.), would be required, to transition massing down to the lower density neighborhoods; and
- A density bonus of 0.5 FAR is proposed for a grocery store, to encourage the provision of this use along this portion of the corridor.

At its July 25, 2024 public meeting, the Commission voted to set down the proposed text and map amendments for a public hearing as a rulemaking case. The OP Setdown Report served as the Pre-hearing Filing required by Subtitle Z § 501.

Notice

Pursuant to Subtitle Z § 502, the Office of Zoning (OZ) sent notice of the February 20, 2025 public hearing, on December 23, 2024 (Ex. 5, 6), and published notice of the public hearing in the December 27, 2024, *District of Columbia Register* as well as on the calendar on OZ's website (Ex. 4).

Comments

Prior to the February 20, 2025 public hearing, the Commission received no comments in response to the proposal.

On February 10, 2025, the District Department of Transportation (DDOT) filed a report stating no objection to the proposed text and map amendments (Ex. 8).

OP Reports

The OP Setdown Report and the OP Hearing Report (hereinafter, the OP Reports) concluded that the proposal would not be inconsistent with the Property's designation on the FLUM of the Comprehensive Plan as Moderate Density Commercial or its designation on the Generalized Policy Map of the Comprehensive Plan as Main Street Mixed Use Corridor (Ex. 2, 7). The OP Reports also concluded that the proposal would not be inconsistent with the Comprehensive Plan, on balance, including when viewed through a racial equity lens, and would further policies of the Land Use, Housing, Economic Development, and the Far Northeast and Southeast Area Element (*Id.*). The OP Setdown Report included Disaggregated Race and Ethnicity data for the Far Northeast and Southeast Planning Area, over the 2012-2016 and 2018-2022 time periods, showing a slight decrease in the majority Black population from ninety-three and eight tenths percent (93.8%) to ninety and fifty-nine hundredths percent (90.59%), substantially lower median income than the District as a whole, and significant growth in homeownership such that the rate is almost the same as the District as a whole. OP concluded that the Far Northeast and Southeast Planning Area has experienced many years of disinvestment, poverty, and unemployment; therefore, the proposal would advance many Comprehensive Plan racial equity policies through the provision of housing, ground floor retail space, job creation, and overall revitalization of an underserved area (Ex. 2). The OP Reports included a discussion of OP's community outreach and engagement regarding the proposal, which included outreach to ANCs 7B and 8A, civic groups, property owners, and neighboring ANC Single Member Districts; OP presented the proposal to AND 7B at its January 16, 2025 public meeting (Ex. 2, 7).

Public Hearing

At the February 20, 2025 public hearing[1], the Commission heard testimony from OP in support of the proposal. OP stated that it made the following minor changes to the proposed text amendments in its Hearing Report:

- Streamlined the requirements cited Subtitle H §1104.1 by referencing the grocery store use definition described in Subtitle B § 100; and
- Removed the addition of the Entertainment and Arts use in the NMU-Use Group B Matter of Right Uses under Subtitle H § 6006.1 because the use group is already permitted in Subtitle H § 6001.2.

(Ex. 7, p. 2).

No person or entity appeared to testify.

"Great Weight" to the Recommendations of OP

The Commission must give "great weight" to the recommendations of OP pursuant to § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163; D.C. Official Code § 6-623.04 (2018 Repl.)) and Subtitle Z § 504.6 (*Metropole Condo. Ass'n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016)).

The Commission finds persuasive OP's recommendation that the Commission take proposed action to adopt the proposed text and map amendments to create the new NMU-5A/PAE zone, as revised in the OP Hearing Report, and concurs in OP's judgment.

"Great Weight" to the Written Report of the ANCs

The Commission must give great weight to the issues and concerns raised in the written report of an affected ANC that was approved by the full ANC at a properly noticed public meeting pursuant to § 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) (2012 Repl.)) and Subtitle Z § 505.1. To satisfy the great weight requirement, the Commission must articulate with particularity and precision the reasons why an affected ANC does or does not offer persuasive advice under the circumstances (*Metropole Condo. Ass'n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016)). The District of Columbia Court of Appeals has interpreted the phrase "issues and concerns" to "encompass only legally relevant issues and concerns." (*Wheeler v. District of Columbia Board of Zoning Adjustment*, 395 A.2d 85, 91 n.10 (1978) (citation omitted)).

ANC 7B filed a written report at Exhibit 10, stating that at its regularly scheduled and properly noticed public meeting on January 16, 2025, with a quorum present, the ANC voted unanimously to support the proposal (Ex.10). The ANC 7B report does not cite any issues and concerns.

[1] On February 18, 2025, OP filed a waiver request from the requirement, under Subtitle Z § 502.1(e), to post notice of the public hearing on the property (Ex. 9.) OP stated that compliance with the posting requirement would be impractical because many properties are involved in the case and most are privately owned; and there is good cause for the waiver because notice was published in the District of Columbia Register and OP conducted extensive outreach including 3 community townhalls, 4 visioning conversations, an urban design workshop, and 2 recommendation meetings (*Id.*). At the beginning of the February 20, 2025 public hearing, the Commission granted OP's waiver request and proceeded with the hearing as scheduled.

Proposed Action

At the close of the February 20, 2025, public hearing, the Commission voted to take **PROPOSED ACTION** to adopt the Petition, as revised by OP in its Hearing Report, and to authorize the publication of a Notice of Proposed Rulemaking:

VOTE (April 10, 2025): 5-0-0 (Gwen Wright, Tammy Stidham, Anthony J. Hood, Robert E. Miller, and Joseph S. Imamura to **APPROVE.**)

All persons desiring to comment on the subject matter of this proposed rulemaking action should file comments in writing no later than thirty (30) days after the date of publication of this notice in the *District of Columbia Register*. Comments should be filed with Sharon Schellin, Secretary to the Zoning Commission, Office of Zoning, 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, D.C. 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Ms. Schellin may be contacted by telephone at (202) 727-6311 or by e-mail at Sharon.Schellin@dc.gov. Copies of this proposed rulemaking action may be obtained at cost by writing to the above address.

Final rulemaking action shall be taken not less than thirty (30) days from the date of publication of this notice of proposed rulemaking in the *District of Columbia Register.*

The complete record in the case can be viewed online at the Office of Zoning's Interactive Zoning Information System (IZIS), at https://app.dcoz.dc.gov/Content/Search/Search.aspx.

PROPOSED ZONING MAP AMENDMENT

The proposed amendments to the Zoning Map are as follows:

Square	Lot(s)	From	To
Square 5553 Square 5556 Square 5559 Square 5560 Square 5579 Square 5581	Lots 1, 27, 52, 809 & 810 Lots 29, 38, 39, 61, 62 & 823-825 Lots 35 & 806 Lots 39, 40, 43, 44-46, 52, 55 & 814-817 Lots 63, 64, 67, 806 & 807 Lot 804	MU-4	NMU-5A/PAE

PROPOSED TEXT AMENDMENT

The proposed amendments to the text of the Zoning Regulations are as follows (new is shown in **bold underline** text, and deletions from existing text are shown in ~~**bold strikethrough**~~ text, with

the exception of the proposed new Subtitle H Chapter 11, which is all new text so is shown without the bold and underline for ease of reading):

I. Proposed Amendments to Subtitle H, NEIGHBORHOOD MIXED-USE (NMU) ZONES

A new Chapter 11, PENNSYLVANIA AVENUE EAST NEIGHBORHOOD MIXED-USE (NMU-5A/PAE) ZONE is proposed to be added to Subtitle H, NEIGHBORHOOD MIXED-USE (NMU) ZONES, to read as follows:

CHAPTER 11 PENNSYLVANIA AVENUE EAST NEIGHBORHOOD MIXED-USE (NMU-5A/PAE) ZONE

1100 PURPOSE AND INTENT

1100.1 The purposes of the NMU-5A/PAE zone shall be those of the MU-5A zone as set forth in Subtitle G § 101, those of the Neighborhood Mixed-Use zones, as set forth in Subtitle H § 101, and the following:

(a) Implement the policies and goals of the Pennsylvania Avenue East Small Area Plan as approved by the Council of the District of Columbia, effective February 7, 2023 (Resolution 25-27);

(b) Permit mixed-use development at a moderate density;

(c) Establish Pennsylvania Avenue, S.E. between Fairlawn Avenue, S.E. and 27th Street, S.E. as an active, pedestrian-oriented commercial corridor with a convenient mix of neighborhood-serving shops and services;

(d) Implement the design guidelines of the Pennsylvania Avenue East Small Area Plan to enhance the existing strengths and identity of the commercial corridor and to transform it into an attractive destination for the community; and

(e) Allow and encourage residential development and a greater range of resident diversity to advance the District's housing equity goals, and by mapping the NMU-5A/PAE zone as subject to IZ Plus

1100.2 The NMU-5A/PAE zone is intended to permit mixed-use development at a moderate density.

1101 DEVELOPMENT STANDARDS

1101.1 The MU-5A zone development standards in Subtitle G, Chapter 2 shall apply to the NMU-5A/PAE zone except as specifically modified by this chapter. In

the event of a conflict between the provisions of this chapter and other regulations of this title, the provisions of this chapter shall control.

1102 DESIGNATED USE AREA

1102.1 In the NMU-5A/PAE zone, the designated use area shall include any lot that fronts onto Pennsylvania Avenue, S.E. Within this area, designated uses shall be provided pursuant to Subtitle H § 6001.

1103 DESIGNATED ROADWAY

1103.1 In the NMU-5A/PAE zone, the designated roadway shall be Pennsylvania Avenue, S.E.

1104 DENSITY

1104.1 An additional 0.5 FAR shall be permitted for a grocery store use, as described in Subtitle B § 100, subject to:

(a) A minimum of five thousand square feet (5,000 s.f.) of gross floor area shall be devoted to customer-accessible sales and display area used for the sale of a general line of food products intended for home preparation and consumption; and

(b) A maximum of fifteen percent (15%) of the gross floor area of the store may be devoted to the sale of alcohol for off-site consumption.

1105 HEIGHT

1105.1 Buildings along the designated street should have a minimum height of twenty-five feet (25 ft.).

1106 – 1108 RESERVED

1109 DESIGN REQUIREMENTS PENNSYLVANIA AVENUE EAST NEIGHBORHOOD MIXED-USE (NMU-5A/PAE) ZONE

1109.1 In the NMU-5A/PAE zone, the following design requirements shall apply to a new building or addition on any lot fronting onto Pennsylvania Avenue, S.E.:

(a) No part of the building, including the penthouse or rooftop structure, shall project above a plane drawn at a forty-five degree (45°) angle from a line located twenty-five feet (25 ft.) directly above a rear property line that abuts an alley, or zone boundary line with an R or RF zone;

(b) Buildings shall be designed and built so that not less than seventy-five percent (75%) of the street wall(s) at the street level shall be

constructed to the property line abutting the street right-of-way, not including permitted projections into public space;

(c) **Buildings on corner lots shall be constructed to all property lines abutting public streets**;

(d) **Buildings shall be designed so as not to preclude a commercial entrance every forty feet (40 ft.) on average for the linear frontage of the building;**

(e) **Not less than fifty percent (50%) of the surface area of the street wall at the ground level of each building shall be devoted to display windows having clear or clear/low emissivity glass and to entrances to commercial uses or to the building;**

(f) **Security grilles shall have no less than seventy percent (70%) transparency;**

(g) **The ground floor level of each new building or building addition with a commercial use on the ground floor shall have a minimum clear floor-to-ceiling height of fifteen feet;**

(h) **The depth of new retail spaces along a building frontage shall be a minimum of fifty feet (50 ft.);**

(i) **Each space devoted to a designated use with frontage on Pennsylvania Avenue, S.E. shall have an individual public entrance directly at grade with the public sidewalk along Pennsylvania Avenue, S.E.;**

(j) **On a corner lot that fronts onto both Pennsylvania Avenue, S.E. and a side street, any entrance to residential portions of the building shall be located on the side street;**

(k) **Vehicle parking, loading and trash collection shall be accessed from the alley where an alley of exists. Trash and recycling rooms shall be located internal to the building, and located at-grade level of the building; and**

(l) **Vehicle parking spaces shall be located below or at grade. If at grade, no portion of the parking shall be within twenty feet (20 ft.) of the Pennsylvania Avenue, S.E. right of way and shall be screened along Pennsylvania Avenue, S.E. with designated uses.**

1109.2 The Board of Zoning Adjustment may grant as a special exception pursuant to Subtitle X, Chapter 9 and Subtitle H, Chapter 52, relief from the design requirements of Subtitle H § 1109.1

CHAPTERS ~~10~~ 12 through ~~12~~ 51 [RESERVED]

Subsection 6000.8 of Section 6000, GENERAL USE PERMISSIONS, of CHAPTER 60, USE PERMISSIONS FOR NEIGHBORHOOD MIXED USE (NMU) ZONES, of Subtitle H, NEIGHBORHOOD MIXED USE (NMU) ZONES is proposed to be amended to read as follows:

6000.8 Use groups for the NMU zones are as follows:

TABLE H § 6000.8: NMU USE GROUPS

Use Group A	Use Group B	Use Group C
NMU-3A/MW	NMU-4/TK NMU-4/CP NMU-4/WP NMU-4/GA NMU-4/H-H NMU-5A/H-H NMU-6B/H-H NMU-4/H-A NMU-4/H-R NMU-5A/H-R **NMU-5A/PAE**	NMU-5A/WP NMU-7B/ES NMU-7B/GA NMU-7B/H-H NMU-8B/H-H NMU-7B/H-A

Subsection 6001.3(b) of § 6001, DESIGNATED AND RESTRICTED USES of CHAPTER 60, USE PERMISSIONS FOR NEIGHBORHOOD MIXED USE (NMU) ZONES, of Subtitle H, NEIGHBORHOOD MIXED USE (NMU) ZONES is proposed to be amended to read as follows:

6001.3 The designated uses shall occupy no less than fifty percent (50%) of the gross floor area of the ground floor level of the building within a designated use area, subject to the following requirements:

(a) …[2]

(b) Except in the **NMU-5A/PAE,** NMU-4/H-H, NMU-4/H-A, NMU-4/H-R, NMU-5A/H-H, NMU-5A/H-R, NMU-6B/H-H, NMU-7B/H-H, NMU-7B/ES, NMU-7B/H-A, and NMU-8B/H-H zones, eating and drinking establishments, and fast food establishments where permitted, shall be subject to the following limitations:

[2] The use of this and other ellipses indicate that other provisions exist in the subsection being amended and that the omission of the provisions does not signify an intent to repeal.

…

II. Proposed Amendments to Subtitle W, SPECIFIC ZONE BOUNDARIES

A new § 126, PENNSYLVANIA AVENUE EAST NEIGHBORHOOD MIXED USE ZONE, to be added to Chapter 1, BOUNDARIES, of Subtitle W, SPECIFIC ZONE BOUNDARIES, to read as follows:

CHAPTER 1 BOUNDARIES

126 PENNSYLVANIA AVENUE EAST NEIGHBORHOOD MIXED-USE (NMU-5A/PAE) ZONE

126.1 The Pennsylvania Avenue East Neighborhood Mixed Use (NMU-5A/PAE) zone shall be mapped in Squares 5553, 5556, 5559, 5560, 5579, and 5581 on lots along Pennsylvania Avenue, S.E., between Fairlawn Avenue, S.E. and 27th Street, S.E. It also includes Lot 804 in Square 5581. These properties are identified in the Comprehensive Plan and Pennsylvania Avenue East Small Area Plan for moderate density commercial development.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2025-069
May 12, 2025

SUBJECT: Amendment — Climate Commitment Task Force

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(11), pursuant to Mayor's Order 2023-133, dated October, 31, 2023, and in accordance with section 109d of the District Department of the Environment Establishment Act of 2005, effective September 21, 2022, D.C. Law 24-176, D.C. Official Code § 8-151.09d, it is hereby **ORDERED** that:

1. Section III of Mayor's Order 2023-133, dated October 31, 2023, is amended as follows:

   a. Subsection A is amended as follows:

      i. Paragraph 9 is amended by striking the phrase "The Office of the Deputy Mayor for Operations and Infrastructure; and" and inserting the phrase "The District of Columbia Public Library;" in its place

      ii. Paragraph 10 is amended by striking the period and inserting the phrase "; and" in its place.

      iii. A new paragraph 11 is added to read as follows:

         "11. The University of the District of Columbia.".

   b. The second subsection B is amended to read as follows:

      "E. The Office of the City Administrator shall provide administrative support to the Task Force.".

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

MURIEL BOWSER
MAYOR

ATTEST: _____
KIMBERLY A. BASSETT
SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2025-070
May 14, 2025

SUBJECT: Reappointment — Zoning Commission

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2), pursuant to section 1 of An Act To regulate the height, area, and use of buildings in the District of Columbia and to create a Zoning Commission, and for other purposes, effective March 1, 1920, 41 Stat. 500, D.C. Official Code § 6-621.01, pursuant to the Zoning Commission Robert Miller Confirmation Resolution of 2021, effective July 13, 2021, Resolution PR24-229, pursuant to the Zoning Commission Robert Miller Confirmation Resolution of 2025, effective May 6, 2025, Resolution PR26-0081, and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979, D.C. Law 2-142, D.C. Official Code § 1-523.01, it is hereby **ORDERED** that:

1. **ROBERT MILLER** is reappointed as a member of the Zoning Commission, for a term to end February 3, 2025.

2. **ROBERT MILLER** is reappointed as a member of the Zoning Commission, for a term to end February 3, 2029.

3. **EFFECTIVE DATE:** Paragraph 1 of this Order shall be effective *nunc pro tunc* to July 13, 2021. Paragraph 2 of this Order shall be effective *nunc pro tunc* to May 6, 2025.

MURIEL BOWSER
MAYOR

ATTEST: _____
KIMBERLY A. BASSETT
SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ALCOHOLIC BEVERAGE AND CANNABIS BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

TUESDAY, MAY 20, 2025
899 NORTH CAPITOL STREET, NE, SUITE 4200 A-B
WASHINGTON, D.C. 20002

Donovan W. Anderson, Chairperson
Members: Silas Grant, Jr., Teri Janine Quinn, Ryan Jones and David Meadows

Protest Hearing **10:00 AM**

Case # 25-PRO-00008
7th Street Love, LLC, t/a Acqua A1 2
212 7th Street SE
License #131013
Retailer CR
ANC 6B
Application for a New License

BOARD RECESS AT 12:00 PM

All of the ABC Board's public hearings are conducted virtually and are livestreamed on ABCA's YouTube channel which can be found here: *https://www.youtube.com/@alcoholicbeverageregulatio5683.*

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at *opengovoffice@dc.gov.*

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ALCOHOLIC BEVERAGE AND CANNABIS BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, MAY 21, 2025
899 NORTH CAPITOL STREET, NE, SUITE 4200 A-B
WASHINGTON, D.C. 20002

Donovan W. Anderson, Chairperson
Members: Silas Grant, Jr., Teri Janine Quinn, Ryan Jones and David Meadows

Protes Hearing (Status) **10:30 AM**

Case # 25-PRO-00017
OJ-ODD Jobs, Inc., t/a H3
1613 17th Street NW
License #129096
Retailer MC
ANC 2B
Application for a New License

Protes Hearing (Status) **10:30 AM**

Case # 25-PRO-00020
R.A.M. Group, LLC, t/a 1351
1351 U Street NW
License #129513
Retailer CT
ANC 1B
Application for a New License

Board's Calendar
May 21, 2025

Show Cause Hearing (Status) **10:30 AM**

Case # 25-CMP-00025
The Avenue DC, LLC, t/a The Avenue
5540 Connecticut Ave NW
License #101007
Retailer CR
ANC 3/4G06
Failed to File Quarterly Statement

Show Cause Hearing (Status) **10:30 AM**

Case # 25-CMP-00026
Half Smoke, LLC, t/a Half Smoke
651 Florida Ave NW
License #100855
Retailer CR
ANC 1B
Failed to File Quarterly Statement

Show Cause Hearing (Status) **10:30 AM**

Case # 25-CMP-00016
Noble Convenience, LLC, t/a Noble Liquor and Tobacco
1305 H Street NE
License #122919
Retailer A
ANC 6A
No ABC Manager on Duty, Sold an Individual Container of alcohol with a Capacity of 70 Ounces or Less

Board's Calendar
May 21, 2025

Show Cause Hearing (Status) **10:30 AM**

Case # 24-CMP-00072, 25-CMP-00005, 25-CMP-00015, 25-CMP-00029, 25-251-00001, 25-251-00006
Lama DC, LLC, t/a 1831 Bar/Lounge
1831 M Street NW
License #116855
Retailer CT
ANC 2B
24-CMP-00072 - Operating After Hours, **25-CMP-00005 -** Operating After Hours, **25-CMP-00015 -** Operating After Hours (Two Counts), Violation of Settlement Agreement, **25-CMP-00029 -** Violation of Settlement Agreement, **25-251-00001 -** Operating After Hours, **25-CMP-00006 -** Operating After Hours, Allowed Establishment to be Used for Unlawful or Disorderly Purpose, Failed to Provide Video Footage within 48 Hours, Transfer of Ownership Without Board's Approval

Show Cause Hearing **10:30 AM**

Case # 25-CMP-00014
Cloud Liquor and Wine, Inc., t/a Cloud Liquor and Wine
914 H Street NE
License #128130
Retailer A
ANC 6A
No ABC Manager on Duty, Sold an Individual Container of alcohol with a Capacity of 70 Ounces or Less

Show Cause Hearing **10:30 AM**

Case # 24-CMP-00080
Mariachi Lounge Bar & Grill, LLC, t/a Mariachi Lounge
5217 Georgia Ave NW
License #122495
Retailer CR
ANC 4D
Failed to File Quarterly Statement

Board's Calendar
May 21, 2025

Summary Action Hearing **10:30 AM**

Case # 25-ULC-00030
Listenvision, LLC, t/a Orbit DC/Lifted Shop Dispensary & Weed Delivery
1919-1921 18th Street NW
Unlicensed Cannabis Retailer

Fact Finding Hearing **10:30 AM**

T & N Angels, LLC, t/a Cielo's Angels
1815 M Street NW
License #131487
Retailer CN
ANC 2B
Motion for Reconsideration (Oral Arguments)

BOARD RECESS AT 12:00 PM

ADMINISTRATIVE AGENDA AT 1:00 PM

Show Cause Hearing **1:30 PM**

Case # 25-CMP-00001
Shaw Howard Deli, Inc., t/a Shaw Howard Deli
1911 7th Street NW
License #950169
Retailer B
ANC 1B
Failed to Maintain on Premises Three Years of Adequate Books and Records Showing All Sales, Failed to Make a Copy of Settlement Agreement Immediately Accessible

Board's Calendar
May 21, 2025

Show Cause Hearing **1:30 PM**

Case # 24-CMP-00021
Equity 18, LLC, t/a Twelve After Twelve
1212 18th Street NW
License #117238
Retailer CN
ANC 2B
Failed to Follow Security Plan

Protest Hearing **1:30 PM**

Case # 24-PRO-00105
Alazar, Inc., t/a Edgewood International Wine and Spirits
2303 4th Street NE
License #95032
Retailer A
ANC 5F
Application to Renew the License

All of the ABC Board's public hearings are conducted virtually and are livestreamed on ABCA's YouTube channel which can be found here: *https://www.youtube.com/@alcoholicbeverageregulatio5683*.

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at *opengovoffice@dc.gov*

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ALCOHOLIC BEVERAGE AND CANNABIS BOARD

NOTICE OF MEETING
CANCELLATION AGENDA

WEDNESDAY, MAY 21, 2025
899 NORTH CAPITOL STREET, N.E., SUITE 4200-B, WASHINGTON, DC 20002

The ABC Board will be Cancelling the following licenses for the reasons outlined below:

1) ABRA-106099 – **Across the Pond Restaurant & Pub –** Retail – C – Restaurant – 1734 Connecticut Avenue NW
[Licensee did not Renew.]

In accordance with the Open Meetings Act (D.C. Official Code §2-571 *et. seq*.) this meeting may be closed to consult with an attorney to obtain legal advice pursuant to §2-575(b)(4)(A). The Board's vote will be held in an open session and the public is permitted to attend. This meeting is governed by the Open Meetings Act. Please address any questions or concerns arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ALCOHOLIC BEVERAGE AND CANNABIS BOARD

NOTICE OF MEETING
CEASE AND DESIST AGENDA

WEDNESDAY, MAY 21, 2025 AT 10:30 AM
899 NORTH CAPITOL STREET, N.E., SUITE 4200-B, WASHINGTON, DC 20002

The ABC Board will be issuing Orders to Cease and Desist to the following Licensees for the reasons outlined below:

1) ABRA-130558 – **Fogo de Chao Ground Fire –** Caterer – 1101 Pennsylvania Avenue NW
[Licensee did not Renew.]

GOVERNMENT OF THE DISTRICT OF COLUMBIA

COMMISSION ON THE ARTS AND HUMANITIES

NOTICE OF PUBLIC MEETING

The District of Columbia Commission on the Arts and Humanities Board of Commissioners will hold its regular monthly business meeting on **Monday May 19, 2025, at 5:30 pm.** Below is a draft agenda for the meeting. Updates to the meeting agenda will be posted on the Commission's website at www.dcarts.dc.gov.

The meeting will be a hybrid meeting happening in person at 200 I St SE Washington DC 20003 as well as virtually via Zoom and livestreamed to the Commission's YouTube channel. Members of the public are invited to observe the meeting through the live broadcast of the meeting online at https://bit.ly/dcartsyoutube. A recording of the meeting will be available on the Commission's website.

DRAFT AGENDA

1. Call to Order
2. Roll Call and Determination of Quorum
3. Land Acknowledgement
4. Welcome
5. Presentation
6. Public Comment Period – Members of the public may request three minutes to make public comments before the Board. Requests to make public comments must be submitted by noon on the Thursday before the meeting via the online form at https://dcarts.dc.gov/page/cah-public-comment-signup-form
7. Executive Director's Report
8. Finance Update
9. Committee Reports
10. Unfinished and New Business
11. Adjournment

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

BASIS DC PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Elevator Modernization Services

BASIS DC Public Charter School located in Washington DC, is advertising the opportunity to submit proposals for qualified vendors to provide Elevator Modernization Services at 410 8th Street NW, Washington, DC 20004. All interested firms are asked to visit Bonfire electronic procurement portal at https://basised.bonfirehub.com to receive access to the RFP document. Submission deadline is 12:00 PM Eastern Time on June 9th, 2025.

To request full scope and/or seek additional information, please email:

Diana Mendoza
Procurement Manager
Diana.mendoza@basised.com

DEPARTMENT OF BEHAVIORAL HEALTH (DBH)

NOTICE OF FUNDING AVAILABILITY

Pregnant and Parenting Women: Screening for Substance Use Disorders

The District of Columbia, Department of Behavioral Health (DBH) is soliciting applications from qualified applicants for services in the program and service areas described in this Notice of Funding Availability (NOFA). This announcement is to provide public notice of DBH's intent to make funds available for the purpose described herein. The applicable Request for Application (RFA) will be released under a separate announcement with guidelines for submitting the application, review criteria, and DBH terms and conditions for applying for and receiving funding.

General Information:

Funding Opportunity Title:	District of Columbia Opioid Response 3 (DCOR3) Grant Opportunity: Pregnant and Parenting Women: Screening for Substance Use Disorders
Funding Opportunity Number:	RFA RM0 PPW051625
Opportunity Category:	Competitive
DBH Branch/Division Unit:	Adult Services Administration
DBH Administrative Unit:	State Opioid Response Program
Program Contact:	Krysten Allen krysten.allen@dc.gov
Program Description:	This RFA aims to identify an organization in the District to provide training on substance use disorders (SUD), including opioid use disorder (OUD) screening and treatment to maternal and child healthcare providers in the District.
Eligible Applicants:	Eligible entities must have: 1. 501(c)(3) non-profit status. 2. Be located in the District of Columbia.
Anticipated Number of Awards:	One (1) award
Anticipated Amount Available:	$100,000
Floor Award Amount:	N/A
Ceiling Award Amount:	up to $100,000

Funding Authorization:

Legislative Authorization:	Title II Division H of the Consolidated Appropriations Act 2020
Assistance Listing#	93.788
Associated Federal Award ID#:	No. TI-22-005

Cost Sharing/Match Required?	No
RFA Release Date:	Friday, May 16, 2025
Pre-Application Conference (Date):	Tuesday, May 20, 2025
Pre-Application Conference (Times):	10:00 a.m. ET
Pre-Application Conference (Microsoft Teams):	https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZDkyN2Y4NzctNmFkZC00MTgxLTgyYzgtOGVlZWJkNzU4ZTk2%40thread.v2/0?context=%7b%22Tid%22%3a%228fe449f1-8b94-4fb7-9906-6f939da82d73%22%2c%22Oid%22%3a%224c1e6918-b11e-48fa-b371-69115217a95c%22%7d
Letter of Intent Due:	Friday, May 23, 2025
Application Deadline Date:	Friday, May 30, 2025
Application Deadline Time:	12:00 p.m. ET
Links to Additional Information about this Funding Opportunity:	Serve DC: https://communityaffairs.dc.gov/content/community-grant-program#4 DBH RFA Opportunities: https://dbh.dc.gov/page/request-applications-001

Funding Authorization:

Notes:

A. **DBH reserves the right to issue addenda and/or amendments subsequent to the issuance of the NOFA or RFA, or to rescind the NOFA or RFA.**
B. **Awards are contingent upon the availability of funds.**
C. **Individuals are not eligible for DBH grant funding.**
D. **Applicants must have a UEI#, Tax ID#, and be registered in the federal Systems for Award Management (SAM).**
E. **Contact the program manager assigned to this funding opportunity for additional information.**

BRIDGES PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Bridges Public Charter School in accordance with section 2204(c) of the District of Columbia School Reform Act of 1995 solicits proposals for SY25-26 for the following services:

- Computer/Technology purchases
- Related Service Providers
- Special education services
- Janitorial services

For the detailed RFP of each service, please email bids@bridgespcs.org. Proposals should be submitted in PDF format to bids@bridgespcs.org no later than **5:00 pm Wednesday June 4th, 2025.**

DISTRICT OF COLUMBIA OFFICE OF THE CHIEF MEDICAL EXAMINER

REGULAR MEETING OF THE CHILD FATALITY REVIEW COMMITTEE

Notice of Public Meeting- Thursday, May 15, 2025- 10:00 a.m.

This meeting will be conducted via WebEx

Open Meeting

I. Greetings:

- Attendees introductions

II. Vote to approve the agenda for today's meeting

III. Open portion of meeting for any members of the public who wish to address the team

IV. Reading of Open Minutes from the April 2025 meeting

V. Vote to close meeting to the public for remaining team business

Closed Meeting

Child Fatality Review Committee (CFRC) meetings are closed to the public when discussing cases of child deaths pursuant to D.C. Official Code §§ 2-575(b)(1) and 4-1371.08. The Committee welcomes public comments and questions and reserves time at the start of each meeting for public engagement.

Join this meeting through WebEx:

Meeting link:
https://dcnet.webex.com/dcnet/j.php?MTID=m5590f5e3383e6d5041cce806a9f42f9f

Meeting Number: 2304 909 7088

Event Password: pqSHmGAj334

To join by phone: +1-202-860-2110 United States Toll (Washington, D.C.)

1-650-479-3208 Call-in number (US/Canada)

Access Code: 2304 909 7088

Host PIN: 4533

Please direct any inquiries to: Tracie Martin, Supervisory Fatality Review Program Manager at tracie.martin@dc.gov

DISTRICT OF COLUMBIA OFFICE OF THE CHIEF MEDICAL EXAMINER

DEVELOPMENTAL DISABILITIES FATALITY REVIEW COMMITTEE MEETING

Notice of Public Meeting- Friday, May 16, 2025- 10:00 a.m.

This meeting will be conducted via WebEx.

Open Meeting

I. Greetings:

- Attendees' introductions

II. Vote to approve the agenda for today's meeting.

III. Open portion of meeting for any members of the public who wish to address the team.

IV. Reading of Open Minutes from the April 2025 meeting

V. Vote to close meeting to the public for remaining team business

Closed Meeting

Developmental Disabilities Fatality Review Committee meetings are closed to the public when discussing decedent deaths pursuant to D.C. Official Code § 2-575(b)(1), and 7-1305.12. The Committee welcomes public comments and questions and reserves time at the start of each meeting for public engagement.

Join this meeting through WebEx:

Meeting link:
https://dcnet.webex.com/dcnet/j.php?MTID=mbe2fa8f713daab47d4be8a4a474377e0

Meeting Number: 2314 879 3412

Event Password: PPps3hkCK73

To join by phone: +1-202-860-2110 United States Toll (Washington, D.C.)

1-650-479-3208 Call-in number (US/Canada)

Access Code: 2314 879 3412

Host PIN: 4533

Please direct any inquiries to: Tracie Martin, Supervisory Fatality Review Program Manager at tracie.martin@dc.gov

DISTRICT OF COLUMBIA OFFICE OF THE CHIEF MEDICAL EXAMINER

REGULAR MEETING OF THE MATERNAL MORTALITY REVIEW COMMITTEE

Notice of Public Meeting- Tuesday, May 27 , 2025- 10:00 a.m.

This meeting will be conducted via WebEx

Open Meeting

I. Greetings: Attendees introductions

II. Vote to approve the agenda for today's meeting

III. Review of Open Minutes of the April 2025 meeting

IV. Vote to close the meeting to the public for remaining team business

Closed Meeting

Maternal Mortality Review Committee (MMRC) meetings are closed to the public when discussing cases of maternal deaths pursuant to D.C. Official Code § 2-575(b)(1) and 7-671.06. The Committee welcomes public comments and questions and reserves time at the start of each meeting for public engagement.

Join this meeting through WebEx:

Meeting link:
https://dcnet.webex.com/dcnet/j.php?MTID=mc682ceae1f3a3ce186c1d82430a7a1d9

Meeting Number: 180 364 6403

Event Password: 9n27tWcy4E2

To join by phone: +1-202-860-2110 United States Toll (Washington, D.C.)

1-650-479-3208 Call-in number (US/Canada)

Access Code: 1803946403

Host PIN: 4533

Please direct any inquiries to: Tracie Martin, Supervisory Fatality Review Program Manager at tracie.martin@dc.gov

DISTRICT OF COLUMBIA OFFICE OF THE CHIEF MEDICAL EXAMINER

REGULAR MEETING OF THE OPIOID FATALITY REVIEW BOARD

Notice of Public Meeting- Tuesday, May 12, 2025- 3:00 p.m.

This meeting will be conducted via WebEx

Open Meeting

I. Greetings:

- Attendees introductions

II. Vote to approve the agenda for today's meeting.

III. Open portion of meeting for any members of the public who wish to address the team.

IV. Reading of Open Minutes from the April 2025 meeting

V. Vote to close meeting to the public for remaining team business

Closed Meeting

Opioid Fatality Review Board (OFRB) meetings are closed to the public when discussing cases of opioid related deaths pursuant to D.C. Official Code § 2-575(b)(1) and Mayor's Order 2019-024 (XIII). The Board welcomes public comments and questions and reserves time at the start of each meeting for public engagement.

Join this meeting through WebEx:

Meeting link:
https://dcnet.webex.com/dcnet/j.php?MTID=m9d11c3d565a1745fce55b03f3a43d510

Meeting Number: 2305 861 5432

Event Password: fMJ2pAuCD28

To join by phone: +1-202-860-2110 United States Toll (Washington D.C.)

1-650-479-3208 Call-in number (US/Canada)

Access code: 2305 861 5432

Host PIN: 4533

Access Code:2301 828 0321

direct any inquiries to: Tracie Martin, Supervisory Fatality Review Program Manager at tracie.martin@dc.gov

DISTRICT OF COLUMBIA OFFICE OF THE CHIEF MEDICAL EXAMINER

REGULAR MEETING OF THE VIOLENCE FATALITY REVIEW COMMITTEE

Notice of Public Meeting- Thursday, May 22, 2025 - 1:00 p.m.

This meeting will be conducted via WebEx

Open Meeting

I. Greetings:

- Attendees introductions

II. Vote to approve the agenda for today's meeting

III. Open portion of meeting for any members of the public who wish to address the team

IV. Reading of Open Minutes from the April 2025 meeting

V. Vote to close meeting to the public for remaining team business

Closed Meeting

Violence Fatality Review Committee (VFRC) meetings are closed to the public when discussing cases of homicide and suicide related deaths pursuant to D.C. Official Code § 2-575(b)(1) and 5-1431.05. The Committee welcomes public comments and questions and reserves time at the start of each meeting for public engagement.

Join this meeting through WebEx:

Meeting link:
https://dcnet.webex.com/dcnet/j.php?MTID=ma9b09cbd80b8d032d245d96fe3485a1b

Meeting Number: 2306 500 0751

Event Password: ffWKxVnU538

To join by phone: +1-202-860-2110 United States Toll (Washington, D.C.)

1-650-479-3208 Call-in number (US/Canada)

Access Code: 2306 500 0751

Host PIN: 4533

Please direct any inquiries to: Tracie Martin, Supervisory Fatality Review Program Manager at tracie.martin@dc.gov

D.C. STATE BOARD OF EDUCATION

NOTICE OF PUBLIC MEETING

Educator Excellence Committee Meeting

The D.C. State Board of Education's Educator Excellence Committee Meeting will hold a meeting on the following date:

- Tuesday, May 27, 2025 at 4:30 P.M.

Below is the agenda for the committee's meeting. If there are any meeting materials, they will be posted on the State Board's meeting DropBox at: https://www.dropbox.com/scl/fo/zk23183i4cy7839dwrzh0/AN_PMsUGuBDhEGV_k9hYtU4?rlkey=w362zb5ug2el8t1ie49aevjso&st=e8rs7a9h&dl=0.

The meeting will be conducted remotely via Zoom, and members of the public are invited to join the meeting webinar and observe at: https://dc-gov.zoom.us/j/82572108747.

AGENDA:

- Staff will share a landscape scan of what is working well in other states, including examples that were mentioned by the small group of teachers at the last meeting.

Please note: This agenda is subject to change.

These meetings are governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
CITYWIDE REGISTRATION SUMMARY
AS OF APRIL 30, 2025

WARD	DEM	REP	STG	N-P	OTH	TOTALS
1	45,839	2,147	623	10,722	366	59,697
2	37,679	3,896	333	11,701	373	53,982
3	41,619	4,238	420	11,549	363	58,189
4	48,612	2,189	586	9,828	351	61,566
5	54,579	2,529	743	11,772	525	70,148
6	50,070	5,766	515	13,388	493	70,232
7	49,262	2,101	621	10,041	482	62,507
8	42,399	2,451	596	9,786	470	55,702
TOTALS	**370,059**	**25,317**	**4,437**	**88,787**	**3,423**	**492,023**
Percentage by Party	**75.21%**	**5.15%**	**0.90%**	**18.05%**	**0.70%**	**100.00%**

DISTRICT OF COLUMBIA BOARD OF ELECTIONS MONTHLY REPORT OF
VOTER REGISTRATION STATISTICS AND REGISTRATION TRANSACTIONS
AS OF THE END OF APRIL 30, 2025

COVERING CITY-WIDE TOTALS BY:
WARD, PRECINCT, AND PARTY

1015 HALF STREET, SE SUITE 750
WASHINGTON, DC 20003
(202) 727-2525
http://www.dcboe.org



D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 1 REGISTRATION SUMMARY
AS OF APRIL 30, 2025

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
20	862	41	12	195	8	1,118
22	4,379	305	27	1,012	33	5,756
23	3,076	137	41	708	25	3,987
24	2,895	159	23	672	20	3,769
25	4,290	249	50	1,015	26	5,630
35	3,645	126	57	818	29	4,675
36	4,112	206	58	918	31	5,325
37	4,124	157	55	1,065	38	5,439
38	2,845	117	39	701	23	3,725
39	4,051	160	55	875	26	5,167
40	3,404	139	74	732	28	4,377
41	3,338	167	63	966	44	4,578
42	1,760	74	28	402	9	2,273
43	1,859	59	26	389	13	2,346
137	1,199	51	15	254	13	1,532
TOTALS	**45,839**	**2,147**	**623**	**10,722**	**366**	**59,697**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 2 REGISTRATION SUMMARY
AS OF APRIL 30, 2025

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
2	597	72	7	295	7	978
3	1,801	264	23	688	26	2,802
4	2,475	333	25	913	31	3,777
5	2,294	442	19	949	37	3,741
6	2,404	504	19	1,220	29	4,176
13	1,375	159	12	422	13	1,981
14	2,930	275	32	844	27	4,108
15	3,194	242	22	796	27	4,281
16	3,773	283	18	949	20	5,043
17	4,884	369	40	1,397	36	6,726
18	4,790	282	37	1,113	40	6,262
21	1,104	42	12	237	11	1,406
129	3,355	425	44	1,242	40	5,106
141	2,703	204	23	636	29	3,595
TOTALS	**37,679**	**3,896**	**333**	**11,701**	**373**	**53,982**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 3 REGISTRATION SUMMARY
AS OF APRIL 30, 2025

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
7	1,432	272	16	534	23	2,277
8	2,879	551	18	970	25	4,443
9	1,061	302	6	412	10	1,791
10	2,040	290	14	719	24	3,087
11	3,463	350	60	1,153	53	5,079
12	657	142	2	277	9	1,087
26	3,267	227	24	803	21	4,342
27	2,494	178	23	563	10	3,268
28	2,588	311	30	767	21	3,717
29	1,807	129	23	539	20	2,518
30	1,541	172	11	419	15	2,158
31	2,605	235	20	582	16	3,458
32	3,011	211	24	736	23	4,005
33	3,114	171	33	675	20	4,013
34	3,793	211	50	1,007	24	5,085
50	2,303	243	29	555	27	3,157
136	1,301	78	13	330	7	1,729
138	2,263	165	24	508	15	2,975
TOTALS	**41,619**	**4,238**	**420**	**11,549**	**363**	**58,189**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 4 REGISTRATION SUMMARY
AS OF APRIL 30, 2025

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
45	2,267	72	30	411	12	2,792
46	2,872	83	40	518	25	3,538
47	3,263	127	52	705	24	4,171
48	2,792	111	34	599	16	3,552
49	979	42	13	230	9	1,273
51	3,655	383	18	683	20	4,759
52	1,498	102	5	283	8	1,896
53	1,085	61	17	239	8	1,410
54	2,229	82	30	490	22	2,853
55	2,305	74	26	462	13	2,880
56	3,061	120	45	663	27	3,916
57	2,296	90	36	542	20	2,984
58	1,959	71	24	408	22	2,484
59	2,446	83	21	430	11	2,991
60	2,105	153	31	649	34	2,972
61	1,503	71	20	314	17	1,925
62	3,668	145	34	602	8	4,457
63	3,796	161	59	733	20	4,769
64	2,190	65	21	401	19	2,696
65	2,643	93	30	466	16	3,248
TOTALS	**48,612**	**2,189**	**586**	**9,828**	**351**	**61,566**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 5 REGISTRATION SUMMARY
AS OF APRIL 30, 2025

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
19	4,553	211	75	1,034	42	5,915
44	2,479	190	47	648	23	3,387
66	4,439	142	41	806	41	5,469
67	2,730	101	24	500	15	3,370
68	1,906	153	32	377	18	2,486
69	2,083	69	24	369	12	2,557
70	1,411	67	29	297	10	1,814
71	2,317	77	36	465	21	2,916
72	4,025	169	63	827	49	5,133
73	1,808	87	22	322	17	2,256
74	5,351	299	85	1,319	68	7,122
75	5,016	237	60	1,155	51	6,519
76	3,016	164	35	812	45	4,072
77	2,754	137	48	597	31	3,567
78	2,789	123	32	646	25	3,615
79	1,993	93	26	522	16	2,650
135	2,935	131	36	586	22	3,710
139	2,974	79	28	490	19	3,590
TOTALS	**54,579**	**2,529**	**743**	**11,772**	**525**	**70,148**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 6 REGISTRATION SUMMARY
AS OF APRIL 30, 2025

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
1	5,455	488	56	1,700	48	7,747
81	3,349	296	29	736	28	4,438
82	2,729	216	34	642	26	3,647
83	3,591	300	36	840	33	4,800
84	2,035	346	18	526	19	2,944
85	2,762	461	22	712	25	3,982
88	2,104	253	14	475	22	2,868
89	2,656	494	25	741	25	3,941
90	1,619	180	18	459	21	2,297
91	4,401	378	42	1,067	38	5,926
127	4,668	385	64	1,190	37	6,344
128	2,267	179	27	606	18	3,097
130	3,888	1,107	26	1,311	69	6,401
142	3,034	299	45	997	29	4,404
143	358	26	4	58	3	449
144	5,154	358	55	1,328	52	6,947
TOTALS	**50,070**	**5,766**	**515**	**13,388**	**493**	**70,232**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 7 REGISTRATION SUMMARY
AS OF APRIL 30, 2025

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
80	1,900	244	62	504	29	2,739
86	2,966	200	45	716	39	3,966
87	2,654	218	28	624	30	3,554
92	1,328	34	18	235	11	1,626
93	1,481	48	20	278	16	1,843
94	1,845	77	25	383	19	2,349
95	1,691	66	20	370	17	2,164
96	1,784	56	16	335	17	2,208
97	1,320	48	20	279	15	1,682
98	1,989	75	22	408	17	2,511
99	1,336	53	14	309	13	1,725
100	2,199	73	19	446	11	2,748
101	1,418	46	17	261	17	1,759
102	2,260	101	30	417	24	2,832
103	2,850	85	42	547	25	3,549
104	2,967	109	46	623	31	3,776
105	2,261	83	24	511	23	2,902
106	2,516	71	22	507	20	3,136
107	1,155	48	8	228	12	1,451
108	969	26	3	150	7	1,155
109	878	36	6	143	5	1,068
110	3,368	107	32	523	26	4,056
111	2,050	66	34	424	24	2,598
113	2,168	69	19	403	22	2,681
132	1,909	62	29	417	12	2,429
TOTALS	**49,262**	**2,101**	**621**	**10,041**	**482**	**62,507**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 8 REGISTRATION SUMMARY
AS OF APRIL 30, 2025

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
112	1,384	41	20	299	11	1,755
114	2,925	140	51	712	42	3,870
115	1,905	65	25	407	17	2,419
116	2,596	104	34	613	24	3,371
117	2,608	93	31	583	27	3,342
118	3,049	102	46	654	30	3,881
119	1,668	81	26	350	25	2,150
120	2,000	75	26	409	22	2,532
121	3,129	117	38	661	22	3,967
122	1,972	82	25	409	17	2,505
123	1,708	191	34	515	27	2,475
124	2,187	90	36	438	18	2,769
125	3,517	122	52	723	50	4,464
126	3,102	161	64	737	31	4,095
131	3,884	782	33	1,363	61	6,123
133	1,472	66	15	253	12	1,818
134	1,747	68	27	342	18	2,202
140	1,546	71	13	318	16	1,964
TOTALS	**42,399**	**2,451**	**596**	**9,786**	**470**	**55,702**

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF PUBLIC MEETING

Pharmacy and Therapeutics Committee Meeting – June 5, 2025

The Department of Health Care Finance (DHCF) Pharmacy and Therapeutics Committee (Committee), pursuant to the requirements of Mayor's Order 2007-46, dated January 23, 2007, hereby announces a public meeting of the Committee to obtain input on the review and maintenance of a Preferred Drug List (PDL) for the District of Columbia. The meeting will be held virtually on **Thursday June 5th, 2025**, at **2:00 PM** via Zoom.

Please note in order to attend the meeting, you will have to register at the website: https://primetherapeutics.zoom.us/webinar/register/WN_K-THLlL8SCWfaPnfwW-hxQ

Once you have registered you will receive an email with instructions on how to attend.

The Committee will receive public comments from interested individuals on issues relating to the topics or class reviews to be discussed at this meeting. The clinical drug class review for this meeting will include:

Acne Agents, Topical
Analgesics, Narcotics Long Acting & Tramadol Like agents
Antibiotics, Inhaled
Antihistamines, Minimally Sedating
Antimigraine Agents, Triptans and Others
Bronchodilators, Beta Agonists
COPD Agents
Epinephrine, Self-Injected
Fertility Agents
Glucocorticoids, Inhaled
Intranasal Rhinitis Agents
Leukotriene Modifiers
NSAIDs
Ophthalmic Antibiotics
Ophthalmic Antibiotic-Steroid Combinations
Ophthalmics for Allergic Conjunctivitis
Ophthalmics, Anti-Inflammatories
Ophthalmics, Anti-Inflammatories-Immunomodulators
Ophthalmics, Glaucoma Agents
Opiate Dependence Treatments
Otic Antibiotics
Otic Anti-Inflammatories
PAH Agents, Oral and Inhaled
Potassium Binders *(tentative)*
Skeletal Muscle Relaxants
Smoking Cessation Agents
Steroids, Topical High
Steroids, Topical Low
Steroids, Topical Medium
Steroids, Topical Very High
Stimulants and Related Agents

Any person or organizations who wish to make a presentation to the DHCF P&T Committee should furnish his or her name, address, telephone number, and name of organization represented by calling (202) 442-9076 **no later than 4:45 PM on Thursday, May 29th, 2025**. The person or organization may also submit the aforementioned information via e-mail to Charlene Fairfax (charlene.fairfax@dc.gov). Once we have the above information, the presenter will be sent instructions on how to sign up as a presenter during the June P&T webinar.

An individual wishing to make an oral presentation to the Committee will be limited to three (3) minutes.

A person wishing to provide written information should supply a copy of the written information to the Committee **no later than 4:45 PM on Thursday, May 29th, 2025. Handouts are limited to no more than two standard 8-1/2 by 11-inch pages of "bulleted" points (or one sheet front and back).** The ready-to-disseminate, written information should be emailed to charlene.fairfax@dc.gov **to arrive no later than Thursday, May 29th, 2025.**

DEPARTMENT OF HEALTH CARE FINANCE &
DEPARTMENT ON DISABILITY SERVICES

PUBLIC NOTICE OF WAIVER RENEWAL

Home and Community-Based Services Individual and Family Support Waiver (IFS)

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in an Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*), and the Director of the Department on Disability Services (DDS), pursuant to authority set forth in Title I of the Department on Disability Services Establishment Act of 2006, effective March 14, 2007 (D.C. Law 16-264; D.C. Official Code § 7-761.01 *et seq.*), hereby give notice of their intent to submit an application for the District of Columbia Medicaid's renewal of the Home and Community-Based Services for Individual and Family Support (IFS) Waiver program to the U.S. Department of Health and Human Services' Centers for Medicare and Medicaid Services (CMS) for review and approval.

The IFS Waiver allows District residents with intellectual or developmental disabilities (IDD) who live in an independent environment, either in their own homes or with family or friends, to receive HCBS services and support tailored to their specific needs. DDS is proposing to renew and streamline the IFS Waiver to further meet the needs of individuals who can leverage support from family or friends without institutional services. In this way, the IFS Waiver will continue to offer person-centered services that meet the person's needs in the least restrictive setting and apply the highest standards of quality and national best practices.

The IFS Waiver will continue to offer a full range of health and clinical services necessary to help people with complex support needs and their families to choose an alternative to institutional services that promotes community inclusion and independence by enhancing, not replacing, existing informal networks. The proposed IFS Waiver amendments in this renewal application contain six (6) types of substantive changes to be effective October 1, 2025, or upon approval by CMS, whichever is later, as follows: (1) modify the scope of specific services; (2) modify staff training requirements; (3) modify HCBS settings qualifications training requirements and person-centered plan development for Service Coordinators; (4) modifies the annual physical examination performance measure; (5) modify Qualified Intellectual Disabilities Professional (QIDP)/Qualified Developmental Disabilities Professional (QDDP) qualifications and requirements; and (6) sets reimbursement rates for direct support professional living wage rates.

The changes will impact the following services: (1) Assistive Technology; (2) Behavioral Supports; (3) Creative Arts Therapies; (4) Day Habilitation; (5) Employment Readiness; (6) Individual-Directed Goods and Services; (7) In-Homes Supports; (8) Participant-Directed Services; (9) Personal Emergency Response System; and (10) Remote Support Services. Additionally, the following services will include a telehealth option: (1) Assistive technology assessment; (2) Behavioral Support Services; (3) Creative Arts Therapies; (4) Family Training Services; (5) Occupational Therapy Services; (6) Parenting Support Services; (7)

Speech, Hearing, and Language Services; and (9) Wellness Services, including bereavement counseling, fitness training, nutrition evaluation and counseling, and sexuality education.

The period for public comment will begin on May 16, 2025, and end on June 16, 2025, at 12:00 p.m. There are two opportunities for the public to provide comments or other input on the proposed HCBS IFS Renewal Waiver Application:

First, written comments on the proposed new HCBS IFS Waiver application shall be submitted to: Benjamin Ebeigbe, Director, Long Term Care Administration, Department of Health Care Finance, 441 4th Street, NW, Suite 900S, Washington, D.C. 20001, or via email at dhcfpubliccomments@dc.gov during the thirty (30) calendar day public comment period, starting from the date this notice is published in the *D.C. Register*.

Second, DHCF and DDS will hold a virtual public forum during which written and oral comments on the proposed new IFS Waiver application will be accepted. The virtual public forum will be held on May 23, 2025, from 12:00 p.m. to 1:30 p.m. Scheduling information for the public forum will be posted on the DDS website at HCBS IFS Waiver 2025 Renewal | dds. Individuals can join the public forum by telephone by dialing 1-646-931-3860 and using the access code 869 2072 4982. Web conference information will be available on the DDS Website at HCBS IFS Waiver 2025 Renewal | dds.

Accommodations for the public forum are available upon request. Please provide your name, address, telephone number, organizational affiliation and accommodation request, if needed to Donnise Taylor at (202) 730-1556 or email Donnise.Taylor@dc.gov.

Electronic copies of this notice also will be published on the DDS website at http://dds.dc.gov.

A summary of all proposed substantive changes in the renewal application, including detailed information about any substantive changes to rates, and copies of the proposed IFS Waiver renewal application may be obtained on the DDS website at http://dds.dc.gov/ifs-waiver-renewal, and is available upon request from Winslow Woodland, Deputy Director, D.C. Department on Disability Services, Developmental Disabilities Administration Division, 250 E Street SW, 5th Floor, Washington DC 20024, or by email to winslow.woodland@dc.gov.

DEPARTMENT OF HEALTH

HEALTH SYSTEMS AND PREPAREDNESS ADMINISTRATION

NOTICE OF VIRTUAL MEETING

Board of Medicine
May 28, 2025

On May 28, 2025, at 8:30 am, the Board of Medicine will hold a virtual meeting to consider and discuss a range of matters impacting competency and safety in the practice of medicine.

The meeting will be open to the public from 8:30 am to 10:30 am to discuss various agenda items and any comments and/or concerns from the public.

In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will then move to Closed Session from 10:30 am until 4:00 pm to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and violations of law or regulations.

The meeting will be conducted via videoconference. The public may attend the open session through one of the following:

Meeting link:
https://dcnet.webex.com/dcnet/j.php?MTID=m7f823658b3b1e1556a59c90709042b04

Meeting number:
160 487 2313

Password:
eTJJfPgx322

Join by video system
Dial 1604872313@dcnet.webex.com
You can also dial 173.243.2.68 and enter your meeting number.

Join by phone
+1-202-860-2110 United States Toll (Washington D.C.)
1-650-479-3208 Call-in number (US/Canada)
Access code: 160 487 2313

Executive Director for the Board – Sithembile Chithenga MD, MPH
(sithembile.chithenga@dc.gov)

DEPARTMENT OF HEALTH

PUBLIC NOTICE

The District of Columbia Board of Nursing ("Board") hereby gives notice of its special meeting, pursuant to § 405 of the District of Columbia Health Occupation Revision Act of 1985, D.C. Official Code § 3-1204.05 (b)).

The Board meets bi-monthly on the first Wednesday of every other month from 9:00 AM to 12:00 PM. During its regular meeting on Wednesday, May 7, 2025, the public raised several concerns related to the clinical placement of students in the District. Accordingly, the Board will hold a special meeting on Monday, May 19, 2025 at 9:00 AM to review policy related to the matter.

The public may attend the meeting by following the link below:

https://dcnet.webex.com/dcnet/j.php?MTID=mcc28cf799c8f6eccc4f690b77e9e8b4b

The Board's next regular meeting will be held on July 2, 2025 at 9:00 AM via Webex at https://dcnet.webex.com/dcnet/j.php?MTID=mc6734897c0edfe6f8e75edfcef175f34

Information about the Board, including agenda and minutes of the meetings may be found at the Board's webpage at https://dchealth.dc.gov/node/149382

DISTRICT OF COLUMBIA
HISTORIC PRESERVATION REVIEW BOARD

NOTICE OF HISTORIC LANDMARK AND HISTORIC DISTRICT DESIGNATIONS

The D.C. Historic Preservation Review Board hereby provides public notice of its decision to designate the following property as a historic landmark in the D.C. Inventory of Historic Sites. The property is now subject to the D.C. Historic Landmark and Historic District Protection Act of 1978.

Designation Case No. 25-03: Euram Building
21 Dupont Circle NW (Square 115 Lot 0082)
Designated May 1, 2025
Applicant: D.C. Preservation League
Affected Advisory Neighborhood Commission: 2B

Listing in the D.C. Inventory of Historic Sites provides recognition of properties significant to the historic and aesthetic heritage of the nation's capital city, fosters civic pride in the accomplishments of the past, and assists in preserving important cultural assets for the education, pleasure and welfare of the people of the District of Columbia.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
RENTAL ACCOMMODATIONS DIVISION

PUBLIC NOTICE

COMPLETION OF THE
PUBLIC ACCESSIBLE RENT CONTROL HOUSING DATABASE

EFFECTIVE JUNE 2, 2025

SUMMARY

The Department of Housing and Community Development, Rental Accommodations Division (RAD) gives notice of the completion of the Public Accessible Rent Control Housing Database, known as the RentRegistry, which will be publicly released on Monday, June 2, 2025. The Council of the District of Columbia mandated the development of the RentRegistry pursuant to the Rent Control Housing Clearinghouse Amendment Act of 2015 (D.C. Law 21-0036 effective from Oct. 22, 2015), amending the Rental Housing Act of 1985 ("Act") (D.C. Official Code 2001 ed., as amended, § 42-3501.01 *et seq.*). The RentRegistry is purposed to modernize RAD's administration of the Act and provide transparency and easier access to rental housing data and information. The Act regulates all rental housing in the District of Columbia and includes a Rent Stabilization Program, which is commonly referred to as "rent control."

The RentRegistry is an Internet-based program designed to provide real-time, searchable information about buildings and rental units, base rents, services and facilities, rent adjustments, unit features, and unit vacancy status. It is anticipated that the RentRegistry will modernize and streamline RAD's administration and operations, provide vital data about the District's rental housing market, improve access and convenience of submitting filings, allow easier access to information, and provide data to drive policy and legislative decision-making.

All stakeholders, including housing providers, property managers, agents, and tenants, must use the RentRegistry.

LEGAL NOTICE

- Pursuant to § 42-3502.05(f) of the Act, each housing provider of a rental accommodation for which the housing provider receives rent or is entitled to receive rent shall file a new registration statement and if applicable, a claim of exemption, using the RentRegistry within **90 days** of June 2, 2025.

- Pursuant to § 42-3502.05(f) of the Act, all new registrations or new claims of exemption must be submitted through the RentRegistry no later than Sunday, August 31, 2025 at 11:59 p.m.

- Pursuant to §§ 42-3502.03c and 42-3502.05(f) of the Act, all notices, forms, and relevant data that housing providers must file with RAD (including registration or claim of exemption, amended registration, tenant's registration of age or disability rent exemption, housing provider's notice to tenant of rent adjustment, and certificate of rent adjustment) shall be submitted to and filed in the RentRegistry.

- Pursuant to § 42-3502.05(f)(4) of the Act, beginning ninety-one (91) days after completion of the RentRegistry, a housing provider (except the federal government) who fails to register a housing accommodation shall pay a penalty of $100 per rental unit to the District of Columbia government and is prohibited from implementing a rent increase pursuant to § 42-3502.08(a) of the Act until the housing provider registers in the RentRegistry and pays any associated penalty.

- Pursuant to § 42-3502.05(f), on and after June 2, 2025, RAD will not accept paper filings, except housing provider applications or petitions filed pursuant to §§ 42-3502.05(e), 42-3502.11, 42-3502.12, 42-3502.14, and 42-3502.15 and eviction notices filed pursuant to § 42-3505.01 of the Act.

Additional information regarding the RentRegistry is available at https://dhcd.dc.gov/page/rentregistry-rent-control-database.

Questions about the RentRegistry may be sent to: raddatabase.inquiries@dc.gov.

Questions concerning this Notice should be directed to:

Tonya Butler-Truesdale
Rental Property Program Specialist
Department of Housing and Community Development
Housing Regulation Administration
1909 Martin Luther King, Jr. Avenue, S.E.
Washington, D.C. 20020,

by email to tonya.butler-truesdale@dc.gov or on (202) 442-9505.

KINGSMAN ACADEMY PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Kingsman Academy Public Charter School in accordance with section 2204(c) of the District of Columbia School Reform Act of 1995 solicits proposals for vendors to provide the following services:

New services needed:

- Access Control/Cameras/Intercom
- Accounting Services
- Asphalt/Concrete Repairs
- Building Maintenance
- Communications & Social Media Services
- Computers and Electronic Devices
- Contracted Grants Management and Development Services
- Contracted Instruction (After-school Programs, Internships, Job Development Programs, Electives, Auxiliary Programs, Vocational Programming)
- Consulting Services (Coaching, Strategic Planning, Governance, Authorizer Subject Matter Experts, Organizational Leadership, Alternative Accountability Experts, School Evaluation)
- Cloud Experience Management Software
- Custom School Information System
- Custom Textbooks and eBooks
- Data Management
- Exterior Door Replacement
- Electrical Services and Maintenance
- Experiential Learning Course Designers
- Facilities Management
- Facilities Conditions Assessment
- Financial, Accounting & Compliance Services
- Fire Alarm Monitoring
- Food Service Distributor (Wholesale Food Provider, Bulk Food Distributor, Grocery Distributor, Ingredients Supplier)
- General Contractor/Construction and Maintenance
- Health / Nursing
- HVAC Services and Equipment
- Insurance and Brokerage Services
- IP-Based PA System
- IT & Technology Services
- Janitorial Services (Day Porter)
- Plumbing Repairs
- Professional Employer Organization
- Professional Development for Staff
- Professional Services

- Related Services for Students (Counseling, Occupational Therapy, Psychological Evaluations, Speech Language Therapy, Dedicated Aides)
- Research Partnerships
- Roof Repair
- School Classroom Furniture
- School / Community Partnerships
- School Security Services
- School Uniforms
- Security Equipment and Monitoring
- Special Education Case Management Support
- Staffing Services
- Student Information System Support
- Student Transportation
- Tutoring Services
- Travel Agency
- Exterior Window Replacement

Proposal Submission

A Portable Document Format (pdf) election version of your proposal must be received by the school **no later than 4:00 p.m. EST on Wednesday, May 21, 2025.** Contact **procurement@kingsmanacademy.org** for a copy of the Scope of Work. **Proposal submissions should be emailed to procurement@kingsmanacademy.org**. **No phone calls.**

DEPARTMENT OF LICENSING AND CONSUMER PROTECTION

NOTICE OF PUBLIC MEETING

District of Columbia Board of Architecture, Interior Design and Landscape Architecture

The District of Columbia Board of Architecture, Interior Design and Landscape Architecture ("Board") hereby gives notice of its regular meeting, pursuant to the section 406 of the Open Meetings Act of 2010, effective January 19, 2011 (D.C. Law 18-350; D.C. Official Code § 2-576). The proposed agenda for each meeting will be posted on the Department of Licensing and Consumer Protection's website at www.dlcp.dc.gov and the Office of Open Government's website at https://www.open-dc.gov/public-bodies/meetings, not less than forty-eight (48) hours before the meeting.

The Board will hold its next meeting on Friday, May 23, 2025, at 9:30 a.m.

The Board holds its meetings every six weeks on a date at a specified time. The meetings are open to members of the public virtually through Zoom. For additional information, please contact Ms. Avis B. Pearson, Board Administrator, at (202) 615-2331 or avis.pearson@dc.gov.

DRAFT AGENDA

1. Call to Order – 9:30 a.m. (*Public Session*)
2. Attendance
3. Comments from the Public
4. Review of Meeting Minutes
5. Review of Administrative Approval Applications
6. Legislative Updates
7. Education
8. Old Business
9. Subcommittee Update
10. New Business
11. Review of Correspondence
12. Executive Session (*Closed Session*) pursuant to D.C. Official Code § 2-575(b)(4)(A), § 2-575(b)(9) and (13) to discuss complaints/legal matters, applications, and legal counsel report.
13. Adjournment

Meeting Link:
https://dc-gov.zoom.us/j/81383623589?pwd=Ybcl1tGVBIPF8fslFab83joOzXJBTW.1
Webinar ID: 813 8362 3589
Passcode: 05232025

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at open.govoffice@dc.gov.

DEPARTMENT OF LICENSING AND CONSUMER PROTECTION

NOTICE OF PUBLIC MEETING

District of Columbia Board of Professional Engineers

The District of Columbia Board of Professional Engineers ("Board") hereby gives notice of its upcoming meeting, pursuant to the section 406 of the Open Meetings Act of 2010, effective January 19, 2011 (D.C. Law 18-350; D.C. Official Code § 2-576). The proposed agenda for each meeting will be posted on the Department of Licensing and Consumer Protection's website at www.dlcp.dc.gov and the Office of Open Government's website at https://www.open-dc.gov/public-bodies/meetings, not less than forty-eight (48) hours before the meeting.

The Board will hold its upcoming meeting on Thursday, May 22, 2025, at 11:00 a.m.

The Board holds its meetings on the fourth Thursday of every month (except for April, August, November, and December) at 11:00 a.m. The meetings are open to members of the public virtually through Zoom. For additional information, please contact Ms. Avis B. Pearson, Board Administrator, at (202) 615-2331 or avis.pearson@dc.gov.

DRAFT AGENDA

1. Call to Order – 11:00 a.m. (*Public Session*)
2. Attendance
3. Comments from the Public
4. Review of Minutes
5. Administrative Approval Application Review
6. Legislative/Rulemaking Updates
7. Subcommittee Update
8. Old Business
9. New Business
10. Review of Correspondence
11. Executive Session (*Closed Session*) to consult with an attorney pursuant to D.C. Official Code § 2-575(b)(4)(A); D.C. Official Code § 2-575(b)(9) to discuss complaints/legal matters, applications, and legal counsel report.
12. Recommendations –Technical/Legal Log
13. Adjournment

Meeting Link:
https://dc-gov.zoom.us/j/82609366980?pwd=XWStgXGwCFGV7gwgmBxjzcSl0GTs2X.1
Meeting Number: 826 0936 6980
Password: 05222025

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at open.govoffice@dc.gov.

DEPARTMENT OF LICENSING AND CONSUMER PROTECTION

NOTICE OF PUBLIC MEETING

District of Columbia Board of Real Estate Appraisers

The District of Columbia Board of Real Estate Appraisers ("Board") hereby gives notice of its regular meeting, pursuant to the section 406 of the Open Meetings Act of 2010, effective January 19, 2011 (D.C. Law 18-350; D.C. Official Code § 2-576). The proposed agenda for each meeting will be posted on the Department of Licensing and Consumer Protection's website at www.dlcp.dc.gov and the Office of Open Government's website at https://www.open-dc.gov/public-bodies/meetings, not less than forty-eight (48) hours before the meeting.

The Board will hold its upcoming meeting on Wednesday, May 21, 2025, at 10:00 a.m.

The Board holds its meetings on the third Wednesday of every month at 10:00 a.m. The meetings are open to members of the public virtually through Zoom. For additional information, please contact Ms. Brittney Cheshier, Board Administrator, at (202) 442-4461 or Brittney.Cheshier1@dc.gov.

DRAFT AGENDA

1. Call to Order – 10:00 a.m. (*Public Session*)
2. Attendance
3. Comments from the Public
4. Approval of Meeting Minutes
5. Recommendations – Education Committee Report
6. Correspondence
7. Old Business
   New Business
8. Executive Session (*Closed Session*) to consult with an attorney pursuant to D.C. Official Code § 2-575(b)(4)(A); D.C. Official Code § 2-575(b)(9) to discuss complaints/legal matters, applications, and legal counsel report.
9. Recommendations
   a. Applications
   b. Legal recommendations for complaints and legal matters
10. Adjournment

Meeting Link:
https://dc-gov.zoom.us/j/89430270499
Meeting Number: 894 3027 0499

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at open.govoffice@dc.gov.

DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD

NOTICE OF PETITION TO AMEND CHARTER

MISSION STATEMENT – EW STOKES PCS

SUMMARY: The District of Columbia Public Charter School Board (DC PCSB) announces an opportunity for the public to submit comment on a request from Elsie Whitlow Stokes Community Freedom Public Charter School (EW Stokes PCS) to amend its charter agreement. The school seeks approval to update its mission statement by specifying its values and educational model. The school submitted its application on April 1, 2025.

Elsie Whitlow Stokes Community Freedom Public Charter School began operation in school year (SY) 1998 – 99. The school enrolls 689 students in grades prekindergarten-three (PK3) – 5. Its current and proposed mission statements are as follows:

Current Mission	Proposed Mission
The Elsie Whitlow Stokes Community Freedom Public Charter School prepares culturally diverse elementary school students in the District of Columbia to become leaders, scholars and responsible citizens who are committed to social justice.	The Elsie Whitlow Stokes Community Freedom Public Charter School prepares students in the District of Columbia to be global leaders, scholars and responsible citizens who are committed to justice in their communities and throughout the world. Stokes School teaches children to think, speak, read, write and learn in two languages: English and French and English and Spanish. With a dual focus on academic excellence and community service, Stokes School accomplishes its mission by creating an environment of achievement, peace and respect for all.

PUBLIC MEETINGS: The public hearing will be on June 23, 2025, at 6:00 p.m. The vote will be on August 18, 2025, at 6:00 p.m. Please visit www.dcpcsb.org to register.

HOW TO SUBMIT PUBLIC COMMENTS: You may submit comments by any one of the methods listed below.[1]

1. Testify during the public meeting on June 23, 2025. To register, please visit https://dcpcsb.org/public-comment. Click "Sign up to Testify at the Meeting," then complete the form. Please note you must sign up no later than noon on June 23, 2025.
2. Submit a written comment on or before 11:59 pm the day before the public meeting via
    a. "Submit a Written Comment" at https://dcpcsb.org/public-comment.
    b. Postal mail, hand delivery, or courier: Attn: Public Comment, DC Public Charter School Board, 100 M Street SE, Ste 400, Washington, DC 20003.
3. Submit voicemail testimony by calling (202) 328-2660 and selecting option 2. You will have up to five minutes to record your testimony. All comments will be transcribed and made available to the public upon receipt.

FOR FURTHER INFORMATION OR QUESTIONS, CONTACT: Bijon Lane, Specialist, School Performance Department, at blane@dcpcsb.org.

[1] DC PCSB reserves the right, but shall have no obligation, to review, pre-screen, filter, redact, refuse, or remove any or all of a submission that it may deem inappropriate for publication, such as obscenities.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF FINAL TARIFF

FORMAL CASE NO. 1017, IN THE MATTER OF THE DEPLOYMENT AND DESIGNATION OF STANDARD OFFER SERVICE IN THE DISTRICT OF COLUMBIA,

FORMAL CASE NO. 1134, IN THE MATTER OF THE INVESTIGATION INTO THE PROCUREMENT COST ADJUSTMENT FOR STANDARD OFER SERVICE,

and

ELECTRIC TARIFF 2024-01, IN THE MATTER OF THE POTOMAC ELECTRIC POWER COMPANY'S ANNUAL PROCUREMENT COST ADJUSTMENT TARIFF, P.S.C-D.C. No. 1,

1. The Public Service Commission of the District of Columbia (Commission) hereby gives notice, pursuant to Section 34-802 of the District of Columbia Code and in accordance with Section 2-505 of the District of Columbia Code,[1] of its final action approving the Potomac Electric Power Company's (Pepco or Company) annual Procurement Cost Adjustment (PCA) rate calculation tariff filing.

2. The PCA is one component of the Standard Offer Service (SOS) tariff and is an adjustment made in order to true-up the rates customers are billed to reflect the Company's actual cost of providing SOS.[2] The Commission directed Pepco to file the first and then annually, thereafter, its PCA tariff and workpapers no later than February 28, 2022.[3] For 2025, Pepco filed its amended PCA tariff pursuant to the Commission's directive on January 31, 2025.[4]

3. Pepco states that the PCA is a dollar per kilowatt hour ($/kWh) rate applied to the Customer's billed kilowatt-hours and is calculated and updated in accordance with

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[1] D.C. Code § 2-505 and D.C. Code § 34-802.

[2] *Formal Case No. 1134, In the Matter of the Investigation into the Procurement Cost Adjustment for Standard Offer Service ("Formal Case No. 1134")*, Order No. 21060, rel. November 18, 2021 (Order No. 21060), ¶ 2; citing Pepco's 2005 Rate Schedules, Electric---P.S.C. of D.C. No. 1, Original Page No. R. 41.8.

[3] Order No. 21060, ¶ 1, 12.

[4] *Formal Case No. 1017, In the Matter of the Development and Designation of Standard Offer Service in the District of Columbia, Formal Case No. 1134,* and *Electric Tariff 2024-01, In the Matter of the Potomac Electric Power Company's Annual Procurement Cost Adjustment Tariff, P.S.C.-D.C. No. 1*, Potomac Electric Power Company's Annual Procurement Cost Adjustment (PCA) Rate Calculation Tariff Filing, filed January 31, 2025 ("PCA Tariff Filing").

Order No. 21060.[5] The current PCA tariff filing reflects the proposed annual PCA rates for Residential customers at 0.00316 $/kWh, an increase from 0.00083 $/kWh the previous year; Small Commercial customers at (0.00427) $/kWh, a decrease from (0.00383) $/kWh the previous year, and Large Commercial customers at (0.00054) $/kWh, a decrease from 0.00012 $/kWh.[6] Pursuant to Order No. 21060, Pepco is to monitor PCA balances biannually to review for significant over-under-collections and submit any true-up adjustments on at least an annual basis.[7] The Company proposes that the PCA rate be effective from June 1, 2025, through May 31, 2026.[8] The Company proposes to revise the following pages to reflect the new tariff:

ELECTRICITY TARIFF, P.S.C.-D.C. No. 1
New:
One Hundred-Sixty-Fifth Revised Page No. R-1
One Hundred-Sixty-Fifth Revised Page No. 2
One Hundred-Fifty-Eighth Revised Page No. 2.1
One Hundred-Fifty-Sixth Revised Page No. 2.2
Forty-First Revised Page No. R-41.8

Superseding, Previous:
One Hundred-Sixty-Fourth Revised Page No. R-1
One Hundred-Sixty-Fourth Revised Page No. 2
One Hundred-Fifty-Seventh Revised Page No. 2.1
One Hundred-Fifty-Fifth Revised Page No. 2.2
Fortieth Revised Page No. R-41.8

4. On March 14, 2025, the Commission published a Notice of Proposed Tariff (NOPT) in the *D.C. Register* inviting public comment on Pepco's tariff amendment.[9] No comments were filed in response to the NOPT. At its regularly scheduled Open Meeting held on May 7, 2025, the Commission took final action approving Pepco's PCA tariff, which shall become effective upon publication of this Notice of Final Tariff in the *D.C. Register*.

A TRUE COPY: **BY DIRECTION OF THE COMMISSION:**

CHIEF CLERK: **BRINDA WESTBROOK-SEDGWICK**
COMMISSION SECRETARY

5 PCA Tariff Filing at Attachment B: Forty-First Revised Page No. R. 41.8.

6 PCA Tariff Filing at 1; Attachment A; Attachment B: Forty-First Revised Page No. R. 41.8.

7 PCA Tariff Filing at 1.

8 PCA Tariff Filing at 1.

9 72 *D.C. Reg.* 002991-002993 (March 14, 2025).

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 July 15, 2025.

Comments on these potential appointments should be submitted, in writing, to the Office of Notary Commissions and Authentications, 899 North Capitol Street, Suite 8100, Washington, D.C. 20002 within seven (7) days of the publication of this notice in the *D.C. Register* on May 16, 2025. 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.

Arias Londono	Daniel Julian	Self 701 Varnum Street, NW	20011
Branch	Rosena D.	United States Senate Federal Credit Union 120 Constitution Avenue, NE	20002
Brown	Maureen Lorie	S & K Consulting, LLC 1334 Fort Stevens Drive, NW, Suite 204	20011
Butler	Gloria Jean	Self 5726 5th Street, NE	20011
Caballero	Magno	Children's National 111 Michigan Avenue, NW	20010
Carrera	Jessica Ariel	Self 2436 James Bank Road, SE	20020
Chiappetta	Christina Ott	District Title 1775 I Street, NW, Suite 560	20006
Childs	Tia Lisett	Self 5222 Dix Street, NE	20019
Corridon	J'tiona	Industrial Bank 4812 Georgia Avenue, NW	20011
Davis-Akoto	Altovise Renee	Department of Commerce 1401 Constitution Avenue, NW	20230
Douglas	Janielle	Fragomen, Del Rey, Bernsen & Loewy, LLP 1101 15th Street, NW, Suite 700	20005
Fykes	Morgan C.	Self 6665 13th Street, NW	20012
Gormley	Julie T.	Fragomen, Del Rey, Bernsen & Loewy, LLP 1101 15th Street, NW, Suite 700	20005
Griffin	Ahday	L.S. Caldwell & Associates, Inc. 5427 14th Street, NW	20011

James	Andrea Marie	Consilio, LLC 1828 L Street, NW, Suite 1070	20036
Kamya	Damalie	Chase Bank 5501 Connecticut Avenue, NW	20015
Kiser II	Jarriett F.	Self 5726 5th Street, NE	20011
Maldonado	Gualberto	IDB Global Federal Credit Union 1300 New York Avenue, NW	20577
Mehdiratta	Anubha	Citibank 5700 Connecticut Avenue, NW	20015
Mitchell	D'Ziyah	Reno & Cavanaugh, PLLC 455 Massachusetts Avenue, NW, Suite 400	20001
Mitchell	Patricia Ellis	Columbia Enterprises, Inc 1018 7th Street, SE	20003
Peterson	Leah	Fragomen, Del Rey, Bernsen & Loewy, LLP 1101 15th Street, NW, Suite 700	20005
Petty	Erika Loren	Self 952 Division Avenue, NE	20019
Pevovar	Trevor Fielding	Self (Dual) 523 12th Street, NE, #B	20003
Ponder	Patricia	Self (Dual) 2914 7th Street, SE	20032
Rogers	Mattie Patricia	Government of the District of Columbia Department of General Services 3924 Minnesota Avenue, NE	20019
Royster	Kiana Marie	DC Office of Neighborhood Safety and Engagement 3400 9th Street, NE, Suite 202	20017
Salazar	Sofia	Agriculture Federal Credit Union 1400 Independence Avenue, SW	20250

Sankoh	Sia Athena Nyayeh	District of Columbia Housing Finance Agency 815 Florida Avenue, NW 20001
Shepherd	April M.	District of Columbia Office of Neighborhood Safety and Engagement 100 42nd Street, NE 20019
Stuart	Gina Marie	Federal Deposit Insurance Corporation 550 17th Street, NW 20429
Sullivan	Gail	Self 817 12th Street, NE 20002
Tran	Angeline	Berger Montague 1001 G Street, NW 20001
Van Wie	Justine	The George Washington University 1922 F Street, NW, Suite 202 20052
Vivian	Cheryl	The Washington Post 1301 K street, NW 20071
Warren	Virginia Garcia	American Association for the Advancement of Science 1200 New York Avenue, NW 20005
Yah	Atein Thrice	Werner Ahari Mengel, LLP 2112 Pennsylvania Avenue, NW 20037

OFFICE OF THE SENIOR ADVISOR

NOTICE OF PUBLIC MEETING

COMMISSION ON AMERICA'S SEMIQUINCENTENNIAL – DISTRICT OF COLUMBIA 250 COMMISSION

May 19, 2025

The Office of the Senior Advisor has scheduled the second meeting of the District of Columbia's Commission on America's Semiquincentennial – District of Columbia 250 on May 19, 2025, 4:00pm- 5:00pm.

The District of Columbia Commission on America's Semiquincentennial – District of Columbia 250 meeting will be held in closed session and will be conducted remotely via WebEx. Members of the public are invited to join the meeting via live stream. This schedule is subject to change.

Inquiries concerning the meetings may be addressed to Buket Demirci, Associate Director, at 202-724-7173 or buket.demirci@dc.gov.

Join Webex meeting

Meeting number (access code): 2319 057 4373 Meeting password: bMSy4Kp7Mj6 and can also be found in the calendar on the Office of Open Government website at https://www.open-dc.gov/.

Below is the meeting agenda the Commission will follow:

AGENDA

1. **Call to Order**
2. **Opening Remarks from Chairperson Beverly Perry**
3. **Commissioner Updates**
4. **Open Discussion**
5. **Adjournment**

DISTRICT OF COLUMBIA SENTENCING COMMISSION

NOTICE OF HYBRID MEETING

The Commission meeting will be held on Tuesday, May 20, 2025, at 5:00 p.m. via Zoom and in-person. Below is the planned agenda for the meeting. The final agenda will be posted on the agency's website at http://www.scdc.dc.gov

For additional information, please contact Brittany Bunch, Outreach Specialist, at (202) 727-8822 or email scdc@dc.gov

To attend the upcoming monthly meetings, register to add using the link below.

https://scdc.dc.gov/page/commission-meetings

The Commission's meeting are available both in-person and virtually. Meetings can be viewed on the Commission's Facebook page.

Agenda

1. Review and Approval of the Minutes from the March 18, 2025, Commission Meeting – Action Item, Judge Dayson (Chairwoman).

2. Director's Report – Information Item, Linden Fry (Executive Director).

    a. FY 2025 and FY 2026 Budget - Update
    b. Sentencing Guidelines Spanish Translation - Update
    c. Sentencing Guidelines Manual Technical Adjustments/Error Fixes
    d. Enterprise Justice - Update
    e. Statistician Hiring - Update

3. Sentencing Commission Logo Competition – Information Item, Brittany Bunch (Outreach Specialist)

4. Sentencing Guidelines Revision Proposals – Discussion Item, Judge Dayson, Linden Fry, and Maeghan Buckley (General Counsel)

5. Closed Executive Session

    a. D.C. Sentencing Commission meetings are closed to the public when discussing staff employment issues pursuant to D.C. Official Code §§ 2-575(b)(10). Meeting minutes and recordings for this agenda item will not be made available to the public.

6. Next Scheduled Meeting: June 17, 2025.

7. Adjourn.

Please note: This agenda is subject to change. Please check our website for the most up-to-date information. https://scdc.dc.gov/

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

SHINING STARS MONTESSORI ACADEMY PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS - MULTIPLE SERVICES

Shining Stars Montessori Academy Public Charter School invites proposals from qualified vendors to provide high-quality services in the following areas to support the School's academic, administrative, operational, and strategic goals during the SY2025–2026 school year.

- Academic Support Services
- Administrative and C-Suite Support Services
- Apparel and Accessories
- Before and Afterschool Programming
- Building Maintenance and Management Services
- Classroom & Outdoor Furniture and Materials
- Communications and Marketing Services
- Contracted Instruction Services
- Construction Project Management & Architectural Services
- ELL/TESOL Services
- Facilities Renovation and Outdoor Learning Space Upgrade
- HVAC Services
- High-Intensity Tutoring / Accelerated Learning Programs
- Human Resources and Talent Acquisition Services
- Legal Services
- Licensed Counseling and Social Work Services
- Nursing and Allied Health Services
- Operations Support Services

- Related Service Provider Support
- Security Services
- Special Education Services
- Student Transportation Services
- Technology Maintenance & IT Support
- Training & Professional Development Services

Submission Requirements:
Bidders can bid on the aforementioned projects by providing the following: an organizational capability statement, resume of principals, three (3) references, and evidence of prior work with private and/or public charter schools. All proposals must be submitted in PDF format and emailed to procurement@shiningstarspcs.org no later than **5:00 PM** on **June 04, 2025**.

OFFICE OF VICTIM SERVICES AND JUSTICE GRANTS

NOTICE OF FUNDING AVAILABILITY (NOFA)

FISCAL YEAR 2026 (FY26)

Consolidated Justice Grants RFA

The Office of Victim Services and Justice Grants (OVSJG) announces the availability of FY 2026 grant funds for strategies designed to implement criminal justice, reentry, and juvenile justice programs. OVSJG seeks to fund programs that improve public safety; enhance the administration of justice; and create systems of care for youth, victims of crime, and justice-involved individuals.

Priority areas for juvenile justice funds include juvenile delinquency prevention, restorative justice programs, juvenile reentry programs, and related juvenile justice system reform or continuum of care enhancement projects.

Priority areas for community corrections funds include criminal justice and reentry pre-and post-release services and supports such as housing, workforce development, mental health, and family reunification.

Eligible Organizations/Entities: Any public or private, community-based non-profit agency, organization, or institution located in the District of Columbia is eligible to apply, including District government agencies. For profit organizations are eligible but may not include profit in their grant application. For-profit organizations may also participate as subcontractors to eligible agencies.

District agencies only are eligible to apply for pass-through, formula funding available under the Byrne Justice Assistance Grant (JAG), Title II of the Juvenile Justice Delinquency Prevention Act (JJDPA), Residential Substance Abuse Treatment (RSAT), and Paul Coverdell Forensic Science Improvement Grant Program funds.

Anticipated grant award period: October 1, 2025 to September 30, 2026

Application Submission Deadline: Tuesday, June 24, 2025 at 11:59pm ET

The Request for Applications (RFA) will be available electronically beginning **Monday, May 19, 2025** at https://ovsjg.dc.gov/page/funding-opportunities-current and the District's Grant Clearing House website at https://communityaffairs.dc.gov/content/community-grant-program. All applications must be submitted to OVSJG's online grants management portal, GovGrants.

For additional information regarding this grant competition, please email ovsjg.justicegrants@dc.gov with the subject line reference "FY 2026 Consolidated Justice Grants RFA."

WASHINGTON LEADERSHIP ACADEMY PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Interior Painting
May 2025

I. Overview
Washington Leadership Academy Public Charter School (WLA) is seeking bids for interior painting for its high school located at 3015 4th St NE, Washington, DC. Painting must be completed in late June or July 2025. The deadline for proposals is May 30, 2025 at 5pm. Contact Casey Sears, csears@wlapcs.org.

II. Scope of Work
Interior painting:
Classrooms
Hallways
Restrooms
Stairwells
Administrative wing
Great Hall with columns
Foyer
Library office

III. RFP Response Outline
Responses to the RFP should consist of the following:

- General information on the responding individual or organization.
- Costs and timeline (broken down by room type).
- Confirmation that the work will be completed in late June or July 2025.

IV. Submission Deadline and Method
Responses to this RFP must be received on or before 5:00 PM, May 30, 2025. ***Responses must be submitted by email to Casey Sears at csears@wlapcs.org.***

V. Questions
Please direct all questions regarding this RFP and the program for which the services will be delivered, via email, to Casey Sears at csears@wlapcs.org.

VI. Selection Criteria
The organization selected will meet required basic qualifications and represent the best value for WLA, combining price and overall quality.

VII. Timeline
Publication of RFP: May 16, 2025
Proposal due date: May 30, 2025
Work completion date: late June or July 2025

WASHINGTON LEADERSHIP ACADEMY PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Student Chromebooks
May 2025

I. Overview
Washington Leadership Academy Public Charter School (WLA) is seeking bids for student Chromebooks for its high school in Washington, DC. The deadline to respond to the RFP is May 23, 2025 at 5pm. Contact – Mark Deegan, 3015 4th St NE, Washington, DC 20017, 240-580-3371; mdeegan@wlapcs.org.

II. Scope of Products Required
150 Chromebooks for students:
Dell 3110
4GB RAM, 32GB eMMC, and HDMI

Additional Specifications:
Require 1 Chromebook Management License per device.

III. RFP Response Outline
Responses to the RFP should consist of the following:

- General information on the responding individual or organization, including history and relevant experience.
- Detailed description of the proposed cost and delivery timeline to meet the needs listed in this RFP.
- Costs.

IV. Submission Deadline and Method
Responses to this RFP must be received on or before 5:00 PM on May 30, 2025. Responses must be submitted by email to Mark Deegan at mdeegan@wlapcs.org.

V. Questions
Please direct all questions regarding this RFP and the program for which the services will be delivered, via email, to Mark Deegan at mdeegan@wlapcs.org.

VI. Selection Criteria
The organization selected will meet required basic qualifications and represent the best value for WLA, combining price and overall quality.

VII. Timeline
Publication of RFP: May 16, 2025
Proposal due date: May 30, 2025
Procurement dates: summer 2025

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

District of Columbia Retail Water and Sewer Rates Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) District of Columbia Retail Water and Sewer Rates Committee will hold a meeting on Tuesday, May 27, 2025, at 9:30 a.m. The meeting will **not** be held in the Board Room (2nd floor) at 1385 Canal Street, S.E, but will be held via Microsoft Teams. Below is the draft agenda for this meeting. A final agenda will be posted on DC Water's website at www.dcwater.com. Please see the website for remote access information for this meeting.

For additional information, contact Michelle Rhodd, Board Secretary at (202) 787-2331 or Michelle.Rhodd@dcwater.com.

DRAFT AGENDA

1. Call to Order	Committee Chairperson
2. Monthly Updates	CFO and EVP, Finance & Procurement
3. Committee Work Plan	CFO and EVP, Finance & Procurement
4. Other Business	CFO and EVP, Finance & Procurement
5. Adjournment	Committee Chairperson

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA Application No. 19887-A
Marjorie Hutchinson
1724 North Capitol Street, NW (Square 3105, Lot 72)

HEARINGS (19887):	December 19, 2018 and March 6, 2019
DECISION DATES (19887):	January 30 and March 13, 2019
ORDER ISSUANCE DATE (19887):	April 1, 2019
HEARING DATES (19887-A):	September 11, 2024 and April 9, 2025[1]
DECISION DATE (19887-A):	April 30, 2025

SUMMARY ORDER ON REQUEST FOR MODIFICATION WITH HEARING

Pursuant to notice, at its September 11, 2024 and April 9, 2025, public hearings, the Board of Zoning Adjustment ("**Board**" or "**BZA**") deliberated on a request for a modification with hearing to BZA Order No. 19887 to modify Condition No. 10 of the original order concerning the storage of trash at a restaurant in the RF-1 zone. The Board considered the request for a modification with hearing under Subtitle Y § 704 of Title 11 of the DCMR (Zoning Regulations of 2016, the "**Zoning Regulations**" to which all references are made unless otherwise specified). For the reasons stated below, the Board **APPROVES** the request for modification.

ORIGINAL APPLICATION. In Application No. 19887, the Board approved the request by Marjorie Hutchinson (the "**Applicant**") for use variance from the use provisions of Subtitle U § 301, to permit the conversion of an existing nonconforming non-residential use to a restaurant in the RF-1 Zone. The Board issued Order No. 19887 on April 1, 2019. (Exhibit 3 of the record for Case No. 19887-A.) The approval was subject to 13 conditions regarding noise, hours of operation, parking, trash, rodent control, signage, and outdoor restaurant use.

PROPOSED MODIFICATION.[2] On March 8, 2024, the Applicant submitted a request for a modification to Order No. 19887. (Exhibits 1-6.) The proposed modification included a request to

[1] The request was originally filed as a modification of consequence (now modification without hearing), however, at the May 8, 2024 public meeting, the Board removed the application from the consent calendar and scheduled for a hearing as a modification of significance (now modification with hearing). The continued public hearing was also postponed twice at the Applicant's request.

[2] The original request was to eliminate the Condition No. 10 concerning trash storage, however, the Applicant agreed to modify the condition instead prior to the April 30, 2025 public hearing. (Exhibit 77A.)

modify Condition No. 10 of the original order concerning the storage of trash at a restaurant. The Applicant proposes to modify Condition No. 10 to read as follows:

> **Condition No. 10:** The Applicant shall remove trash and garbage from the property at least three times per week. The Applicant shall remove grease from the property on a regular basis as required for business operations. The Applicant shall remove recycling at least once per week. All such removal shall occur during morning hours. The Applicant shall retain a private contractor for all such removal. The Applicant shall ensure that the contractor(s) shall not block traffic or impede traffic flow.
>
> All trash, garbage, grease and recycling shall be properly stored internally or in a fully covered outdoor enclosure that should not be moved from the approved location. The trash enclosure shall be properly closed and locked when not in use, and cleaned and maintained at a minimum of once a week.

NOTICE OF THE REQUEST FOR MODIFICATION. Pursuant to Subtitle Y § 704.5, the Applicant served the request for a modification with hearing on the parties to the original application. (Exhibit 28.) The Board referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commissions ("**ANC**") 5E and 5F.

ANC REPORT. ANC 5E's report indicated that at a regularly scheduled, properly noticed public meeting on April 23, 2024, at which a quorum was present, the ANC voted to support the modification. (Exhibit 18.) The ANC report raised concerns regarding trash pickup, trash trucks, and the trash structure. The ANC also noted concerns about the shed conforming with the historic district standards. The ANC's report included four conditions regarding historic preservation, the shed structure, trash pickup, and sidewalk features to prevent parking. The Board did not adopt these conditions in the Order.

ANC 5E03 Commissioner Fred Carver testified on behalf of ANC 5E at the September 11, 2024 public hearing.

ANC 5F's report indicated that at a regularly scheduled, properly noticed public meeting on November 18, 2024, at which a quorum was present, the ANC voted to support the modification. (Exhibit 51.) The ANC's report included conditions regarding the shed structure preventing drainage, odors, and rodents, as well as frequency of trash pickup. The Board did not adopt these conditions in the Order.

OFFICE OF PLANNING ("OP") REPORT. OP submitted a supplemental report recommending approval of the modification. (Exhibit 73.) The OP report included recommended language for modifying Condition No. 10 of the order, which the Applicant agreed to and the Board adopted in the final modification order.

OP submitted two previous reports noting they would not be in support of eliminating Condition No. 10, but would recommend approval of modifying the condition regarding the storage of trash. (Exhibits 38 and 54.)

DISTRICT DEPARTMENT OF TRANSPORTATION ("DDOT") REPORT. DDOT submitted a supplemental report indicating that it had no objection to the modification, following the Applicant's conditional approval from the Public Space Committee. (Exhibit 76.)

DDOT's original report indicated it had no objection to the modification on the condition that the Applicant applies for and receives public space approval to store trash in public space. (Exhibit 17.)

PERSONS IN SUPPORT. The Board received two letters from neighbors in support of the application. (Exhibits 8, 9.)

PERSONS IN OPPOSITION. The Board received ten letters from neighbors in opposition to the application. (Exhibits 23, 37, 41, 42, 42A, 46, 50, 55, 60, 67, 68.)

CONCLUSIONS

Pursuant to Subtitle Y § 704.1, any request for a modification that does not meet the criteria for a modification without hearing[3] requires a public hearing and shall be processed as a modification with hearing. The Applicant's request complies with Subtitle Y § 704, which provides the Board's procedures for considering requests for modifications with hearing.

As directed by Subtitle Y § 704, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for a modification with hearing.

Pursuant to Subtitle Y § 604.3, the order of the Board may be in summary form where granting an application when there was no party in opposition. As a summary order, it does not constitute binding legal precedent on the Board and shall not be considered by the Board in evaluating future applications.

DECISION

Based on the case record and the testimony at the hearing, the Board concludes that the applicant has satisfied the burden of proof for a modification with hearing to modify Condition No. 10 of the original order concerning the storage of trash at a restaurant in the RF-1 zone.

[3] See, Subtitle Y § 703.7.

Accordingly, it is **ORDERED** that the modification request is **GRANTED**, subject to the following **CONDITIONS**, which shall replace and supersede the conditions of BZA Order No. 19887:

Noise

1. There shall be no live, recorded, or amplified music in any outdoor space of the property.

2. Sound insulation shall be installed and maintained in any existing or future walls of the second floor terrace facing residences. There shall be planters and plantings installed and maintained to abate noise emanating from the terrace.

3. If a sidewalk café is approved and permitted, there shall be planters and plantings installed and maintained to abate noise emanating from the sidewalk café.

Allowable Hours of Operation

4. The hours of the indoor operation of the restaurant shall be limited to 8 a.m. to midnight.

5. The hours of the outdoor operation of the restaurant shall be limited to 10 a.m. to 10 p.m. Sunday through Thursday, and 11 a.m. to 11:00 p.m. Friday and Saturday.

Parking

6. **Prior to the issuance of a certificate of occupancy for the restaurant use**, the Applicant shall submit to DDOT a request to install bollards and/or apply street marking on the north side corner of Randolph Place, N.W. at North Capitol Street.

7. **Prior to the issuance of a certificate of occupancy for the restaurant use**, the Applicant shall submit to DDOT a request to designate one side of the Unit block of Randolph Place, N.W. as resident parking only from 2 p.m. to midnight on all days of the week.

8. **Prior to the issuance of a certificate of occupancy for the restaurant use**, the Applicant shall submit to DDOT a request to designate a loading zone with limited hours of 8 a.m. to 12 p.m.

9. **Prior to the issuance of a certificate of occupancy for the restaurant use**, the Applicant shall submit to DDOT a request to install a bike rack near the property.

Trash

10. The Applicant shall remove trash and garbage from the property at least three times per week. The Applicant shall remove grease from the property on a regular basis as required for business operations. The Applicant shall remove recycling at least once per week. All

such removal shall occur during morning hours. The Applicant shall retain a private contractor for all such removal. The Applicant shall ensure that the contractor(s) shall not block traffic or impede traffic flow.

All trash, garbage, grease and recycling shall be properly stored internally or in a fully covered outdoor enclosure that should not be moved from the approved location. The trash enclosure shall be properly closed and locked when not in use, and cleaned and maintained at a minimum of once a week.

Pest and Rodent Control

11. The Applicant shall make best efforts to minimize and eliminate vermin on the property and shall maintain a contract with a pest abatement service provider to do so.

Signage

12. While signage shall be allowed on both Randolph Place and North Capitol Street, there shall be no external, illuminated signage on Randolph Place.

Time Limit on Approval of Outdoor Restaurant Use

13. The restaurant use of the outdoor spaces on the Property, as requested and described by the Applicant in the application and in testimony, shall expire in **FIVE YEARS** from the effective date of the Certificate of Occupancy to allow the Board to review the potential harm to the public good caused by this aspect of the use variance. An application to extend this time limit shall be in the form of a modification requiring a public hearing.

In all other respects, Order No. 19887 remains unchanged.

VOTE: **4-0-1** (Frederick L. Hill, Carl H. Blake, Chrishaun S. Smith, 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: May 6, 2025

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, UNLESS, WITHIN SUCH TWO-YEAR PERIOD, AN APPLICATION FOR A BUILDING PERMIT FOR THE ERECTION OR ALTERATION

APPROVED IS FILED WITH THE DEPARTMENT OF BUILDINGS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 IS FILED 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 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

BZA Application No. 21226
Alexander-Benons, LLC
1206 Staples Street, NE (Square 4067, Lot 58)

HEARING DATES: February 12, March 19, April 9, and April 30, 2025
DECISION DATE: April 30, 2025

SUMMARY ORDER

RELIEF REQUESTED. The application requests the following relief in order to construct a third story with roof deck and a three-story with basement rear addition, and convert to a flat, an existing, attached, two-story with basement, principal dwelling unit in the RF-1 zone:

- Special Exception from the roof top or upper floor element requirements of Subtitle E § 204.1, pursuant to Subtitle E § 204.4 and Subtitle X § 901.2
- Special Exception from the rear yard requirements of Subtitle E § 207.1, pursuant to Subtitle E § 5201 and Subtitle X § 901.2 (*20 feet minimum required, 36.83 feet existing, 17.83 feet proposed*)
- Special Exception under the rear addition requirements of Subtitle E § 207.5, pursuant to Subtitle X § 901.2 (*10 feet beyond rear wall maximum permitted, 11.5 feet proposed*)
- Special Exception from the lot occupancy requirements of Subtitle E § 210.1, pursuant to Subtitle E § 5201 and Subtitle X § 901.2 (60*% maximum permitted, 42.87% existing, 65.67% proposed*)

The application was accompanied by a memorandum from the Zoning Administrator, certifying the required relief. (Exhibit 48 (Final Revised); Exhibit 10 (Original).)[1]

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commission ("**ANC**") 5D, the "affected ANC" pursuant to Subtitle Y §§ 101.8 and 403.5(b) of the Zoning Regulations (Title 11 of the DCMR, Zoning Regulations of 2016, to which all references are made unless otherwise specified).

Angela Nicholas filed a request for party status in opposition, then withdrew the request at the February 12, 2025 public hearing. At the March 19, 2025 hearing, the Board denied an untimely request for party status in opposition from Mark Stilp.

[1] The original Zoning Administrator Memorandum in Exhibit 10 included special exception relief from the penthouse height requirements of Subtitle C 1501.1(b) and from the penthouse setback requirements of Subtitle C § 1504.1(a). The Applicant submitted final revised plans in Exhibits 49A1 and 49A2, which removed the need for penthouse relief, following the review of the Zoning Administrator.

NOTICE OF THE APPLICATION AND PUBLIC HEARING. The Board of Zoning Adjustment (the "**Board**") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

ANC REPORT. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on February 11, 2025, at which a quorum was present, the ANC voted to support the application. (Exhibit 27.) The ANC report raised no issues or concerns.

Commissioner Anna Roblin (5D03) submitted a letter in support of the application. (Exhibit 31.) Commissioner Roblin also testified at the March 19th public hearing in opposition to the application as an individual, then at the April 9th hearing, on behalf of ANC 5D noting the ANC's support.

OFFICE OF PLANNING ("OP") REPORT. OP submitted three reports to the record:

- The preliminary OP report, dated January 31, 2025, did not provide a recommendation. (Exhibit 20.)
- The first supplemental OP report, dated March 7, 2025, recommended denial of the special exception for penthouse height relief pursuant to Subtitle C § 1501.1(b) and recommended approval for the remaining special exceptions.[2] (Exhibit 38.)
- The second supplemental OP report, dated April 2, 2025, recommended approval of the amended application. (Exhibit 43.)

DISTRICT DEPARTMENT OF TRANSPORTATION ("DDOT") REPORT. DDOT submitted a report indicating that it had no objection to the application because it concluded that the relief would not result in any adverse impacts to the District's transportation network. (Exhibit 21.)

PERSONS IN OPPOSITION. The Board received two letters from neighbors in opposition to the application. (Exhibits 32 and 44.)

Mark Stilp testified in opposition at the March 26 and April 9 public hearing.

CONCLUSIONS

Pursuant to Subtitle Y § 604.3, the order of the Board may be in summary form where granting an application when there was no party in opposition. As a summary order, it does not constitute binding legal precedent on the Board and shall not be considered by the Board in evaluating future applications.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested special exception relief can be granted because:

[2] The report recommended approval of the special exception for penthouse setbacks pursuant to Subtitle C § 1504.1(a) if the Board decided to approve the relief from the penthouse height requirements.

- It is in harmony with the general purpose and intent of the Zoning Regulations and Map;
- It will not tend to affect adversely the use of neighboring property; and
- Pursuant to Subtitle X § 901.2(c), the relief satisfies the specified conditions for special exception relief.

DECISION

Based on the case record and the testimony at the hearing, the Board concludes that the applicant has satisfied the burden of proof for the requested relief:

- Special Exception from the roof top or upper floor element requirements of Subtitle E § 204.1, pursuant to Subtitle E § 204.4 and Subtitle X § 901.2
- Special Exception from the rear yard requirements of Subtitle E § 207.1, pursuant to Subtitle E § 5201 and Subtitle X § 901.2 (*20 feet minimum required, 36.83 feet existing, 17.83 feet proposed*)
- Special Exception under the rear addition requirements of Subtitle E § 207.5, pursuant to Subtitle X § 901.2 (*10 feet beyond rear wall maximum permitted, 11.5 feet proposed*)
- Special Exception from the lot occupancy requirements of Subtitle E § 210.1, pursuant to Subtitle E § 5201 and Subtitle X § 901.2 (60*% maximum permitted, 42.87% existing, 65.67% proposed*)

Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the plans shown in Exhibits 49A1 and 49A2 of the record, as required under Subtitle Y §§ 604.9 and 604.10,

VOTE: **4-0-1** (Frederick L. Hill, Carl H. Blake, Chrishaun S. Smith, 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: May 6, 2025

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, UNLESS, WITHIN SUCH TWO-YEAR PERIOD, AN APPLICATION FOR A BUILDING PERMIT FOR THE ERECTION OR ALTERATION APPROVED IS FILED WITH THE DEPARTMENT OF BUILDINGS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 IS FILED 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

BZA Application No. 21254
1355-1359, LLC
1359 H Street, NE, 1355 H Street, NE, 1355 Rear H Street, NE, 1357 H Street, NE, and 1361 Linden Court, NE (Square 1027, Lots 163, 139, 140, 144, and 136)

HEARING DATE: April 30, 2025[1]
DECISION DATE: April 30, 2025

SUMMARY ORDER

RELIEF REQUESTED. The application requests the following relief in order to combine five lots and convert to a retail and eating drinking establishment use, an existing semi-detached mixed-use building in the NMU-4/H-A and MU-4 zones:

- Special Exception from the rear yard requirements of Subtitle G § 207.1, pursuant to Subtitle G § 207.14, Subtitle G § 5200.1, and Subtitle X § 901.2 (15 feet minimum, 0 feet existing, 0 feet proposed)
- Special Exception under the eating and drinking establishment use requirements of Subtitle H § 6007.1(e)(2), pursuant to Subtitle X § 901.2
- Special Exception under the fast food establishment use requirements of Subtitle U § 513.1(e), pursuant to Subtitle X § 901.2

The zoning relief requested in this case was self-certified. (Exhibit 33A (Final Revised); Exhibit 31A (2nd Revision); Exhibit 22B (1st Revision); Exhibit 4 (Original).)[2]

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commission ("**ANC**") 6A, the "affected ANC" pursuant to Subtitle Y §§ 101.8 and 403.5(b) of the Zoning Regulations (Title 11 of the DCMR, Zoning Regulations of 2016, to which all references are made unless otherwise specified).

[1] The application was postponed from the original public hearing date of March 26th, 2025, to allow additional time for public notice of the amended application.

[2] The original self-certification in Exhibit 4 requested special exceptions from the rear yard requirements of Subtitle G § 207.1, relief from the minimum vehicle parking requirements under Subtitle C § 703.2, and relief under the eating of Subtitle H § 6007.1(e)(2) and the drinking establishment use requirements and the fast food establishment use requirements of Subtitle U § 513.1(f). Subsequently the Applicant added a request for an area variance from the floor area ratio (FAR) requirements of Subtitle H § 903. After consultation with the District of Columbia Zoning Administrator as referenced in Exhibit 31, the Applicant submitted a revised self-certification in Exhibit 31A withdrawing the request for the previously requested area variance and the special exception from the minimum vehicle parking requirements. Finally, the Applicant submitted a final revised self-certification in Exhibit 33A to update the second-floor lot occupancy calculation.

NOTICE OF THE APPLICATION AND PUBLIC HEARING. The Board of Zoning Adjustment (the "**Board**") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

ANC REPORT. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on February 13, 2025, at which a quorum was present, the ANC voted to support the application. (Exhibit 21.) The ANC report raised no issues or concerns.

OFFICE OF PLANNING ("OP") REPORT. OP submitted a report recommending approval of the application. (Exhibit 59.) The OP recommendation was based on a condition of approval regarding trash storage that the Board adopted into the order.

DISTRICT DEPARTMENT OF TRANSPORTATION ("DDOT") REPORT. DDOT submitted a report indicating that it had no objection to the application because it concluded that the relief would not result in any adverse impacts to the District's transportation network. (Exhibit 58.)

PERSONS IN SUPPORT. The Board received 27 letters in support of the application. (Exhibits 19, 20, 29, 34-57.)

CONCLUSIONS

Pursuant to Subtitle Y § 604.3, the order of the Board may be in summary form where granting an application when there was no party in opposition. As a summary order, it does not constitute binding legal precedent on the Board and shall not be considered by the Board in evaluating future applications.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested special exception relief can be granted because:

- It is in harmony with the general purpose and intent of the Zoning Regulations and Map;
- It will not tend to affect adversely the use of neighboring property; and
- Pursuant to Subtitle X § 901.2(c), the relief satisfies the specified conditions for special exception relief.

DECISION

Based on the case record and the testimony at the hearing, the Board concludes that the applicant has satisfied the burden of proof for the requested relief:

- Special Exception from the rear yard requirements of Subtitle G § 207.1, pursuant to Subtitle G § 207.14, Subtitle G § 5200.1, and Subtitle X § 901.2 (15 feet minimum, 0 feet existing, 0 feet proposed)

- Special Exception under the eating and drinking establishment use requirements of Subtitle H § 6007.1(e)(2), pursuant to Subtitle X § 901.2
- Special Exception under the fast food establishment use requirements of Subtitle U § 513.1(e), pursuant to Subtitle X § 901.2

Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the plans shown in Exhibit 33B of the record, as required under Subtitle Y §§ 604.9 and 604.10, subject to the following **CONDITIONS**:

1. All trash for tenants that have obtained a Certificate of Occupancy for fast-food shall be stored in indoor trash rooms within the main building envelope, such as those shown on Sheet A103 of Exhibit 33B, until such time as the trash is removed from the premises by a garbage contractor. No dumpsters or other trash or recycling containers serving the fast-food uses shall be kept in public space. Exterior doors to any trash rooms shall be kept closed except when in use by tenants depositing trash or by the contractor removing trash.

VOTE: **4-0-1** (Frederick L. Hill, Carl H. Blake, Chrishaun S. Smith, 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: May 6, 2025

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, UNLESS, WITHIN SUCH TWO-YEAR PERIOD, AN APPLICATION FOR A BUILDING PERMIT FOR THE ERECTION OR ALTERATION APPROVED IS FILED WITH THE DEPARTMENT OF BUILDINGS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 IS FILED PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE

RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

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

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

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA Application No. 21275
HSMG Properties, LLC
4401 16th Street, NW (Square 2701, Lot 809)

HEARING DATE: April 30, 2025
DECISION DATE: April 30, 2025

SUMMARY ORDER

RELIEF REQUESTED. The application requests the following relief in order to permit a child development center for 118 children and 25 staff, in a detached three-story building in the R-1B zone:

- Special Exception under the daytime care use requirements of Subtitle U § 203.1(h), pursuant to Subtitle X § 901.2
- Special Exception from the parking screening requirements of Subtitle C § 714.1, pursuant to Subtitle C § 714.3 and Subtitle X § 901.2
- Special Exception from the parking screening requirements of Subtitle C § 714.2, pursuant to Subtitle C § 714.3 and Subtitle X § 901.2
- Special Exception from the parking lot landscaping requirements of Subtitle C § 715.1, pursuant to Subtitle C § 715.9 and Subtitle X § 901.2

The zoning relief requested in this case was self-certified. (Exhibit 30B – Final Revised; Exhibit 5 - Original.)[1]

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commission ("**ANC**") 4E, the "affected ANC" pursuant to Subtitle Y §§ 101.8 and 403.5(b) of the Zoning Regulations (Title 11 of the DCMR, Zoning Regulations of 2016, to which all references are made unless otherwise specified).

NOTICE OF THE APPLICATION AND PUBLIC HEARING. The Board of Zoning Adjustment (the "**Board**") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

ANC REPORT. The ANC's report indicated that at regularly scheduled, properly noticed public meetings on March 25 and April 29, 2025, at which a quorum was present, the ANC voted to support the application. (Exhibit 43.) The ANC report raised no issues or concerns.

[1] The applicant amended the application to add special exceptions from the screening requirements of Subtitle C §§ 714.1 and 714.2, and a special exception from the landscaping requirements of Subtitle C § 715.1.

OFFICE OF PLANNING ("OP") REPORT. OP submitted a report recommending approval of the application. (Exhibit 34.)

DISTRICT DEPARTMENT OF TRANSPORTATION ("DDOT") REPORT. DDOT submitted a report indicating that it had no objection to the application because it concluded that the relief would not result in any adverse impacts to the District's transportation network. DDOT recommended conditions related to short- and long-term bicycle parking spaces and a TDM plan. The Board did not adopt the bicycle parking conditions, but did adopt the TDM plan as part of this order. (Exhibit 35.)

PERSONS IN SUPPORT. The Board received 10 letters from neighbors in support of the application. (Exhibits 16, 19, 20, 22-24, 36, 37, 40, and 41.)

CONCLUSIONS

Pursuant to Subtitle Y § 604.3, the order of the Board may be in summary form where granting an application when there was no party in opposition. As a summary order, it does not constitute binding legal precedent on the Board and shall not be considered by the Board in evaluating future applications.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested special exception relief can be granted because:

- It is in harmony with the general purpose and intent of the Zoning Regulations and Map;
- It will not tend to affect adversely the use of neighboring property; and
- Pursuant to Subtitle X § 901.2(c), the relief satisfies the specified conditions for special exception relief.

DECISION

Based on the case record and the testimony at the hearing, the Board concludes that the applicant has satisfied the burden of proof for the requested relief:

- Special Exception under the daytime care use requirements of Subtitle U § 203.1(h), pursuant to Subtitle X § 901.2
- Special Exception from the parking screening requirements of Subtitle C § 714.1, pursuant to Subtitle C § 714.3 and Subtitle X § 901.2
- Special Exception from the parking screening requirements of Subtitle C § 714.2, pursuant to Subtitle C § 714.3 and Subtitle X § 901.2
- Special Exception from the parking lot landscaping requirements of Subtitle C § 715.1, pursuant to Subtitle C § 715.9 and Subtitle X § 901.2

Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the revised plans shown in Exhibit 21C of the record, as required under Subtitle Y §§ 604.9 and 604.10, subject to the following **CONDITIONS**:

1. The Applicant shall implement the Transportation Demand Management Plan as described in the DDOT report in Exhibit 35.

2. The Applicant shall provide 13 zoning-compliant off-street parking spaces and eight additional non-compliant parking spaces in a stacked configuration. The applicant may also provide four additional stacked parking spaces in public space along the Webster Street, NW right-of-way, only if a Public Space Occupancy Permit is approved.

VOTE: **4-0-1** (Frederick L. Hill, Carl H. Blake, Chrishaun S. Smith, 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: May 6, 2025

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, UNLESS, WITHIN SUCH TWO-YEAR PERIOD, AN APPLICATION FOR A BUILDING PERMIT FOR THE ERECTION OR ALTERATION APPROVED IS FILED WITH THE DEPARTMENT OF BUILDINGS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 IS FILED PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD

AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

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

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

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA Application No. 21277
Erica Spencer
1513 D Street, S.E. (Square 1075, Lot 76)

HEARING DATE: April 30, 2025
DECISION DATE: April 30, 2025

SUMMARY ORDER

RELIEF REQUESTED. The application requests the following relief in order to construct a third story with roof deck and three-story rear addition to an existing, attached, three-story principal dwelling unit in the RF-1 zone:

- Special exception from the lot occupancy requirements of Subtitle E § 210.1, pursuant to Subtitle E § 5201 and Subtitle X § 901.2 (*60% maximum permitted, 51.8% existing, 69.4% proposed*)

The zoning relief requested in this case was self-certified. (Exhibit 4.)

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commission ("**ANC**") 7D, the "affected ANC" pursuant to Subtitle Y §§ 101.8 and 403.5(b) of the Zoning Regulations (Title 11 of the DCMR, Zoning Regulations of 2016, to which all references are made unless otherwise specified).

NOTICE OF THE APPLICATION AND PUBLIC HEARING. The Board of Zoning Adjustment (the "**Board**") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

ANC REPORT. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on April 8, 2025, at which a quorum was present, the ANC voted to support the application. (Exhibit 25.) The ANC report raised no issues or concerns.

OFFICE OF PLANNING ("OP") REPORT. OP submitted a report recommending approval of the application. (Exhibit 21.)

DISTRICT DEPARTMENT OF TRANSPORTATION ("DDOT") REPORT. DDOT did not submit a report to the record for this application.

PERSONS IN SUPPORT. The Board received three letters from neighbors in support of the application. (Exhibits 13-15.)

ORGANIZATIONS IN OPPOSITION. The Board received a letter from the Capitol Hill Restoration Society in opposition to the application. (Exhibit 24.)

CONCLUSIONS

Pursuant to Subtitle Y § 604.3, the order of the Board may be in summary form where granting an application when there was no party in opposition. As a summary order, it does not constitute binding legal precedent on the Board and shall not be considered by the Board in evaluating future applications.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested special exception relief can be granted because:

- It is in harmony with the general purpose and intent of the Zoning Regulations and Map;
- It will not tend to affect adversely the use of neighboring property; and
- Pursuant to Subtitle X § 901.2(c), the relief satisfies the specified conditions for special exception relief.

DECISION

Based on the case record and the testimony at the hearing, the Board concludes that the applicant has satisfied the burden of proof for the requested relief:

- Special exception from the lot occupancy requirements of Subtitle E § 210.1, pursuant to Subtitle E § 5201 and Subtitle X § 901.2 (*60% maximum permitted, 51.8% existing, 69.4% proposed*)

Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the plans shown in Exhibit 6 of the record, as required under Subtitle Y §§ 604.9 and 604.10.

VOTE: **4-0-1** (Frederick L. Hill, Carl H. Blake, Chrishaun S. Smith, 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: May 6, 2025

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, UNLESS, WITHIN SUCH TWO-YEAR PERIOD, AN APPLICATION FOR A BUILDING PERMIT FOR THE ERECTION OR ALTERATION APPROVED IS FILED WITH THE DEPARTMENT OF BUILDINGS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 IS FILED 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

BZA Application No. 21286
3822 Van Ness NW, LLC
3822 Van Ness, NW (Square 1829, Lot 23)

HEARING DATE: Applicant waived the right to a public hearing
DECISION DATE: April 23, 2025 (Expedited Review Calendar)

SUMMARY ORDER

RELIEF REQUESTED. The application requests the following relief in order to construct a one-story side and a two-story rear addition to an existing, semi-detached, two-story plus basement, principal dwelling unit in the R-2 zone:

- Special Exception from the accessory building rear yard requirements of Subtitle D § 5004.1(a), pursuant to Subtitle D § 5201 and Subtitle X § 901.2

The zoning relief requested in this case was self-certified. (Exhibit 4.)

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commission ("**ANC**") 3A and 3E, the "affected ANCs" pursuant to Subtitle Y §§ 101.8 and 403.5(b) of the Zoning Regulations (Title 11 of the DCMR, Zoning Regulations of 2016, to which all references are made unless otherwise specified).

EXPEDITED REVIEW. Pursuant to 11 DCMR Subtitle Y § 401, this application was tentatively placed on the Board of Zoning Adjustment (the "**Board**" or "**BZA**") expedited review calendar for decision as a result of the Applicant's waiver of its right to a hearing. No objections to expedited review consideration were made by any person or entity entitled to do so under Subtitle Y §§ 401.7 and 401.8.

NOTICE OF THE APPLICATION AND PUBLIC HEARING. The Board referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

ANC REPORT. ANC 3A's report indicated that at a regularly scheduled, properly noticed public meeting on April 15, 2025, at which a quorum was present, the ANC voted to support the application. (Exhibit 18.) The ANC report raised no issues or concerns.

ANC 3E did not submit a report to the record.

OFFICE OF PLANNING ("OP") REPORT. OP submitted a report recommending approval of the application. (Exhibit 17.)

DISTRICT DEPARTMENT OF TRANSPORTATION ("DDOT") REPORT. DDOT did not submit a report to the record.

CONCLUSIONS

Pursuant to Subtitle Y § 604.3, the order of the Board may be in summary form where granting an application when there was no party in opposition. As a summary order, it does not constitute binding legal precedent on the Board and shall not be considered by the Board in evaluating future applications.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested special exception relief can be granted because:

- It is in harmony with the general purpose and intent of the Zoning Regulations and Map;
- It will not tend to affect adversely the use of neighboring property; and
- Pursuant to Subtitle X § 901.2(c), the relief satisfies the specified conditions for special exception relief.

DECISION

Based on the case record and the testimony at the hearing, the Board concludes that the applicant has satisfied the burden of proof for the requested relief:

- Special Exception from the accessory building rear yard requirements of Subtitle D § 5004.1(a), pursuant to Subtitle D § 5201 and Subtitle X § 901.2

Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the plans shown in Exhibit 6 of the record, as required under Subtitle Y §§ 604.9 and 604.10.

VOTE: **4-0-1** (Frederick L. Hill, Carl H. Blake, Chrishaun S. Smith, and Joseph S. Imamura 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: April 30, 2025

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, UNLESS, WITHIN SUCH TWO-YEAR PERIOD, AN APPLICATION FOR A BUILDING PERMIT FOR THE ERECTION OR ALTERATION APPROVED IS FILED WITH THE DEPARTMENT OF BUILDINGS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 IS FILED 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.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 23-29
Z.C. Case No. 23-29
Martin's View, LLC
(Consolidated Planned Unit Development and Related Zoning Map Amendment @ Parcels 252/0082, 252/0083, 252/0092, and 252/0086)
December 19, 2024

Pursuant to notice, at its December 19, 2024 public meeting, the Zoning Commission for the District of Columbia (the "Commission") considered the application (the "Application") of Martin's View, LLC (the "Applicant") requesting review and approval of the following:

(i) A consolidated Planned Unit Development ("PUD") and related Zoning Map Amendment from the RA-1 zone to the RA-2 zone for the property located at 4337-4347 and 4353-4363 Martin Luther King Jr. Avenue, S.W. and 201-211 and 200-210 Elmira Street, S.W. (Parcels 252/0082, 252/0083, 252/0092, and 252/0086) (the "Property") to construct four residential multifamily buildings with underground parking, a child daycare, and a community service center (the "Project");
(ii) A variance from the maximum mechanical penthouse height limit of Subtitle X § 303.18;
(iii) Flexibility for the phasing of the Project and validity of the zoning order;
(iv) Flexibility to permit a 1,000 square foot community service center use; and
(v) Such other design flexibility as is set forth in the Conditions hereof.

The Commission considered the Application pursuant to the Commission's Rules of Practice and Procedures, which are codified in Subtitle Z of the Zoning Regulations. For the reasons stated below, the Commission **APPROVES** the Application.

FINDINGS OF FACT

I. BACKGROUND

PARTIES

1. Pursuant to Subtitle Z § 403.5(a), the Applicant is automatically a party to the Application.

2. Pursuant to Subtitle Z §§ 101.8 and 403.5(b), Advisory Neighborhood Commission ("ANC") 8D is the "affected ANC" and automatically a party to the Application as the ANC in which the Property is located.

3. The Commission received no requests for party status.

NOTICE AND SETDOWN

4. Pursuant to Subtitle Z §§ 300.7 and 300.8, on or around October 4, 2023, the Applicant mailed a Notice of Intent to file the Application to all property owners within 200 feet of the Property and to ANC 8D (Exhibit ["Ex."] 2B).

5. Pursuant to Subtitle Z § 300.9, subsequent to the mailing of such notice but prior to filing the Application with the Commission, the Applicant presented the Application to ANC 8D at its October 26, 2023, public meeting (Ex. 2, 2C).

6. Pursuant to Subtitle Z §§ 400.9-400.12, on March 28, 2024, at its duly noticed public meeting, the Commission voted to set the case down for a public hearing (Transcript of March 28, 2024 Regular Public Meeting ["Mar. 28 Public Meeting Tr."] at 14-24).

7. Pursuant to Subtitle Z §§ 402.1-402.2 and 402.6, on May 22, 2024, the Office of Zoning ("OZ") mailed notice of the July 22, 2024, public hearing concerning the Application to:
- Applicant;
- ANC 8D;
- ANC 8D06 and 8D07 Single Member District Commissioners;
- Office of ANCs;
- Ward 8 Councilmember, in whose district the Property is located;
- Office of Planning ("OP");
- District Department of Transportation ("DDOT");
- Department of Buildings ("DOB");
- OZ Legal Division ("OZLD");
- District Department of Energy and Environment ("DOEE");
- Chairman and At-Large Members of the D.C. Council; and
- Owners of property within 200 feet of the Property.

(Ex. 15, 16).

8. Pursuant to Subtitle Z § 402.1(a), OZ published notice of the July 22, 2024, public hearing concerning the Application in the May 31, 2024, issue of the *District of Columbia Register* (71 DCR 006493 *et seq.*) as well as on the calendar on OZ's website (Ex. 14, 15).

9. Pursuant to Subtitle Z §§ 402.3-402.4, 402.8-402.10, on June 12, 2024, the Applicant submitted evidence that it had posted notices of the public hearing on the Property on June 11, 2024, and, on July 17, 2024, submitted evidence that it had thereafter maintained said notices (Ex. 17, 25).

PROPERTY AND SURROUNDING AREA

10. The Property is located in the Southwest quadrant of the District in the Bellevue neighborhood in Ward 8 (Ex. 2).

11. The Property consists of approximately 4.9 acres (213,748 square feet) of land area and is bisected by Elmira Street, S.W. The Property is bounded on the north by Leckie Elementary School; on the south by BridgePoint Hospital National Harbor; on the east by Martin Luther King Jr. Avenue, S.W.; and on the west by Fort Greble Park (*Id.*).

12. The Property is currently improved with four, two to three story apartment buildings containing a total of 156 apartments, referred to herein as the "Martin's View" apartments (*Id.*).

13. The surrounding area is characterized primarily by a mix of moderate density residential, public education, institutional, and parks/open space uses. Immediately north of the

Property is Leckie Elementary School, which is four stories. The property to the south is BridgePoint Hospital National Harbor, a three-story 178-bed facility serving Washington, D.C., Maryland, and Virginia. A variety of moderate- and low-rise residential buildings—consisting mostly of semi-detached and row dwellings—are to the east of the Property, with some multifamily buildings to the southeast. Further east is Patterson Elementary School. Fort Greble Park is adjacent to and immediately west of the Property (*Id.*).

14. The surrounding area is zoned primarily R-2 and RA-1, creating a circle of low-rise apartments with a diverse array of single-family residential buildings at the center. Properties further south beyond the hospital are zoned PDR-1 (*Id.*).

CURRENT ZONING

15. The Property is currently zoned RA-1. The RA-1 zone is designed for predominantly developed areas with low- to moderate-density developments, including detached dwellings, rowhouses, and low-rise apartments (Subtitle F § 101.4).

16. Buildings in the RA-1 zone may be constructed to a maximum height of 40 feet and three stories, with a maximum density of 0.9 Floor Area Ratio ("FAR") (or 1.08 FAR for Inclusionary Zoning ["IZ"] developments), and up to 40% lot occupancy[1] (Subtitle F §§ 201.1, 203.2, 210.1). Penthouses may be constructed to a height of 12 feet/one story (Subtitle F § 205.1).

COMPREHENSIVE PLAN (TITLE 10-A DCMR, THE "CP")

17. The Comprehensive Plan's Future Land Use Map ("FLUM") designates most of the Property as Moderate Density Residential. The Framework Element describes the Moderate Density Residential land use category as defining "neighborhoods generally, but not exclusively, suited for row houses as well as low-rise garden apartment complexes. The designation also applies to areas characterized by a mix of single-family homes, two- to four-unit buildings, row houses, and low-rise apartment buildings…Density in Moderate Density Residential areas is typically calculated either as the number of dwelling units per minimum lot area, or as a FAR up to 1.8, although greater density may be possible when complying with Inclusionary Zoning or when approved through a [PUD]. The R-3, RF, and RA-2 Zone Districts are consistent with the Moderate Density Residential category, and other zones may also apply." (*See* Subtitle 10-A DCMR § 227.6).

18. A small portion of the western side of the Property is designated Parks, Recreation, and Open Space on the FLUM. This category "includes a mix of passive open space (for resource conservation and habitat protection) and active open space (for recreation)…Zoning designations for these areas vary. The federal parklands are generally unzoned, and District parklands tend to be zoned the same as surrounding land uses." (10-A DCMR § 227.19).

[1] Public Libraries in the RA-1 zone are allowed a maximum FAR of 2.0 (Subtitle F § 201.1). Public Recreation and Community Centers are allowed a maximum lot occupancy of 20%; and Places of Worship and Public Libraries are allowed a maximum lot occupancy of 60% (Subtitle F § 210.1).

19. The Comprehensive Plan's Generalized Policy Map ("GPM") designates most of the Property as a Neighborhood Conservation Area. The Comprehensive Plan's Framework Element provides that Neighborhood Conservation Areas "have little vacant or underutilized land" and are "generally residential in character." (10-A DCMR § 225.4). The guiding philosophy in Neighborhood Conservation Areas is to conserve and enhance established neighborhoods, but not preclude development, particularly to address city-wide housing needs (10-A DCMR § 225.5). "Approaches to managing context-sensitive growth in Neighborhood Conservation Areas may vary based on neighborhood socio-economic and development characteristics. In areas with access to opportunities, services, and amenities, more levels of housing affordability should be accommodated. Areas facing housing insecurity and displacement should emphasize preserving affordable housing and enhancing services, amenities, and access to opportunities." (*Id.*).

20. A portion of the southern side of the Property is also designated Institutional on the GPM. This designation "includes land and facilities occupied and used by colleges and universities, large private schools, hospitals, religious organizations, and similar institutions…Zoning designations vary depending on surrounding uses. Institutional uses are also permitted in other land use categories." (*See* 10-A DCMR § 227.18).

21. The Comprehensive Plan includes the Property within the Far Southeast/Southwest ("FSS") Area Element (Ex. 2F).

22. The Property is located in the Bellevue Small Area Plan ("Bellevue SAP"). The Bellevue SAP focuses on affordable rental and homeownership housing development, enhancing commercial development in the Bellevue neighborhood, promoting a self-sustaining community with educational and career development activities, and providing a mix of land uses and establishing visual consistency and compatible development along the South Capitol Street Corridor (Ex. 2F).

23. The Comprehensive Plan also requires the Commission to evaluate all zoning actions through a racial equity lens (10-A DCMR § 2501.8). Consideration of equity is intended to be based on the policies of the Comprehensive Plan and part of the Commission's consideration of whether the PUD in this case is "not inconsistent" with the Comprehensive Plan, rather than a separate determination about a zoning action's equitable impact.

24. The Comprehensive Plan's Framework Element states that equity is achieved by targeted actions and investments to meet residents where they are, to create equitable opportunities, but is not the same as equality (10-A DCMR § 213.6). Further "[e]quitable development is a participatory approach for meeting the needs of underserved communities through policies, programs and/or practices [and] holistically considers land use, transportation, housing, environmental, and cultural conditions, and creates access to education, services, healthcare, technology, workforce development and employment opportunities." (10-A DCMR § 213.7). The District applies a racial equity lens by targeting support to communities of color through policies and programs focusing on their needs and eliminating barriers to participate and make informed decisions (*See* 10-A DCMR § 213.9).

25. The Comprehensive Plan's Implementation Element provides guidance for the Commission in applying a racial equity lens to its decision making. Specifically, the Implementation Element states that "[a]long with consideration of the defining language on equity and racial equity in the Framework Element, guidance in the Citywide Elements on District-wide equity objectives, and the Area Elements should be used as a tool to help guide equity interests and needs of difference areas in the District." 10-A DCMR § 2501.6. In addition, the Implementation Element suggests to prepare and implement tools to use as a part of the Commission's evaluation process. 10-A DCMR § 2501.8. Consistent with Comprehensive Plan guidance, the Commission utilizes a Racial Equity Analysis Tool in evaluating zoning actions through a racial equity lens; the Commission released a revised Tool on February 3, 2023. The revised Tool requires submissions from applicants and the Office of Planning analyzing the zoning action's consistency with the Citywide and Area Elements of the Comprehensive Plan, and Small Area Plans, if applicable (Part 1); a submission from applicants including information about their community outreach and engagement efforts regarding the zoning action (Part 2); and a submission from the Office of Planning including disaggregated race and ethnicity data for the Planning Area affected by the zoning action (Part 3).

II. THE APPLICATION

THE PROJECT

26. The Project proposes to raze all four existing apartment buildings in phases and replace them with four new five-story apartment buildings to accommodate current and future residents with updated units and amenities. The Project provides:
    - A maximum building height of 60 feet, plus a mechanical penthouse with a maximum height of 18.5 feet;
    - A maximum FAR of 2.592;
    - Approximately 821 residential units;
    - Approximately 276 below-grade vehicular parking spaces;
    - Approximately 276 long-term bicycle spaces and 43 short-term bicycle spaces;[2]
    - An interior courtyard ("Social Garden") located at the center of the site;
    - LEED Gold design;
    - A 5,500 square foot child daycare;
    - A 1,000 square foot community service center space;
    - An IZ affordable set-aside of 17% of the Project's residential floor area reserved for households at or below 60% of the Median Family Income ("MFI"), in addition to the 50% MFI IZ units that are required for the penthouse habitable space; and
    - A minimum of 8% of the total units as three-bedroom units.

    (Ex. 2, 21A, 21B1-21B9).

[2] The Applicant originally proposed 275 long-term and 42 short-term bicycle spaces. However, as discussed below, the Applicant agreed to increase the number of bicycle spaces to 276 and 43 long- and short-term spaces, respectively, in response to DDOT's recommendation in its report (Ex. 24).

PROPOSED ZONING

27. As part of the Application, the Applicant seeks a PUD-related Zoning Map Amendment from the RA-1 zone to the RA-2 zone to support the proposed buildings and site configuration. The proposed RA-2 zone would allow the following development parameters in comparison to the existing RA-1 zone (Ex. 2, 2F):

	RA-1[3]	RA-2	RA-2 PUD	Proposed Project
Density (FAR)	0.9 (1.08 with IZ)	1.8 (2.16 with IZ)	2.592 (20%+)	2.592
Height	40' (60' PUD)	50' (60' PUD)	60' PUD	60'
Penthouse Height	12'	12'; 15' mech.	12'; 15' mech.	12'; 15' mech.; 18.5' for elevator overrun
Lot Occupancy	40%	60%	60%	54%

(*See* Subtitle F, Chapter 2; *see also* Subtitle X § 303.7)

PROJECT DESIGN

28. The Project includes landscaping, trees, and other plantings and bioretention features. Notably, the Project will take advantage of its proximity to Fort Greble Park by highlighting the park with signage at the corner of Martin Luther King Jr. Avenue, S.W. and Elmira Street, S.W. and improve the streetscape leading to the park's entrance with new signage. Furthermore, the Project will create a one-way pedestrian friendly private driveway to encourage both pedestrian foot traffic and vehicular egress through the Project (Ex. 2, 12-12E, 21A, 21B1-21B9, 40-40B).

29. The Project will transform the existing site by replacing the existing apartment buildings surrounded by surface parking lots with new, amenitized residential buildings. These new buildings will take advantage of Fort Greble Park by not only encouraging additional pedestrian foot traffic with inviting landscaping but also creating a central outdoor amenity space for residents that will highlight the importance of indoor-outdoor living. This emphasis on porosity and movement between the new residential building's stems from the adjacent residential neighborhood, proximity to Fort Greble Park, and site configuration. The Project will continue to respect the neighborhood's character and offer a public benefit by offering onsite child day care (*Id.*).

30. The Project also achieves many other desirable public policy objectives: in furtherance of the Mayor's housing production goals, the Project adds approximately 665 net new residential units to this location. At least 17% of the new units will be affordable (at 60% MFI), and at least eight percent of the new units will be family-sized three-bedroom units. The streetscape and landscaping improvements enhance and advance the collective vision for Bellevue as set forth in the Bellevue SAP (*Id.*).

[3] As noted above, Public Libraries in the RA-1 zone have a maximum FAR of 2.0. Subtitle F § 201.1. Public Recreation and Community Centers have a maximum lot occupancy of 20%; and Places of Worship and Public Libraries have a maximum lot occupancy of 60% (Subtitle F § 210.1).

31. Furthermore, in consultation with HousingToHome ("HTH"), the Applicant has developed a comprehensive phasing, relocation, and return plan. Under the plan, current residents at the Property will be offered the opportunity to return to the new Project at their current rents, which may increase annually only as permitted under rent control laws. Current residents also will be given assistance with packing and moving, and with permanently relocating to elsewhere if that is what they choose (Ex. 2G).

32. The Project has a total of approximately 553,937 square feet of GFA including the flexibility requested below, resulting in an FAR of 2.592 with an overall lot occupancy of approximately 54% (below the 60% permitted in the RA-2 zone). All four buildings will be five stories plus cellars and habitable penthouses. The Project will offer an array of studio, one-, two-, and three-bedroom units. The Project will have a total of approximately 821 units, and the total unit count for each building ranges between 195 and 213. The maximum height of each building is 60 feet. The Project ultimately includes a mix of: (i) approximately 548,128 square feet of residential GFA distributed across four buildings; (ii) up to approximately 66,955 square feet of penthouse habitable space across four buildings to be allocated among a mix of amenity space for the building (including a lounge and grilling areas) and residential units; and (iii) approximately 5,500 square feet for a child daycare. A vast majority of the Project's amenities are accommodated at the center of the Project in the Social Garden, immediately surrounded by two buildings but available and accessible to residents of all four buildings. Outside of that, each building will have its own entrance and offer rooftop recreation space as well as grills and lounge seating (Ex. 2, 12-12E, 21A, 21B1-21B9, 40-40B).

33. The Project's site plan organizes the four buildings with a common frontage on Martin Luther King Jr. Avenue, S.W., with Elmira Street, S.W. and a private driveway separating the buildings. South of Elmira Street, S.W. is one new building with its own underground parking and at-grade loading ("Building 1"). Immediately north of Elmira Street, are two buildings connected by the central courtyard and Project's amenity space—the Social Garden—and child daycare ("Buildings 2 & 3") that front on Martin Luther King Jr. Avenue. Loading facilities will be shared by Buildings 2 & 3. To the north of Building 3 is a private driveway with landscaping and pedestrian facilities that serves as a vehicular exit from parking and loading facilities to Martin Luther King Jr. Avenue and pedestrian access to Fort Greble Park. North of the private driveway is the fourth new building ("Building 4"), which has its own loading facilities. One common underground parking level is below Buildings 2, 3, & 4 and the private driveway. Each Building will have its own lobby and entrance, but the lobbies will be visually connected across the Project to reinforce the overall connectivity of the Project (*Id*.).

34. The Project will offer a range of unit types from studios to three-bedrooms. With this, the Project introduces a unit type distribution that does not currently exist at the Property. The Project offers studios and three-bedroom units, which are not offered or are very limited, respectively, at the existing buildings. A minimum of eight percent of the units in the Project, approximately 63 units, will be three-bedroom units (*Id*.).

35. At grade, the Project's site plan activates the public realm and creates a special place to connect pedestrians on Martin Luther King Jr. Avenue, S.W. to Fort Greble Park through the Property. The Project's site plan responds to its context, activates the surrounding public realm, and relegates all vehicular parking below grade. The Project does not include any new curb cuts (*Id*.).

36. Further, the Project features a variety of landscape improvements at street level and makes additions to the entrance of Fort Greble Park. This will create an inviting and pedestrian friendly environment for residents and community members alike. The overall focus is to use vegetation that is varied, robust, and layered. The landscape design is intended to extend the park feeling through the Property along both Elmira Street and the private driveway to Martin Luther King Jr. Avenue, S.W. (*Id*.).

37. The Project is horizontally and vertically segmented with the buildings, oriented east-west to create porosity from Martin Luther King Jr. Avenue, S.W. to Fort Greble Park to the west. The Project's central amenity area—the Social Garden—is housed in a large, partially sunken area between Buildings 2 & 3. This unique and dynamic space will house the amenities for all four buildings and includes a theatre, leasing office, business center, gym, basketball court, fitness studio, and outdoor amphitheater. Furthermore, the central social garden offers space for both the daycare users and residents to gather, play, and socialize (*Id*.).

38. In all four buildings, residential use begins on the cellar floor and continues to the penthouse. The number of units per floor and the unit types vary between each building. For example, Building 1 has the most one-bedroom units, Building 3 has the most two-bedroom units, and Building 4 has the most three-bedroom units. Still, each building has a similar distribution of total units throughout and offers a diverse set of options to current and future residents. The penthouse levels on Buildings 2 & 3 include approximately 1,389 and 1,689 square feet of exterior amenity space, respectively, plus a rooftop terrace and residential units. The roof is also designed to accommodate mechanical equipment, solar panels, green roofs, and vegetation. Approximately 2,000 square feet of solar panels will be on the roof of each building for a total of approximately 8,000 square feet of solar arrays (*Id*.).

39. Providing sufficient automobile parking, bicycle parking, and loading are important elements of the Project, and the Project includes a focus on bicycle parking spaces to minimize traffic impacts in the neighborhood. The Project contains approximately 276 vehicular parking spaces on a single level of below-grade parking to serve the Project. The below-grade garage in Building 1 includes approximately 53 vehicular parking spaces and a secure bicycle storage room for 65 long term bicycle spaces. The below-grade garage for Buildings 2-4 includes approximately 223 vehicular parking spaces and a secure bicycle storage room for 182 bicycle spaces. Building 1, Buildings 2 & 3, and Building 4 each have loading facilities: one 30-foot berth and one 20-foot service/delivery space (*Id*.).

40. The Project will dedicate at least 17% of the residential floor area as IZ units set aside at 60% MFI. This IZ commitment translates to approximately 111,809 gross square feet of

affordable units, exceeding the IZ requirements for a matter-of-right project. The proffered 60% MFI IZ units are in addition to the 50% MFI IZ units that would be required from the residential units being located in the penthouses. In addition, all existing tenants at the Property will have the option to return to the Project at the same rents they pay now—which are below market rates for the Project—and their rents may be increased annually only as much as allowed by rent control laws and regulations (*Id*.).

41. The Project's architectural design and detailing are intended to be bold and distinctive while taking cues from the surrounding neighborhood's existing fabric. The proposed massing has been designed with the streetscape experience, neighboring buildings, and nearby Fort Greble Park in mind. The siting and design elements have been selected to integrate the Project in with its surrounding context of institutional buildings, a park, and single-family houses (*Id*.).

42. All four residential buildings are designed by the same architect: Eric Colbert and Associates. Each building will have a unique identity to distinguish itself but also work together to create a common fabric and place for a new residential community. A red masonry palette will be used to bring more warmth to each building's façade and blend with the neighboring residential buildings (*Id*.).

43. The Project's detailing and materiality underscore its design. At the street level, where pedestrians interact with the buildings, it has a rich texturing of materials intended to create a tactile connection between passersby and the buildings themselves. A significant investment in greenery at the ground floor streetscape, façade, and canopy above helps to soften the ground plane and encourage pedestrians to linger (*Id*.).

44. The Project has been designed to fit into the existing residential community. For example, each building's façade includes a mix of masonry and metal to mirror the residential buildings across Martin Luther King Jr. Avenue. S.W. Furthermore, the Project uses red masonry to bring more warmth and appeal to each building's façade. It also creates a more residential feel and highlights the limited metal accents. Balconies are distributed evenly throughout the Project to offer outdoor space to residents, and the use of prefabricated balconies provides a consistent appearance between buildings. The Project's material selection and façade arrangements establish a cohesive and welcoming residential community across the entirety of the site and integrate seamlessly into the existing neighborhood context (*Id*.).

45. The Project has been carefully configured to provide ample open space for both Project residents and residents of the surrounding neighborhood, as well as to highlight Fort Greble Park. To achieve this, the Project has an overall lot occupancy (54%) that is less than the maximum permitted in the proposed R-2 zone (60%), and the rear and side yards are wider than required. Notably, the Project will be separated from existing residential uses to the east by Martin Luther King Jr. Avenue, which has a right-of-way width of 110 feet (*Id.*; Ex. 40).

46. The Project features a variety of landscape improvements at street level and makes improvements and additions to the entrance of Fort Greble Park. This will create an inviting and pedestrian friendly environment for residents and community members alike. The overall focus is to use vegetation that is varied, robust, and layered. The landscape design is intended to extend the park through the Project down both Elmira Street, S.W. and the private driveway to Martin Luther King Jr. Avenue, S.W. The streetscape along Elmira Street, S.W. will offer mature plantings with seasonal variety, as well as benches and other hardscape features. The private driveway to the north will have a similar design, while still respecting its more pedestrian friendly nature. Both spaces will frame Buildings 2 & 3 and the central amenity space housed at the center of them, which will also offer an array of foliage and greenery to complement the varied indoor and outdoor uses (*Id.*).

47. The Project is designed to satisfy the standards for LEED Gold. Specific sustainable design features include approximately 2,000 square feet of solar panels on each of the four buildings for a total of 8,000 square feet of solar arrays; and full electrification throughout each building (*Id.*).

APPLICANT'S SUBMISSIONS AND TESTIMONY

48. Initial Application. On December 22, 2023, the Applicant filed its initial application materials (Ex. 1-2I7).

49. Prehearing Submission. On April 17, 2024, the Applicant filed a prehearing submission and supporting materials responding to the issues and comments raised by the Commission at the March 28, 2024, public meeting to consider setdown and by OP in its March 18, 2024 setdown report (*see* Ex. 10) and providing additional and updated information regarding the Application (Ex. 12-12G). Specifically, the prehearing submission included:
    - Tenant Relocation Plan and Project Phasing. In response to the Commission's and OP's request, the Applicant provided additional information on the tenant relocation plan and project phasing and clarified that all existing Martin's View residents will have advisory services, packing and relocation assistance, and the right to return to the Project at current rents (that may increase only in accordance with what rent control allows). In addition, the Applicant summarized its relocation plan and stated that all residents in the existing Building 1 will be relocated to existing Buildings 2-4 while the new Building 1 is constructed. Then, residents in existing Buildings 2-4 will be relocated to new Building 1 while new Buildings 2-4 are constructed. Once the entire Project is complete, original residents of the prior Buildings 2-4 will be given the option, at the Applicant's cost, to relocate from new Building 1 to the corresponding new Buildings 2-4. To accommodate this relocation plan, the Applicant has requested flexibility (as further discussed herein) to construct the Project in phases and stagger the validity periods of this Order based on the phasing plan;
    - Community Engagement and Public Outreach. In response to the Commission's request, the Applicant provided additional information on the ongoing community engagement efforts and outreach, which included meetings with current residents and ANC 8D beginning in fall 2023 and a timeline to illustrate continuing outreach to neighbors and community stakeholders from the initial filing of the application until the July 2024 public hearing (Ex. 12B);

- Relocation Plan for Two Heritage Trees.[4] The Applicant stated it has begun consulting with the Department of Parks and Recreation about relocating the two heritage trees on the Property to Fort Greble Park, in consultation with the DDOT Urban Forestry Administration and a licensed arborist to be selected by the Applicant;
- Central Courtyard Experience. The Applicant provided renderings of and more details about the central courtyard between Buildings 2 & 3 and stated that it will include approximately 27,170 square feet of space including 5,845 square feet of outdoor amenity space (*See* Ex. 12C1, 12C2);
- Inability to Comply with the Mechanical Penthouse Height Limit. The Applicant provided additional information in support of its request for flexibility from the mechanical penthouse height limit[5];
- Possibility of Adding Three-Bedroom Units. The Applicant provided additional information about why it was not feasible to add additional three-bedroom units to the Project primarily because it will reduce the overall unit count in the Project;
- Creation of a Park Gateway and Renderings of Any Signage Directing Visitors to Fort Greble Park from Martin Luther King Jr. Avenue, S.W. The Applicant provided additional information on and renderings of the proposed signage at the intersection of Elmira and MLK Jr., subject to approval from DDOT public space, and at the entrance to Fort Greble Park, subject to approval by the Department of Parks and Recreation (*See* Ex. 12D);
- Programming and Activation of Public Space Adjacent to the Project. The Applicant provided additional information on how it will activate the public space adjacent to the Project by adding patios, benches, and lighting along the streetscapes (*See* Ex. 12D);
- Depiction of Landscaping "Through the Seasons." The Applicant provided a planting palette and renders to showcase the plants through all four seasons (*See* Ex. 12D);
- Stormwater Management Plan. The Applicant provided additional information on the stormwater management plan for the Project. Notably, the stormwater retention for all four buildings exceeds that required by the District of Columbia's Department of Energy and Environment (*See* Ex. 12E); and
- Confirmation of Satisfaction of the Minimum Requirements for Bicycle Parking Spaces. The Applicant confirmed that the Project will provide the minimum number of required bicycle parking spaces, which is 274 long-term spaces, and 41 short-term spaces based on a unit count of 821.

(Ex. 12-12G).

50. Applicant's Transportation Report. On June 18 and 20, 2024, the Applicant filed a Comprehensive Transportation Review ("CTR"), prepared by Gorove Slade, regarding the Project. The CTR highlighted several positive design elements that minimize potential

[4] As further discussed below, DDOT's Urban Forestry Division subsequently examined the two heritage trees and recommended they be removed instead of relocated since they were found to be in a state of decay. Therefore, the Applicant stated in its Supplemental Pre-Hearing Submission that it will remove the trees instead of relocating them.

[5] As further discussed below, in its Supplemental Pre-hearing Submission, the Applicant subsequently changed its request for flexibility to a request for a variance from Subtitle X § 303.18, which limits the mechanical penthouse height for a PUD in the RA-2 zone to 15 feet, to allow a mechanical penthouse height of 18.5 feet for the elevator overruns.

transportation impacts, including: the Project's proximity to transit service and bicycle infrastructure; the Project's location within a generally adequate pedestrian network along major walking routes; the Project's loading facilities, which maintain loading activity within private property and provide loading circulation that allows head-in/head-out truck movements at all loading curb cuts from the public roadway network; the inclusion of secure long-term bicycle parking spaces that meet or exceed zoning requirements; the inclusion of short-term bicycle parking spaces along the frontage of the site that meet zoning requirements; and a Transportation Demand Management Plan ("TDM") that reduces the demand of single occupancy, private vehicles during peak period travel times and shifts single-occupancy vehicular demand to off-peak periods. The Project is proposing to implement a TDM plan consistent with DDOT's guidance. Some TDM proposals include unbundling the cost of vehicle parking from the lease for each residential unit; identifying transportation coordinators for the planning, construction, and operation phases of development; and providing at least 42 short- and 275 long-term bicycle parking spaces (Ex. 19A1-A2).[6]

51. Applicant's Supplemental Pre-Hearing Submission. On July 2, 2024, the Applicant filed a supplemental submission with updated information regarding the Application as follows (Ex. 21):

- Mechanical Penthouse Flexibility and Variance Relief. The Applicant added a new request for a variance from Subtitle X § 303.18, which limits the mechanical penthouse height for a PUD in the RA-2 zone to 15 feet, to allow a mechanical penthouse height of 18.5 feet for only the elevator overruns. The Applicant explained that it previously requested flexibility to permit a penthouse height of 18.5 feet, but that variance relief was needed based on the requirements of Subtitle X § 303.18. The Applicant provided a rationale for the variance relief, as summarized in detail below in Finding of Fact 62. In addition, the Applicant provided evidence regarding the limitations of hydraulic elevators to demonstrate that the Project requires a cable elevator with overhead pulleys and the additional elevator overrun height to accommodate the corresponding elevator mechanical equipment; the evidence provided shows that the three types of hydraulic elevators manufactured do not allow for the 85 feet of travel distance required for the Project—thus the need for a cable elevator with overhead pulleys (Ex. 21C1-21C3);
- Updated Plans. The Applicant provided updated plans reflecting further refinements to the Project design (*See* Ex. 21B1-21B9);
- Additional Benefits and Amenities Proffer. The Applicant proposed to offer a new public benefit proffer in the form of a mid-block crossing on Elmira Street. The Applicant stated that the mid-block crossing will provide safe pedestrian access for Building 1 residents to the central courtyard amenity space and daycare located north of Elmira Street, in between Buildings 2 & 3. The mid-block crossing will be further coordinated with DDOT during the public space permitting process;
- Heritage Trees. The Applicant provided additional information on the status of both heritage trees. After the Urban Forestry Division visited and diagnosed both trees, they

[6] As discussed below, DDOT requested in its report (Ex. 24) that the Applicant increase the minimum number of short- and long-term bicycle parking spaces to 43 and 276, respectively. The Applicant agreed to this request at the July 22, 2024 public hearing.

recommended removal instead of relocation, which the Applicant will carry out as part of the Project; and

- Community Outreach. The Applicant provided updated and supplemental information regarding its outreach with the surrounding community, including the neighboring residents and ANC 8D with a list of its outreach efforts from April to July 2024.

52. Clarification of IZ Proffer. On July 11, 2024, the Applicant clarified and refined its request for flexibility to provide the proffered amount of IZ in response to further discussions with OP. The Applicant previously requested flexibility to allow a Building to receive a building permit even if the residential floor area devoted to IZ units in that particular Building is less than 17%, as long as the entire Project, upon completion, devotes at least 17% of its residential floor area to IZ units. However, after discussions with OP, the Applicant refined this flexibility to add language stating that "at least 13% of the residential floor area per Building" will be devoted to IZ units (Ex. 22).

53. Community Benefit Agreement. On July 19, 2024, the Applicant submitted an executed community benefit agreement ("CBA") between the Applicant and ANC 8D, which includes a development and construction management plan (Ex. 26, 26A).

54. Applicant's Hearing Presentation and Testimony. In advance of the July 22, 2024, public hearing for the Application, the Applicant filed a presentation (Ex. 32A1-A5). At the public hearing, the Applicant presented the Application and proposed Project and addressed questions raised by the Commission:

- The Applicant provided testimony from four witnesses:
  - Jesse Kaye of Martin's View, LLC, on behalf of the Applicant;
  - JB Lallement of Eric Colbert & Associates, as the Project's architect, admitted as an expert in architecture;
  - Gabriela Canamar of LandDesign, the Project's landscape architect, admitted as an expert landscape architecture;
  - Will Zeid of Gorove Slade, the Project's transportation consultant, admitted as an expert in transportation planning and engineering; and
  - Shane Dettman of Goulston & Storrs, the Project's urban planner, admitted as an expert in urban planning (Ex. 21D);
- The Applicant's presentation included a summary of the Project background; the Applicant's outreach with OP, DDOT, and other District agency staff, and with the community, neighboring residents, and ANC 8D; the requested zoning and design flexibility; the proffered public benefits and amenities; the building design, site planning, and landscaping features; and information in response to the Commission's questions during the hearing; and
- The Applicant's presentation also included expert testimony from the Applicant's community engagement consultant. This portion of the presentation highlighted a focus on integrating current residents of the Property into the process, which allowed those residents to provide their feedback and have a meaningful impact on the development.

The community engagement consultant also addressed concerns related to relocation of current residents and the Project's overall density.

(Transcript of July 22, 2024 Public Hearing ("July 22 Hearing Tr.") at 9-136).

55. Applicant's Post-Hearing Submission. On August 30, 2024, the Applicant submitted a post-hearing submission which included responses to comments and questions raised by the Commission during the July 22, 2024 public hearing. Specifically, the Applicant provided revised conceptual images of the wayfinding signage at the proposed Fort Greble Park (*see* Ex. 40A) and confirmation that the current occupancy rate at the Martin's View apartment buildings is 143 out of 156 units. The Applicant's post-hearing submission also included a request for zoning flexibility pursuant to Subtitle X § 303.1(b) to permit a 1,000 square foot community service center for Workforce/Job Training Space to allow a locally based nonprofit organization to provide job search and job training assistance to residents. The Applicant also provided an update on community engagement efforts, including a summary of numerous engagements with the Bellevue Neighborhood Civic Association ("BNCA"), which testified in opposition to the Application at the public hearing, as further discussed below (Ex. 40, 40A, 40B).

56. In addition, the Applicant's post-hearing submission provided the Applicant's rebuttal arguments to the following concerns raised by opponents of the Project (Ex. 40-40B):

- Density and Scale of Project. In response to concerns raised by those in opposition about the Project's size and scale, the Applicant stated that the density and scale of the Project are appropriate and will not cause adverse impacts. In addition to the RA-2 zone, the height and density being not inconsistent with the FLUM and the GPM, the Project will help address citywide housing needs through preservation and creation of affordable housing and provision of new market rate housing in a manner that is compatible with the existing scale and character of the surrounding area. The density and scale of the Project are also not inconsistent with Comprehensive Plan policy guidance that speaks to refurbishment of deteriorating housing; increases in density to address citywide housing goals and affordable housing needs; increases in density to promote mixed-income neighborhoods; and context sensitive design to avoid overpowering contrasts in scale. The Project balances the need for greater density that is essential to addressing citywide housing needs without causing physical and economic displacement. This is accomplished through the placement of greater height and density on a site that is already planned and zoned for moderate density multi-family development in a manner that takes into consideration the scale of adjacent buildings, aligns with existing streets and sightlines, and takes advantage of separation provided by adjacent rights-of-way. Due to these factors, the Project will not have unacceptable impacts on light, air flow, and the character of the existing neighborhood. To the extent there is any potential for impacts to the lower-scale residential area to the east, such impacts will be minimal due to the design of the Project and the width of Martin Luther King Jr. Avenue, S.W. and the Project's open space. The Project will include open space to ensure that ample light and air are available to the Project and the surrounding properties. While the height of the Project (60 feet) represents an increase compared to the existing buildings on the site, the proposed height will not overwhelm the lower-scale residential uses due to the proposed site plan (i.e., shorter

façades of buildings facing lower scale residential and ample open space around the buildings). Any impacts will be further mitigated by separation provided by Martin Luther King Jr. Avenue, S.W., which has a right-of-way width of approximately 110 feet;

- Parking Congestion. In response to concerns raised by those in opposition about the Project's potential impact on parking, the Applicant stated that the Project will not have an unacceptable impact on parking availability and congestion in the neighborhood. The Project proposes a total of 276 below-grade vehicular parking spaces, which satisfies that required by the Zoning Regulations while providing a few spaces less than the maximum number of spaces recommended by DDOT (291 spaces). The Zoning Regulations would allow the Project to provide as few as 137 spaces—approximately half of the number of spaces proposed—so the Project will provide more than the zoning minimum to ensure sufficient on-site parking availability to Project residents. The Project's IZ set-aside indicates that automobile ownership and the associated need for parking will be less than for a similar project with more market rate units. Finally, the as part of the Community Benefits Agreement with the ANC, the Applicant has committed to supporting the adjacent neighborhood with seeking Residential Parking Permit ("RPP") parking restrictions for neighborhood public streets, and the Project's residents would not be eligible to receive RPP permits per the terms of the Community Benefits Agreement;
- Traffic Congestion. In response to concerns raised by those in opposition about the Project's potential impact on traffic and congestion in the neighborhood, the Applicant stated that as found by the Applicant in its CTR and supported by DDOT in its report (*see* Exhibit 24 in the case record), the Project's impacts on traffic, including those from the proposed daycare, in the surrounding area can be adequately mitigated with the TDM plan and other mitigation measures to which the Applicant has committed. The Applicant worked with DDOT to develop a robust TDM plan for the Project that will reduce reliance on vehicle ownership/use and mitigate traffic congestion near the Project resulting from this development. An updated TDM plan submitted to DDOT (consistent with that the Applicant agreed to during the July 22, 2024 public hearing) includes pedestrian improvements—including installing a missing crosswalk, a raised mid-block crossing on Elmira Street, S.W.[7], curb ramps, and permanent curb extensions and pedestrian refuge islands on Martin Luther King Jr. Avenue, S.W.—that will be funded and constructed by the Applicant to further mitigate any traffic impacts from the Project. Moreover, the proposed daycare will be relatively small at 5,500 square feet, meaning that traffic impacts will be limited in any event. With approximately 821 dwelling units in the Project, it is likely that a large portion of the daycare's students will come from within the Project, which will result in the majority of pick-up/drop-off occurring as pedestrians rather than with automobiles. Otherwise, in order to mitigate any automobile traffic impacts from the daycare during pick-up/drop-off times, a short-term parking zone is proposed along the Martin Luther King Jr. Avenue, S.W. frontage of the Project; this zone is proposed for only pick-up/drop-off times and will be

[7] In a submission on July 2, 2024, the Applicant stated that the installation of a mid-block crossing on Elmira Street was a proffered public benefit (Ex. 21); and in its testimony at the July 22, 2024, public hearing, the Applicant characterized the mid-block crossing on Elmira Street as a public benefit as opposed to a mitigation.

available for other uses during the day. Further, the proposed curb extensions requested by DDOT are part of the mitigations to which the Applicant agreed will frame in the curbside space to provide more efficient parking operations along the side of the road that will further mitigate any potential traffic congestion impacts;

- Water and Sewer Infrastructure. In response to concerns raised by those in opposition about the Project's potential impact on water and sewer infrastructure, the Applicant stated that based on the Applicant's civil engineer's analysis, the current stormwater, sanitary, and water infrastructure system can sustain Project and the expected residents, and it will not overburden the system. Further, the DOEE stormwater requirements that will be incorporated into the Project will retain and detain water to reduce the flow exiting the site into the sanitary sewer system. There is a 10" sanitary sewer line under the sidewalk on the west side of Martin Luther King Jr. Avenue, S.W. and an additional 10" sanitary sewer line on the east side of Martin Luther King Jr. Avenue, S.W. The Project site is generally the only property that will drain into the existing 10" sanitary sewer on the west side, so this sanitary sewer line can accommodate the expected number of residents in the Project; and
- Costs To Returning Residents. The Applicant noted that some residents and neighbors objected over expected cost increases for current Property residents returning to the Project. However, the Applicant maintained that the returning Martin's View residents will not assume significantly greater costs than they currently have, and the Applicant and the Project will minimize any additional costs. Their rents will be the same as they are currently paying, with annual increases only as permitted by rent control laws. Utility costs will not be high because the utility bills for residents are expected to be affordable due to the energy efficiency of the LEED Gold design (*see* Ex. 40B) and energy generated by the solar panels. Further, D.C. offers utility discount programs, and the Applicant will assist eligible residents in applying for these programs. Following post-hearing discussions with neighbors and community groups in opposition, as further discussed below, the Applicant has agreed to provide all returning Martin's View residents aged 65 or older with a utility subsidy up to $100 per month; and all returning residents will be offered parking at a discounted rate that is 50% less than will otherwise be charged to new residents in the Project. The Project will be a mixed income community with market rate and affordable units, but this will not result in materially higher costs to current residents who return or to residents in the broader community. As described above, current rents for returning residents will be retained while utility and parking costs will be limited. Furthermore, the Project's additional commitment to 17% of residential floor area devoted to IZ units will ensure that ample affordable and below-market rate units—a total of approximately 36% of the units when combined with the units for returning residents—are available in the Project for many Bellevue residents. Accordingly, there is no basis to conclude that property taxes or other costs to current Martin's View and/or Bellevue residents will materially increase.

57. The Applicant filed two additional post-hearing submissions, which are discussed in greater detail in Finding of Fact 91 and summarized below (Ex. 43, 47):

- First, a submission on September 30, 2024, providing updates on the Applicant's meetings with opponents, Frederick Nelson, Anna Hamilton, and Wanda Nettles, and

its responses to their various opposition concerns; and stating the Applicant's agreement to pay up to $100 per month in utility costs for all 65+ year old returning Martin's View residents and to pay the cost of residential parking permits for residents within 200 feet of the Project for three years (Ex. 43). The Applicant further stated that recent meetings with Bellevue Neighborhood Civic Association ("BNCA"), an opponent to the Application, had been unproductive as the Applicant refuses to agree to the payment requested by BNCA; and (*Id*.)

- Second, a submission on October 22, 2024, providing a response to BNCA's post-hearing submissions (at Ex. 46) stating several clarifications about the Applicant's September 28, 2024 meeting with BNCA; listing all communications the Applicant has had with BNCA since the July 22, 2024 public hearing; stating that the Applicant has responded to BNCA's concerns regarding the Project density and restating the Applicant's commitments to subsidize utility costs by up to $100 per month for 65+ year old Martin's View returning residents, to reduce onsite parking costs by 50% for all returning Martin's View residents, and to pay for residential parking permits for all residents within 200 feet of the Project for three years (Ex. 47). The Applicant also stated that it still refuses to agree to the payment amount requested by BNCA (*Id*.).

58. Draft Findings of Fact and Conclusions of Law. Pursuant to Subtitle Z § 601.1, on October 17, 2024, the Applicant submitted its proposed findings of fact and conclusions of law (Ex. 45).

59. Draft Conditions. Pursuant to Subtitle X § 308.2, on October 31, 2024, the Applicant submitted its draft proffers and Conditions (Ex. 49).

60. Final Conditions. Pursuant to Subtitle X § 308.6, on November 12, 2024, the Applicant submitted its final proffers and conditions (Ex. 50).

III. JUSTIFICATION FOR RELIEF

RELIEF REQUESTED

61. Additional Height and Density Under PUD Standards. The Application requested the Commission approve a PUD and related Zoning Map Amendment to the RA-2 zone to redevelop the Property with four residential multifamily buildings. As a result of the PUD-related map amendment to the RA-2 zone, the Project can achieve additional height and density as follows:

- *Height:* The Project proposes a height of approximately 60 feet. The existing RA-1 zone permits a maximum height of 40 feet, or 60 feet for a PUD. The proposed RA-2 zone permits a maximum height of 50 feet, or 60 feet for a PUD. Therefore, the Project's 60-foot height is at the maximum allowable height for a PUD development in the existing RA-1 zone as well as the proposed RA-2 zone; and
- *Density:* The Project proposes a density of approximately 2.592 FAR. The existing RA-1 zone permits a density of 0.9 FAR (2.0 FAR for Public Libraries), or 1.08 FAR for an IZ development. The proposed RA-2 zone permits a density of 1.8 FAR (2.0 FAR for Public Libraries), or 2.16 FAR for an IZ development, with up to 2.592 FAR allowed for a PUD development. Therefore, the Project's density of approximately

2.592 FAR is at the maximum allowable density for a PUD development with IZ bonus density in the proposed RA-2 zone; and it represents an increase of approximately 1.51 FAR over the maximum 1.08 FAR density allowed for an IZ development in the existing RA-1 zone.

62. Zoning Relief Requested – Variance Request. The Application further requested additional PUD-related zoning relief pursuant to Subtitle X § 303.14 for a variance from the maximum mechanical penthouse height limit of Subtitle X § 303.18 to permit a mechanical penthouse height of 18.5 feet for the Project's elevator overruns. The Applicant provided the following evidence for why the request satisfies the Subtitle X, Chapter 10 standards for area variance relief:

- *Property is affected by an exceptional situation or condition.* Several factors contribute to an exceptional and extraordinary condition in that the Property is prime for redevelopment given its size, the age and deterioration of existing structures, and the essential community facilities nearby. In addition, the Property's FLUM and GPM designations position the Property uniquely to provide a large amount of new residential units in an area surrounded by community amenities such as a school, park, and hospital. In addition, the Applicant states that a PUD in the RA-2 zone is unique in that additional height is not permitted for a mechanical penthouse, unlike PUDs in numerous other zones. These categories, along with the maximum permitted PUD height of 60 feet, encourage the site to be redeveloped from the existing 156 residential units to the proposed 821 units;
- *Strict application of the Zoning Regulations will result in a practical difficulty to the Applicant.* There are practical difficulties in complying with the mechanical penthouse requirement because a building height of 60 feet—which is consistent with the goals of the Zoning Regulations and the Comprehensive Plan—cannot accommodate an elevator system that fits within a 15-foot mechanical penthouse height. The Project requires an elevator with overhead pulleys, the only viable option for the necessary travel distance. (*See* Finding of Fact 51) The additional height for the elevator overruns is necessary to accommodate the elevator mechanical equipment as well as space above the elevator cab to accommodate equipment maintenance workers. The maximum 15-foot height permitted in the RA-2 zone does not allow for the necessary space atop the cab of the elevator to perform maintenance work. Without this elevator overrun, the Applicant would have to modify the Project to eliminate the residential units on the penthouse because the elevator could not provide access to those unit, and this would result in a loss of 50% MFI IZ units; and
- *The granting of the variance will not cause substantial detriment to the public good nor substantially impair the intent, purpose, or integrity of the zone plan.* The elevator shafts are set back from the building roof at least 1:1 on both the courtyard and rear yard sides. In addition, the elevator shafts are even further setback at least 2:1 from the building roof edges facing the public streets, private driveways, and the public park. Thus, any potential visual impact of the additional 3.5 feet of elevator overrun is more than adequately mitigated by exceeding the necessary setbacks. The intent of the penthouse setback requirements and height limit is to decrease visibility and reduce visual clutter. The more than adequate setbacks of the mechanical penthouses along

with the minor relief requested of only 3.5 feet, is therefore consistent with the intent of the Zoning Regulations.

(Ex. 21).

63. Zoning Relief Requested – Community Service Center Use. The Application also requested approval of a community service center use pursuant to Subtitle X § 303.1(b). As noted above, the Applicant is proffering as a public benefit a 1,000 square foot space in the Project to be occupied by a locally based jobs partner nonprofit organization that will provide job-search and job-training assistance to residents of the Project and the broader neighborhood. The Applicant states the use is compatible with the PUD because it offers a public benefit that has been identified by the ANC as an asset to the community. In addition, the provision of job-search and job-training assistance furthers the goals of the Comprehensive Plan, particularly the Economic Development Element, by providing a workforce development program at the neighborhood level (Ex. 40).

64. Zoning Relief Requested – Phasing and Validity of Order. The Application also requested flexibility for the phasing of the Project and validity of this Order because of the multi-building character of the Project and the Applicant's desire to keep residents on-site throughout the redevelopment. Accordingly, the Applicant seeks approval of a phasing plan for the Project. The phasing plan begins with all residents in the Existing Building 1 relocating to vacant units Existing Buildings 2-4, to the extent available. Once new Building 1 is constructed, all residents in Existing Buildings 2-4 will relocate to the newly built Building 1. From there, Existing Buildings 2-4 will be razed, and construction of new Buildings 2 & 3 will commence. Building 4 will be constructed after Buildings 2 & 3 are completed. Finally, the original tenants from Existing Buildings 2-4 now living in new Building 1 will be given the option to relocate to other units in the Project (Ex. 12).

65. Design Flexibility Requested. The Applicant also requested various design flexibility, including flexibility to satisfy the Project's IZ commitment across each Building, as described above (Ex. 2, 22).

CONSISTENCY WITH THE COMPREHENSIVE PLAN AND OTHER ADOPTED PUBLIC POLICIES AND ACTIVE PROGRAMS RELATED TO THE SUBJECT SITE (SUBTITLE X § 304.4(a))

66. Comprehensive Plan. The Applicant provided evidence that the Application complies with Subtitle X § 304.4(a) and is not inconsistent with (i) the Comprehensive Plan as a whole, including its maps, Citywide Element policies, and Area Element policies, including when viewed through a racial equity lens, or (ii) other public policies related to the Property:

- FLUM. The Project is not inconsistent with the FLUM's Moderate Density Residential designation[8] for the Property (Ex. 2, 2F):
  - The Framework Element describes the Moderate Density Residential designation as: "[N]eighborhoods generally, but not exclusively, suited for row houses as well

[8] As noted above, a small portion of the Property is designated Parks, Recreation, and Open Space on the FLUM and Institutional on the GPM. However, in its presentation and testimony at the July 22, 2024, public hearing, the Applicant maintained that these designations were "presumed to be a cartographic drafting error" and focused its Comprehensive Plan consistency analysis on the Moderate Density Residential designation on the FLUM and Neighborhood Conservation Area designation on the GPM.

as low-rise garden apartment complexes. The designation also applies to areas characterized by a mix of single-family homes, two- to four-unit buildings, row houses, and low-rise apartment buildings…Density in Moderate Density Residential areas is typically calculated either as the number of dwelling units per minimum lot area, or as a FAR up to 1.8, although greater density may be possible when complying with Inclusionary Zoning or when approved through a Planned Unit Development. The R-3, RF, and RA-2 zones are consistent with the Moderate Density Residential category, and other zones may also apply." (*See* 10-A DCMR § 227.6); and

- Through the PUD process, the Applicant proposes to rezone the Property to the RA-2 Zone, which is specifically referred to in the Framework Element as being consistent with the Moderate Density Residential FLUM designation for the Property. Moreover, the density of the Project is within the range that is contemplated in an RA-2 PUD. Specifically, the maximum density permitted in the RA-2 zone is 1.8 FAR (2.16 FAR with IZ) and 2.592 for a PUD. The Project has a maximum density of 2.592 FAR;

- GPM. The Project is not inconsistent with the Property's Neighborhood Conservation Area designation on the GPM (Ex. 2, 2F, 40):
  - The Framework Element describes Neighborhood Conservation Areas category as those that "have little vacant or underutilized land" and "are generally residential in character." (*See* 10-A DCMR § 225.4). The Framework Element further provides that "[m]ajor changes in density over current (2017) conditions are not expected but some new development and reuse opportunities are anticipated, and these can support conservation of neighborhood character where guided by Comprehensive Plan policies and the [FLUM]." (*Id.*). "The guiding philosophy in Neighborhood Conservation Areas is to conserve and enhance established neighborhoods, but not preclude development, particularly to address city-wide housing needs . . . The diversity of land uses and building types in these areas should be maintained and new development, redevelopment, and alterations should be compatible with the existing scale, natural features, and character of each area . . . Densities in Neighborhood Conservation Areas are guided by the [FLUM] and Comprehensive Plan policies." (*Id.*; *see* 10-A DCMR § 225.5);
  - The Project is compatible with the diversity of land uses and building types found in the surrounding area, as well as with the scale and character of the neighborhood. Generally, the prevailing character and scale of the area surrounding the Property is residential with several institutional buildings within the vicinity. Consistent with the established character of the area, the Project consists of four multifamily residential buildings that contain approximately 821 units, which, consistent with the Neighborhood Conservation Area designation, will enhance the neighborhood with appropriately scaled development that will address citywide housing needs, particularly affordable housing; and
  - Consistent with the Framework Element's guiding principle for Neighborhood Conservation Areas, the Project will help address citywide housing needs through preservation and creation of affordable housing and provision of new market rate housing in a manner that is compatible with the existing scale and character of the surrounding area. The Project will maintain the diversity of uses in the

neighborhood, avoid displacement of existing residents, and broaden the socio-economic characteristics of the area that can help attract long sought after basic neighborhood amenities;

- Land Use Element. The Project will support the growth and revitalization of the Bellevue neighborhood and Martin Luther King Jr. Avenue, S.W. corridor by providing increased housing along a designated priority bus corridor and within walking distance to several neighborhood amenities and community facilities near the mixed-use node at South Capitol Street and Atlantic Street. The new housing will provide greater sustainability and improve healthy living conditions for residents through a LEED Gold designed project that incorporates site-specific climate resilience design strategies. The Project will facilitate redevelopment of the Property at a height and density that is consistent with the FLUM, and compatible with the use and scale of the surrounding context. The Project will maintain the moderate density residential character of the Property, while adding several elements that will positively contribute to the identity and design character of the site and the Bellevue neighborhood. The increased housing on the site will accommodate expected population growth and the desire for greater mixed-income housing in Ward 8. The new market rate housing will help relieve pressure on the existing housing stock, namely naturally occurring affordable housing stock, while the increase in affordable housing on the Property will advance affordability, racial equity, and access to opportunity. In addition, the provision of child daycare will assist working families living in the Project and in the neighborhood. The Project will provide high-quality, modern housing for existing and new residents that will foster an inclusive neighborhood. The density and scale of the Project are consistent with Land Use Element policies regarding development along corridors and neighborhood conservation, enhancement, and revitalization. As discussed below, the Project respects the character, scale, and integrity of the adjacent neighborhood through building design, open space, and buffers while balancing against the District's broader need for housing, and especially affordable housing (*See* Land Use Element Policies LU-1.1.2, LU-1.1.A, LU-1.4.6, LU-1.5.1, LU-2.1.1, LU-2.1.3, LU-2.1.8; Ex. 2, 2F, 40).
- Transportation Element. The Project takes advantage of a priority bus corridor by increasing density for new housing. Further, the Project will support bicycle travel by providing a substantial amount of secure on-site bicycle parking within the Project's ground-floor and below-grade parking garage. Also, the Project will encourage the deployment of EV charging stations by installing the infrastructure necessary to make a minimum of five below-grade parking spaces EV ready. The Project proposes a total of 276 below-grade vehicular parking spaces, which satisfies that required by the Zoning Regulations while providing a few spaces less than the maximum number of spaces recommended by DDOT. Therefore, the Project provides the optimal number of parking spaces, as found by the Applicant in its CTR (and supported by DDOT), to address the Project's parking need and prevent adverse parking impacts in the surrounding neighborhood (*See* Transportation Element Policies T-1.1.2, T-1.1.7, T-2.3.B, T-3.1.1, T-3.2.D, T-3.4.1, and T-5.2.2; *Id.*);
- Housing Element. The Project will facilitate the redevelopment of an underutilized site along a priority bus corridor and in walking distance to neighborhood amenities with new mixed-income housing while minimizing displacement of existing residents. The

production of housing that results from the Project will aid the District in achieving its housing production targets and equity goals for the Far Southeast/Southwest Planning Area, as set forth in the Housing Element and the 2019 Housing Equity report. The additional market rate housing facilitated by the proposal has the potential to increase the socioeconomic diversity of the Far Southeast/Southwest Planning Area and help provide a balance of housing opportunities. At the same time, the new dedicated IZ affordable housing, which will exceed the number of IZ units that would otherwise be required under existing zoning on the Property, will help offset the rising cost of housing and minimize the potential for displacement of District residents in the Far Southeast/Southwest Planning Area. Notably, the Project will contain approximately 63 three-bedroom units, an increase of approximately 525% in the number of family-sized units on the Property. The Project also considers potential housing for older adults with approximately 123 (i.e., approximately 15%) of the new constructed units being ANSI A accessible (*See* Housing Element Policies H-1.1.1, H-1.1.2, H-1.1.3, H-1.1.5, H-1.1.9, H-1.2.1, H-1.2.2, H-1.2.3, H-1.2.7, H-1.2.9, H-1.2.10, H-1.2.11, H-1.3.1, H-1.3.2, H-1.4.6, H-2.1.1, H-2.1.2, H-2.1.3, H-2.1.4, H-2.1.6, H-2.1.9, H-4.3.2, and H-4.3.3; *Id.*);

- Environmental Protection Element. The Project design will mitigate potential impacts on the natural environment and help advance District's overall resilience to climate change through LEED Gold design and integration of several climate resilient design strategies. The Project will help mitigate urban heat island effect by reducing the overall amount of impervious surface on the site – which contains large surface parking areas – most notably through the relocation of all existing surface parking on the site to below-grade parking and the introduction of landscaping throughout the redeveloped site. The proposed buildings will contain numerous sustainability measures that will improve the overall environmental quality of housing, and the sustainability of the site and the District. The Project will promote the efficient use of energy through high-efficiency building systems and substantial use of rooftop solar panels. The Project will also result in substantial improvements to the quality of the public space surrounding the Property, which from an environmental protection perspective means improvements to street trees and implementation of sustainable landscape practices that will increase the overall amount of planted space and reduce the amount of impervious space on the Property (*See* Environmental Protection Element Policies E-1.1.1, E-1.1.2, E-2.1.2, E-2.1.3, E-3.2.3, E-3.2.6, E-3.2.7, E-4.2.1, E-4.2.1, E-4.4.1, E-5.1.6, E-5.1.9, and E-6.7.2; *Id.*);
- Educational Facilities Element. The Project will contain space devoted to a new child daycare facility within the ground floor of Building 2, facing Martin Luther King Jr. Avenue, S.W. The new day care use will provide residents, both on-site and in the neighborhood, with convenient access to a quality child development facility in an area needing more childcare and that is immediately adjacent to the high-priority bus corridor that directly connects to Metrorail. Further, the Applicant is proffering as a public benefit to reserve a 1,000 square foot space in the Project to be occupied by a locally based jobs partner nonprofit organization that will provide job-search and job-training assistance to residents of the Project and the broader neighborhood (*See* Educational Facilities Element Policies EDU-4.1.1, EDU-4.1.2, and EDU-4.1.3; *Id.*);

- Urban Design Element. The Project will facilitate the Applicant's effort to redevelop the existing buildings on the Property with new, sustainably designed multi-family buildings with amenities that will greatly enhance the urban design quality of the site. The Project, and associated improvements to the adjacent public space/streetscape, will reinforce the form and identity of Martin Luther King Jr. Avenue, S.W., which is one of Washington's primary long-established roads. The overall site plan of the Project will remove multiple curb cuts along Martin Luther King Jr. Avenue, S.W. and align a proposed private driveway into the site with the right-of-way of Darrington Street, which exists on the east side of Martin Luther King Jr. Avenue, S.W. The streetscape design along Martin Luther King Jr. Avenue, S.W., and along the proposed private drive and segment of Elmira Street that traverse the site, continue to reflect the moderate-density residential character of the surrounding area (narrow sidewalks, building setbacks and landscaped public parking area, street trees and landscaped areas). The Project will also strengthen the visual quality of the Martin Luther King Jr. Avenue, S.W. corridor. The orientation, massing, and articulation of the proposed buildings are responsive to the lower-scale residential uses to the east of Martin Luther King Jr. Avenue, S.W., and to Fort Greble Park to the west while also being consistent with the institutional buildings to the north and south. The Project design maintains the general site plan of the existing Martin's View development while accommodating additional height and density that will allow the Applicant to preserve existing affordable housing, and deliver new affordable and market rate housing (UD-2.2.1: Neighborhood Character and Identity). The Project's density and scale are similar to the scale and massing of the existing school to the north and hospital to the south, and will be substantially separated from existing residential uses to the east by Martin Luther King Jr. Avenue, which has a right-of-way width of 110 feet (*See* Urban Design Element Policies UD-1.4.1, UD-2.1.2, UD-2.1.6, UD-2.2.1, UD-2.2.3, UD-2.2.4, UD-2.2.5, UD-2.2.7, UD-2.3.5, UD-3.2.1, UD-4.2.1, and UD-4.2.4; (*Id.*);
- Parks, Recreation and Open Space Element. The Property's adjacency to Fort Greble Park played a role in the overall development of the Project's site plan. Specifically, the east-west orientation of the proposed buildings will increase physical and visual connectivity to the park from Martin Luther King Jr. Avenue, S.W. While vehicular and pedestrian access to the park is provided along Elmira Street, there currently is no signage or wayfinding along Martin Luther King Jr. Avenue, S.W. to help direct park visitors on how to access the park and recreation facilities that exist at Fort Greble. As part of the Project, the Applicant will install wayfinding signage at the intersection of Martin Luther King Jr. Avenue, S.W. and Elmira Street, S.W., and it will work with the DPR to design and install signage at the Elmira Street entrance to the park. Further, the extensive landscaping and hardscaping along Elmira Street is intended to be a park-like extension of Fort Greble Park (See Parks, Recreation and Open Space Element Policies PROS-1.2.2 and PROS-3.1.6; *Id.*);
- Bellevue Small Area Plan. The Project is consistent with the housing recommendation of the Bellevue SAP. The Project will provide new market-rate and affordable housing opportunities for new and existing Bellevue residents, including residents that currently reside on the Property. The Project has been designed in coordination with OP, and with the community through an extensive engagement process (*Id.*); and

- Far Southeast/Southwest Area Element. The Project will replace a dated 1940s apartment complex lacking modern amenities with new, sustainably designed apartment buildings with numerous amenities. Specifically, the Project will replace the existing buildings with a LEED Gold design project that will include on-site storm water retention and rooftop, extensive use of green roofs, and rooftop solar panels. The Project will also incorporate several resilient design strategies that protect residents against extreme heat and power outages, including, but not limited to, building form and envelope measures that maximize thermal insulation, cool or reflective roof materials, maximization of natural daylighting and ventilation, passive solar shading, 100% building electrification, and use of gardens and other drought-tolerant landscaped areas (*See* Far Southeast / Southwest Area Element Policies FSS-1.1.14, FSS-R-1.1.16, FSS-2.6.3; *Id.*).

67. Project Not Inconsistent with the Comprehensive Plan When Viewed Through a Racial Equity Lens. The Applicant provided the following information about the community and its outreach in its responses to the Community Outreach and Engagement component of the Commission's revised Racial Equity Analysis Tool:

- *Community Outreach and Engagement*: Before and during the public hearing process for this Application, the Applicant has participated in community outreach and engagement with the community. The Applicant states it has engaged in a 13+ month community engagement and Project dissemination process that began with current residents. With respect to current Property residents, this engagement included nine virtual meetings/presentations, six scheduled in-person events, multiple virtual office hours, calls and emails, and door-to-door knocking. In addition, the Applicant prepared and updated a Project website that includes meeting and hearing information and video recordings available at all times. Further, the Applicant hosted multiple virtual meetings for the broader community and presented the Project and solicited feedback at no less than three ANC 8D public meetings. This community engagement resulted in meaningful input regarding the Project, including the incorporation of two senior spaces within the Social Garden in response to community input as well as support from the ANC and a CBA. From the onset, the Applicant met with current residents and interested members of the nearby community to inform and refine the Project and the package of public benefits ahead of filing this Application. The Applicant believed it was essential to have current Property resident and ANC buy-in in order to proceed with this filing. The current Property resident support is indicated by the petition in support, support letters as well as the fact that the Applicant solicited and responded to specific feedback from current residents (feedback that the Applicant specifically identified and responded to). Furthermore, following the public hearing, the Applicant engaged those in opposition to discuss their concerns, and reported on how those concerns were addressed. Also, after the public hearing, the Applicant engaged with BNCA to work toward resolving their stated concerns. While the Applicant did not reach agreement with BNCA, it did try to address all of their stated concerns; and
- *Displacement*: The Project will replace four currently existing apartment buildings containing 156 apartments. To mitigate the risk of displacement, the Applicant has developed a phasing, relocation, and return plan, whereby existing residents of the Martin's View apartments would be relocated on-site while the buildings are razed and

constructed in phases. Under this plan, current residents will not only be given the option to remain onsite during construction, but they will be offered the opportunity to return to the new buildings at current rents. Current residents also will be given assistance with packing and moving, and with permanently relocating elsewhere if that is what they choose. In addition, the Applicant has agreed to provide all returning Martin's View residents aged 65 or older with an up to $100 per month utility subsidy as well as a discounted rate for parking to all returning Martin's View residents that is 50% less than will otherwise be charged to new residents in the Project.

(Ex. 2, 2F, 2G, 12, 12B, 21, 40).

68. Mayor's Housing Order. The Project advances the Mayor's Order 2019-036 on housing which sets a goal of creating 36,000 new housing units by 2025, including 12,000 affordable housing units.

NO UNACCEPTABLE PROJECT IMPACTS ON THE SURROUNDING AREA OR THE OPERATION OF CITY SERVICES (SUBTITLE X § 304.4(B))

69. The Applicant provided evidence that the Application complies with Subtitle X § 304.4(b); that is, the Project will not create unacceptable impacts on the surrounding area or on the operation of city services and facilities:

- Zoning and Land Use Impacts. The Project will not have unacceptable zoning or land use impacts on the surrounding area, and any impacts are instead either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the Project. The PUD-related Zoning Map amendment to the RA-2 zone is consistent with the Property's Moderate Density Residential designation on the FLUM. The proposed residential use is appropriate for the site given its location and neighborhood context. The scale, configuration of the development, and traditional material selections, consisting primarily of red masonry, are also appropriate for the neighborhood. It also accomplishes objectives of the GPM designation mostly as a Neighborhood Conservation Area, which encourages maintenance of neighborhoods and redevelopment consistent with the existing scale and character of the area. The density and scale of the Project are also not inconsistent with Comprehensive Plan policy guidance that speaks to refurbishment of deteriorating housing; increases in density to address citywide housing goals and affordable housing needs; increases in density to promote mixed-income neighborhoods; and context sensitive design to avoid overpowering contrasts in scale. For example, the Far Southeast / Southwest Area Element specifically encourages the replacement of deteriorating apartment complexes in the Bellevue neighborhood with mixed-income housing that minimizes resident displacement. The density and scale of the Project are consistent with Land Use Element policies regarding development along corridors and neighborhood conservation, enhancement, and revitalization. The Project successfully balances the need for greater density that is essential to addressing citywide housing needs without causing physical and economic displacement, with the need to preserve the scale and character of lower-density areas. This is accomplished through the sensible placement of greater height and density on a site that is already planned and zoned for moderate density multi-family development in a manner that takes into consideration the scale of adjacent buildings, aligns with existing streets and sightlines, and takes advantage of

considerable separation provided by adjacent rights-of-way (namely, 110-foot wide MLK Jr. Avenue). The Project's height, open space, and orientation/site plan will not overwhelm or cause unacceptable impacts on any nearby properties, especially the residential properties to the east. Due to these factors, the Project will not have unacceptable impacts on light, air flow, and the character of the existing neighborhood;

- Housing Market Impacts. The Project's addition of new housing is a favorable impact. The Project adds new, high-quality housing, including family-sized units, to an existing stabilized neighborhood. The Project's provision of larger units, including approximately 63 three-bedroom units, serves the important goal of better meeting the need for family-sized units in this area and in the District as a whole. By implementing a robust relocation, phasing, and return plan, the Project will minimize displacement of any existing residents and is unlikely to create any adverse impacts on the surrounding housing market. Instead, the addition of the Project's new rental units will help buffer increasing housing costs, as increases in supply are widely understood to dampen price increases. Furthermore, it will create additional housing opportunities for Ward 8 residents in a neighborhood that may otherwise have been unavailable to them. The mixed income nature of the Project – with a 17% IZ set-aside commitment – will ensure that this new housing will be available to all District and Bellevue residents;
- Construction-Period Impacts. During the construction period for the Project, impacts on the surrounding area are capable of being mitigated. The Applicant has experience successfully completing construction projects without disturbing neighbors. The Applicant will work closely with nearby property owners and residents to manage and mitigate any construction impacts associated with the Project's development and will maintain regular communication and coordination throughout the Project's construction. Furthermore, as part of the CBA with the ANC, the Applicant has committed to a construction management plan to mitigate construction impacts;
- Open Space, Urban Design and Massing Impacts. The Project has been configured to provide open green space for current and new residents as well as highlight Fort Greble Park. To achieve this, the Project encourages vehicular and pedestrian traffic through the existing Elmira Street, S.W. and egress through the proposed private driveway to the north. The Project's extensive landscaping and tree plantings along Elmira Street, S.W. and the private driveway are intended to extend the park eastward and will transform the site from its current state to have a favorable impact on the overall area. In addition, the Social Garden in the center of the Project will provide ample outdoor recreation and gathering space with lush plantings and improvements for an enhanced experience for residents and their guests;
- Transportation and Mobility Impacts. The Project will not have any unacceptable impacts on the public transportation facilities or roadways that it relies on for service. Instead, the Project's transportation impacts are either capable of being mitigated or acceptable given the quality of public benefits arising from the Project. In consultation with DDOT, the Applicant undertook a CTR for the Project. Notably, in its report, DDOT found that the Project meets zoning requirements for vehicle parking and is in line with DDOT's preferred parking maximum for a project of this size, mix of uses, and distance from transit (up to 291 spaces). Further, DDOT found that the TDM Plan is sufficiently robust to support non-automobile ownership lifestyles and encourage

alternatives to auto travel subject to minor revisions to which the Applicant agreed to implement, including funding and constructing pedestrian safety improvements such as installing a missing crosswalk, a raised mid-block crossing, and permanent curb extensions and pedestrian refuge islands in the immediate vicinity of the Project. While certain impacts were identified, these impacts can successfully be mitigated. The Project's vehicular traffic impacts will be mitigated by nearby transit and be further mitigated by the Applicant's TDM plan, which incorporates several measures recommended by DDOT and agreed to by the Applicant that are designed to enhance the pedestrian experience and mitigate traffic impacts. The Property is well-served by transit and vehicular infrastructure. The Project also contains enough parking to accommodate the parking demand of residents without over-parking the site given its location and proximity to transit options. Furthermore, the Project makes reasonable accommodation for those who choose to or must own cars and ensures that parking demand does not adversely interfere with the on-street parking supply. Bicycle usage is also thoughtfully integrated into the design of the Project. The Applicant has also committed to assisting the nearby residential neighborhood establish RPP and exclude the Project from RPP eligibility, to ensure an absence of on-street parking impacts;

- Economic Impacts. The Project will have favorable economic impacts on the neighborhood and the District more generally. The Project will have a stabilizing and positive effect on the economy of Ward 8 and the District as a whole by providing housing for additional residents. The Project will provide approximately 821 new high-quality rental units, including approximately 63 three-bedroom units, that will help meet the existing housing shortfall in the District, including the need for family-sized and affordable housing. The Project's moderate and site-appropriate intensification of land use on the Property has positive tax revenue effects for the District. Density is a key factor to attracting higher-quality retail and service amenities to a neighborhood. For the current residents who opt to return to the Project, they will not assume significantly greater costs than they currently have for the reasons described above. To the extent there are any adverse economic effects from the Project, such effects are more than offset by the Project's numerous public benefits;
- Cultural and Public Safety Impacts. The Project will have favorable impacts on the culture of the surrounding area. The Project adds new residents from a mix of income levels who will contribute to the immediate neighborhood and the District in diverse and meaningful ways. The redevelopment of the Property helps revitalize the neighborhood and signifies investment and stewardship of the neighborhood with new residents. The Project itself represents an improvement in public safety by creating more "eyes on the street" for Martin Luter King Jr. Avenue, S.W. and Elmira Street, S.W., which will have a positive effect on crime deterrence;
- Public Facilities and/or District Services Impacts. The Applicant submitted evidence that the Project will not result in any negative impacts to public facilities and infrastructure or District services. Furthermore, in addition to being reviewed by OP and DDOT, the Application was circulated by OP to numerous other District agencies and authorities for review, including the Metropolitan Police Department, the DHCD, the Washington Metropolitan Area Transit Authority, the Fire and Emergency Medical Services Department ("FEMS"), DOEE, DC Water, the Department of Parks and Recreation, the Department of Public Works, DC Public Library, and DC Public

Schools, all of which were also invited to submit written comments on the Project. No agency comments were submitted raising issues or concerns regarding the Project's impact on public facilities or services. The average daily water demand for the Project can be met by the existing District water system. The proposed sanitary sewer connections for the Project are from within the existing distribution system and will be coordinated with DC Water during the permitting process. The Project has been designed to achieve high levels of on-site stormwater retention. The requisite inlets and closed pipe system are designed and constructed to be in compliance with the standards set by DOEE, DC Water, and DDOT. Based on the Applicant's civil engineer's analysis, the current stormwater, sanitary, and water infrastructure system can sustain the Project and the expected residents, and it will not overburden the system. Further, the DOEE stormwater requirements that will be incorporated into the Project will retain and detain water to reduce the flow exiting the site into the sanitary sewer system. Solid waste and recycling materials generated by the Project will be collected regularly by the District Department of Public Works. Electricity for the Project will be provided by the Potomac Electric Power Company ("Pepco") in accordance with its usual terms and conditions of service. All electrical systems are designed to comply with the D.C. Energy Code. Transformers will be installed on the Property or covered in the adjacent public space in accordance with Pepco's and DDOT's design guidelines. The Applicant further provided evidence that the Project will not have an unacceptable impact on area schools or public parks, recreation centers, or library services;

- Environmental Impacts. The Project will not have any unacceptable impacts on the environment, and instead will have mostly favorable impacts. The Project is designed to achieve high levels of environmental performance as evidenced by its satisfaction of the LEED Gold design standards. The Project will include bioretention, significant tree and other plantings, and rooftop solar in furtherance of sustainability objectives. The Project's delivery of high-quality environmental design as well as usable outdoor spaces is a net improvement to the existing residential use;
- Public Schools. The Project will not have an unacceptable impact on schools in the District given the size of the Project, its mix and type of units, and the capacity for the District's nearby schools to take on additional students. The Project is within the boundaries of Leckie Education Campus at 4201 MLK Jr. Avenue, S.W.; Hart Middle School at 601 Mississippi Avenue, S.E.; and Ballou High School at 3401 4th Street, S.E. DCPS data for nearby neighborhood public schools as of the 2021-22 school year (the latest year for which data are publicly available) are as follows: Leckie Elementary has a capacity for 530 students and enrollment of 303 students; Hart Middle School has a total capacity for 1105 students and enrollment of 421 students; Ballou High School has a capacity for 914 students and enrollment of 636 students. In addition, several private and charter schools are near the Project, all offering educational options to residents who may seek alternatives to the neighborhood public schools. The Applicant expects that the school network will be able to accommodate, without any unfavorable impacts, the school-age children that may reside at the Project; and
- Parks/Recreation Centers/Library Services/Emergency and Health Services. The Project will have no adverse impacts on District services, such as parks, recreation centers, public library, and emergency and health services. To the extent the Project's future residents are new to the District, they will be contributing new tax dollars, both

in the form of income taxes and through the indirect payment of property taxes associated with the Project, that facilitate the provision of District-run services. To the extent the Project's future residents are existing District residents, they have no net new impact. The Project will include open green space in the form of the central amenity space/Social Garden and streetscape design along Elmira Street, S.W. and the proposed private driveway. More broadly, Fort Greble Park is to the west of the Project and offers ample recreational and outdoor space for existing and future residents. In addition, DPR plans to renovate Fort Greble Park and Recreation Center shortly before the Project commences construction. On balance, the Project is unlikely to have any adverse impacts on the District's park services and is instead likely to be a net positive contributor to park services, especially with the Elmira Street improvements leading to the park and the signage for the park. William O. Lockridge / Bellevue Neighborhood Library is a nearby library. There are approximately 26 public library branches or other public facilities in the District. That equates to roughly one library branch per 26,000 residents. It is not likely that an additional 665 residential units (many of which will likely be occupied by existing District residents) would result in any adverse over-use or other adverse impacts on the District's library resources. The calculus for recreation centers is similar. There are approximately 70 public recreation centers in the District, for a ratio of approximately one center per 9,600 residents. It is similarly unlikely that the Project's additional 665 residential units would result in any adverse over-use or other adverse impacts on the District's recreation centers. The District has approximately 33 engine companies spread around the District. As stated above, the Project alone does not require any increase in the number of stations or FEMS personnel. Both FEMS and the Metro Police Department were invited to the interagency meeting hosted by OP, neither agency attended, nor did they submit any written comments to OP.

(Ex. 2, 12, 21, 40).

INCLUDES PUBLIC BENEFITS AND PROJECT AMENITIES THAT ARE NOT INCONSISTENT WITH THE COMPREHENSIVE PLAN] OR OTHER ADOPTED PUBLIC POLICIES AND ACTIVE PROGRAMS RELATED TO THE PROPERTY (SUBTITLE X § 304.4(c))

70. The Applicant provided evidence that the Application complies with Subtitle X § 304.4(c). The Applicant also provided evidence that the Project's public benefits and project amenities are not inconsistent with the Comprehensive Plan or other public policies and such benefits and amenities satisfy the criteria of Subtitle X § 305. As discussed in detail below, the proffered benefits exceed what could result from a matter-of-right development, are tangible, measurable, and able to be delivered prior to issuance of the certificate of occupancy, and benefit either the immediate neighborhood or address District-wide priorities. *Id*. §§ 305.2, 305.3. The majority of the benefits accrue to the benefit of the area of ANC 8D, the ANC in which the Project is located (*Id*.; Subtitle X § 305.4; Ex. 2, 12, 21, 40).

71. The Application, as amended, enumerated the following benefits and amenities, superior to a matter-of-right project, organized under the categories defined by Subtitle X § 305.5:

- Superior Urban Design and Architecture (*Id.)* Subtitle X § 305.5(a)). The Project's high-quality design carefully echoes and respects the traditional design qualities of the

existing residential development in the surrounding neighborhood to create a natural extension of the residential and institutional community (*Id.*);

- Superior Landscaping (*Id.)* § 305.5(b)). The Project offers extensive landscaping and streetscape improvements along Martin Luther King Jr. Avenue, S.W. and Elmira Street, S.W. (*Id.*);
- Affordable Housing (*Id.)* § 305.5(g)(1)). Seventeen percent of the Project's residential floor area (approximately 111,809 square feet) is devoted to IZ units reserved for households earning up to 60% MFI. This is in addition to the IZ units reserved for households earning up to 50% MFI derived from the residential units in the habitable penthouse, as well as the guaranteed below-market existing rent for returning existing residents. This is greater than a matter of right development in the existing RA-1 zone which would only require ten (10%) percent of residential GFA development for IZ units (*Id.*);
- Three Bedroom Units (*Id.)* § 305.5(f)(3)). At least eight percent of the total units (approximately 63 units) are three-bedroom units (*Id.*);
- On Site Daycare (*Id.)* § 305.5(i)). The Project will devote 5,500 square feet to a child daycare that will serve the public and operate during normal business hours at least five days each week for at least 50 weeks per calendar year (*Id.*);
- Environmental and Sustainability Benefits (*Id.)* § 305.5(k)(5)). The Project has been designed to meet environmental design standards at the LEED Gold level, and the Project will achieve the minimum GAR requirement. The Project includes bioretention, extensive tree and landscape plantings, and approximately 8,000 square feet rooftop solar[9] (*Id.*);
- Signage and Wayfinding for Fort Greble Park (*Id.)* § 305.5(q)). The Project takes advantage of its proximity to Fort Greble Park by highlighting the park as a community resource and recreation space. The Project includes wayfinding signage at the corner of Martin Luther King Jr. Avenue, S.W. and Elmira Street, S.W. and at the park's entrance to highlight the park's location; (*Id.*)
- Mid-Block Crossing on Elmira Street (*Id.)* § 305.5(o)). The Project will provide a mid-block crossing on Elmira Street from Building 1 to the central courtyard amenity space and daycare located between Buildings 2 & 3. This will facilitate and encourage safe pedestrian access and be further coordinated with DDOT during the public space permitting process. (Ex. 21) However, although the Applicant characterized the mid-block crossing on Elmira Street as a public benefit, the Commission believes it is not a public benefit but instead a mitigation measure, as further discussed below; and
- Community Service Center (Jobs Partner Space) (*Id.)* § 305.5(q)). The Project will provide a 1,000 square foot community service center space to be occupied by a locally based jobs partner nonprofit organization that will provide job-search and job-training assistance to residents and the broader neighborhood (Ex. 40).

[9] Initially, the Applicant also proffered to relocate two heritage trees on the Property to Fort Greble Park; however, After the Urban Forestry Division visited and diagnosed both trees, they recommended removal instead of relocation, which the Applicant will carry out as part of the Project (Ex. 21; *see* Finding of Fact 51).

IV. RESPONS.E.S TO THE APPLICATION

OP

72. Pursuant to Subtitle Z §§ 400.5 and 405.3, on March 18, 2024, OP filed a setdown report recommending that the Commission set the Application down for a public hearing (the "OP Setdown Report") (Ex.10). The OP Setdown Report stated that the Project would be not inconsistent with the maps and policies of the Comprehensive Plan, including when viewed through a racial equity lens, and the Bellevue Small Area Plan.[10]

73. The OP Setdown Report also included the following comments for the Applicant to address prior to the public hearing, all of which the Applicant responded to in its prehearing submission as summarized above:

- OP recommended that the Applicant create a park gateway at the intersection of Elmira St. and Martin Luther King Jr. Avenue for Fort Greble Park, for which the Applicant provided renderings submitted with its prehearing submission and with its landscape plans attached to its supplemental prehearing submission (Ex. 12D, 21B6, 21B7);
- OP requested additional details on the tenant relocation plan, which the Applicant provided in its prehearing submission (Ex. 12);
- OP recommended that the Applicant provide some outdoor amenities outside the confined courtyard, which the Applicant incorporated into the updated plans submitted with its prehearing submission (*Id.*);
- OP expressed concerns about the interior sunken courtyard, including how residents from all four buildings will access the space and how much light and air will be able to reach the space at various times of the year, which the Applicant responded to in its prehearing submission with additional drawings and an explanation (*Id.*); and
- OP requested confirmation that the number of bicycle parking spaces will meet the minimum requirements for the proposed use, which the Applicant responded to in its prehearing submission (*Id.*).

OP also noted that it would review the requested IZ flexibility further and provide a recommendation prior to the hearing (Ex. 10).

74. Pursuant to Subtitle Z § 405.6, on July 12, 2024, OP filed a hearing report recommending that the Commission approve the Application (the "OP Hearing Report" [Ex. 23], and together with the OP Setdown Report, the "OP Reports"). The OP Hearing Report included the following findings:

- FLUM: The proposed PUD and related map amendment to the RA-2 zone is not inconsistent with the FLUM's designation of Moderate Density Residential for most of the site and Parks, Recreation, and Open for a narrow portion on the western end of the

[10] In response to Part 3 of the revised Racial Equity Analysis Tool, the OP Setdown Report provided disaggregated race and ethnicity data taken from the 2012-2016 and the 2017-2021 American Community Survey ("ACS") 5-Year Estimates, which are available via the OP State Data Center. After the OP Setdown Report was filed, the OP State Data Center was updated to include more current ACS data from 2018-2022. The updated data, which includes the 2018-2022 ACS 5-Year Estimates, is provided in the OP Hearing Report and is summarized in Finding of Fact 75 below.

site. OP noted that the proposal addresses this designation well in terms of how it relates to and supports the neighboring Fort Greble Park;

- GPM: The proposed PUD and related map amendment to the RA-2 zone is not inconsistent with the GPM's Neighborhood Conservation Area designation for most of the site. OP acknowledged that a portion of the site appears to be designated Institutional on the GPM, but concluded that it does not believe this designation is intended "to promote a conversion of this portion of the site from residential to institutional, particularly given the clear direction on the FLUM that the subject site is appropriate for moderate density residential use.";
- Citywide Elements: The Project furthers various policies of the Comprehensive Plan Land Use, Transportation, Housing, Environmental Protection, Parks, Recreation and Open Space, Urban Design, and Educational Facilities Elements;
- Area Element: The Project furthers the Far Southeast/Southwest Area Element by replacing the existing apartments "originally constructed in the 1940s with a new development comprised of 821 units and a daycare." OP acknowledged that the Project would not directly further certain policies associated with the provision of affordable owner-occupied opportunities in the area; however, OP concluded that this was mitigated by the proposed affordable housing proffers and commitment to allow existing residents to remain on-site;
- SAP: The Project would not be inconsistent with the Bellevue SAP by contributing to the SAP's housing goal and reinforcing the desired east-west connectivity of Darrington Street, S.W. with the proposed private driveway;
- The OP Hearing Report stated that the Applicant's proposed public benefits and project amenities, principally the affordable housing and replacement housing, three-bedroom unit commitment, site design, and Fort Greble signage improvements, are commensurate with the requested PUD-related map amendment and zoning flexibility;
- The OP Hearing Report also stated that any "potential impacts of the additional density would be outweighed by the significant benefits of the project, including replacement housing for existing residents and the provision of new housing and affordable housing opportunities, enhancements to the public realm, and improved environmental performance. In addition, the project would not result in unacceptable impacts on the surrounding area in terms of its built form.";
- OP did not object to the requested zoning flexibility, including a variance from the penthouse height requirements of Subtitle X § 303.18 and flexibility for the Applicant to construct the Project in phases; and
- OP did not object to the requested design flexibility, including the Applicant's revised flexibility pertaining to the provision of IZ units across the entire Project as opposed to individual phases or buildings.

(Ex. 23).

75. The OP Reports included a racial equity analysis with the following findings in response to the revised Racial Equity Analysis Tool:

- *Disaggregated Race and Ethnicity Data*: The OP Setdown Report provided disaggregated race and ethnicity data for the Far Southeast/Southwest Planning Area, which showed that during the 2012-2016 period, Black residents formed the largest

portion of the population at 91% of the area's residents, which is significantly higher than District-wide. In the 2018-2022 period, Black residents continued to make up the largest portion of the population but the number of Black residents decreased, and the percentage fell to 87.75%. Most other groups saw an increase or retained their percentage of the population, particularly people who identified as "two or more races". The median income of the Planning Area was significantly lower than that of the District in both the 2012-2016 and 2018-2022 time periods. Between 2012-2016 and 2018-2022, the percentage of owner occupancy in the Planning Area increased from 18.8% to 23.4%. However, the homeownership rates for Black and "Two or more races" households are the lowest in the Planning Area. In 2012-2016, the unemployment rate in the Planning Area was at 22.8%, which was more than twice the rate of the District at 8.7%. The cost burden for housing in the Planning Area was approximately 18 percentage points higher than that of the District in 2012- 2016 time period, though it remains at over 50% of all households in the 2018-2022 time period it is decreasing at a slightly faster pace than the District as a whole;

- Based on the foregoing data, the OP Setdown Report inferred that Black households would make up a higher percentage of cost burdened households in the Planning Area, and correspondingly, would be more likely to benefit from the retention and replacement of existing affordable units, and the provision of new affordable housing that this proposal would provide; and
- *Displacement*: The OP Setdown Report noted that the site is currently developed with residential uses but the existing residents would not be displaced, temporarily or permanently, by this PUD. The owner of the Property has been in discussions with the existing residents and has submitted a proposed tenant relocation plan and construction phasing plan that would allow existing residents to remain on the site during redevelopment and following redevelopment. OP generally agrees with the Applicant's on-site tenant relocation strategy. The ability to provide on-site tenant relocation and the right to return to the new buildings are important. It will both prevent an overconcentration of the preserved units while also giving tenants some choice in where they will be residing in the proposed development as it progressed towards completion.

76. At the July 22, 2024, public hearing, OP testified in support of the Application and summarized its comments in its prior reports (July 22 Hearing Tr. at 78-79).

DDOT

77. On July 12, 2024, DDOT filed a report (the "DDOT Report") (Ex. 24)expressing no objection to the Application subject to the following conditions:

- Fund and construct pedestrian safety improvements in the immediate vicinity of the site to minimize pedestrian exposure to crash risk and to ensure safe roadway crossings for residents and daycare students and parents, subject to DDOT approval. At a minimum, this should include:
  - Install the missing crosswalk and curb ramps on the northern leg of the Martin Luther King Jr. Avenue and Darrington Street, S.W. intersection;

- Install a raised mid-block crossing on Elmira Street, S.W. between Buildings 1 and 2 and incorporate high-contrast materials in the midblock crossing of the curbless private driveway between Buildings 3 and 4; and
- Construct permanent curb extensions and pedestrian refuge islands at the Martin Luther King Jr. Avenue, S.W. intersections with Darrington and Elmira Streets.

- Implement the TDM Plan as proposed in the June 10, 2024, CTR, for the life of the Project, unless otherwise noted with the following revisions:
  - Increase the minimum number of short- and long-term bicycle parking to 43 and 276, respectively;
  - Increase the minimum number of spaces in the long-term bicycle storage rooms designed with electrical outlets for the charging of electric bikes and scooters to 28;
  - Also, increase the minimum number of spaces placed horizontally on the floor to 138; and
- Provide the truck turning diagrams referenced in the CTR to demonstrate that trucks can enter and exit the public roadway network with head-in and head-out movements, consistent with DDOT standards.

At the July 22, 2024, public hearing, the Applicant agreed to the above conditions and stated that it had submitted the requested truck turning diagrams to DDOT (Ex. 32A1-32A5; July 22 Hearing Tr. at 62).

78. The DDOT Report included separate comments from DDOT's Urban Forestry Division, which noted that three large trees may qualify for relocation or preservation and that further coordination with the Applicant's team would be necessary to determine if such trees need to be relocated in accordance with District law (Ex. 24). At the July 22, 2024, public hearing, the Applicant stated it has an arborist and will work with DDOT to ensure that all trees on site will be protected as required by District law (July 22 Hearing Tr. at 47-48).

79. At the July 22, 2024, public hearing, DDOT testified in support of the Application and confirmed the Applicant's coordination with DDOT on the Project's transportation impacts and agreement on the proposed TDM plan and traffic calming measures and that they continued to have no objection to approval of the Application (July 22 Hearing Tr. at 80-83).

OTHER DISTRICT AGENCIES

80. The OP Hearing Report stated that OP had referred the Application to relevant government agencies for comment and had convened an interagency meeting with Applicant, which was attended by DHCD, DOEE, DC Water, DPR, and DDOT. No other agency comments were submitted in OP's report (Ex. 23).

ANC

81. On June 24, 2024, ANC 8D submitted a letter in general support of the Application. The letter stated that the ANC has "a few lingering reservations" with respect to expansiveness, traffic congestion, and the overall impact of the full Project on the community. In addition, the letter noted that returning residents might incur additional fees (for utilities, parking, etc.) that may hinder them from remaining on site. The ANC also noted that the Bellevue

community is a "food desert" and that adding more residents may exacerbate strains on basic amenities and city services (Ex. 20).

82. On July 23, 2024, ANC 8D submitted a report[11] (Ex. 37, "ANC Report") stating that at its properly noticed public meeting on June 27, 2024, at which a quorum was present, the ANC voted 4-2-0 in support of the Application. The report states that as the ANC supports the Application, but as previously expressed in its letter at Exhibit 20, the ANC remains concerned about the size and scope of the Project and its impact on traffic and travel in the community, as well as potential added rental costs (Ex. 37).

83. On September 19, 2024, ANC 8D Chair Rev. Wendy Hamilton submitted a public statement from the ANC which clarified its engagement process and its support for the Application, by highlighting its efforts to engage the community and "capture the voices of as many Martin View's tenants and community residents" as possible, while affirming support of the Project despite community concerns. The letter acknowledged that the ANC was disheartened, but understanding, of the fact that its efforts had not fully met the expectations of some members of the community. The letter also stated that the $175,000 the developer offered in the Community Benefits Agreement is to be awarded to local non-profits that provide vital services to the Bellevue community (Ex. 41).

ORGANIZATIONS AND INDIVIDUALS IN SUPPORT

84. On July 19, 2024, Living World Church submitted a letter stating that it supported the Project and its "sustainable investment" in the Bellevue community (Ex. 31).

85. Also on July 19, 2024, current residents of the Property submitted a petition with signatures from 13 individuals in support of the Project (Ex. 33).

86. The following nearby residents of the Property submitted letters in support of the Application: Lexieann Smith, Zina Moore, Michael Reed, and Jonathan Steel. These letters highlight the addition of housing units, particularly affordable housing units, improvements to Fort Greble Park, and the addition of amenity spaces as positive contributions to the Bellevue community (Ex. 27-30).

ORGANIZATIONS AND INDIVIDUALS IN OPPOSITION (CONTESTED ISSUES)

87. On July 22, 2024, Wanda Nettles submitted a letter and provided testimony in opposition that expressed concerns over the increase of units from 159 to 821 and the lack of parking in relation to the number of proposed units. Ms. Nettles also stated that the Project would exacerbate traffic on Martin Luther King Jr. Avenue, S.W. Ms. Nettles expressed concern about the impact on the mental health of those living in "overcrowded, compacted living space[s]." Ms. Nettles further stated that she opposes the Project's design and believes the "community should remain one with low rise apartments and green spaces" (Ex. 34).

[11] ANC 8D previously submitted a report at Exhibit 35, which did not provide the ANC's recorded vote on the motion to adopt the report as required by Subtitle Z § 406.2. ANC 8D submitted a revised report which includes the recorded vote (Ex. 37).

88. On July 23, 2024, Sheila Bunn, representing BNCA, submitted testimony in opposition. In her letter, Ms. Bunn expressed the following concerns about the Project:
- Increased traffic congestion and limited parking due to the fact that the Project provides only 276 parking spaces for 821 residential units;
- The Project would obstruct neighbors' skyline views and encroach upon existing green space, thereby affecting the preservation of the community's character;
- Concerns about the relocation of long-term residents and whether returning Martin's View residents would be forced to pay additional costs for utilities and parking;
- The lack of clarity about the number of affordable and market rate units and data to evidence that there is a market for 665 additional units; and
- Additional strain on infrastructure and public services, given that the Bellevue neighborhood is in a food desert, is lacking in many basic amenities, and often endures delayed city services.

(Ex. 36).

89. On July 24, 2024, Anna Hamilton submitted written testimony in opposition. In her letter, Ms. Hamilton highlighted the following concerns:
- The lack of clarity about the number of affordable housing units and whether they would include those reserved for returning Martin's View residents;
- The low amount of available on-street parking and whether returning residents would have to pay a high fee for parking in the Project;
- Light and noise impacts resulting from the Project's height and density;
- The displacement of current Martin's View residents and homeowners in the surrounding area because of increases in property taxes;
- The affordability levels of the IZ units are not realistically affordable for Ward 8 residents to qualify and there should be more IZ units proffered in the Project;
- The removal of green space;
- The strain on public infrastructure;
- The ANC provided support of the Application without adequately voicing community concerns and input; and
- Commented on how some of the Applicant's interactions during meetings were insensitive to the overall community.

(Ex. 38).

90. At the July 22, 2024, hearing, the following individuals provided testimony in opposition to the Project: Frederick Nelson, Anna Hamilton, Wanda Nettles, and Sheila Bunn on behalf of BNCA. Anna Hamilton, Ms. Nettles, and Ms. Bunn largely reiterated their concerns as outlined in their written submissions summarized above. Mr. Nelson expressed concerns about the potential added costs for returning Martin's View residents and indirect displacement that would result from higher income residents moving into the Project (Ex. 39; July 22 Hearing Tr. at 87-98).

91. Following the July 22, 2024, hearing, and as requested by the Commission, the following submissions were filed to the record regarding the continued dialogue between the Applicant and the individuals and organizations in opposition:

- In an email submission dated September 20, 2024 (Ex. 42), Mr. Nelson states that he continues to oppose the Application along with several Martin's View residents because of the increase in costs that returning residents would face after the Project is completed. Mr. Nelson states he is continuing to engage with Martin's View residents, ANC 8D, and the Applicant;
- In a letter dated September 30, 2024 (Ex. 43), the Applicant provided the following updates on its post-hearing discussions with the individuals and organization in opposition:
  - The Applicant states it met twice with Mr. Nelson and, in response to his concerns about potential added costs for returning residents, has agreed to subsidize utility costs, up to $100 per month, for all senior returning Martin's View residents 65 years of age or older;
  - The Applicant states it met or talked with Ms. Hamilton several times and, in response to her concerns about potential impacts on parking in the neighborhood, has agreed to cover the cost of RPP for residents within 200 feet of the Property where RPP is established for three years after the first phase of the Project opens;
  - The Applicant states it met with Ms. Nettles and will ensure construction workers do not use on-street parking and will assist nearby residents with obtaining RPP. In response to Ms. Nettles' concerns about project size, potential impacts on mental health caused by living in apartment buildings, obscuring her views, the amount of parking, and traffic, the Applicant referred to its response in its post-hearing submission (*see* Ex. 40) addressing those concerns; and
  - The Applicant states it has continued to meet and communicate with BNCA numerous times but cannot reach agreement with BNCA on its various requests, including a cash payment from the Applicant of $2.75 million;
- In an email submission dated September 30, 2024 (Ex. 44), Anna Hamilton restated concerns regarding ANC 8D's lack of transparency in voicing community concerns, lack of community input in negotiating the various commitments in the CBA signed between the ANC and the Applicant, displacement of Martin's View residents due to increased utility and parking costs, and potential parking impacts particularly for homeowners within 200 feet of the Project;
- In a submission dated October 21, 2024 (Ex. 46-46C),[12] BNCA provided an update on a September 28, 2024, community meeting held to discuss the Project, which was

[12] Prior to the acceptance of the October 21, 2024 BNCA statement into the record, BNCA submitted a statement that originally included several additional pages which were not accepted into the record by the Commission and were therefore redacted from the filing because those pages introduced new information and new arguments that were outside the scope of what the Commission requested from BNCA at the conclusion of the July 22, 2024 public hearing. In its redacted filing, BNCA raised the argument that notice of the public hearing was not received by some property owners within 200 feet of the Property and some Martin's View tenants in accordance with Subtitle Z § 402.1(d) and (e), respectively, and that the Commission should reopen the hearing to allow further testimony; and the argument that the Applicant had not demonstrated site control of the Property which BNCA claimed is a requirement of D.C. law for a PUD. Within its discretion, the Commission struck the pages from the record containing these arguments; however, the Commission is providing a discussion of its rationale for doing so herein out of an abundance of caution. Regarding the notice argument, the case record reflects that the July 22, 2024, public hearing for this case was noticed in accordance with Subtitle Z § 402.1, including publication of notice in the *District of Columbia Register*, notice to the affected ANC, notice to property owners within 200 feet, and notice on the OZ

attended by the Applicant, Martin's View tenants, Bellevue residents, and an ANC 8D Commissioner. BNCA's submission stated the following:

- BNCA states that opponents continued to express concerns about the Project's size and scope as well as impacts on traffic, parking, and increased costs to Martin's View residents;
- BNCA claims that the Applicant's representative stated at the meeting that they would reimburse the cost of utilities to all senior (age 60+) returning Martin's View tenants, but later added conditions including a $100 per month cap on the reimbursement and a 65 and older age limit; and
- BNCA also states it tried to negotiate an alternative CBA directly with the Applicant which would include a $3 million micro-loan program for Bellevue residents.
- The BNCA filing also attached various press releases and flyers announcing the September 28, 2024 BNCA meeting; and

- In a filing dated October 22, 2024 (Ex. 47), the Applicant submitted a response to BNCA's October 21, 2024, filing which stated the following:
  - The Applicant provided some clarifications about the September 28, 2024, BNCA community meeting.[13] The Applicant reiterated that, in addition to the September 28 meeting, it has had six calls with BNCA between July 2024 and September 2024

website (*See* Ex. 14, 15, 16, 17; *see also* Findings of Fact 7 and 8). While there is no evidence in the case record to demonstrate that each Martin's View tenant was provided with notice of the public hearing in accordance with Subtitle Z § 402.1(e), the requirements of Subtitle Z § 402.1(d) and (e), respectively, do not require public hearing notice to be received by every 200-footer or every tenant of the property in order for the hearing to proceed. Had BNCA raised this notice argument simultaneous with or prior to the July 22, 2024 public hearing, the Commission still would have been justified in proceeding with the public hearing based on the criteria set forth in Subtitle Z § 402.12, which authorizes the Commission to hold a public hearing as scheduled when a notice defect is alleged and proven based on specific considerations, including the nature and extent of the actual notice received by the parties and the public from all sources and attendance at the public hearing. However, since the notice argument was raised following the public hearing in a post hearing submission, the Commission did not have an opportunity to consider and rule on it immediately prior to the public hearing. Nevertheless, based on the Applicant's community outreach efforts, which included presentations and individual meetings with Martin's View residents (*see* Finding of Fact 67) as well as the posting of 10 notices of the public hearing around the Property (*see* Ex. 17, 25), and the attendance and testimony during the July 22, 2024 public hearing, the Commission was not persuaded during its October 2024 deliberations on this case that Martin's View tenants did not have adequate notice of the public hearing or that further testimony in opposition would result in new arguments beyond the concerns already raised by opponents who attended the public hearing. Therefore, the Commission did not reopen the hearing to allow further testimony as requested by BNCA. For all these reasons, the Commission felt justified in striking BNCA's notice argument from the record. However, out of an abundance of caution, the Commission waives the requirements, under Subtitle Z § 402.1(d) and (e), respectively, that notice of the public hearing be provided to owners of all property within 200 feet of the Property and each person having a lease with the owner of the Property. The Commission finds these waivers can be granted, pursuant to Subtitle Z § 101.9, because the July 22, 2024, public hearing was well attended, forms of notice were provided, and notices of the public hearing were posted and maintained around the Property (Ex. 17, 25). Regarding the site control argument, the Commission does not believe any Zoning Regulations require demonstration of site control by an Applicant to obtain PUD relief; therefore, the Commission felt justified in striking BNCA's site control argument from the record.

[13] Specifically, the Applicant clarified the following: (1) there were three supporters in attendance including one Martin's View tenant; (2) there is no Martin's View tenant's association and no one is authorized to speak for all tenants; and (3) DDOT did not call the Project's proposed daycare dangerous, but instead said the Applicant should implement a TDM program which the Applicant has committed to do (*See* Ex. 47, p. 1).

and engaged in extensive email contact with BNCA including 180+ emails exchanged since July 22, 2024; and

- In response to BNCA's concerns about the Project, the Applicant reiterated that it cannot reduce the size of the Project and have it remain financially feasible; the Applicant has agreed to mitigate the costs to returning Martin's View residents through an up to $100 utility reimbursement for seniors aged 65+ and that the Applicant never committed to providing the reimbursement to persons aged 60 and older; and the Applicant cannot agree to make a contribution to BNCA and has already agreed to a Community Benefits Agreement with ANC 8D.

NCPC

92. The Commission referred the Application to NCPC on October 24, 2024, for the 30-day review period required by § 492(b)(2) of the District Charter (Dec. 24, 1973, Pub. L. 93-198, title IV, § 492(b)(2); D.C. Official Code 6-641.05)) (Ex. 48).

93. On December 6, 2024, NCPC staff filed a letter stating that it found the proposed PUD and related map amendment to be not inconsistent with the Comprehensive Plan for the National Capital and would not adversely impact any other identified federal interests (Ex. 51).

CONCLUSIONS OF LAW

AUTHORITY

1. Pursuant to the authority granted by the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code § 6-641.01 (2018 Repl.)), the Commission may approve: (a) a PUD consistent with the requirements of Subtitle X, Chapter 3, and Subtitle Z; (b) a PUD-related amendment to the Zoning Map pursuant to Subtitle X § 303.12; and (c) related zoning flexibility pursuant to Subtitle X §§ 303.1.

STANDARD OF REVIEW FOR APPROVAL OF A PUD AND RELATED ZONING MAP AMENDMENT

2. Public Review. Pursuant to Subtitle X § 300.5, "A comprehensive public review by the Zoning Commission of a PUD is required in order to evaluate the flexibility or incentives requested in proportion to the proposed public benefits."

3. Land Area and Contiguity. Pursuant to Subtitle X §§ 301.1 and 301.5, the minimum area for a PUD in the applicable RA-2 zone is one acre, all of which must "be contiguous, except that the property may be separated only by public streets, alleys, or rights-of-way."

4. PUD Purpose. Pursuant to Subtitle X §§ 300.1 and 300.2, the purpose of the PUD process is to provide for higher quality development through flexibility in building controls, including building height and density, provided that a PUD: (a) results in a project superior to what would result from the matter-of-right standards; (b) offers a commendable number or quality of meaningful public benefits and project amenities; (c) protects and advances the public health, safety, welfare, and convenience, and is not inconsistent with the Comprehensive Plan; and (d) does not circumvent the intent and purposes of the Zoning Regulations, or result in action that is inconsistent with the Comprehensive Plan.

5. PUD Flexibility. Pursuant to Subtitle X § 303.1, as part of the PUD process, the Zoning Commission may grant relief from any building development standard or other standard referenced in the zone reference table with the exception of use regulations. Housing and arts credits are considered use regulations and are not eligible for flexibility through the PUD process. Pursuant to Subtitle X § 303.12, a PUD-related zoning map amendment shall be considered flexibility against which the Zoning Commission shall weigh the benefits of the PUD.

6. Zoning Relief. Pursuant to Subtitle X § 303.14, as a part of any PUD, the applicant may request the Commission grant an area variance to permit additional height and density beyond that permitted by this section. The Zoning Commission shall apply and not deviate from the variance standard stated at Subtitle X, Chapter 10.

7. Comprehensive Plan. Pursuant to Subtitle X §§ 300.1, 300.2, and 304.4(a), the Commission must find that the PUD "is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site." The Commission is directed to review the Application against the Comprehensive Plan "as a whole."[14] The Comprehensive Plan Act of 1984 (D.C. Law 5-75; D.C. Official Code § 1-306.01(b)) established the Comprehensive Plan's purposes are:
   - To define the requirements and aspirations of District residents, and accordingly influence social, economic and physical development;
   - To guide executive and legislative decisions on matters affecting the District and its citizens;
   - To promote economic growth and jobs for District residents;
   - To guide private and public development in order to achieve District and community goals;
   - To maintain and enhance the natural and architectural assets of the District; and
   - To assist in conservation, stabilization, and improvement of each neighborhood and community in the District.

8. Impacts. Pursuant to Subtitle X § 304.4(b), the Commission must find the Application "does not result in unacceptable project impacts on the surrounding area or on the operation of city services and facilities but instead shall be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project."

[14] *Friends of McMillan Park v. District of Columbia Zoning Comm'n*, 149 A.3d 1027, 1035 (D.C. 2016) ("The Comprehensive Plan is a broad framework intended to guide the future land use planning decisions for the District. Even if a proposal conflicts with one or more individual policies associated with the Comprehensive Plan, this does not, in and of itself, preclude the Commission from concluding that the action would be consistent with the Comprehensive Plan *as a whole*. The Comprehensive Plan reflects numerous occasionally competing policies and goals and except where specifically provided, the Plan is not binding. Thus, the Commission may balance competing priorities in determining whether a PUD is consistent with the Comprehensive Plan as a whole. If the Commission approves a PUD that is inconsistent with one or more policies reflected in the Comprehensive Plan, the Commission must recognize these policies and explain why they are outweighed by other, competing considerations.") (internal citations and quotations omitted).

9. Benefits and Amenities. Pursuant to Subtitle X § 304.4(c), the Commission must find the PUD "[i]ncludes specific public benefits and project amenities of the proposed development that are not inconsistent with the Comprehensive Plan or with other adopted public policies and active programs related to the subject site." Pursuant to Subtitle X §§ 305.2, 305.3, 305.4, and 305.12, the PUD's benefits and amenities must "benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from development of the site under the matter-of-right provisions," in majority part "relate to the geographic area of the Advisory Neighborhood Commission in which the application is proposed," and "meet the following criteria: (a) Benefits shall be tangible and quantifiable items; (b) Benefits shall be measurable and able to be completed or arranged prior to issuance of a certificate of occupancy; (c) Benefits may primarily benefit a particular neighborhood or area of the city or service a critical city-wide need; and (d) Monetary contributions shall only be permitted if made to a District of Columbia government program or if the applicant agrees that no certificate of occupancy for the PUD may be issued unless the applicant provides proof to the Zoning Administrator that the items or services funded have been or are being provided." Moreover, a PUD "may qualify for approval by being particularly strong in only one (1) or a few categories [of public benefits] but must be acceptable in all proffered categories and superior in many."

10. PUD Balancing Test. Pursuant to Subtitle X § 304.3, in reviewing a PUD application, the Commission must: "[J]udge, balance, and reconcile the relative value of the public benefits and project amenities offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case." Pursuant to Subtitle X § 303.11: "The amount of flexibility from all other development standards not addressed by this section shall be at the discretion of the Zoning Commission."

11. Evidentiary and Evaluative Standards. Pursuant to Subtitle X § 304.2, "the applicant shall have the burden of proof to justify the granting of" the Application according to the applicable standards. Moreover, "the Commission must address each material contested issue of fact."[15]

SATISFACTION OF PUD ELIGIBILITY STANDARDS

12. Land Area and Contiguity. The minimum area included in a PUD in the RA-2 zone must be no less than one acre (43,560 square feet), and all such area must be contiguous or separated by a public street or alley. The Property constitutes approximately 4.9 acres (213,748 square feet) which is contiguous or separated by a public street. Accordingly, the Commission concludes that the Application satisfies the contiguity requirements and minimum area requirement of Subtitle X §§ 301.1 and 301.5 for a PUD (Finding of Fact ["FF"] ¶ 11).

13. Public Review. Based on the July 22, 2024, public hearing (*see* July 22 Hearing Transcript) and the Commission's review of the record, the Commission undertook "[a] comprehensive public review . . . of [the Application] . . . to evaluate the flexibility or incentives requested in proportion to the proposed public benefits" in satisfaction of Subtitle X § 300.5 (FF ¶ 54, 76, 79, 90-91).

[15] *Barry Farm Tenants and Allies Ass'n. v. D.C. Zoning Comm'n.*, 182 A.3d 1214, 1224 (D.C. 2018) (citations omitted).

14. PUD Purpose. The Commission concludes that the Project satisfies the purposes of a PUD:

- The Project is superior to a matter-of-right development because it provides more housing and affordable housing than what could be constructed on the Property without a PUD and related Zoning Map Amendment. The existing RA-1 zoning imposes greater site constraints with respect to height and lot occupancy that would foreclose the proposed development configuration. The amount of housing and affordable housing included in the Project exceed the amount and depth of affordability that would be required in a matter-of-right development pursuant to the Zoning Regulations' IZ requirements. The Project's construction supports a package of public benefits and project amenities as outlined above, which exceed what would be provided in any matter-of-right development. Finally, the Project underwent a thorough public review process with opportunities for existing resident, neighbor, community group, and public agency participation. Those opportunities would not exist for a matter-of-right development of the Property (FF ¶ 27, 67, 70-71);
- The Project offers a commendable number and quality of meaningful public benefits and project amenities. The Project's design echoes and respects the traditional design qualities of the existing residential and institutional development in the surrounding neighborhood to create a natural extension of the residential community. The Project features gardens along Martin Luther King Jr. Avenue, S.W. and Elmira Street, S.W. and includes tree and other landscape plantings throughout the site, including in the central courtyard amenity space. The Project offers landscaping and streetscape improvements along Martin Luther King Jr. Avenue, S.W. and Elmira Street, S.W. Specifically, the landscape plan incorporates mature plantings and diverse vegetation to encourage pedestrian traffic and highlight the Project's proximity to Fort Greble Park. The Project provides permanent affordable rental housing. Seventeen percent of the Project's residential GFA (approximately 111,809 square feet) is devoted to IZ units reserved for households earning up to 60% MFI. This is greater than a matter of right development in the existing RA-1 zone, which would only require 10% of residential GFA development for IZ units. This IZ commitment is in addition to the IZ units at 50% MFI that are required from the penthouse habitable space. The Project provides family-sized rental units to the Bellevue neighborhood and the District at large. At least eight percent of the total units (approximately 63 units) are three-bedrooms. This not only increases the housing stock generally but increases the ability of families to live, work, and play in the District. Furthermore, all returning residents will be guaranteed their existing rent rates (with increases allowed by rent control laws), which is below market rate for the rest of the building, adding another dimension of affordability to the Project. The Project is also committed to providing an on-site child daycare. Approximately 5,500 square feet are reserved for the daycare, which will serve residents and community members as well as members of the public. Currently, the daycare is expected to operate during normal business hours at least five days per week and 50 weeks per calendar year. In addition, the Project is reserving at least 1,000 square feet for a community service center to provide job services for residents and neighbors. Further, the Project has been designed to meet environmental design standards at the LEED Gold level. Specific sustainable benefits in the Project include extensive tree and landscape plantings, and approximately 8,000 square feet of rooftop

solar. The Project takes advantage of its proximity to Fort Greble Park by highlighting the park as a community resource and recreation space. The Project includes wayfinding signage at the corner of Martin Luther King Jr. Avenue, S.W. and Elmira Street, S.W. and at the park's entrance to mark the park's location. The Project will also include a mid-block crossing on Elmira Street, S.W., which the Applicant characterized as a public benefit. However, the Commission does not believe the mid-block crossing is a public benefit; rather, the Commission believes it is a mitigation measure that will help minimize the risk to residents and other pedestrians as they make mid-block crossings between Buildings 1 and 2 to access the Project and its daycare facility (FF ¶ 70-71, 77);

- The Project protects and advances the public health, safety, welfare, and convenience. The Project redevelops dated housing stock with new housing and affordable housing with amenities and life-enhancing features in an established but underdeveloped area of the District (FF ¶ 28-47); and
- The Project does not circumvent the intent or purposes of the Zoning Regulations. The Project and proposed PUD-related Zoning Map Amendment to the RA-2 zone are consistent with the purposes of the Zoning Regulations. The RA-2 zone is intended to permit moderate density residential development, Subtitle F § 101.5, and the RA-2 zone is appropriate for the Property, which is located within an existing moderate density residential neighborhood. The RA-2 zone allows for a broad mix of residential uses and thus is suitable for the proposed multifamily residential use. The Project's proposed use, height, and density are consistent with the character of the RA-2 zone, while also maintaining the intensity of development reflected in the existing surrounding rowhome community (FF ¶ 27, 61).

CONSISTENCY WITH THE COMPREHENSIVE PLAN AND OTHER ADOPTED PUBLIC POLICIES RELATED TO THE PROPERTY (SUBTITLE X § 304.4(a))

15. The Commission concludes that pursuant to Subtitle X §§ 300.1, 300.2, and 304.4(a), the Application is not inconsistent with the Comprehensive Plan and with other public policies and active programs, when the Comprehensive Plan is considered as a whole, for the following reasons:

- FLUM. The Project is not inconsistent with the FLUM's Moderate Density Residential designation for most of the Property. Through the PUD process, the Applicant proposes to rezone the Property to the RA-2 zone, which is specifically referred to in the Framework Element as being consistent with the Moderate Density Residential FLUM designation. The Project's density of 2.592 FAR exceeds the up to 1.8 FAR contemplated in the Moderate Density Residential FLUM category, but greater density is possible in these factual circumstances because the Project both complies with IZ and is a PUD. The Project's density also exceeds the matter-of-right density allowed in the RA-2 zone (i.e., 1.8 FAR, or 2.16 FAR with IZ bonus density), but it is within the range of up to 2.592 FAR permitted for an RA-2 PUD. Likewise, the Project's 60-foot height, while it is more than the 50-foot height allowed for a matter-of-right development in the RA-2 zone, is equal to the 60-foot height permitted for a PUD in the RA-2 zone. The Commission acknowledges that the Project maximizes the allowable density and height for a PUD in the RA-2 zone, which results in buildings that exceed the heights of the existing Martin's View apartment buildings; however, the

Commission finds any potential Comprehensive Plan inconsistency, including policy guidance encouraging development of a scale, context, and character consistent with the surrounding neighborhood and buildings, to be outweighed, specifically, by competing Comprehensive Plan policies of the Citywide and Far Southeast / Southwest Area Elements that encourage the creation of more housing and affordable housing, as discussed in more detail below. The Commission notes that a small portion of the western side of the Property is designated Parks, Recreation, and Open Space on the FLUM. The Commission believes the Project is not inconsistent with this designation as it incorporates landscaping that extends from the existing Fort Greble Park along Elmira Street, S.W., as well as wayfinding signage along Martin Luther King Jr. Avenue, S.W. to direct residents and visitors to the park (FF ¶ 17, 18, 66, 74);

- GPM. The Project is not inconsistent with the GPM's Neighborhood Conservation Area designation for most of the Property. The Project is compatible with the range of land uses (institutional, park, and residential) and building types found in the surrounding area and with the scale and character of the neighborhood. The prevailing character and scale of the area surrounding the Property is residential with several institutional buildings within the vicinity. The redevelopment of the Property for primarily residential use is consistent with the GPM designation since it enables more levels of housing affordability to be developed, which could create more opportunities for neighborhood serving retail and other amenities. In addition, the Commission notes that a portion of the southern side of the Property is designated Institutional on the GPM. The Commission believes the Project is not inconsistent with this designation because it incorporates design features that are compatible with the surrounding institutional uses, including a school and hospital. The Commission notes OP's finding in its reports that this Institutional designation does not appear to be intended to promote a conversion of the site to institutional use "given the clear direction on the FLUM that the subject site is appropriate for moderate density residential use." (FF ¶ 19, 20, 66, 74);
- Land Use Element. The Project is not inconsistent with the Land Use Element, which is the Element that should be given the greatest weight (10-A DCMR § 300.3). The Project redevelops an underutilized site in an established neighborhood. The Project contributes to the area's housing and affordable housing stock, including the need for larger, family-sized units, and promotes sustainability objectives as called for in the Land Use Element (FF ¶ 66, 74);
- Other District-Wide Elements. The Application is also not inconsistent with other Citywide Elements, including the Transportation, Housing, Environmental Protection, Educational Facilities, Urban Design, and Parks, Recreation and Open Space Elements, by creating more housing and affordable housing than can currently be accommodated on the site as a matter-of-right as well as incorporating transportation-related improvements and sustainable design (FF ¶ 66, 74);
- Far Southeast/Southwest Area Element. The Application is also consistent with the Far Southeast/Southwest Area Element. The Project will redevelop an underutilized site with a residential development containing approximately 821 rental units with public space improvements and a sustainable design. The additional housing should help

mitigate increasing housing costs and bring new residents to an established neighborhood (FF ¶ 66, 74);

- Potential Inconsistencies. The Commission acknowledges that OP stated the Project would not directly further certain policies and action statements of the Far Southeast/Southwest Area Element associated with the provision of affordable owner-occupied opportunities in the area, since the Project is providing rental as opposed to ownership units. However, the Commission believes that any potential inconsistency with this policy or others is outweighed by the Project's overall consistency with the policies and action statements described above, particularly those related to the creation of more housing and affordable housing overall (FF ¶ 66, 74);
- Bellevue SAP. The Application is not inconsistent with the Bellevue Small Area Plan. The Project will provide new market-rate and affordable housing opportunities for new and existing Bellevue residents, including residents that currently reside on the Property. The Project has been designed in coordination with OP, and with the community through an extensive engagement process (FF ¶ 66, 74); and
- Mayor's Housing Order. The Application is not inconsistent with the Mayor's Housing Order to add units and affordable units to the Far Southeast/Southwest Planning Area (FF ¶ 68, 74).

16. The Commission concludes that the Project is not inconsistent with Comprehensive Plan when viewed through a racial equity lens. The Commission reaches its conclusion based on the racial equity analyses provided by the Applicant, inclusive of community outreach and engagement information, and the OP reports, inclusive of disaggregated race and ethnicity data for the Far Southeast/Southwest Planning Area, as discussed below (FF ¶ 67, 75).

17. Applicant's Racial Equity Analysis. The Commission finds that the Applicant's racial equity analysis addresses the components of the revised Racial Equity Analysis Tool. The Commission notes the following from the Applicant's analysis:

- *Community Outreach and Engagement*: The Applicant's racial equity analysis indicates that it conducted community outreach and engagement, including multiple meetings with ANC 8D, current residents of the Martin's View apartment buildings, neighbors, and community organizations, including BNCA. As a result of these meetings, the Applicant states it modified the Project to include an on-site space dedicated to older residents and the Social Garden area; and the Applicant entered into a CBA with ANC 8D which includes various commitments to the community requested by the ANC. In addition, as the result of continued dialogue with individuals in opposition and BNCA following the July 22, 2024, public hearing, the Applicant agreed to partially subsidize the cost of parking (50%) for returning Martin's View residents as well as the cost of utilities (up to $100 per month) for returning residents ages 65 and older. The Commission understands that several community members and BNCA continue to be opposed to the Application due to various issues and concerns, which are further addressed below (*See* Conclusion of Law ["COL"] ¶ 32). However, the Commission believes that the Applicant has adequately responded to the community outreach and engagement component of the revised Racial Equity Analysis Tool, and that community feedback has been incorporated into the Project design and configuration.

The Commission notes that the affected ANC and multiple community members filed letters in support of the Application (FF ¶ 81-86); and

- *Displacement*: The Commission recognizes that current residents of the Martin's View apartments will have to be relocated to accommodate the construction of the Project in phases. However, as discussed herein, the Applicant has submitted a phasing, relocation, and return plan, which the Commission believes will mitigate potential displacement impacts by offering current Martin's View residents the option to be relocated on-site during construction and the right to return at current rents (which may increase as permitted under rent control laws) following construction as well as financial and logistical assistance with moving elsewhere if they do not decide to remain on-site (FF ¶ 31, 49, 67, 75).

18. OP's Racial Equity Analysis. The Commission finds that OP's racial equity analysis addresses the components of the revised Racial Equity Analysis Tool. The Commission notes the following from OP's analysis:

- *Disaggregated Race and Ethnicity Data*: OP's racial equity analysis included disaggregated race and ethnicity data for the Far Southeast / Southwest Planning Area showing it has a majority Black population of 87.75%, which has been experiencing a continual decrease between 2012 and 2022 similar to District-wide trends during this period; the Planning Area population is becoming slightly more diverse. Although the average income for Black residents increased significantly over the 2012-2022 time period, it did not increase to the level that it has District-wide. The data also shows that the Far Southeast / Southwest Planning Area has a higher unemployment rate and cost burden for households compared to the District as a whole. Based on this data, the Commission is hopeful that the Project will help create more family-sized housing and affordable housing units that will provide a diverse range of housing opportunities and ease housing cost burdens for Planning Area residents, which may be inferred are primarily Black families given the high Black population in the Planning Area (FF ¶ 75).

PROJECT IMPACTS – FAVORABLE, MITIGATED, OR ACCEPTABLE (SUBTITLE X § 304.4(b))

19. The Commission concludes that for the reasons given below and pursuant to Subtitle X § 304.4(b), the Application does not result in any unacceptable impacts on the surrounding area or District services or facilities that cannot be mitigated or that are not acceptable given the Project's benefits and amenities:

- Zoning and Land Use Impacts. The Commission concludes that the Project has no unacceptable zoning or land use impacts on the surrounding area. The PUD-related Zoning Map amendment to the RA-2 zone is consistent with the Property's Moderate Density Residential designation on the FLUM, as discussed above. The proposed moderate density residential use on a large site adjacent to a park is appropriate for the site given its location and neighborhood context. The apartment building scale, configuration of the development, and traditional material selections, consisting primarily of red masonry, are also appropriate for the surrounding neighborhood. It also accomplishes objectives of the GPM designation mostly as a Neighborhood Conservation Area, which encourages redevelopment consistent with the existing scale and character of the area in order to provide more housing for the District (FF ¶ 69);

- Housing Market Impacts. The Commission concludes that the Project's addition of new housing is a favorable impact by replacing dated housing stock with new rental housing units in an existing established neighborhood. The Project will contribute new permanently affordable housing that will allow residents from varied income levels to remain in or relocate to the neighborhood without straining the existing housing market. The Project's provision of larger units, including approximately 63 three-bedroom units, serves the important goal of better meeting the need for family-sized units in this area and in the District as a whole. By implementing a relocation and return plan, the Project will mitigate the displacement of existing residents and is unlikely to create any adverse impacts on the surrounding housing market. Instead, the addition of the Project's new rental units should help buffer increasing housing costs, as increases in supply are understood to dampen price increases. The Commission acknowledges that there may be additional costs for returning residents, but the sustainability features of the building (LEED Gold), the Applicant's commitments to offset/subsidize some of those costs, and the District programs to assist with utilities and related costs will mitigate any potential adverse impact on these returning residents (FF ¶ 69);
- Construction-Period Impacts. The Commission concludes that any potential construction-related impacts that the Project may generate on the surrounding area during the development period are capable of being mitigated. The Commission credits the Applicant's statement that it has experience successfully completing construction projects without disturbing neighbors and that the Applicant will work closely with abutting property owners and residents to manage and mitigate any construction impacts associated with the Project's development and will maintain regular communication and coordination throughout the Project's construction. Further, the Applicant's commitment to a construction management plan will provide assurance that construction impacts will be mitigated to the greatest extent possible (FF ¶ 69);
- Open Space, Urban Design and Massing Impacts. The Commission concludes that the Project's reconfiguration to provide open green space, reduce impervious surfaces, and highlight Fort Greble Park is a favorable impact. The Project encourages vehicular and pedestrian traffic through the existing Elmira Street, S.W. and egress through the proposed private driveway to the north. The Project's landscaping and tree plantings along Elmira Street, S.W. and the private driveway are intended to extend the park eastward and will have a favorable impact on the overall area, in addition to the landscaping that will be included along Martin Luther King Jr. Avenue, S.W. Furthermore, the Project's open space, its site planning, its moderate height and massing commensurate with its surroundings, in addition to its wide separation from the nearest residential properties, means that impacts on light and air available to neighboring properties will be minimized and not unacceptable (FF ¶ 69);
- Transportation and Mobility Impacts. The Commission concludes that the Project will not have any unacceptable impacts on the transportation and parking facilities that surround the Property and that, to the extent there are any potential transportation impacts, such impacts are capable of being mitigated by the Applicant's TDM plan and other commitments. The Property is well-served by transit and vehicular infrastructure. Multiple Metrobus lines also service the Bellevue neighborhood, and it is expected that many of the Project's residents will use public transit. The Project's favorable

pedestrian, bicycle, and transit access help mitigate any expected traffic concerns. The Project also contains approximately 276 underground parking spaces to accommodate the parking demand of residents without over-parking the site given its location and proximity to transit options. The Commission notes that the Applicant could provide as few as 137 vehicular parking spaces under the Zoning Regulations, and that the DDOT Report set a maximum number of vehicular parking spaces at 291 spaces. Bicycle usage is also thoughtfully integrated into the design of the Project, with long- and short-term bicycle parking conveniently provided underground and adjacent to roadways. While some of those in opposition expressed concern about the Project's impacts on traffic and parking, as further discussed below, the Commission believes such impacts are either mitigated through the Project's provision of parking and the Applicant's commitment to reimburse the costs for residents within 200 feet to obtain RPP permits and make transportation-related improvements along Martin Luther King Jr. Avenue, S.W. and Elmira Street, S.W., or acceptable given the Project's public benefits. The Commission notes that, as discussed previously, the Applicant's commitment to provide a mid-block crossing on Elmira Street is a mitigation measure which will enhance pedestrian safety for those who will be accessing the Project and its daycare facility (FF ¶ 69, 77);

- Economic Impacts. The Commission concludes that the Project will have favorable economic impacts on the neighborhood and District more generally. The Project will have a positive effect on the economy of Ward 8 by providing housing for residents at a mix of income levels, which includes many permanently affordable units. The Project will provide approximately 821 new rental units, including approximately 63 three-bedroom units, that will help meet the existing housing shortfall in the District, including the need for family-sized and affordable housing. In addition, the mix of market rate, IZ affordable, and returning resident units will ensure a mix of incomes necessary for retail and other benefits to the neighborhood overall. The Project's moderate and site-appropriate intensification of land use on the Property has positive tax revenue effects for the District. To the extent there are any adverse economic effects from the Project, such effects are offset by the Project's significant public benefits (FF ¶ 69);
- Cultural and Public Safety Impacts. The Commission concludes that the Project will have favorable impacts on the culture of the surrounding area. The Project adds new residents who will contribute to the immediate neighborhood. The redevelopment of the Property helps revitalize the neighborhood and signifies investment in the neighborhood with new residents. The Project itself represents an improvement in public safety by creating more "eyes on the street" for Martin Luther King Jr. Avenue, S.W. and Elmira Street, S.W. (FF ¶ 69);
- Public Facilities and/or District Services Impacts. The Commission concludes that the Project will not result in any unacceptable negative impacts to public facilities and infrastructure or District services. The Project was reviewed by numerous District agencies—specifically, OP, DDOT, and the Metropolitan Police Department. For the reasons described above, the infrastructure and city services that will serve this Project are adequate, and no agency that did or had the opportunity to review the Project identified any adverse impacts on public facilities or District services from the Project. As further discussed below, the Commission acknowledges objections from certain

individuals in opposition in this regard, but the Commission finds that the evidence supports the conclusion that there will not be adverse impacts on public infrastructure and facilities (FF ¶ 69);

- Environmental Impacts. The Commission concludes that the Project will have mostly favorable impacts on the environment. The Project is designed to achieve high levels of environmental performance as evidenced by its satisfaction of the LEED Gold design standards. The Project will include bioretention, tree and other plantings, and rooftop solar in furtherance of sustainability objectives. The Project's delivery of modern environmental design as well as usable outdoor spaces is a net improvement to the existing residential use in a dated building with large impervious surface parking (FF ¶ 69);
- Public Schools. The Commission concludes that, due to the Project's size, mix, and type of units and the capacity for the District's nearby schools to take on additional students, the Project will not have any unacceptable impacts on schools in the District. The Commission credits the Applicant's testimony that the school network will be able to accommodate, without any unfavorable impacts, the school-age children that may reside at the Project (FF ¶ 69);
- Parks/Recreation Centers/Library Services/Emergency and Health Services. The Commission concludes that the Project will have no adverse impacts on District services, such as parks, recreation centers, public library, and emergency and health services. To the extent the Project's future residents are existing District residents, they have no net new impact. The Project will include open green space in the form of the central amenity space/social garden and streetscape design along Elmira Street, S.W. and the proposed private driveway. More broadly, Fort Greble Park is to the west of the Project and offers recreational and outdoor space for existing and future residents. On balance, the Project is unlikely to have any adverse impacts on the District's park services and is instead likely to be a net positive contributor to park services. As stated above, no agency identified adverse impacts on emergency or health services (FF ¶ 69); and
- Overall. In summary, the Commission concludes that, taken as a whole, the Project is unlikely to result in unacceptable impacts and any resulting adverse impacts are fully capable of being mitigated. None of the impacts are unacceptable in light of the proposed mitigation, particularly when considered against the public benefits and project amenities proffered by the Project.

PUD BENEFITS AND AMENITIES (SUBTITLE X § 304.4(c))

20. The Commission concludes that for the reasons given below the Project's benefits and amenities satisfy the criteria of Subtitle X §§ 304.4(c), 305:
    - Specific Benefits and Amenities. Each of the Project's benefits and amenities is specifically described (FF ¶ 71);
    - Not Inconsistent with the Comprehensive Plan. As described above, the Application is not inconsistent with the Comprehensive Plan nor are the benefits and amenities inconsistent with the Comprehensive Plan or other public policies applicable to the Property (FF ¶ 66, 71);

- Relative to Matter-of-Right Development. The Project's benefits are superior to a significantly greater extent than would likely result from a matter-of-right development on the Property. The Project provides more affordable units and more family-sized units than would be possible or required as a matter-of-right. Likewise, the Project's sustainability features are superior to any matter-of-right development, and the Project's other benefits would not be required as part of a matter-of-right development (FF ¶ 71);
- Relate to Geographic Area of ANC. The Project's benefits relate primarily to the area of ANC 8D (FF ¶ 71);
- Tangible and Quantifiable. Each of the Project's benefits is tangible and/or quantifiable (FF ¶ 71);
- Measurable and Satisfied Prior to Certificate of Occupancy. Each of the Project's benefits is capable of being delivered or arranged prior to the issuance of a full Certificate of Occupancy for the proposed multifamily residential use (FF ¶ 71);
- Primarily Benefiting Neighborhood or Serving a Critical City-Wide Need. The Project's benefits primarily benefit the neighborhood around the Property (e.g., by providing sustainable buildings), but some benefits serve a critical city-wide need (e.g., affordable housing open to all residents of the District) (FF ¶ 71);
- Acceptable in All and Superior in Many. The Project's design, landscaping, site planning, affordable housing, sustainability, and other benefits are superior. All of the Project's benefits are acceptable (FF ¶ 71); and
- Overall. In sum, the Commission concludes that the Project's benefits and amenities satisfy the applicable criteria.

21. The Commission concludes that the Project offers a commendable number and quality of meaningful public benefits and project amenities, including superior architecture and design, landscaping and streetscape improvements, IZ affordable housing units, three-bedroom family sized units, a child daycare, and a community service center providing job services for residents, among others (FF ¶ 71). These public benefits and project amenities and the others are discussed in further detail under COL 14 and COL 26.

AREA VARIANCE FOR MECHANICAL PENTHOUSE HEIGHT

22. Subtitle X §§ 1000.1 and 1000.3 authorize the Commission to grant variances from the Zoning Regulations "[w]here, by reason of . . . extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation . . . would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property, to authorize . . . a variance. . . provided 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."

23. An applicant for an area variance must prove that an extraordinary condition of the property would result in "peculiar and exceptional practical difficulties" by demonstrating first that compliance with the area restriction would be unnecessarily burdensome; and second, that

the practical difficulties are unique to the particular property (*Gilmartin v. D.C. Bd. of Zoning Adjustment*, 579 A.2d 1164, 1170 (D.C. 1990); Subtitle X § 1002.1(a)).

24. Based on the case record and the Findings of Fact herein, the Commission concludes that the Applicant has satisfied the area variance standards for relief from the maximum mechanical penthouse height limit of Subtitle X § 303.18, to permit a mechanical penthouse height of 18.5 feet for the Project's elevator overruns, for the following reasons:
- The Commission finds that the Property is affected by an exceptional situation or condition because it is exceptionally large at approximately five acres yet improved with small apartments buildings; and it is identified on the FLUM of the Comprehensive Plan as suitable for moderate density residential use but surrounded by non-residential uses including a park, school, and hospital. It is unusual for a residential property to be surrounded by three essential community amenities. Therefore, the Commission concludes that the Property is "uniquely positioned." In addition, Subtitle X § 303.18 permits additional height for penthouse mechanical space for a PUD in several zones, including the RA-1 and RA-3 zones, but not the RA-2 zone proposed for the Property. Altogether, these circumstances present an exceptional situation or condition;
- Strict application of the Zoning Regulations would result in a practical difficulty in that the Project's 60-foot height requires a mechanical penthouse height of greater than 15 feet to accommodate the elevator equipment and space for maintenance workers. The Applicant has attested to the fact that only cable elevators with overhead pulleys are feasible for the Project given the travel distance between the parking garage and penthouse. Without the requested overrun, the Project would have no residential units at the penthouse level, resulting in the loss of IZ units required for the penthouse residential space; and
- Granting the requested variance would not pose a substantial detriment to the public good nor substantially impair the intent, purpose, and intent of the Zoning Regulations. The Project incorporates setbacks for the elevator shafts of at least 1:1 on the courtyard and rear sides; and setbacks of 2:1 facing the public streets, private driveways, and public park. Therefore, the elevator overrun should not decrease visibility or result in visual clutter.

(FF ¶ 51, 62, 74).

PUD BALANCING (SUBTITLE X § 304.3)

25. Based on the case record and the Findings of Fact above, the Commission concludes that the Application satisfies the balancing test under Subtitle X §§ 304.3 and 304.4(c) because the Project includes specific public benefits and project amenities that are not inconsistent with the Comprehensive Plan or other public policies and active programs related to the Property. Furthermore, the public benefits of the Project outweigh the degree of development incentives requested as well as any potential adverse impacts of the Project that are not otherwise favorable or adequately mitigated and therefore justify approval of the Application (FF ¶ 71).

26. The Commission concludes that the Applicant's proffered public benefits and amenities, including superior urban design and architecture, superior landscaping, housing and

affordable housing, three-bedroom units, an on-site daycare, environmental and sustainability benefits, and uses of special value including signage and wayfinding and a community service center, are commendable (FF ¶ 71; *see also* COL 14).

27. The Commission concludes that the requested flexibility for a PUD-related map amendment from the current RA-1 zone to the RA-2 zone is appropriate because the Property is currently underutilized given its improvement with dated apartment structures, and the proposed RA-2 zoning is consistent with the Property's moderate density residential FLUM designation. The map amendment will allow the Property to be redeveloped with a Project at a density and height that can produce substantial new housing, including affordable housing and three-bedroom units, and is not inconsistent with the Comprehensive Plan when taken as a whole, for the reasons discussed above (FF ¶ 27, 61, 66, 74).

28. The Commission concludes that the requested variance relief from the mechanical penthouse height limit requirement of Subtitle X § 303.18 to permit a height of 18.5 feet for only the elevator overruns, satisfies the applicable criteria and is balanced by the proffered benefits and amenities resulting from the Project (FF ¶ 62, 74).

29. The Commission concludes that the requested design flexibility, flexibility for the phasing of the Project and validity of the zoning order, and flexibility to permit a 1,000 square foot community service center use, are balanced by the proffered benefits and amenities resulting from the Project (FF ¶ 65, 74).

30. The Commission concludes that the Project was reviewed in a public process, and that the Applicant engaged in meaningful outreach with current Property residents, the surrounding community, community organizations (including BNCA), and the ANC (FF ¶ 67).

31. The Commission concludes that the Applicant has carried its burden of justifying the request set forth in the Application by providing substantial evidence, reasonably acceptable, as to each element of the Commission's review of the Application as set forth above (FF ¶ 61-71).

OPPOSITION ARGUMENTS (CONTESTED ISSUES)

32. The Commission acknowledges the letters and testimony in opposition to the Application, which raised the arguments listed below (FF ¶ 87-91). The Commission's responses to each of the opposition arguments/contested issues are also listed below:

- The Project's height, density, and massing are excessive and inconsistent with the neighborhood's character and surrounding low-rise buildings:
  - Commission's Response: The Commission believes the Project's height, density, and massing are not inconsistent with what the Comprehensive Plan maps envision for the Property, as discussed above (COL ¶ 15). The Applicant's request for a PUD-related map amendment to the RA-2 zone is suitable given the Property's FLUM designation of Moderate Density Residential on most of the site. While the Project will replace the existing two- to three-story Martin's View apartments with taller buildings, these buildings will have a height of 60 feet and overall FAR of

2.592, which is permitted for a PUD in the RA-2 zone. Importantly, the added height and density facilitated by this PUD will enable the Project to provide additional housing and affordable housing, including several family-sized units, in proximity to transit and such amenities as a hospital, a school, and a public park, which is encouraged by numerous Comprehensive Plan policies and goals. While the Applicant has requested a variance for the mechanical penthouse height, the Commission believes such additional penthouse height is not excessive given the elevator shafts are set back at least 2:1 when viewed from public streets, private driveways, and the public park (FF ¶ 62). Therefore, the Commission believes the Project's overall size and massing are appropriate given the Property's location and designations on the Comprehensive Plan maps;

- The Project will eliminate existing green space and will have negative light, noise, and air impacts on neighboring properties:
  - Commission's Response: The Commission understands the Property is adjacent to Fort Greble Park and is currently occupied by the Martin's View apartment buildings. The Project respects the surrounding green space by incorporating wayfinding signage where none currently exists at the intersection of Martin Luther King Jr. Avenue, S.W. and Elmira Street, S.W. directing visitors to the park (FF ¶ 55). In addition, the PUD features landscaping and hardscaping along Elmira Street that connects to Fort Greble Park. While the Project represents a higher intensity development compared to the existing Martin's View apartments, the Property is separated from the residential uses to the east by the 110-foot-wide Martin Luther King Jr. Avenue, S.W., which will mitigate any potential impacts on neighbors due to light, noise, and air (FF ¶ 56). The Project also incorporates massing, setbacks, and landscaping to minimize its visual bulk. During construction, impacts will be mitigated by the Applicant's construction management plan which it has entered into as part of the CBA with ANC 8D (FF ¶ 53);
- The Project will exacerbate traffic and parking in the neighborhood and strain existing infrastructure and public services:
  - Commission's Response: The Commission acknowledges that the Project proposes a substantial increase in the number of residents on the site when compared to existing conditions. The Commission believes the Project provides an appropriate amount of parking based on its proximity to transit. With approximately 276 vehicular parking spaces, the Project provides nearly the maximum number of spaces (291) recommended by DDOT. The Commission notes that the Applicant has committed to adhere to a robust TDM plan, which was reviewed by DDOT, and incorporates conditions and mitigation measures suggested by DDOT (FF ¶ 77). In addition, the Applicant has agreed in its CBA to restrict RPP permits for Project residents; the Applicant has agreed as a condition of this Order that it will include a restriction in all residential leases at the Project prohibiting tenants from obtaining RPPs or parking at on-street locations where RPPs are established; and the Applicant has committed to reimburse the cost of RPP for residents living within 200 feet of the Project for the first three years of the Project (FF ¶ 91). Therefore, the Project should not have an unacceptable impact on parking in the neighborhood. While some individuals in opposition voiced concerns about potential impacts on

infrastructure and public services, the Applicant has provided testimony and evidence from its civil engineer stating that the Project can be accommodated by the current infrastructure system (FF ¶ 56). In addition, the Commission notes that the Project was shared by OP with multiple District agencies, none of which expressed any concerns about the Project's potential impacts on public infrastructure and services (FF ¶ 80);

- There is uncertainty around the Project's affordability level and whether returning Martin's View residents may face increased costs:
  - Commission's Response: As summarized above, the Project will dedicate at least 17% of its residential floor area to IZ units for families earning up to 60% MFI; and provide the 50% MFI unit(s) required by the penthouse habitable space (FF ¶ 52). This affordable housing proffer exceeds the 10% set-aside that would be required for a matter-of-right development and the Commission finds the proffer sufficient, despite opposition calls for more affordable units within the Project. The Applicant has also explained that the affordable units will not include those units reserved for returning Martin's View residents. The Applicant has acknowledged that returning residents will continue to pay current rents (which may increase as permitted under rent control laws) and should not face significantly higher utility costs due to the Project's more modern and energy-efficient design. In addition, the Applicant has committed to providing a utility cost subsidy of up to $100 per month for returning Martin's View residents ages 65 and older; and a 50% subsidy on the cost of parking for returning Martin's View residents (FF ¶ 91). The Commission believes these commitments in conjunction with the Applicant's comprehensive phasing, relocation, and return plan should sufficiently mitigate the potential increased costs to returning Martin's View residents;
- The Project will result in the displacement of existing residents in the neighborhood by increasing property taxes and making the neighborhood less affordable:
  - Commission's Response: The Commission believes the Project's creation of more market-rate and affordable housing will have a beneficial impact on the surrounding neighborhood by increasing the supply of housing and providing more housing opportunities for Ward 8 residents. In addition, the Applicant has agreed to a comprehensive relocation plan that will allow existing residents of the Property to remain on site during construction and move directly into a newly constructed unit. The Commission acknowledges that the Project could potentially result in indirect displacement impacts, including increased property taxes; however, the Commission finds these potential impacts to be outweighed both by the proffered benefits and amenities of the Project and the Comprehensive Plan policies that would be advanced by allowing the proposed increased density on this Property site. The Commission again notes the Applicant's relocation and return plan, which will proactively mitigate direct displacement of existing Martin's View residents (FF ¶ 31). The Commission acknowledges that some of those in opposition have characterized the immediate neighborhood as a "food desert" and are concerned that the influx of residents will exacerbate scarcity for local services; however, the Commission is hopeful that the Project's addition of new residents will help bring more commercial activity and demand to the area and improve the likelihood for new businesses to open and thrive in Bellevue; and

- Neither the Applicant's team nor ANC 8D engaged in sufficient or transparent community outreach and engagement:
  - Commission's Response: The Commission believes the Applicant engaged in substantial and meaningful community outreach and engagement including multiple meetings with the ANC and community members and continued such outreach to opponents of the Project and BNCA following the public hearing, as requested by the Commission (FF ¶ 67). The Commission acknowledges that several neighbors continue to be opposed to the Project; however, the Commission notes the Applicant has provided responses to each of the opposition concerns and refined its Application in good faith to incorporate mitigations to address concerns, such as a utility and parking subsidy for returning Martin's View residents and reimbursements for the cost of RPP for immediate neighbors (FF ¶ 91). Therefore, the Commission believes the Applicant's community outreach and engagement achieved the primary objective of Part 2 of the Commission's Racial Equity Analysis Tool, which is community participation in the overall Application process. The Commission acknowledges that some of those opposed to the Application also raised various issues with how ANC 8D held its public meetings. The Commission has no role in dictating how an ANC conducts its public meetings procedure and only looks to the testimony and report of the affected ANC. In this case, the ANC did not provide testimony at the July 22, 2024, public hearing, but did submit a report in general support of the Application, as further discussed below.

33. The Commission has made findings on "each material contested issue of fact." In particular, the Commission notes that it is not its function to consider all the possible alternatives to development of the Property, but rather to evaluate whether the PUD satisfies the applicable standards for the Application (including whether the Project "results in unacceptable project impacts on the surrounding area").[16] Still, the Commission has evaluated the Project's potential impacts and the interpretation and application of various provisions of the Comprehensive Plan and Zoning Regulations, as discussed above.

GREAT WEIGHT TO RECOMMENDATIONS OF OP

34. The Commission is required to give "great weight" to the recommendation of OP pursuant to Section 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163; D.C. Official Code § 6-623.04 (2018 Repl.)) and Subtitle Z § 405.9 (*Metropole Condo. Ass'n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016)).

35. The Commission finds OP's detailed analysis of the Application, its overall conclusion that the Application satisfied the PUD requirements and is not inconsistent with the Comprehensive Plan, including when viewed through a racial equity lens, and its ultimate recommendation to approve the Application persuasive and concurs with OP's

[16] *See Spring Valley-Wesley Heights Citizens Ass'n v. District of Columbia Zoning Comm'n*, 88 A.3d 697, 715 (D.C. 2013) ("It was not the function of the Commission to consider all the possible alternatives to development of the East Campus; its only task was to evaluate whether the proposed site will become objectionable to neighboring properties.").

recommendation. The Commission also concurs with OP's recommendation to approve the Applicant's request for a variance from the maximum mechanical penthouse height limit of Subtitle X § 303.18 as well as the Applicant's requested zoning and design flexibility (FF ¶ 72-76).

GREAT WEIGHT TO THE WRITTEN REPORT OF ANC 8D

36. The Commission must give "great weight" to the issues and concerns raised in the written report of the affected ANC pursuant to 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) (2012 Repl.) and Subtitle Z § 406.2. To satisfy the great weight requirement, the Commission must articulate with particularity and precision the reasons why an affected ANC does or does not offer persuasive advice under the circumstances (*Metropole Condo. Ass'n*, 141 A.3d at 1087). The District of Columbia Court of Appeals has interpreted the phrase "issues and concerns" to "encompass only legally relevant issues and concerns."(*Wheeler v. District of Columbia Board of Zoning Adjustment*, 395 A.2d 85, 91 n.10 (1978) (citation omitted)).

37. The ANC 8D Report states that ANC 8D voted to support the Application, with a few "lingering concerns" with respect to the Project's size and impact on the community; traffic congestion; and potential added costs to returning Martin's View residents (FF ¶ 81-83). The Commission responds to these concerns as follows:

- ANC Issue/Concern: The Project is expansive and may strain existing services and amenities in the neighborhood:
  - Commission's Response: As discussed above, the Project will replace the lower-intensity Martin's View apartments with new multifamily residential buildings that are 60 feet tall. The Commission believes the increase in height and density is appropriate given the Property's Moderate Density Residential designation on the FLUM; and that the Project's height and density of 2.592 FAR is permitted under the proposed RA-2 zone (FF ¶ 66). Furthermore, the Commission is persuaded by the Applicant's civil engineering analysis which shows that the Project can be accommodated by the existing public infrastructure and services (FF ¶ 56). Therefore, the Commission acknowledges the ANC's concerns about height and size, but ultimately believes the Project is suitable and appropriate given the Property's location and designations on the Comprehensive Plan maps;
- ANC Issue/Concern: The Project will have an impact on parking and traffic congestion in the area:
  - Commission's Response: As discussed above, the Project will contain approximately 276 vehicular parking spaces which was deemed sufficient by DDOT. The Applicant has also agreed to various mitigation measures, including a robust TDM plan and a commitment to restrict Project residents from obtaining RPP permits, which will further minimize the Project's impact on the neighborhood's traffic and congestion (FF ¶ 56, 77). Therefore, the Commission acknowledges the ANC's concerns about potential impacts on traffic, but ultimately believes the Project provides an adequate amount of parking and will not result in unacceptable impacts on existing congestion in the area; and

- ANC Issue/Concern: The Project may result in additional costs to returning Martin's View Residents.
  - Commission's Response: As discussed above, the Applicant has acknowledged the potential increase in costs for Martin's View residents and has addressed such risks by agreeing to provide a 50% subsidy for parking to returning Martin's View residents as well as a subsidy of up to $100 per month to cover the cost of utilities for returning Martin's View residents who are ages 65 and older (FF ¶ 91). The Commission believes the Applicant's comprehensive relocation plan provides assurances that the returning Martin's View residents will continue to pay their current rents, with increases that are allowed under current rent control laws (FF ¶ 31). Therefore, the Commission acknowledges the ANC's concerns about potential costs to returning Martin's View residents but ultimately concludes that such potential costs have been addressed and mitigated by the Applicant.

DECISION

In consideration of the Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission concludes that the Applicant has satisfied its burden of proof and, therefore, **APPROVES** the Application, subject to the following guidelines, conditions and standards for:

(a) A consolidated PUD and related Zoning Map Amendment to the RA-2 zone;
(b) A variance from the mechanical penthouse maximum height requirements of Subtitle X § 303.18;
(c) Flexibility to permit a 1,000 square foot community service center use for a jobs training and assistance nonprofit organization;
(d) Flexibility for the phasing of the Project and validity of the zoning order to permit the Project to be constructed in phases; and
(e) Such other design flexibility as is set forth in the Conditions hereof.

A. **Project Development**

1. The Project shall be built in accordance with the plans and elevations dated June 21, 2024 (Ex. 21B1-21B9), as updated by the plans dated August 30, 2024 (Ex. 40A) (collectively, the "Final Plans"), and as modified by the guidelines, conditions, and standards herein.

2. The Property shall be developed with four multifamily residential buildings with a daycare and community service center (for a jobs partner nonprofit organization) with a total of approximately 821 residential units and approximately 276 underground parking spaces, and having a maximum height of 60 feet (excluding penthouses) and overall FAR of 2.592.

3. The Project shall be developed pursuant to the RA-2 zone, as permitted through a PUD, except as set forth herein or modified hereby as shown in the Final Plans, and with variance relief from the mechanical penthouse height limit of Subtitle X § 303.18, as shown on Sheets A21-A22 of the Final Plans, and zoning flexibility to allow a community service center use.

4. The Project shall have design flexibility as follows:
   a. Interior Components. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, atria, and mechanical rooms, provided that the variations do not change the exterior configuration of the buildings as shown on the plans approved by the Order;
   b. Exterior Materials – Color. To vary the final selection of the colors of the exterior materials based on availability at the time of construction, provided such colors are within the color ranges shown on the plans approved by the Order;
   c. Exterior Details – Location and Dimension. To make minor refinements to the locations and dimensions of exterior details that do not substantially alter the exterior configuration of the building or design shown on the plans approved by the Order. Examples of exterior details include, but are not limited to, doorways, canopies, railings, and skylights;
   d. Number of Residential Units. To provide a range in the approved total number of residential dwelling units plus or minus 10%, provided that (1) the total square footage of the Project's residential dwelling units shall not be reduced, and (2) the percentage of gross floor area square footage reserved for affordable housing shall not be reduced;
   e. Parking Layout. To make modifications to the parking configuration, including layout, and to vary the number of parking spaces plus or minus 10% so long as the number of automobile and bicycle parking spaces is at least the minimum number of spaces required by the Zoning Regulations;
   f. Streetscape Design. To vary the location, attributes, and general design of the approved streetscape to comply with the requirements of, and the approval by, the DDOT Public Space Review Division or the Public Space Committee;
   g. Sustainable Features. To vary the approved sustainable features of the Project, provided the total number of LEED points achievable for the Project does not decrease below the minimum required for LEED Gold;
   h. GAR Calculation and Satisfaction. To vary the features to satisfy the GAR requirement and to satisfy the GAR requirement across the entire Project as opposed to individual phases or Buildings, and satisfaction of the GAR requirement shall be determined upon completion of all four Buildings in the Project;
   i. Unit Type Distribution. To vary unit types and sizes contained in the Project and in individual Buildings, provided that at least eight percent of all units in the Project are three-bedrooms; and
   j. Inclusionary Zoning ("IZ") Units. To satisfy the IZ development standards under Subtitle C § 1005 and the IZ floor area set aside requirements across the entire Project as opposed to individual phases or Buildings, provided that at least 13% of the residential floor area per Building is devoted to IZ units.

B. **Public Benefits**

1. **For the life of the Project**, the Applicant shall set aside at least 17% of the residential floor area as affordable housing (Inclusionary Zoning units) reserved for households earning at or below 60% MFI;
2. **For the life of the Project**, the affordable housing for the Project shall be administered by the DC Department of Housing and Community Development through the IZ program. The affordable housing shall comply with all development standards, tenancy regulations and implementation requirements for IZ units as set forth in DCMR Chapter 10 of Title 11-C and Chapter 22 of Title 14;
3. **For the life of the Project**, the Inclusionary Zoning units in the Project shall be in accordance with the following chart, subject to the flexibility noted herein [*see chart below*]:

Residential Unit Type	Residential GFA/% of Total	Income Type	Affordable Control Period	Affordable Unit Type	Notes
Total	657,700 SF (includes 119,764 SF of residential floor area in cellars and projections)		Life of Project	Rental	NA
	66,955 SF of habitable penthouse		Life of Project	Rental	NA
Market Rate	545,891 SF (excludes penthouses)	Market	Life of Project	Rental	This includes the units for returning residents that will be rented at current rents (below market) for as long as those returning residents live in them.
IZ	111,809 SF / 17%	60% MFI	Life of Project	Rental	NA
	6,696 SF / 10% of PH	50% MFI	Life of Project	Rental	NA

The Inclusionary Zoning Covenant required by D.C. Official Code § 6-1041.05(a)(2) (2012 Repl.) shall include a provision or provisions requiring compliance with all the terms of this Condition;

4. **For the life of the Project**, the Applicant shall devote at least eight percent of the total units in the Project as three-bedroom units;
5. **For the life of the Project**, the Applicant shall reserve at least 5,500 square feet in Buildings 2 & 3 for a child daycare, which will serve the public and operate during normal business hours at least five days each week for at least 50 weeks per calendar year; and
6. **For the life of the Project**, the Applicant shall reserve at least 1,000 square feet in the Project for a locally based jobs training and jobs assistance nonprofit organization (i.e., community service center), that will provide job-search and job-training assistance to residents of the Project and the broader neighborhood, at no cost to the organization.
7. Martin's View – Senior Residents:
   a. **Prior to the issuance of the first building permit for the Project**, the Applicant shall provide to the Zoning Administrator a list of all current Martin's

View residents aged 65 and above (as of the date that the Applicant files its first raze permit application) (the "Senior Residents List"); and

b. **Prior to the issuance of the first Certificate of Occupancy for the Project**, the Applicant shall provide a copy of the lease for all returning residents from the Senior Residents List who will live in the Project, and such lease shall include a provision that the Applicant will provide a utilities subsidy, up to $100 per month, to the lessee for the duration of the lessee's residence in the Project.

8. Martin's View – Current Residents:

a. **Prior to the issuance of the first building permit for the Project**, the Applicant shall provide to the Zoning Administrator a list of all current Martin's View residents (as of the date that the Applicant files its first raze permit application) (the "Current Residents List"); and

b. **Prior to the issuance of the first Certificate of Occupancy for the Project**, the Applicant shall provide a copy of the lease for all returning residents form the Current Residents List who will live in the Project, and such lease shall include a provision that automobile parking will be available to those lessees at a price that is 50% less than otherwise available to other Project residents for the duration of the lessee's residence in the Project.

9. **For three years after the issuance of the first Certificate of Occupancy for the Project**, the Applicant will reimburse the cost of Residential Permit Parking ("RPP") for residents living within 200 feet of the Project site (Ex. 2D). Eligible residents must provide proof of payment of the RPP fee to the Applicant or the Applicant's agent to receive the reimbursement.

10. **For the life of the Project**, the Applicant shall include a provision in all leases for the Project that residents who have cars are required to park them in the Project's underground garage or at another off-street location and are not permitted to park at nearby on-street locations where RPPs are established; and that residents are not allowed to apply for RPPs.

11. **Prior to the issuance of a final certificate of occupancy for the Project**, the Applicant shall install a wayfinding sign for Fort Greble Park at the corner of MLK Jr. Avenue, S.W. and Elmira Street, S.W. and an entrance sign at the west end of Elmira Street, S.W. at the entrance to Fort Greble Park. The final designs and locations of the signs are subject to final review and approval by DDOT public space permitting authorities and the Department of Parks and Recreation, as applicable.

12. **Prior to the issuance of a final certificate of occupancy for the Project**, in accordance with the requirements in Subtitle X § 305.5(k)(5), the Applicant shall provide the Zoning Administrator with evidence that the Project will meet the minimum standards necessary for LEED Gold certification.

13. **Prior to the issuance of a final certificate of occupancy for the Project**, the Project shall include at least 8,000 square feet of rooftop solar panels.

C. **Transportation Management**

1. **Prior to issuance of the final Certificate of Occupancy for the Project and for the life of the Project**, the Applicant shall adhere to the following Transportation Demand Management plan measures:

a. Unbundle the cost of vehicle parking from the lease or purchase agreement for each residential unit or commercial lease and charge a minimum rate based on the average market rate within a quarter mile. Only hourly, daily, or weekly rates will be charged. Free parking, validation, or discounted rates will not be offered;
b. Identify Transportation Coordinators for the planning, construction, and operations phases of development. The Transportation Coordinators will act as points of contact with DDOT, goDCgo, and Zoning Enforcement and will provide their contact information to goDCgo;
c. Transportation Coordinator will conduct an annual commuter survey of building employees and residents onsite, and report TDM activities and data collection efforts to goDCgo once per year;
d. Transportation Coordinator will subscribe to goDCgo's residential newsletter and receive TDM training from goDCgo to learn about the transportation conditions for this project and available options for implementing the TDM Plan;
e. Provide welcome packets to all new residents that, at a minimum, include the Metrorail pocket guide, brochures of local bus lines (Circulator and Metrobus), carpool and vanpool information, CaBi coupon or rack card, Guaranteed Ride Home (GRH) brochure, and the most recent DC Bike Map. Brochures can be ordered from DDOT's goDCgo program by emailing info@godcgo.com;
f. Post all transportation and TDM commitments on building website, publicize availability, and allow the public to see what has been promised;
g. Transportation Coordinator will develop, distribute, and market various transportation alternatives and options to residents, employees, and customers, including promoting transportation events (i.e., Bike to Work Day, National Walking Day, Car Free Day) on property website and in any internal building newsletters or communications;
h. Provide residents and employees who wish to carpool with detailed carpooling information and will be referred to other carpool matching services sponsored by the Metropolitan Washington Council of Governments (MWCOG) or other comparable service if MWCOG does not offer this in the future;
i. Provide a SmarTrip card and one complimentary Capital Bikeshare coupon good for a free ride to every new resident or employee;
j. Long-term bicycle storage rooms will accommodate nontraditional sized bikes including cargo, tandem, and kids bikes, with a minimum five percent of spaces (14 for this project) being designed for longer cargo/tandem bikes (10' x 3'), a minimum of 10% of spaces (28 for this project) will be designed with electrical outlets for the charging of electric bikes and scooters, and a minimum of 50% of required spaces (138 for this project) will be placed horizontally on the floor. There will be no fee to the residents or employees for usage of the bicycle storage room and strollers will be permitted to be stored in the bicycle storage room;
k. Install a minimum of five electric vehicle (EV) charging stations;
l. Following the issuance of a Certificate of Occupancy for the Project, the Transportation Coordinator will submit documentation summarizing

compliance with the transportation and TDM conditions of the Order (including, if made available, any written confirmation from the Office of the Zoning Administrator) to the Office of Zoning for inclusion in the IZIS case record of the case;

m. Following the issuance of a Certificate of Occupancy for the Project, the Transportation Coordinator will submit a letter to the Zoning Administrator, DDOT, and goDCgo every five years (as measured from the final Certificate of Occupancy for the Project) summarizing continued substantial compliance with the transportation and TDM conditions in the Order, unless no longer applicable as confirmed by DDOT. If such letter is not submitted on a timely basis, the building shall have 60 days from date of notice from the Zoning Administrator, DDOT, or goDCgo to prepare and submit such letter; and

n. Provide at least 43 short- and 276 long-term bicycle parking spaces in accordance with the minimums required by the Zoning Regulations.

2. **Prior to issuance of the final Certificate of Occupancy for the Project and for the life of the Project**, the Applicant shall provide evidence to the Zoning Administrator demonstrating completion of the following public space improvements subject to DDOT public space permitting, review, and approval where necessary subject to public space permitting and draining and design limitations:

a. Install the missing crosswalk and curb ramps on the northern leg of the Martin Luther King Jr. Avenue and Darrington Street, S.W. intersection;

b. Construct permanent curb extension and pedestrian refuge island at the MLK Jr. Avenue, S.W. intersections with Darrington and Elmira Streets, S.W.; and

c. Install a raised mid-block crossing on Elmira Street, S.W. between Buildings 1 and 2, as shown on Sheet L03 of the Final Plans, and incorporate high-contrast materials in the mid-block crossing of the curbless private driveway between Buildings 3 and 4.

D. **Miscellaneous**

1. No building permit shall be issued for the Project until the Applicant has recorded a covenant binding the Property in the land records of the District of Columbia by the Applicant for the benefit of the District of Columbia that is satisfactory to the Office of Zoning Legal Division and to the Zoning Administrator (the "PUD Covenant"). The PUD Covenant shall bind the Applicant and all successors in the title to construct and use the Property in accordance with this Order, as may be amended by the Commission. The Applicant shall file a certified copy of the PUD covenant with the Office of Zoning.

2. The PUD shall be valid for a period of two years from the effective date of this Order within which time an application shall be filed for a building permit for Building 1. Construction on Building 1 must begin within three years of the effective date of this Order. Then, within two years after the completion of Building 1, defined as the date of issuance of a final certificate of occupancy, an application shall be filed for a building permit for Buildings 2 & 3. Construction on Buildings

2 & 3 must begin within three years after the completion of Building 1. Finally, within two years after the completion of Buildings 2 & 3, defined as the date of issuance of a final certificate of occupancy, an application shall be filed for a building permit for Building 4. Construction on Building 4 must begin within three years after the completion of Buildings 2 & 3.

3. In accordance with the DC Human Rights Act of 1977, as amended, DC Official Code § 2-1401.01 et al (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 identify or expression, familial status, familial 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.

On October 24, 2024, upon the motion of Commissioner Stidham, as seconded by Chairman Hood, the Zoning Commission took Proposed Action to approve the Application at its public meeting by a vote of 4-0-1 (Tammy Stidham, Anthony J. Hood, Robert E. Miller, and Joseph Imamura to approve; Gwen Wright, not voting, having not participated).

On December 19, 2024, upon the motion of Chairman Hood, as seconded by Commissioner Stidham, the Zoning Commission took Final Action to approve the Application at its public meeting by a vote of 3-0-2 (Anthony J. Hood, Tammy Stidham and Robert Miller to approve; Gwen Wright, not voting, having not participated; Joseph S. Imamura not present, not voting).

In accordance with the provisions of Subtitle Z § 604.9 of the Zoning Regulations, this Order shall become final and effective upon publication in the *District of Columbia Register*; that is, on May 16, 2025.

BY THE ORDER OF THE D.C. ZONING COMMISSION
A majority of the Commission members approved the issuance of this Order.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FILING
Z.C. Case No. 25-04
(Ed Villard – Map Amendment @ Square 5341, Lot 0034
(5045 Hanna Place, S.E.))
May 7, 2025

THIS CASE IS OF INTEREST TO ANC 7E.

On April 26, 2025, the Office of Zoning received an application from Ed Villard (the "Applicant") for approval of a map amendment for the above-referenced property. The property that is the subject of this application consists of Square 5341, Lot 34 in southeast Washington, D.C. (Ward 8). The property is currently zoned R-2. The Applicant is proposing a map amendment to rezone the property to the MU-4 zone.

The R-2 zone is intended to provide for areas predominantly developed with semi-detached houses on moderately sized lots that also contain some detached dwellings. The maximum density in the R-2 zone district is 0.9 FAR. The maximum permitted height is 40 feet and three stories. The maximum permitted penthouse height is 12 feet and one story. The maximum lot occupancy is 40%.

The MU-4 zone is intended to permit moderate-density mixed-use development; provide facilities for shopping and business needs, housing, and mixed uses for large segments of the District of Columbia outside of the central core; and be located in low- and moderate-density residential areas with access to main roadways or rapid transit stops, and include office employment centers, shopping centers, and moderate bulk mixed-use centers. The proposed MU-4 zone permits a maximum residential density of 2.5 FAR (3.0 FAR with Inclusionary Zoning), of which no more than 1.5 FAR may be devoted to non-residential uses. The maximum permitted height is 50 feet.

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.

OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

DISTRICT OF COLUMBIA REGISTER
2025 AGENCY SUBMISSION DEADLINE SCHEDULE

The deadline for submitting notices for publication in the *District of Columbia Register* by District agencies, boards, commissions, and public charter schools is THURSDAY, noon of the PREVIOUS week. For example, the deadline for the Friday, January 10, 2025 *District of Columbia Register* is Thursday, noon on January 2, 2025.

The deadline for a Register to be published during a week that has an official District of Columbia holiday is WEDNESDAY noon of the PREVIOUS week. For example, Monday, January 20, 2025 (Martin Luther King Jr. Day) is an official District of Columbia holiday therefore, the deadline for the Friday, January 24, 2025 *District of Columbia Register* is Wednesday, noon on January 15, 2025.

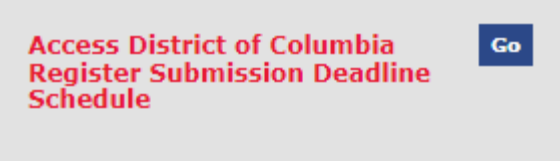
If an official government holiday falls on a Thursday, the deadline for submitting documents is WEDNESDAY. Because Thursday, November 27, 2025 is Thanksgiving Day, the deadline for the December 5, 2025 *District of Columbia Register* is Wednesday, noon on November 26, 2025.

Because Thursday, June 19, 2025 is Juneteenth, the deadline for the June 27, 2025 *District of Columbia Register* is Wednesday, noon on June 18, 2025.

Documents that are uploaded after the noon deadline will be published in the next edition of the Register.

The DC Register Submission Deadline Schedule is published at the end of each Register.

The Office of Documents also publishes the Submission Deadline Schedule on the DCRegs Home page:



Below is the 2025 District of Columbia Register Submission Deadline schedule.

OFFICE OF DOCUMENTS AND ADMINSTRATIVE ISSUANCES
DISTRICT OF COLUMBIA REGISTER
2025 AGENCY SUBMISSION DEADLINE SCHEDULE

D.C. Register Issue		Submission Deadline	
Vol. 72/1	January 3, 2025*	Tuesday	December 24, 2024
Vol. 72/2	January 10, 2025	Thursday	January 2, 2025
Vol. 72/3	January 17, 2025	Thursday	January 9, 2025
Vol. 72/4	January 24, 2025*	Wednesday	January 15, 2025
Vol. 72/5	January 31, 2025	Thursday	January 23, 2025
Vol. 72/6	February 7, 2025	Thursday	January 30, 2025
Vol. 72/7	February 14, 2025	Thursday	February 6, 2025
Vol. 72/8	February 21, 2025*	Wednesday	February 12, 2025
Vol. 72/9	February 28, 2025	Thursday	February 20, 2025
Vol. 72/10	March 7, 2025	Thursday	February 27, 2025
Vol. 72/11	March 14, 2025	Thursday	March 6, 2025
Vol. 72/12	March 21, 2025	Thursday	March 13, 2025
Vol. 72/13	March 28, 2025	Thursday	March 20, 2025
Vol. 72/14	April 4, 2025	Thursday	March 27, 2025
Vol. 72/15	April 11, 2025	Thursday	April 3, 2025
Vol. 72/16	April 18, 2025*	Wednesday	April 9, 2025
Vol. 72/17	April 25, 2025	Thursday	April 17, 2025
Vol. 72/18	May 2, 2025	Thursday	April 24, 2025
Vol. 72/19	May 9, 2025	Thursday	May 1, 2025
Vol. 72/20	May 16, 2025	Thursday	May 8, 2025
Vol. 72/21	May 23, 2025	Thursday	May 15, 2025
Vol. 72/22	May 30, 2025 *	Wednesday	May 21, 2025
Vol. 72/23	June 6, 2025	Thursday	May 29, 2025
Vol. 72/24	June 13, 2025	Thursday	June 5, 2025
Vol. 72/25	June 20, 2025*	Wednesday	June 11, 2025
Vol. 72/26	June 27, 2025	Wednesday	June 18, 2025
Vol. 72/27	July 4, 2025 *	Wednesday	June 25, 2025
Vol. 72/28	July 11, 2025	Thursday	July 3, 2025
Vol. 72/29	July 18, 2025	Thursday	July 10, 2025
Vol. 72/30	July 25, 2025	Thursday	July 17, 2025
Vol. 72/31	August 1, 2025	Thursday	July 24, 2025
Vol. 72/32	August 8, 2025	Thursday	July 31, 2025
Vol. 72/33	August 15, 2025	Thursday	August 7, 2025
Vol. 72/34	August 22, 2025	Thursday	August 14, 2025
Vol. 72/35	August 29, 2025	Thursday	August 21, 2025
Vol. 72/36	September 5, 2025*	Wednesday	August 27, 2025
Vol. 72/37	September 12, 2025	Thursday	September 4, 2025
Vol. 72/38	September 19, 2025	Thursday	September 11, 2025
Vol. 72/39	September 26, 2025	Thursday	September 18, 2025
Vol. 72/40	October 3, 2025	Thursday	September 25, 2025
Vol. 72/41	October 10, 2025	Thursday	October 2, 2025
Vol. 72/42	October 17, 2025*	Wednesday	October 8, 2025
Vol. 72/43	October 24, 2025	Thursday	October 16, 2025
Vol. 72/44	October 31, 2025	Thursday	October 23, 2025
Vol. 72/45	November 7, 2025	Thursday	October 30, 2025
Vol. 72/46	November 14, 2025*	Wednesday	November 5, 2025
Vol. 72/47	November 21, 2025	Thursday	November 13, 2025
Vol. 72/48	November 28, 2025*	Wednesday	November 19, 2025
Vol. 72/49	December 5, 2025	Wednesday	November 26, 2025
Vol. 72/50	December 12, 2025	Thursday	December 4, 2025
Vol. 72/51	December 19, 2025	Thursday	December 11, 2025
Vol. 72/52	December 26, 2025*	Wednesday	December 17, 2025
Vol. 73/1	January 2, 2026*	Wednesday	December 24, 2025

*Weeks with District of Columbia Government public holidays.

Last Updated December 10, 2024