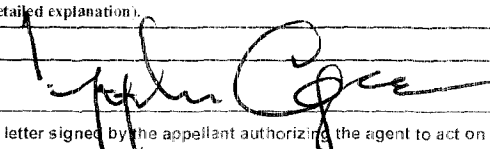


|                                                                                                                                                                                                                                                     |                                      |                          |                                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|--------------------------|--------------------------------------------------------------------------------------|
| Form 125 — Exhibit 1<br>(Revised 03/15/02)                                                                                                                                                                                                          |                                      | Case No. <b>17830</b>    |                                                                                      |
| <b>BEFORE THE BOARD OF ZONING ADJUSTMENT<br/>OF THE DISTRICT OF COLUMBIA</b><br><b>APPEAL</b><br>Notice: <a href="#">Click Here for Appeal Form Instructions</a>                                                                                    |                                      |                          |                                                                                      |
| Pursuant to Section (s) §3100 and §3101 of the Zoning Regulations of the District of Columbia, an appeal is hereby taken                                                                                                                            |                                      |                          |                                                                                      |
| from the administrative decision of:*                                                                                                                                                                                                               |                                      | The Zoning Administrator |                                                                                      |
| made on*                                                                                                                                                                                                                                            | 03/21/2008                           | to the effect that*      |                                                                                      |
| See Attached Addendum                                                                                                                                                                                                                               |                                      |                          |                                                                                      |
| Address(es)* of Affected Premises                                                                                                                                                                                                                   | Square(s)*                           | Lot(s)*                  | Zoning Districts*                                                                    |
| 1631 Kalorama Road N <b>W</b>                                                                                                                                                                                                                       | 2572                                 | 36                       | Mt Pleasant                                                                          |
|                                                                                                                                                                                                                                                     |                                      |                          |                                                                                      |
|                                                                                                                                                                                                                                                     |                                      |                          |                                                                                      |
| Present Use of Property:*                                                                                                                                                                                                                           | Grocery Store                        |                          |                                                                                      |
| Proposed Use of Property:*                                                                                                                                                                                                                          | Grocery Store, Office, <b>Retail</b> |                          |                                                                                      |
| Owner of Property:*                                                                                                                                                                                                                                 | Jemal's Citadell L.L.C.              | Telephone No.:           | (202)638-6300                                                                        |
| Name, address and telephone number of lessee:                                                                                                                                                                                                       |                                      |                          |                                                                                      |
| Harris Teeter Inc.<br>701 cresdale Road<br>Matthews, NC 28105<br>(800) 432-6111                                                                                                                                                                     |                                      |                          |                                                                                      |
| Name, address and telephone number of appellant, if other than owner:                                                                                                                                                                               |                                      |                          |                                                                                      |
| L. Napoleon Cooper, Yeheyis Getachew and Dorchester Grocery and Deli (See Attached) 2400 16th Street, N.W., UNIT 545 Washington, D.C. 20009 (202)489-9799                                                                                           |                                      |                          |                                                                                      |
| State specifically manner in which appellant is aggrieved by the administrative decision, the allegations of error in the administrative decision, and the relevant sections of the Zoning Regulations (see reverse for more detailed explanation). |                                      |                          |                                                                                      |
| Please use a separate piece of 8 1/2" x 11" to respond and attach it to the Form 125 Appeal.                                                                                                                                                        |                                      |                          |                                                                                      |
| Date:*                                                                                                                                                                                                                                              | 05/22/2008                           | Signature:               |  |
| * If appeal is filed by agent of the Appellant, Form 125 Appeal shall be accompanied by a letter signed by the appellant authorizing the agent to act on his behalf in this appeal.                                                                 |                                      |                          |                                                                                      |
| <b>To be notified of hearing and decision:</b><br>(Appellant or Authorized Agent)*                                                                                                                                                                  |                                      |                          |                                                                                      |
| Name:*                                                                                                                                                                                                                                              | L. Napoleon Cooper                   |                          |                                                                                      |
| Address:*                                                                                                                                                                                                                                           | 2400 16th Street, N.W., UNIT #545    | City:*                   | Washington                                                                           |
|                                                                                                                                                                                                                                                     |                                      | State:*                  | D.C.                                                                                 |
|                                                                                                                                                                                                                                                     |                                      | Zip:*                    | 20009                                                                                |
| Phone No.:                                                                                                                                                                                                                                          | (202)489-9799                        | Fax No.:                 | (202)506-3321                                                                        |
|                                                                                                                                                                                                                                                     |                                      | E-Mail:                  | managingpartner@projc                                                                |
| ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.                                                                                                                            |                                      |                          |                                                                                      |

Print Preview

Clear Form

 BOARD OF ZONING ADJUSTMENT  
 District of Columbia
CASE NO. **17830**EXHIBIT NO. **1**
 Board of Zoning Adjustment  
 District of Columbia  
 CASE NO. 17830  
 EXHIBIT NO. 1

## ADDENDUM TO FORM 125

This addendum setting forth the appeal of an action taken by the Zoning Administrator for the District of Columbia is submitted by L. Napoleon Cooper, on behalf of himself, and in his capacity as agent and representative of appellants, Yeheyis N. Getachew and the Dorchester Grocery & Deli, adjoining the subject property, whose original consents to be joined and attached hereto. This appeal sets forth Appellants' objections and issues, and for copies of the subject Certificate of Occupancy (CO No. 163333) and Building Permit (No. 98040) see attached.

### **Appellants' Issues on Appeal:**

1. Whether Certificate of Occupancy No. CO 163333 (the "C of O") issued **March 21, 2008** to **Harris Teeter, Inc.** (the "Applicant"), in connection with the "Citadel Project" located at **1631 Kalorama Road NW** under authority of the District of Columbia Zoning Administrator ("ZA"), contradicts District of Columbia Municipal Regulations set forth at Title 11 Chapter 14 § 1400.2, including contradicting the expressed "objectives" and "purposes" of Reed Cooke Overlay District (RCOD) at § 1400.2(a)(3) and § 1400.2(c).
2. Whether Building Permit No. 98040 (granted by the Department of Consumer & Regulatory Affairs, Building and Land Regulation Administration ("BLRA") to the Applicant under authority of the Zoning Administrator in connection with this Project, and from which CO 163333 is derivative, is "automatically void" by virtue of the "condition precedent" to the permit's issuance, based on alleged unlawful actions engaged in, subsequent to that issuance, by Applicant (alone, via its agents and/or in conjunction with the Property Owner, the Developer and/or others, or their agents) that violated D.C. Code § 25-434 (2005).
3. Whether the District of Columbia Government (through the actions of and course of conduct engaged in by the Office of the ZA, in connection with this Project); have violated "due process;" "equal protection;" and "retained" and "reserved" constitutional rights of Appellants guaranteed by the United States Constitution, and:
  - a. Have damaged and continue to damage the quality of life of adjacent and nearby residents through adverse traffic, parking, and environmental, social, and aesthetic impacts;

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- b. Have permitted and continue to permit prohibited, illegal competition that has taken from, damaged and continues to damage and take from the businesses and livelihoods of adjoining and immediate area small grocers; and
- c. Whether District of Columbia government actions, including in connection with the issuance of a C or O to Harris Teeter, are, thereby, systematically driving adjoining and immediate area small grocers out of business, illegally, and taking and depriving them of their livelihoods *without* Compensation?

### **Appellants Objections on Appeal:**

- 1. Appellants object to the C of O issued by the Office of the Zoning Administrator to Harris Teeter, Inc., on grounds that the issuance disregarded Appellants' due process rights and contradicts the Reed-Cooke Overlay District Municipal Regulations as set forth in Title 11 Chapter 14, *including* as set forth at § 1400.2, where said issuance is contrary to the stated "objectives" and "purpose" of RCOD at Sections 1400.2(a)(3) and 1400.2(c).
- 2. Appellants objected prior to the issuance of said C of O, and object on appeal to the C of O issuance by the Office of the ZA to Harris Teeter, Inc., on grounds that "conditional" Building Permit #98040 - from which the C of O was derivative, is "automatically void" given that subsequent to the issuance of that permit, the Applicant (alone, via its agents and/or in conjunction with others) engaged in unlawful conduct that violated D.C. Code § 25-434 (2005).

And, in this connection, Appellants assert that prima facie evidence exists, that the Applicant (alone, via its agents and/or with others) did, unlawfully, influence D.C. Alcoholic Beverage Control Board Class B License "application process" No. 73993

Further, in this connection, Appellants allege that said violation results from the fact that an appearance of an unlawful correlation existing (see attached marked Exhibits 2 and 3) between an offer of a secured, free parking spaces "arrangement" of significant individual financial value, led to ABC Board "Protestants" (the "Kalorama 7") in a March 28, 2007 letter (see attached marked

Exhibit 5) agreeing, in return for up to eight indoor parking spaces to be awarded by lottery among 16 immediate resident property owners (also known as the “Kalorama 7”), to withdraw from the “Protest” of Applicant’s Class B liquor license application (No. 73993) pending with the District of Columbia Alcoholic Beverage Control Board. And that said conduct voided Building Permit No. 98040 and, thereby, invalidates CO 163333 which was derived there from; because Applicant being a party to in any such correlation is a violation of D.C. law that is punishable by up to 30 days imprisonment or \$300 or both.

3. Appellants objected to the ZA prior to the issuance of CO 163333, and objects on appeal on grounds that:
  - a. Harris Teeter operations are having an adverse impact on adjacent and nearby residences from damaging traffic pattern alterations; and have resulted in a pattern of dangerous vehicular moving violations, increased neighborhood congestion and disruption; have diminished pedestrian safety; and have decreased parking availability, increased noise, and have adverse environmental, social, aesthetic and quality of life impacts on Appellant residents and the immediate neighborhood; and on grounds that
  - b. Harris Teeter’s operation has had discouraging and adverse impacts on existing, surrounding and adjoining small grocers, including on planned business expansion; and
  - c. On grounds that in the immediate *14 days* following HT’s April 23, 2008 opening, Appellant adjoining small business, the “Dorchester Grocery and Deli,” has suffered a LOSS in gross sales revenue of approximately 30 (thirty) percent.

By now, it is well-known that the Harris-Teeter Supermarket chain (“Harris-Teeter”), and real estate mogul Douglas Jemal have teamed up and opened a giant, zone-inappropriate supermarket at 1631 Kalorama Road, N.W. What is not so well-known is that parties to this venture (including the Office of the ZA have, from the start, engaged in a “course of conduct” designed to cause the issuance of a building permit, certificate of occupancy and Class B alcohol license to Harris-Teeter in violation of D.C. law.

In pursuit of this improper purpose and to circumvent the zoning laws generally, the Applicant caused the Office of the Zoning Administrator to authorize the issuance of a building permit, certificate of occupancy, opinion letter and Class B alcoholic beverage license that has allowed the Applicant to impose the largest grocery store in the entire area, onto the Reed-Cooke Overlay District, *without* demonstrating its “appropriateness” and suitability for the immediate neighborhood, and without regard to the Reed-Cooke Overlay District zoning law. These actions have done violence to both, the letter and spirit of D.C. law, as well as to Appellants’ constitutional rights.

At no time throughout this process were the Appellants silent on this proposed “end-run” around the zoning laws, including multiple attempts to be heard, including in writing on March 17, 2008 (see attached) prior to a C of O issuance by the ZA to Applicant, and in writing on March 27, 2008 in order to discover if a C of O had in fact already been issued (see attached).

Instead, the Office of the ZA failed to acknowledge said requests or to permit Appellants to be heard, or to disclose even the issuance of a C of O until challenged by Appellants on April 30, 2008--more than a month after said issuance had in fact taken place on March 21, 2008.

In this connection, Appellants will offer sworn testimony to the effect that Appellants filed formal complaint No. 221504 (see attached) on April 30, 2008, with BLRA, and that as of April 29, 2008, the Applicant did not post, conspicuously or otherwise, on the premises of Harris Teeter, any evidence of a certificate of occupancy having been issued. Further, that as Applicant stated to Appellant that “everything thing it is required to display is on display” and if what Appellant was seeking was not among to permits Applicant presented to Appellant for inspection on April 29, 2008, Appellant “would have to take that up with the Zoning office.” That said, Appellants proceeded on the assumption that, as the grocery store *was* opened to the public on April 23, 2008; a C of O had to have been issued but was simply *not* being displayed by the Applicant.

Those facts notwithstanding, as late as April 30, 2008, staff in the Office of the Zoning Administrator (Nikki Green) insisted to this Appellant that no C of O had been issued to Harris Teeter based on an alleged “business license exclusion” referred to Appellant as the “umbrella law.”

Only after Appellant insisted that *every* grocery store is required to display a valid C of O, and that Appellants would be seeking to file a formal

complaint in connection with the Applicant's failure to do so, did the ZA's office confirm that a C of O had in fact been issued on March 21, 2008.

These extraordinary actions have had the effect of denying the residents and small grocers of the Reed-Cooke Overlay District their fundamental due process rights to be heard, to be notified and to take necessary action to protect their families, neighborhood and businesses from the excesses of corporate developers. Additionally, these actions have been taken in direct contravention of the very laws designed to protect them from these excesses: Namely, the Constitution of the United States of America and the Reed-Cooke Overlay District zoning laws and regulations.

CO 163333 is incorrect, as a matter of law. Harris-Teeter is not entitled to disregard the Reed-Cooke Overlay District's requirements. The RCOD applies to every zoning applicant in the Reed-Cooke district.

RCOD states that its very purpose is to preserve small business. Approval of this C of O application will impose a "Wal-Mart effect" on the Reed-Cooke neighborhood. And the remaining adjoining grocers, who also have a Class B licenses, and who have served that neighborhood, will be driven out of business in direct contravention of the purposes of the restrictive regulations and the very purpose of the Reed-Cooke Overlay District. Chapter 14, Section 1400.2 specifically provides that:

"The purpose of the RC Overlay District shall be to:

- (a) Implement the objectives of the Reed-Cooke Special Treatment Area, which are to:
  - (1) Protect current housing in the area and provide for the development of new housing;
  - (2) Maintain heights and densities at appropriate levels; and
  - (3) Encourage small-scale business development that will not adversely affect the residential community;
- (b) Ensure that new nonresidential uses serve the local community by providing retail goods, personal services, and other activities that contribute to the satisfaction of unmet social, service, and employment needs in the Reed-Cooke and Adams-Morgan community; and

- (c) Protect adjacent and nearby residences from damaging traffic, parking, environmental, social and aesthetic impacts.”

Clearly, RCOD states that its intent is to preserve and protect the peace and tranquility of the neighborhood, as well as its small business character. The Applicant’s Project significantly and adversely impacts neighborhood peace, traffic and safety. In addition, it is in the process of destroying Appellant Dorchester Grocery & Deli, which has served the community in conformity with Reed-Cooke Overlay District requirements.

## 1. Background

Prior to **March 21, 2008**, the Applicants in the above-referenced Project carried on their “discussions” concerning a C of O for the subject property located at 1631 Kalorama Road, N.W., with the Government of the District of Columbia, Department of Consumer and Regulatory Affairs, Office of the Zoning. These discussions took place without the requested notice to or the knowledge of Appellants.

The existence of the March 21, 2008 C of O became know to the Appellants on April 30, 2008. And while prior to April 30, 2008 the Office of the ZA denied any issuance of a C of O to the Applicant, Appellants were able, notwithstanding those denials, to presume the existence of a C of O once the Applicant opened its doors to the public for business.

For copies of CO 163333 and Building Permit No. 98040, from which it is derivative, see attached. Copies were obtained from Office of Zoning once their existence was acknowledged.

The above indicated compelling circumstances have caused Appellants to seek recourse with the Board of Zoning Adjustment under the Zoning Regulations, 11 DCMR 3100.2 and 3100.4, and D.C. Official Code Section 6-641.07, and other applicable law.

The Board of Zoning Adjustment alone has the jurisdiction over interpreting land use regulations. And, as the Appellant does NOT agree with the ruling of the Office of the Zoning Administrator, the proper place for the Appellants to appeal is the BZA. The ZA was advised in advance of Appellants’ objections were he to authorize the issuance of a C of O to the Applicant, and Appellants have informed the ZA of their belief that an

issuance of a C of O derivative from Applicant Building Permit, would be an erroneous conclusion and the unfairness of the process were it to remain closed, as it was, to Applicants. Yet, the ZA refused to take any action or to allow the Appellants to be heard, which compounds the denial of Appellants' due process rights.

Until all underlying issues are resolved, consistent with applicable law and regulations, Appellants continue to object to all aspects of all applications filed by Harris-Teeter and Douglas Jemal, including the continuing validity of Building Permit No. 98040, the CO 163333 connected therewith, and in accordance with paragraph 1401.1(b) prohibiting off premises alcohol sales in the RCOD, Applicant's alcoholic beverage license.

RCOD contradictions and alleged Applicant violations of District of Columbia law override the "matter of right" provisions the ZA has relied on.

Accordingly, the Appellant asks that the BZA, as authorized by D.C. Code §6-641.07 (2001); 11DCMR 3100.2 and .4, to reverse the determination of the ZA with respect to the continuing validity of Business Permit No. 98040 and the appropriateness of CO 163333 being issued to the Applicant, given the expressed purposes of the RCOD, and the matter of Appellants not being afforded due process in connection with Appellants March 17, 2008 objections to the Zoning Administrator issuing a C of O that contradicts with the RCOD in the first instance, and with respect to the permissibility of the Harris Teeter operation at this property, without due compensation to being made to adversely impacted residents and existing small grocers. Clearly, the ZA failed to apply the specific requirements of the Zoning Regulations in force to protect the Reed-Cooke neighborhood, including the purposes of the Reed-Cooke Overlay District specifically set out at Chapter 4, Section 1400.2(a)(3), e.g., to encourage small-scale business development and employment opportunities, and to maintain peace, tranquility and safety within the residential neighborhood per 1400.2(c).

The special, unique and historic characteristics of the Reed-Cooke Overlay District have been recognized by the District of Columbia government and are incorporated into its Municipal Zoning regulations, as a result. They are entitled to be enforced by this honorable body.

## 2. Legal Requirements

Under RCOD the Office of the Zoning Administrator cannot approve unless and until they meet their burden of proving that the continued establishment and operation of their proposed grocery facility at the proposed Reed-Cooke location is "appropriate" under the zoning laws and the special conditions of the RCOD immediate neighborhood.

Further, for the ZA to ignore an Appellant objection based on an allegation that the Applicant violated a District of Columbia criminal law that would invalidate the building permit from which it was to be derived, has been injurious to the good citizens of the Reed-Cooke district and cannot be supported by law.

### 3. Conclusion

We respectfully object to the application filed in this case. And Appellant requests that Applicant be ordered to show cause why its C of O authorized by the ZA should not be ordered by the BZA held in abeyance, and suspended, pending the outcome of this appeal and, pending any related issues unresolved by this appeal being adjudicated in the appropriate courts.

Executed and filed on: May 22, 2008

I. Julian Cooke  
2400 16<sup>th</sup> St. N.W.  
UNIT 545  
Washington, D.C. 20004  
(202) 489-9799

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**PROXY "AGENT" REPRESENTATIVE ELECTION**  
**(Of Board of Zoning Adjustment Appellant In Form 125 Appeal)**

I (print), YEHEYIS GETACHEW Resident and Principal Member of Dorchester Grocery and Deli, attest that the following representations are true and honest and that I freely authorize the following:

Please be advised that **Mr. L. Napoleon Cooper** (Soon to become a Minority Member of Dorchester Grocery and Deli) who resides at 2400 16<sup>th</sup> Street, N.W., Unit #545, Washington, D.C. 20009, is hereby authorized to act as my AGENT and AGENT for Dorchester Grocery and Deli and on my behalf and that of Dorchester Grocery and Deli in all venues relating to the matter of the Harris Teeter Grocery Store at the Citadel, including before the **Board of Zoning Adjustment**.

I seek relief from the Board of Zoning Adjustment from the interpretation of zoning regulations put forth by Zoning Administrator in connection with his March 21, 2008 authorization of and issuance of Certificate of Occupancy No. 163333 to Harris Teeter, Inc. **I object to and disagree with his findings** on the Certificate of Occupancy on grounds that it contradicts Section 1400.2(c), contradicts the purposes of the Reed-Cooke Overlay District, including the purpose set out at Title 11 Chapter 14, Sections 1400.2(a)(3) **"to encourage small-scale business development that will not adversely affect the residential community"** and because **Building Permit No. 98040, from which the CO 163333 is derivative, is no longer valid by virtue of Applicant is alleged to have engaged in actions in violation of D.C. Code § 25-434.**

This authorization by me is extended to, and includes all matters related to this 125 appeal and this authorization supersedes and replaces any previous authorization.

I authorize that this is effective by my legal signature.

Yeheyis Getachew

Date: 5/22/08

**PROXY "AGENT" REPRESENTATIVE ELECTION  
(Of Board of Zoning Adjustment Appellant In Form 125 Appeal)**

DORCHESTER GROCERY & DELI

I (print), YEHEYES GETACHEW Resident and Principal Member of Dorchester Grocery and Deli, attest that the following representations are true and honest and that I freely authorize the following:

Please be advised that **Mr. L. Napoleon Cooper** (Soon to become a Minority Member of Dorchester Grocery and Deli) who resides at 2400 16<sup>th</sup> Street, N.W., Unit #545, Washington, D.C. 20009, is hereby authorized to act as my AGENT and AGENT for Dorchester Grocery and Deli and on my behalf and that of Dorchester Grocery and Deli in all venues relating to the matter of the Harris Teeter Grocery Store at the Citadel, including before the **Board of Zoning Adjustment**.

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I authorize that this is effective by my legal signature.

Yeheyes Getachew

Date: 5/22/08

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**C of O**

**CERTIFICATE OF OCCUPANCY**

**PERMIT NO.**  
**CO 163333**

THIS PERMIT IS VALID ONLY FOR THE PREMISES  
OF THE PROJECT ADDRESS

**DATE : 3/21/2008**

|                                         |                                                                    |                                             |
|-----------------------------------------|--------------------------------------------------------------------|---------------------------------------------|
| ADDRESS :<br><b>1631 KALORAMA RD NW</b> | FLOOR(S):<br><b>BASEMENT<br/>1ST, PART OF P1 AND<br/>ENTIRE P2</b> | PRCLID :<br>(square) (lot)<br>WARD : ZONE : |
|-----------------------------------------|--------------------------------------------------------------------|---------------------------------------------|

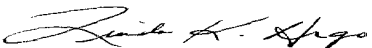
|                                                                                                 |                                     |
|-------------------------------------------------------------------------------------------------|-------------------------------------|
| PERMISSION IS HEREBY GRANTED TO :<br><b>CORPORATION : HARRIS TEETER, INC<br/>ID No.: 984009</b> | TRADING AS:<br><b>HARRIS TEETER</b> |
|-------------------------------------------------------------------------------------------------|-------------------------------------|

|                                  |                                                   |
|----------------------------------|---------------------------------------------------|
| APPROVED USES :<br><b>RETAIL</b> | PREVIOUS USES :<br><b>OTHER - SEE DESCRIPTION</b> |
|----------------------------------|---------------------------------------------------|

|                             |           |                                        |                            |                                 |
|-----------------------------|-----------|----------------------------------------|----------------------------|---------------------------------|
| TYPE :<br><b>USE CHANGE</b> | BZA NO. : | OCCUPIED SQ. FOOTAGE:<br><b>37,405</b> | OCCUP. LOAD:<br><b>509</b> | EXPIRATION DATE:<br><b>NONE</b> |
|-----------------------------|-----------|----------------------------------------|----------------------------|---------------------------------|

|                                                                                                                                                                                                                              |                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| DESCRIPTION OF USE:<br><b>GROCERY STORE WITH ACCESSORY DELICATESSEN- PREPARED FOOD SHOP (8 SEATS) AND<br/>OFF-PREMISES ALCOHOLIC BEVERAGE SALES AS AN ACCESSORY USE- SUBJECT TO BZA ORDERS<br/>17395-A, 17675 AND 17677.</b> | FEE :<br><b>\$205.00</b> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|

THIS CERTIFICATE SHALL BE POSTED CONSPICUOUSLY ON THE ABOVE PREMISES AT ALL TIMES. IT IS VALID INDEFINITELY, unless an expiration date is stated, VALID ONLY for the premise at the above address or part thereof, and for the purpose(s), indicated above, and IS NOT TRANSFERABLE to another person or premises under ANY conditions. ANY CHANGE in the type of business, ownership of business, or part of premises used therefor, will render this Certificate VOID and a NEW Certificate must be obtained.

|                                                                                                                         |                                         |
|-------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| Director<br><br><b>Linda K. Argo</b> | PERMIT CLERK:<br><b>PAMELA THORNTON</b> |
|-------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|

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Department of Consumer and Regulatory Affairs  
Permit Center

941 North Capitol St. NE Room 2100

Washington DC 20002

Tel:(202) 442-4589

**B**

**Building Permit**

THIS PERMIT IS VALID ONLY FOR THE PREMISES  
OF THE PROJECT ADDRESS

**PERMIT NO. 98040**

**DATE: 11/13/2006**

|                                                                                                                                                                                                                                                                                                               |                   |                                                                         |                                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------------------------------------------------------------|--------------------------------|
| ADDRESS OF PROJECT:<br>1631 KALORAMA RD NW                                                                                                                                                                                                                                                                    |                   | S S L:      SQ: 0042      SX:      LOT: 36<br>WARD:      5 ZONE: RC/C2B |                                |
| DESCRIPTION OF WORK:<br>INTERIOR TENANT BUILDOUT OF 37,405 SF GROCERY STORE WITH DELI COUNTER AS PER PLAN THIRD PARTY REVIEW                                                                                                                                                                                  |                   |                                                                         |                                |
| PERMIT TYPE:<br>tent layout                                                                                                                                                                                                                                                                                   | PLANS (Y/N):<br>Y | EXISTING USE:<br>BUSINESS                                               | PROPOSED USE:<br>Business      |
| PERMISSION IS HEREBY GRANTED TO<br>OWNER: Harris Teeter                                                                                                                                                                                                                                                       |                   | PERMIT FEE:<br>\$600.00                                                 |                                |
| AGENT NAME:<br>SAM HOLLEN 703-934-0039                                                                                                                                                                                                                                                                        |                   |                                                                         |                                |
| CONDITIONS / RESTRICTIONS:<br>ALL CONSTRUCTION DONE ACCORDING TO THE CURRENT BUILDING CODES ; ALL CONSTRUCTION DONE ACCORDING TO THE CURRENT ZONING REGULATIONS ; INTERIOR WORK ONLY ;<br><br>TO REPORT WASTE, FRAUD OR ABUSE BY ANY DC GOVERNMENT OFFICIAL, CALL THE DC INSPECTOR GENERAL AT 1-800-521-1639: |                   |                                                                         |                                |
| DIRECTOR:<br><br>Linda K. Argo                                                                                                                                                                                             |                   | PERMIT CLERK:                                                           | EXPIRATION DATE:<br>11/13/2007 |

CONDITIONS: As a condition precedent to the issuance of this permit, the owner agrees to conform with all conditions set forth herein, and to perform the work authorized hereby in accordance with the approved application and plans on file with the District Government and in accordance with all applicable laws and regulations of the District of Columbia. The District of Columbia has the right to enter upon the property and to inspect all the work authorized by this permit and to require any change in construction which may be necessary to ensure compliance with the permit and with all the applicable regulations of the District of Columbia. Work authorized under the Permit must start within one (1) year of the date appearing on this permit or this permit is automatically void. If work is not started, any application for partial refund must be made within six months of the date appearing on this permit.

THIS PERMIT MUST ALWAYS BE CONSPICUOUSLY DISPLAYED AT ADDRESS OF WORK UNTIL WORK IS COMPLETED.

NOTIFY THE BUILDING INSPECTOR THE DAY THE WORK STARTS. PHONE (202)442-9557 at 941 NORTH CAPITOL ST NE WASHINGTON DC 20002

Separate permits are required for all Plumbing, Refrigeration, Gas Fitting, and Electrical Work.

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park up to two hours, right? So if customers in the store are parking on the street, RPPs are meaningless. Because I don't spend two hours in a grocery store. But yet, there are no parking spaces on my street. What -- how is that accommodated? Is there a solution that you have in your traffic studies and all for that?

MR. VAN PELT: Well, Harris Teeter is providing adequate parking on site. And it's -- that will be the most convenient site for retail users.

MR. JOHNSON: You're saying up to 100 on site is --

MR. VAN PELT: Yes, up to 120 spaces during the peak grocery times in the evening.

MR. JOHNSON: Okay. One twenty?

MR. VAN PELT: Well, it's a 125, I think is the total.

MR. JOHNSON: Does that include those spaces that they're ceding to their

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Exhibit 2

U.S. DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA  
MAY 22 AM 11:51

office use and to the people across the street from the building?

MR. VAN PELT: It does. There are 85 spaces allocated specifically for Harris Teeter. But that number that I've given you includes the off peak when the office is not active and not using their spaces, those spaces will be available for the grocery store.

MR. JOHNSON: But if the offices are using them, then they'll be down to 85?

MR. VAN PELT: Then the supply would be reduced, that's correct. It would be less than 125.



MR. JOHNSON: And that 85 does that include the spaces that are for the people who live across the street who gave up their appeal or their protest?

CHAIR BURGER: Just ask the first part of the question, that's fine.

MR. JOHNSON: Well, I'm trying to figure out how many spaces here.

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CHAIR BURGER: I know. It doesn't matter for the people across the street in the neighborhood.

MR. VAN PELT: Yes, I'm not aware of what happens with those spaces.

MR. JOHNSON: Okay. In terms of Kalorama Road is there going to be truck loading and unloading on Kalorama?

MR. VAN PELT: DDOT is going to require a loading zone in front of the office entrance. And that loading zone would be for such things as UPS truck or DHL or the mailman.

MR. JOHNSON: Okay. Now if you have one or two trucks there, you know right there at that end, the east end, you have three driveways and one apartment garage that are located I would say within 30 feet of each other. How is that going to be accommodated?

MR. VAN PELT: Standard traffic controls. I mean, they're going -- no

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amount of planning that you've done for this Harris Teeter store typical is what is done for a store of 50,000 square foot size?

MR. VAN PELT: The amount of effort that we've spent on this project is not typical for a project of this size. It's much more on the order of what we would spend for a larger shopping center, retail shopping center.

MR. PASCAL: Such as regional mall?

MR. VAN PELT: Such as a regional mall with a million square feet of space.

MR. PASCAL: Okay. I'm going to show you, and Ms. Goldstein will give you a copy of what is called the Truck Management Plan.

CHAIR BURGER: Do you have copies for the protestants also?

MR. PASCAL: If we can mark this applicant's A-1.

(Whereupon, the document was

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*Exhibit 3*



marked as Applicant's  
Exhibit A-1 for  
identification.)

MR. PASCAL: Would you describe  
what this is?

MR. VAN PELT: This is a truck  
management plan that was developed for the  
Citadel site, Grove Slate Associates had  
input to some of the technical matters in  
this document, but it was actually -- it was  
developed by -- or drafted by Holland &  
Knight. And it outlines the requirements for  
the trucks that will service the Citadel site  
and it restricts them to the number that can  
come per day and their size and the time of  
day.

It also establishes the need for a  
dock manager to manage the deliveries to the  
grocery store.

MR. PASCAL: And did you  
participate in working on this plan of  
drafting it?

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March 28, 2007

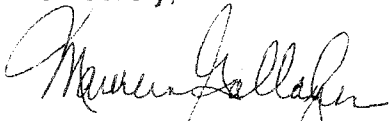
Mr. Charles M. Burger  
Chairman  
Alcoholic Beverage Control Board  
941 North Capitol Street, NE  
Washington, DC 20002

**RE: Harris Teeter, Inc. t/a/Harris Teeter, Inc., 1631 Kalorama Road, NW Retailer's  
Class B License, License No. 73993, Case No. 61034-05/062P**

Dear Chairman Burger:

This letter is to formally withdraw the Kalorama 7's protest in the above referenced matter. Thank you for your consideration.

Sincerely,



Maureen Gallagher  
1656 Kalorama Rd, NW  
Washington, DC 20009  
Phone: (202) 462-3830  
Fax: (202) 462-5051  
email: maureen.gallagher@verizon.net

and



Darrell H. Allison  
1658 Kalorama Rd, NW  
Washington, DC 20009  
Phone: (202) 667-9744  
email: dhadc@aol.com

cc: Mr. Paul Pascal, Esq.  
Mr. Campbell Brown  
Mr. Simi Batra

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EXHIBIT #5

**Subject:** Harris Teeter, Inc., Project - Certificate of Occupancy Application Process  
**From:** "Mr. L. Napoleon Cooper" <ManagingPartner@project76.org>  
**Date:** Mon, 17 Mar 2008 13:12:36 -0400  
**To:** "matt.legrant" <matt.legrant@dc.gov>  
**CC:** ps.lyden@wap.org, WReynoldsANC@aol.com, Jeffrey.Johnson@hklaw.com, Melinda.Bolling@dc.gov, Doris.Parker-Woolridge@dc.gov, norman.glasgowjr@hklaw.com  
**BCC:** "Mr. L. Napoleon Cooper" <ceo@project76.org>, "L. Napoleon Cooper" <ManagingPartner@surfbest.net>

Mr. Matthew Le Grant  
District of Columbia Zoning Administrator  
Department of Consumer and Regulator Affairs  
941 North Capital Street, N.E.  
Suite 2000  
Washington, D.C. 20002

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Dear Zoning Administrator LeGrant:

I am writing in connection with the pending and/or anticipated Certificate of Occupancy ('C of O') application filed (or to be filed) in connection with the Douglas Jemal/Harris Teeter, Inc., grocery store project to be located at **1631 Kalorama Road, N.W.**

I have been in touch with, and am awaiting a returned call from your Office of Records, in order to determine if, as of this date, March 17, 2008, such an application has already been submitted and/or approved.

I am writing, in the event no C of O application has been filed or approved as of today, in order to formally inquire as to how impacted residents and small businesses may become involved in the C of O process BEFORE the issuance of a C of O.

In this connection, you may recall that residents and the small business most effected by the Harris Teeter, Inc. project, are on record in the matter of BZA Appeal No. 17677, stating our intention to object to any issuance of a C of O to Harris Teeter, Inc. on grounds, including but not limited to, alleged Consumer and Regulatory Affairs' rules violations, subsequent to the DCRA's 11/13/2006 issuance of Business Permit No. 98040 to Harris Teeter, Inc., and on grounds that the issuance of a C of O to Harris Teeter would conflict with the purposes of Reed-Cooke Overlay District zoning law and regulations in a manner including, but not limited to, its proposed impact on existing small businesses.

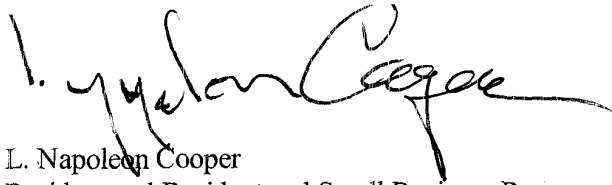
Also, in this connection, you may recall that the Board of Zoning Adjustment, during its March 4, 2008 decision meeting, referenced the impact of the proposed project on the immediate "neighborhood" and "small business" relative to the purposes of the RCOD law which, to the Board's view, was "not the focus" of its March 4, 2008 alcoholic beverage sales decision.

Finally, please be advised that legal counsel for Harris Teeter, Inc., and all parties to BZA Appeal No. 17677 are simultaneously being advised of our intentions in connection with this C of O matter.

That said, Zoning Administrator Le Grant, at your earliest convenience, please advise us if Harris Teeter, Inc. has, as of today, applied and/or been issued a C of O, and please inform us as to how or if we may become involved in the Harris Teeter, Inc., project's C of O application process.

Thanking you in advance for your cooperation and assistance in connection with this important matter,

Sincerely,



L. Napoleon Cooper

Resident and Resident and Small Business Representative

The Douglas Jemal/Harris Teeter, Inc., Project

2400 16th Street, N.W.

UNIT 545

Washington, D.C. 20009

202-489-9799 Telephone

202-506-3821 Fax

[managingpartner@project76.org](mailto:managingpartner@project76.org)

HARD COPY TO BE HAND DELIVERED TO THE OFFICE OF THE ZONING ADMINISTRATOR

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**Date:** Mon, 17 Mar 2008 13:12:36 -0400  
**To:** "matt.legrant" <matt.legrant@dc.gov>  
**CC:** ps.lyden@wap.org, WReynoldsANC@aol.com, Jeffrey.Johnson@hklaw.com, Melinda.Bolling@dc.gov, Doris.Parker-Woolridge@dc.gov, norman.glasgowjr@hklaw.com  
**BCC:** "Mr. L. Napoleon Cooper" <ceo@project76.org>, "L. Napoleon Cooper" <ManagingPartner@surfbest.net>

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D.C. OFFICE OF ZONING  
MAY 22 AM 11:51

Mr. Matthew Le Grant  
District of Columbia Zoning Administrator  
Department of Consumer and Regulator Affairs  
941 North Capital Street, N.E.  
Suite 2000  
Washington, D.C. 20002

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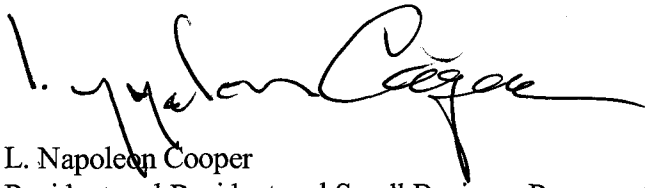
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Thanking you in advance for your cooperation and assistance in connection with this important matter,

Sincerely.



L. Napoleon Cooper  
Resident and Resident and Small Business Representative  
The Douglas Jemal/Harris Teeter, Inc., Project  
2400 16th Street, N.W.  
UNIT 545  
Washington, D.C. 20009  
202-489-9799 Telephone  
202-506-3821 Fax  
[managingpartner@project76.org](mailto:managingpartner@project76.org)

HARD COPY TO BE HAND DELIVERED TO THE OFFICE OF THE ZONING ADMINISTRATOR

**Subject:** [Fwd: Harris Teeter, Inc., Project - Certificate of Occupancy Application Process]

**From:** "Mr. L. Napoleon Cooper" <ManagingPartner@project76.org>

**Date:** Thu, 27 Mar 2008 14:13:27 -0400

**To:** matt.legrant@dc.gov

**CC:** ps.lyden@wap.org, WReynoldsANC@aol.com, Jeffrey.Johnson@hklaw.com, Melinda.Bolling@dc.gov, Doris.Parker-Woolridge@dc.gov, norman.glasgowjr@hklaw.com

**BCC:** managingpartner@surfbest.net

Mr. Le Grant:

On March 17, 2008 I sent you the following respectful request by e-mail, which was followed up with a hand delivered hard copy to your office the following day.

As I have not heard back from you or your office in connection with this important matter I am, for the official record, forwarding this request to you once more.

Our intention is to be able to avoid unnecessary cost and inconvenience for the parties and, hopefully, to be able to address these issues without avoidable delay and/or the added complication of intervening litigation in connection with this matter.

Please respond at your earliest convenience.

Thanking you in advance,

L. Napoleon Cooper

All "Parties" Copied With This Follow-up Request, as Well.

----- Original Message -----

**Subject:** Harris Teeter, Inc., Project - Certificate of Occupancy Application Process

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**To:** "matt.legrant" <matt.legrant@dc.gov>

**CC:** ps.lyden@wap.org, WReynoldsANC@aol.com, Jeffrey.Johnson@hklaw.com, Melinda.Bolling@dc.gov, Doris.Parker-Woolridge@dc.gov, norman.glasgowjr@hklaw.com

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D.C. OFFICE OF ZONING  
2008 MAY 22 AM 11:51

Mr. Matthew Le Grant

District of Columbia Zoning Administrator

Department of Consumer and Regulator Affairs

941 North Capital Street, N.E.

Suite 2000

Washington, D.C. 20002

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202-489-9799 Telephone  
202-506-3821 Fax  
[managingpartner@project76.org](mailto:managingpartner@project76.org)

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These are BLRA inspection information for 1631 KALORAMA RD NW

| Request ID | Inspection Type                                                                                                                                                          | Date Filed               | Inspector            | Assignment Date | Inspection Date | Status       | Administrative Notice | Comments                                                                                                              |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|----------------------|-----------------|-----------------|--------------|-----------------------|-----------------------------------------------------------------------------------------------------------------------|
| 222293     | Re-inspection                                                                                                                                                            | 5/9/2008<br>7:05:00 AM   | Paul Zweig           | 5/9/2008        | 5/15/2008       | Violation    |                       | #E3 removed from service for failure to repair car alarm within abatement time.                                       |
| 222273     | Other (see remarks) 3rd party oversight                                                                                                                                  | 5/8/2008<br>3:04:00 PM   | Paul Zweig           | 5/8/2008        | 5/8/2008        | Approved     |                       | harris teeter grocery. #E5 missing final sticker. one bad phone one bad alarm. 24 hours to abate. follow up required. |
| ✓ 221504   | Complaint OPERATING W/O A CERTIFICATE OF OCCUPANCY (GROCERY/BEER & WINE) (DS)                                                                                            | 4/30/2008<br>11:02:00 AM | Antoine Walker       | 5/1/2008        | 5/2/2008        | No Violation |                       | C of O posted on site                                                                                                 |
| 217666     | FSS (H/D) (HARRIS TEETER #231) THIRD PARTY INSPECTION FOR FIRE, PERMIT: B98040, BY LOURENCO CONSULTANTS, REQUESTED ON 3/13/08 (MAB) ENTERED INTO THE SYSTEM ON: 3/14/08. | 3/14/2008<br>11:13:00 AM | Lourenco Consultants | 3/14/2008       |                 | Pending      |                       |                                                                                                                       |
| 207794     | Other (see remarks) DID NOT INDICATE TYPE OF INSPECTION. (HARRIS TEETER) THIRD PARTY INSPECTION FOR MECH, BY LOURENCO CONSULTANTS, REQUESTED ON 12/7/07 (MAB) 12/10/07.  | 12/10/2007<br>6:30:00 AM | Lourenco Consultants | 12/10/2007      |                 | Pending      |                       |                                                                                                                       |

|        |                                                                                                                                                                                       |                       |                      |            |  |         |  |                                  |
|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|----------------------|------------|--|---------|--|----------------------------------|
| 207780 | Other (see remarks) DID NOT INDICATE TYPE OF INSPECTION. (HARRIS TEETER) THIRD PARTY INSPECTION FOR FIRE, BY LOURENCO CONSULTANTS, REQUESTED ON 12/7/07 (MAB) 12/7/07.                | 12/7/2007 2:30:00 PM  | Lourenco Consultants | 12/8/2007  |  | Pending |  |                                  |
| 203680 | Other (see remarks) DID NOT INDICATE TYPE OF INSPECTION. (BE & K BUILDING GROUP) THIRD PARTY INSPECTION FOR ELEVATOR, BY ADONAI CONSULTANTS, INC, REQUESTED ON 11/1/07 (MAB) 11/6/07. | 11/6/2007 10:52:00 AM | Third Party          | 11/16/2007 |  | Pending |  |                                  |
| 203302 | Other (see remarks) DID NOT INDICATE TYPE OF INSPECTION. (HARRIS TEETER) THIRD PARTY INSPECTION FOR PLUMB, BY LOURENCO CONSULTANTS, REQUESTED ON 11/1/07 (MAB) 11/2/07.               | 11/2/2007 2:17:00 PM  | Lourenco Consultants | 11/3/2007  |  | Pending |  |                                  |
| 202308 | Other (see remarks) DID NOT INDICATE TYPE OF INSPECTION. (HARRIS TEETER) THIRD PARTY INSPECTION FOR ELEC, AND BLDG, BY LOURENCO CONSULTANTS, REQUESTED ON 10/24/07. (MAB) 10/29/07.   | 10/29/2007 4:45:00 PM | Lourenco Consultants | 10/29/2007 |  | Pending |  |                                  |
|        | Other (see remarks) THIRD                                                                                                                                                             |                       |                      |            |  |         |  | ACTUAL INSPECTION DATED 1/17/06; |

|        |                                                                      |                       |                   |           |           |             |  |                                                                                                 |
|--------|----------------------------------------------------------------------|-----------------------|-------------------|-----------|-----------|-------------|--|-------------------------------------------------------------------------------------------------|
| 190688 | PARTY INSPECTION FOR ELECTRICAL BY REQUESTED 1/17/06. JLD            | 7/19/2007 1:00:00 PM  | CECA              | 7/19/2007 |           | Third Party |  | APPROVAL DATE 11/14/06; APPROVAL STICKER NUMBER(S) E11138. JLD                                  |
| 190451 | Other (see remarks) Trip test (GG)                                   | 7/18/2007 8:53:00 AM  | Thomas Smoot      | 7/19/2007 | 7/19/2007 | Disapproved |  | NOT READY                                                                                       |
| 190450 | Other (see remarks) Trip test (GG)                                   | 7/18/2007 8:52:00 AM  | Ronald Valentine  | 7/19/2007 | 7/19/2007 | Disapproved |  |                                                                                                 |
| 187570 | Fire Pump FIRE REQUEST FOR A PUMP TEST 219 HEADS TOTAL KRWMS         | 6/22/2007 1:47:00 PM  | Thomas Smoot      | 6/28/2007 | 6/28/2007 | Approved    |  |                                                                                                 |
| 185818 | Final Parking Garage & shell (BCW)                                   | 6/6/2007 8:23:00 AM   | Marshall Staunton | 6/8/2007  | 6/18/2007 | Approved    |  |                                                                                                 |
| 180357 | A/S (Hydro Test) 275 HEADS 1ST FL. P1 & P2 LEVEL (DS)                | 4/12/2007 1:24:00 PM  | Mark Nutter       | 4/13/2007 | 4/13/2007 | Approved    |  |                                                                                                 |
| 179928 | Other (see remarks) DUCT WORK (DS)                                   | 4/9/2007 11:22:00 AM  | Eric Cox          | 4/10/2007 | 4/11/2007 | Approved    |  | (BCW)                                                                                           |
| 179197 | Re-inspection for TPF re-inspection fee has been paid on 4/2/07 *JH* | 4/2/2007 9:50:00 AM   | Alan Thompson     | 4/3/2007  |           | Approved    |  | TPF service Only A.T.                                                                           |
| 179151 | Close-In BC.                                                         | 3/30/2007 2:59:00 PM  | Marshall Staunton | 4/2/2007  | 4/6/2007  | Approved    |  |                                                                                                 |
| 178876 | TPF (Temp. Pending Final) *JH*                                       | 3/28/2007 10:47:00 AM | Alan Thompson     | 3/29/2007 |           | Disapproved |  | Improper Request Fee due                                                                        |
| 177965 | A/S (Hydro Test) 170 HEADS 1ST FL. (DS)                              | 3/19/2007 2:28:00 PM  | Donald Van Leuven | 3/20/2007 | 3/20/2007 | Approved    |  |                                                                                                 |
| 177964 | A/S (Hydro Test) 147 HEADS GROUND (DS)                               | 3/19/2007 2:27:00 PM  | Donald Van Leuven | 3/20/2007 | 3/20/2007 | Approved    |  |                                                                                                 |
| 177402 | TPF (Temp. Pending Final) *JH*                                       | 3/12/2007 1:39:00 PM  | Michael Pearson   | 3/14/2007 |           | Disapproved |  |                                                                                                 |
| 177251 | A/S (Hydro Test) 175 HEADS (DS)                                      | 3/9/2007 2:37:00 PM   | Donald Van Leuven | 3/12/2007 | 3/12/2007 | Disapproved |  |                                                                                                 |
| 173602 | Re-inspection for TPF re-inspection fee has been paid 1/31/07 *JH*   | 1/31/2007 12:48:00 PM | Mark A. Whitaker  | 2/1/2007  |           | Disapproved |  | INSPECTION TO BE CONDUCTED BY DCRA INSPECTORS LOST ELECTRICAL POWER DID NOT COMPLETE INSPECTION |
|        |                                                                      |                       |                   |           |           |             |  | Disconnect                                                                                      |

|        |                                                                                     |                          |                   |            |            |             |  |                                                                                                          |
|--------|-------------------------------------------------------------------------------------|--------------------------|-------------------|------------|------------|-------------|--|----------------------------------------------------------------------------------------------------------|
| 172414 | TPF (Temp. Pending Final)<br>*JH*                                                   | 1/23/2007<br>9:04:00 AM  | William Davidson  | 1/24/2007  |            | Disapproved |  | switches mounted on switchboard & bonding jumper not identified in switchboard                           |
| 171877 | Re-inspection for TPF *JH*                                                          | 1/18/2007<br>11:29:00 AM | Mark A. Whitaker  | 1/19/2007  | 1/19/2007  | Disapproved |  | improper wiring method *JH*                                                                              |
| 171684 | TPF (Temp. Pending Final)<br>*JH*                                                   | 1/17/2007<br>8:35:00 AM  | Michael Pearson   | 1/18/2007  | 1/18/2007  | Disapproved |  | contractor will call back to re-schedule *JH8                                                            |
| 171287 | A/S (Flush) No heads.                                                               | 1/11/2007<br>10:51:00 AM | Mark Nutter       | 1/17/2007  | 1/17/2007  | Approved    |  | (J.W.)                                                                                                   |
| 171281 | Other (see remarks) water meter and pressure test in the garage *JH*                | 1/11/2007<br>10:39:00 AM | Marshall Staunton | 1/12/2007  | 1/13/2007  | Approved    |  |                                                                                                          |
| 170924 | Other (see remarks) THIRD PARTY INSPECTION FOR ELECTRICAL BY REQUESTED 1/13/06. JLD | 1/9/2007<br>10:32:00 AM  | CECA              | 1/9/2007   |            | Pending     |  |                                                                                                          |
| 169424 | Other (see remarks) FIRS SERV.                                                      | 12/18/2006<br>2:49:00 PM | Neil Letren       | 12/20/2006 | 12/21/2006 | Approved    |  |                                                                                                          |
| 168742 | Other (see remarks) HYDRO. BC                                                       | 12/12/2006<br>9:15:00 AM | Neil Letren       | 12/13/2006 | 12/13/2006 | Disapproved |  | need fire *JH*                                                                                           |
| 168741 | Other (see remarks) HYDRO. BC                                                       | 12/12/2006<br>9:09:00 AM | Marshall Staunton | 12/13/2006 | 12/13/2006 | Approved    |  | (BCW)                                                                                                    |
| 164498 | Other (see remarks) SEWER. BC.                                                      | 11/8/2006<br>7:40:00 AM  | Anthony Sanders   | 11/8/2006  |            | Approved    |  | 8-inch pvc sanitary sewer from public space to building, in fire pump room. (AWS) 11/08/06               |
| 163730 | Other (see remarks) Underground sewer (BCW)                                         | 11/2/2006<br>10:31:00 AM | Marshall Staunton | 11/3/2006  |            | Approved    |  | Partial groundroughin, 8-inch sanitary sewer from manhole-1 in street to property line. (AWS) 11/03/2006 |
| 157583 | TPF (Temp. Pending Final) (GG)                                                      | 9/15/2006<br>2:01:00 PM  | Mark A. Whitaker  | 9/19/2006  | 9/19/2006  | Disapproved |  | improper wiring method no blue prints on site. *JH*                                                      |
|        | TPF (Temp. Pending Final)<br>Address:P2 Floor.                                      |                          |                   |            |            |             |  | TPF. Actual Inspection Dated 01/17/06;                                                                   |

|        |                                                                                        |                        |                  |            |            |             |  |                                                                                                                |
|--------|----------------------------------------------------------------------------------------|------------------------|------------------|------------|------------|-------------|--|----------------------------------------------------------------------------------------------------------------|
| 157564 | Third Party Inspection for Electrical requested 01/17/2006. (CHerndon)                 | 9/15/2006 12:53:00 PM  | CECA             | 9/15/2006  |            | Third Party |  | Approval Date 01/17/06; Approval Sticker #E11138. (CHerndon)                                                   |
| 130873 | Other (see remarks) THIRD PARTY ELECTRICAL INSPECTION WITH (CECA REQUESTED 1/13/06) JE | 2/26/2006 3:19:00 PM   | Third Party      | 3/3/2006   |            | Pending     |  |                                                                                                                |
| 126000 | TPF (Temp. Pending Final) *JH*                                                         | 1/12/2006 2:18:00 PM   | William Davidson | 1/18/2006  | 1/18/2006  | Disapproved |  | inspection went third party. *JH*                                                                              |
| 117149 | Illegal Construction DOING DEMOLITION WORK WITHOUT PERMITS. TJ                         | 10/13/2005 12:46:00 PM | Eric Cox         | 10/24/2005 | 10/24/2005 | Approved    |  | PERMITS POSTED ON SITE, COMMUNITY HAS SCHEDULED A MEETING WITH THE CONTRACTOR ON 10/27/05 TO RESOLVE ISSUE. TJ |
| 42476  | Raze Raze (BCW)                                                                        | 10/3/2003 2:23:00 PM   | Eric Cox         | 10/9/2003  | 10/9/2003  | Disapproved |  | Utilities not disconnected                                                                                     |

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