Government of the District of Columbia

OFFICE OF THE CORPORATION COUNSEL
JUDICIARY SQUARE
441 FOURTH ST., N.W.
WASHINGTON, D. C. 20001

IN REPLY REFER TO:

BY HAND-DELIVERY

April 17, 2003

RECEIVED
D.C. BOARD OF ZONING
2003 APR 17 AM 9:51

Jerrily R. Kress, FAIA
Director
D.C. Board of Zoning Adjustment
441 4th Street, N.W., Suite 210-S
Washington, DC 20001

Re: BZA Appeal No. 16998

Dear Ms. Kress:

On behalf of the District of Columbia Department of Consumer and Regulatory Affairs ("DCRA"), I am supplementing the record in the above-referenced case with the attached copies of the following documents from DCRA's files: (1) Permit No. B425438 (with attachments), (2) 1/15/03 letter from Councilmember Orange to Director Clark, (3) 1/31/03 letter from Director Clark to Councilmember Orange, (4) 2/7/03 letter from Mr. Temple to Director Clark, (5) 2/21/03 letter from Mr. McCarley to Mr. Temple, (6) 2/21/03 letter from Acting Administrator Noble to Mr. Temple, (7) 2/26/03 letter from Councilmember Orange to Director Clark, and (8) Permit No. B448325 (with attachments). Enclosed are 20 additional copies of this letter and attachments.

Very truly yours,

ARABELLA W. TEAL
Interim Corporation Counsel

By: B. Rushkoff
Bennett Rushkoff
Senior Counsel

Attachments and enclosures

cc. Donald M. Temple, Esq. (by fax to 202-628-1149)
Whayne S. Quin, Esq. (by fax to 202-955-5564)
Regina James, Chair, ANC 5 B (by first-class mail)
Alan Bergstein (by hand-delivery)

BZA
Case No. 16998
Exhibit No. 19

Board of Zoning Adjustment
District of Columbia
CASE NO. 16998
EXHIBIT NO. 19

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Form BLRA-14
(Rev. 4/96)

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION

PERMIT NO. B425438

LOT SQUARE PARCEL 154/81

BUILDING PERMIT/ALTER & REPAIR

OWNER: BANNUM CENTER
ADDRESS: 2210 ADAMS PLACE N.E.
PHONE:
CONTRACTOR:
ADDRESS:

12/12/02

PERMIT FEE
$5,385.00

CHANGE TENANT WAREHOUSE SPACE TO ISC BUSINESS COMMUNITY CORRECTIONS CENTER. CURRENT FOR EIS. SEPARATE ELEC., PLUMB & MECH INSTALLATION PERMITS ARE REQUIRED. THIS PERMIT DOES NOT AUTHORIZE CROSSING PUBLIC SIDEWALK WITH TRUCKS. PRIVATE PROPERTY ONLY.
ZONE: CH2 1 STORY
OWNER'S ADDRESS: SAME

Store# 0001 D. GOVERNMENT
Reg# QTR/MERA CASHIER OFFICE
Receipt # 287194 Amount $$5,385.00 12/12/02 at 04:10 CLK# 10
ER2001215 BUILD, STRUCTURE & EQUI

COMMUNITY CORRECTION CENTER

to perform the work described herein at the address shown above under the conditions stated on BOTH sides of this permit. Authorized work and conditions of performance thereof.

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

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
FOR INSPECTIONS CALL 727-7519

D CLARK
DIRECTOR

Chief, Permit Issuance Branch

By
Permit Clerk

442-4641

OFFICE COPY

PERMIT

Department of Consumer and Regulatory Affairs
Building and Land Reg ion Administration - Permit Service C
94 .. Capitol St. N.E. Rm 2300
Washington D.C. 20002
Tel. 202-442-9469 Fax. 202-442-4867

D.C. TREASURER
036-C

Building Permit Application Filing Fee Receipt DATE 09-Oct-02

File Job No:			Address of Project:	2210 Adans Pl. NE	
[ ] Historic	[ ] Fine Arts	[ ] BZA	[ ] Other	Lot: **154/81** Square:	**0**
Contact Person:	C. Harrison			Tel. No.	
Contact Address:				**Filing Fee**	
Assigned By:	Leon Paul / Bill Schoon				
Pay to D.C. Treasurer			Credit BLRA Acct #3012	**$ 125.00**	

D.C. GOVERNMENT
OTR/DCRA CASHIERS OFFICE
941 N. CAPITOL STREET NE
WASHINGTON, DC 20002
202-727-1000

Store # 0001 Receipt # 284048
Reg. # 5 10/09/02 at 12:27
Cash In Clk# 6 Sale Clk# 6

BB2300121 OTHER BUS. LIC. PERMITS
0 1 @ $ 125.00 $ 125.00

Sub-Total $ 125.00
Tax $ 0.00
Total Sale $ 125.00

Check Amount $ 125.00
Change Due $ 0.00
ACCT. # 063100277001263252422
CHECK # 062725

THANK YOU AND HAVE A NICE DAY

5540
121

E NUMBERS		ZONING DISTRICT	FILE NU R	PERMIT NUMBER	
P.A.D.C. No.:	S.O.G. No.:				By:
H.P.A. No.:	S.L. No.:	Ward No.: C – M – 2	Receipt No.:	Date:	Receipt No.:

★ ★ ★ GOVERNMENT OF THE DISTRICT OF COLUMBIA

BLRA-33 (Rev. 10/91)

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION; PERMIT PROCESSING DIVISION (727-7050)

APPLICATION FOR CONSTRUCTION PERMITS ON PRIVATE PROPERTY

(PRINT IN INK OR TYPE; DO NOT WRITE IN SHADED AREAS OR ON PAGE 4)

CLEARANCE TO FILE
By: Date:

ERASING, CROSSING OUT, WHITING OUT, OR OTHERWISE ALTERING ANY ENTERED INFORMATION WILL VOID THIS APPLICATION

(A) ALL APPLICANTS MUST COMPLETE ITEMS 1 THRU 27

1. Address of Proposed Work:	Suite No.:	2. ~~Lot~~ PARCEL ~~Square~~:	4. Application Date:
2210 Adams Place, NE		154/81	10-9-02

5. Owner of Building or Property:	6. Address: *(include Zip)*	7. Phone:
BANNUM CENTER	2210 Adams Place, NE	Work: Home:

8. Agent for Owner: *(if applicable)*	9. Address: *(include Zip)*	10. Phone:
151 CATHERINE HARRISON	10616 Brookes Reserve Rd Upper Marlboro, MD 20772	Work: 301 627-8718 Home:

11. Type of Proposed Work *(check all applicable boxes):*

- ☐ New Building
- ☐ Addition
- ☑ Alteration and Repair
- ☐ Raze Building
- ☐ Retaining Wall
- ☐ Fence
- ☐ Shed
- ☐ Awning
- ☐ Garage
- ☐ Sign
- ☐ Other *(Specify)* _____

12. Description of Proposed Work:

change tenant warehouse space to 150 bed. Community corrections center.

13. Existing Use(s) of Building or Property:	14. Ex. No. of Stories of Bldg.:	15. Ex. No. of Dwelling Units:	**Official Use Only** Miscellaneous FEE: $
warehouse	1	0	By: Date:
16. Proposed Use(s) of Building or Property:	**17. Prop. No. of Stories of Bldg.:**	**18. Prop. No. of Dwelling Units:**	
Community Correction Center	1	150 beds	

19. Starting Date of Work:	20. Completion Date of Work:	21. Method of Removing Construction Debris:	22. Does the proposed work involve **disturbing the earth** or razing a building?
ASAP		☑ Pick-up Truck ☐ Dumpster ☐ Other *(specify)*:	☐ Yes, answer q. 23 ☑ No, SKIP q. 23-27

23. Is the area of disturbed earth more than 50 sq. ft.?	24. Soil Eros on Control Methods:	25. Area of Offsite Drainage:	26. No. of Footings or Columns:	27. Size of Footings of Columns:
☐ Yes, answer q. 24-25 ☐ No, SKIP q. 24-25		sq. ft.		sq. ft.

ALWAYS SIGN THE APPLICATION ON PAGE 3 (SECTION I).

Complete Section B if the proposed work is **new building, addition or alteration.** (Page 2)
Complete Section C if the proposed work is **razing a building.** (Page 2)
Complete Section D if the proposed work is a **retaining wall.** (Page 2)
Complete Section E if the proposed work is a **fence.** (Page 3)
Complete Section F if the proposed work is a **shed/garage.** (Page 3)
Complete Section G if the proposed work is an **awning.** (Page 3)
Complete Section H if the proposed work is a **sign.** (Page 3)

2-0307 wd-375

OFFICIAL USE ONLY

	R	P	H	A
M				
P				
S				

036-C

W: ☐ Yes ☐ No
PLANS:
☐ No
☐ Sm ☐ Lg

(B) NEW BUILDING, [illegible]DITION, & ALTERATION (COMPLET[illegible]EMS 28 THRU 60)

28. Architect's Name:	29. Lic. No.:	30. Architect's Address: *(include Zip)*	31. Phone:
NOA ARCH. PLAN. INT.	5373	7925 Glenbrook Rd Suite 9C Bethesda MD 20814	301 951-7933
32. Engineer's Name:	**33. Lic. No.:**	**34. Engineer's Address:** *(include Zip)*	**35. Phone:**
META ENGINEERS	8750	1515 WILSON BLVD STE 710 ARLINGTON, VA 22209	703 524-1188
36. Building Contractor's Name:	**36A. Lic. No.:**	**37. Contractor's Address:**	**38. Phone:**

39. Type of Construction	40. Fire Suppression:	41. Booster Pump:	42. Total Lot Area:	43. Breakdown of Lot Area (= 100%):
☐ Masonry ☐ Steel ☐ Wood ☐ Other: ☐ Concrete	☑ Fully Sprinklered ☐ Standpipe System ☐ Partially Sprinklered ☐ None ☐ Other:	☐ New ☐ Existing ☑ None	44,447 sq. ft.	a. Building: % b. Paved Area: % c. Greenery: %

44. Present Gross Floor Area of Bldg.:	45. Proposed Gross Floor Area of Bldg:	46. Floors involved in this permit:	47. **Projection beyond building line?**
12353 sq. ft.	12184 sq. ft.	☑ All ☐ Floors	☐ Yes, answer **q. 48-52** ☑ No, SKIP **q. 48-52**

48. Number and type of **projection:**	49. Distance of **projection:**	50. Width of **projection:**	51. Width of building frontage: ft. 52. Signature of Owner **(projection only):**

53. Water or Sewer Excavation?	54. Driveway Construction?	55. Sheeting/Shoring Necessary?	56. Elevators involved?	57. No. and type of elev.:	58. Plans Certified by Engineer?
☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes, answer **q. 57** ☑ No, SKIP **q. 57**		☐ Yes, cert. is attached ☐ No

59. Estimated Cost of Work:
(a) New/Add.: $ ~~274,000~~ CV
(b) Alt/Rep: $ ~~125,000~~
Total: $ ~~125,000~~ ~~274,000~~

60. Volume of New Bldg./Addition: ~~274,000~~ cubic ft.

OFFICIAL USE ONLY

Alter/Repair FEE	New Const. FEE	Filing Fee	TOTAL PERMIT FEE
$ 5510 ~~00~~	$	$ 125 00	$ 5385 ~~00~~
By: [illegible] Date: 12/12/02	By: Date:	By: [illegible] Date: 12/12/02	By: [illegible] Date: 12/12/02

(C) RAZING A BUILDING (COMPLETE ITEMS 61 THRU 83)

61. Raze Contractor's Name:	62. Contractor's Address: *(include Zip)*	63. Phone:

64. Insurance Company:	65. Policy or Certif. No.:	66. Expir. Date:	67. Raze Method:

68. Building Material:	69. Raze Entire Building?	70. Building Condemned?	70A. Building Vacant?	71. Public Space Vault?	72. Disconnect Water and/or Sewer?	73. Size of Water Connection:
	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	in.

74. Plumber's Name:	75. Lic. No.	76. Length: ft.	77. Width: ft.	78. Height: ft.	79. Volume: cu. ft.	80. Party Wall?
						☐ Yes ☐ No

81. Asbestos in the Building?	82. Raze Contractor Signature:	OFFICIAL USE ONLY		
☐ No ☐ Yes, Location		FEE	By:	Date:
	83. Owner's Signature:	$		

(D) RETAINING WALL (COMPLETE ITEMS 84 THRU 93)

The retaining wall will not obstruct any accessible parking required by D.C. Zoning Regulations.

84. Cost of Work:	85. Material:	86. Height: ft.	87. Color:	88. Location:
$				☐ Entirely on Owner's Land ☐ Party Line with Adjacent Neighboring Land*

* If party wall, the owner of the adjoining property must agree to the erection of the retaining wall and this application.

89. Signature of Adjoining Owner:	90. Phone: Work Home	OFFICIAL USE ONLY		
		FEE	By:	Date:
91. Address of Adjoining Owner:	92. Lot:	93. Square:		

No. B 168565

BLRA 17
(Rev. 11/91)

District of Columbia Government
Department of Consumer and Regulatory Affairs
Building and Land Regulation Administration Zoning Division
P.O. BOX 37200 — Washington, D.C. 20013-7200

CERTIFICATE OF OCCUPANCY

May 24, 1994
(date)

Permission is hereby granted to PORT DIXIE IMPORTS CORPORATION
to use suite(s) _____ on the FIRST floor(s)
of the building located on lot(s) 23 square PAR 154
known as premises 2210 Adams Place, N.E. for the following
purpose(s) Storage/Warehouse
Not sexually oriented [SU]

BZA #: _____ EXPIRATION DATE: _____

THIS CERTIFICATE SHALL BE POSTED CONSPICUOUSLY ON THE ABOVE PREMISES AT ALL TIMES. IT IS VALID INDEFINITELY, unless an expiration date is stated, ONLY for the premises, 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

ZONE C-M-2 FEE $ 29.24

Aubrey H. Edwards, Director

By _____
Designee

OFFICE COPY

C-76742

BURAU

CONTRACT AGREEMENT

Name of Contractor (Owner) BAUNUM INC Contractor's License No.

Address of Contractor (Owner) 2165 SUNNYDALE BLVD SUITE C Date: 11-18-02
CLEARWATER, FL. 33765

ADDRESS OF PROPOSED WORK
2210 ADAMS PLACE, N.E.

LOT

SQUARE

OWNER OF BUILDING OR BUSINESS
2165 SUNNYDALE BLVD SUITE C
CLEARWATER, FL. 33765

PHONE No
727 588 2594

DESCRIPTION OF PROPOSED WORK
RENOVATE BUILDING TO ACCOMODATE RESIDENTIAL PROGRAM

COST ESTIMATE

CONSTRUCTION e.g drywall, ceilings, framing, carpentry etc	$ 90,000	
ELECTRICAL	$ 50,000	
MECHANICAL	$ 30,000	
PLUMBING	$ 80,000	
FIRE PROTECTION e.g sprinkler system, fire alarm system, generator etc	$ 20,000	
DEMOLITION	$ 4,000	
MISC/OTHER (please specify)	$	
TOTAL	$ 274,000	

The labor and material costs of counter tops, kitchen cabinets, floor coverings, tile work, caulking, patching and plaster repair, painting other than fire retardant paint, gutters and downspouts, not more than 160 square feet of gypsum board shall not be included in the cost estimate for permitting purposes. The entire list can be seen in the 1999 D.C Building Supplement Chapter 1 Section 107.3.

The foregoing terms, specifications and conditions are satisfactory and hereby agreed to. You are authorized to work as specified and payment will be made in the amounts as outlined. Upon signing this agreement, the owner represents and warrants that he or she is the owner or the authorized agent of the owner of the aforesaid premises and that he or she has read this agreement.

CONTRACTOR _____ Date _____
Signature & print

OWNER OF BUILDING/BUSINESS _____ DAVID A. LOWRY Date 11-18-02
Signature & print

Upon signing this document, the owner and contractor declare that the cost of construction as specified above for the referenced project is true and correct to the best of their knowledge.

Please fill out this agreement form in accordance with D.C Construction Code Supplement 1999, Chapter 1 Section 112.1

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

PREOCCUPANCY DATA SHEET

Any use on private property which is not single family building is required to have a Certificate of Occupancy. Construction which triggers a Certificate of Occupancy is required to have this Preoccupancy Data Sheet at the time of Final Inspection. This form is the "permission slip" form the Zoning Administrator which will allow you to proceed with your construction project, and will allow you to process an application for Certificate of Occupancy at the conclusion of all final building inspections by the District of Columbia.

It is a good idea to post a copy of this form with the building permit. Please note that the intended use(s) of your property and the floor designations and square footage are listed on form, and are not listed on the construction permit. This information is necessary for each inspector to see upon final inspection since it tells the inspector important information that is required to enable your final inspection, and will avoid having to call the inspector back to reinspect for your intended use(s).

Show this form to all your inspectors as you receive your final inspections. When you return to process your Certificate of Occupancy, you will need to supply a copy of the Building Permit, a copy of this Preoccupancy Data Sheet, all approved final stickers from all inspectors, and any other paperwork given to you by the inspectors.

NOTE: In all cases, the minimum inspections are Plumbing, Electrical, and Construction. If your building is not a single family house or two family flat (2 unit apartment building), a Fire inspection must be made at the end of the construction activity. Also, if the "Zoning Inspection Required" box is checked, you must also have a zoning inspection of your property prior to Certificate of Occupancy issue. To schedule inspectors, see the numbers below.

1. ADDRESS OF PROPOSED PREMISES	2. LOT	3. SQUARE	4. APPLICATION DATE
2210 Adams Place, N.E.	Parcel 154/81		10/9/02

5. OWNER OF BUILDING OR BUSINESS	6. ADDRESS OF OWNER	7. PHONE NUMBERS
Bannum Center	2210 Adams Pl. NE Washington, D.C.	WORK: CELL FAX

8. AGENT OF OWNER	9. ADDRESS OF AGENT	10. PHONE NUMBERS
Catherine Harrison	10616 Brookes Reserve Rd. Upper Marlboro Md 20772	WORK: 301-627-8718 CELL FAX

11. EXISTING USE OF PREMISES	12. USE DIST.	13 BZA OR PUD CASE NO.
Clp # B168565 Issued 5/24/94 Storage / Warehouse - First Floor	C-M-2	N/A

14. PROPOSED USE(S) OF PREMISES WHICH REQUIRES A CERTIFICATE OF OCCUPANCY:

	USE	OCCUPANCY LOAD	FLOOR	SQ FEET	APPROVAL DATE	BY
A	Temporary Correctional	150 ~~Beds~~	1st floor	12,184#		
B	Institution					
C						
D						
E						

15. ☐ BUILDING PLANS ☒ TENANT LAYOUT
☐ ZONING INSPECTION REQUIRED

16. COMMENTS 36-C
17. JOB # FY2003

File for Certificate of Occupancy after all inspections are approved

Centralized Scheduling of Inspections: Zoning, Elevator And Boiler Inspections: 202-442-9557; Plumbing: 202-442-4642; Electrical: 202-442-4643; Fire: 202-442-4698; Construction: 202-442-4641

18. EXAMINER'S SIGNATURE Gladys Hicks DATE 11/16/02

DEPARTMENT OF CONSUMER & REGULATORY AFFAIRS
Building and Land Regulation Administration
941 North Capitol Street NE, Suite 2000
Washington DC 20002

ENVIRONMENTAL INTAKE FORM

Project Name:	Project Address: ~~Lot:~~ ~~Square:~~
Bannum Center	2210 Adams Pl. NE PARCEL 154/81
Filed Job Application # (if applicable):	**Project Description:**

Owner: Bannum Center Date: 10-9-02

Owner's address and phone #: ~~2665~~ Sunnydale Blvd, Ste C Clearwater, FL 336

Authorized agent: Catherine Harrison

Address and Phone # of authorized agent: 10616 Brookes Reserve Rd Upper Marlboro, MI 207

Scope of the Project	Yes	No	Instructions
1. Does the owner of this site own adjacent or abutting property?		✓	If yes, submit a site plan to EIS Coordinator, DCRA. If no plan exists, submit written explanation to EIS Coordinator, DCRA.
2. Does the owner of this site plan to acquire property that is adjacent to or abutting this site within the next three years?		✓	If yes, submit a site plan to EIS Coordinator, DCRA. If no plan exists, submit written explanation to EIS Coordinator, DCRA.
3. Is additional activity planned by the applicant for this site or any site within the same square during the next three years that requires a permit?		✓	If yes, submit a site plan to EIS Coordinator, DCRA. If no plan exists, submit written explanation to EIS Coordinator, DCRA.
4. Is this a residential project within the R-1 through R-5-A zoning districts?		✓	If yes, skip to signature line.
5. Is this project a single-family residence that is not in conjunction with the building of two or more units?		✓	If yes, skip to signature line.
6. Is this project an accessory structure such as a garage, patio, swimming pool or fence?		✓	If yes, skip to signature line.
7. Is the project solely an interior renovation with no change in the use or capacity of the structure being renovated?			If yes, skip to signature line.
8. Is the project located in an Economic Development Zone, as defined in DC Code 5-1401 et seq (DC Law 7-177)?			If yes, skip to signature line.
9. Is the project located within the Central Employment Area as defined in DC Zoning Regulations? (Title 11DCMR)			If yes, skip to signature line.
10. Does the project involve only the operation, repair, maintenance, or minor alteration of public structures, facilities, mechanical equipment, or topographical features and involve negligible or no expansion of use beyond that previously existing?			If yes, skip to signature line.
11. Has an Environmental Impact Statement (EIS) been prepared pursuant to the National Environmental Policy Act of 1969 (NEPA), or a determination made that no EIS is needed, or has the functional equivalent of an EIS been prepared?			If yes, submit documentation to EIS Coordinator, DCRA.

-OVER-

Scope of the Project	Yes	No	Instructions
12. Is an exemption claimed from the requirement to submit an Environmental Impact Screening Form pursuant to Title 20, Sec. 7202 that is not referred to in this form? If yes, describe the exemption and cite the relevant section of the regulations on an attachment.			If yes, describe on an attachment and submit to EIS Coordinator, DCRA.
13. Does the total cost of the project exceed $1.42 million, including site preparation and construction?			If yes, and no exemption claimed, Environmental Impact Screening Form (EISF) required. If no, indicate actual project cost
14. Is the cost of this project $1.42 million or less? If yes, please answer all of the following questions:			If yes, complete A through G.
A. Does the project site contain any species of plant or animal that is identified as threatened or endangered?			If yes, EISF required.
B. Are any streams, lakes, ponds, springs or wetlands within 100 feet of the project site?			If yes, EISF required.
C. Will the project result in an emission of odorous or other air pollutants from any source, including VOCs?			If yes, EISF required.
D. Will this action involve the use, production or disposal of hazardous substances as defined in 20 DCMR 7299?			If yes, EISF required.
E. Will construction be on land where the depth to the water table is less than 3 feet?			If yes, EISF required.
F. Will blasting occur as part of the project?			If yes, EISF required.
G. Will the project generate medical, infectious, radioactive or hazardous waste?			If yes, EISF required.

I certify that all of the statements on this application are true and complete to the best of my knowledge and belief. I agree to comply with all applicable laws and regulations of the District of Columbia. The making of false statements on this application is punishable by criminal penalties. (DC Code Sec. 22-2514)

Catherine Harnum 1st — 10-9-02

Signature of Owner/Authorized Agent — **Date**

OFFICIAL USE ONLY

Environmental Impact Screening Form required: Yes _____ No _____ Referred to EIS Coordinator _____

DCRA Reviewer _____ Date _____

If yes, submit to EIS Coordinator
Department of Consumer and Regulatory Affairs
Building and Land Regulation Administration

Comments _____

_____

NOTE: APPROVAL OF A BUILDING PERMIT IS NOT SYNONYMOUS WITH APPROVAL OF AN ACTION OR ENTIRE PROJECT UNDER THE ENVIRONMENTAL POLICY ACT OF 1989. IF THE APPLICANT BUILDS ON THE SAME, ADJACENT OR ABUTTING PROPERTY OR EXPANDS UPON THE WORK DESCRIBED IN THE INSTANT APPLICATION OR PLANS AND SPECIFICATIONS WITHIN THREE YEARS, AN ENVIRONMENTAL IMPACT SCREENING FORM MAY BE REQUIRED FOR THE ENTIRE PROJECT, INCLUDING THE PORTION ENCOMPASSED BY THIS APPLICATION AND PERMIT APPROVAL. FURTHER, IF THE ACTION IS IN VIOLATION OF ANY FEDERAL OR DISTRICT LAWS PERTAINING TO THE ENVIRONMENT, AN EISF CAN BE REQUIRED.

TO REPORT WASTE, FRAUD, OR ABUSE BY ANY DC GOVERNMENT OFFICE OR OFFICIAL, CALL THE INSPECTOR GENERAL ON 1- 800- 521-1639

DEPARTMENT OF HEALTH
NVIRONMENTAL HEALTH ADMINIS ATION

LEAD HAZARD CONTROL PERMIT QUESTIONNAIRE AND EXEMPTION FORM

Project Address: 2210 Adams Place, N.E

Name of Owner(s): Barrum, Inc Name of Contractor: _____

Phone Number: _____ Square #: PARCEL 154/81 Lot #: _____ Ward #: _____

Project Start Date: ASAP Project End Date: _____

Building Type: Commercial - Government -

Office	☐	Federal	☐
Mixed Use (Explain)	Comm. correction center	District	☐
Residential -		Institutional -	
Multi-family	☐	Hospital	☐
Single-Family	☐	Museum	☐
Elderly or handicapped	☐	School/Child Development	☐

1. **Is the project planned in response to a child being identified as lead poisoned? YES ☐ NO ☑**

2. **Is the project designed to eliminate or reduce lead-based paint hazards in a pre-1978 building or structure? YES ☐ NO ☑**

If you answer "YES', contact the Lead Division at 51 N Street, N.E., 3rd Floor (202) 535-2637 for a lead-based paint control permit application and notification form, unless an exemption listed below applies. **If you answer "NO"**, a permit is not required, but you are required to answer the following questions

SCOPE OF PROJECT	YES	NO	COMMENTS
1. Is the project disturbing deteriorated lead based paint on surfaces totaling more than 2 square feet per room, or 20 square feet on exterior surfaces, or 10% of a building component with a small surface (such as a small painted window frame) involving the following:			
A. Removal and replacement of lead-based paint components, e.g. windows, doors and baseboards?	✓		
B. Onsite stripping and removal of lead-based paint?		✓	
C. Partial demolition or gutting of building?		✓	
2. Does the project involve the removal and covering of lead-contaminated soil?		✓	

EXEMPTIONS

Please indicate the applicable exemption from the following list:

- ☐ Individuals who perform lead-based paint activities at residences which they own, unless the residence is occupied by a person or persons other than the owner or the owner's immediate family; unless any child under the age of 8 years resides, is expected to reside in, or regularly visits such housing.
- ☐ Housing for the elderly or persons with disabilities; unless any child under the age of 8 years resides, is expected to reside in, or regularly visits such housing.
- ☐ Any (0)-bedroom unit, such as an efficiency apartment.

AFFIDAVIT

I declare that the information provided is accurate, true and complete to the best of my knowledge and belief, and/or I have the authority to represent the owner of the property to answer this application and sign on behalf of the company and/or persons listed as owners. I understand that if such information contained in this application false, I am subject to the penalty provisions of D.C. Law 11-221. Any fraud or misrepresentation on an application shall be grounds for automatic rejection and/or civil administrative penalties. I understand that failure to provide full disclosure of any of the requested or required information may result in rejection of this application for approval.

Catherine Harrison
SIGNATURE

10-9-02
DATE

CATHERINE HARRISON
PRINT NAME

For Official Government Use Only

PERMIT REQUIRED YES ☐ NO ☐ Reviewed By: _____ Date _____

/IRONMENTAL HEALTH ADMINISTRA)N

CONSTRUCTION PERMIT AP: .CATION – SUPPLEMENTAL FORM – ENVIRONMENTAL QUESTIONNAIRE

PROJECT ADDRESS: 2210 Adams Place, NE ~~LOT:~~ PARCEL 154/84 SQUARE: _____

PROJECT DESCRIPTION:

Community corrections center

Note: please answer all 12 questions in this questionnaire, by checking either column "Yes" or "No" for each question. If you answer "Yes" to any of the questions, you should contact the corresponding office(s) indicated in column 'contact person/office' as soon as possible. Until this application is reviewed and approved by the concerned office(s), the permit will not be issued.

SCOPE OF PROJECT	YES	NO	CONTACT PERSON/OFFICE	OFFICE USE (Initial/Date)
1. Will the proposed use involve the construction of a facility for the handling, transfer, storage, disposal or treatment of solid waste, medical waste, or recyclable materials?		✓	(202) 535-2289, EIS Coordinator, EHA	
2. Will the work to be performed involve the assessment or clean-up of soils associated with the release of materials from an underground storage tank (UST)?		✓	(202) 535-2525, Underground Storage Tank Division, EHA (202) 535-2250, Air Quality Division, EHA	
3. Will the work to be performed involve the assessment or clean-up of groundwater associated with the release of materials from an underground storage tank (UST)?		✓	(202) 535-2525, Underground Storage Tank Division, EHA (202) 535-2190, Water Quality Division, EHA (202) 535-2250 Air Quality Division, EHA	
4. Will the proposed project involve the installation or drilling of wells other than for the purposes stated in questions 3 and 4?		✓	(202) 535-2190, Water Quality Division, EHA	
5. Will the proposed project involve the generation, treatment, storage, disposal or transportation of chemicals or other substances which may be considered hazardous?		✓	(202) 535-2290, Hazardous Waste Division, EHA	
6. Will the proposed project involve construction that will disturb the sediment in rivers, streams or wetlands?		✓	(202) 535-2190, Water Quality Division, EHA	
7. Will the work to be performed involve the installation, removal, abandonment, or repair of an underground storage tank (UST) system?		✓	(202) 535-2525, Underground Storage Tank Division, EHA	
8. Will the proposed project result in the discharge into the air of gases, dust, or the creation of any objectionable odors?		✓	(202) 535-2250, Air Quality Division, EHA	
9. Will the proposed project involve the removal, handling, transportation, disposal, or encapsulation of asbestos? **Please bring with you a copy of your asbestos survey, ten-day notification form, and asbestos abatement permit fee		✓	(202) 535-2250, Air Quality Division, EHA	
10. Was the building built before 1978? (Lead paint may be present.)	✓		If you answer "Yes" to this question, please answer the questions and follow the instructions on the "Lead Hazard Control Questionnaire" to determine if you need a permit to conduct a Lead Abatement Project	

AFFIDAVIT

I hereby certify that I have the authority of the owner of the property to make this application. I declare that the answers to the above questions in this Questionnaire are complete and correct to the best of my knowledge.

Signature Catherine Harrison Name (print) CATHERINE HARRISON

Address 10616 Brookes Reserve Rd Upper Marlboro, MD 20772 Date 10-9-03 Phone 301 627-8718

OFFICE USE ONLY

COMMENTS AND PERMIT RESTRICTIONS: _____

(USE REVERSE IF NECES

EHA Form # 89-1300 – Revise

(E) FENCE (COMPLETE ITEMS 94 THRU 102)

The fence will not obstruct any accessible parking required by D.C. Zoning Regulations

94. Material and type:	95. Height: ft.	96. Color:	97. Location: ☐ Entirely on Owner's Land ☐ Party Line with Adjacent Neighboring Land *

* If party fence, the owner of the adjoining property must agree to the erection of the fence and this application.

98. Signature of Adjoining Owner:	99. Phone: Work Home	
100. Address of Adjoining Owner:	101. Lot:	102. Square:

OFFICIAL USE ONLY

FEE $	By:	Date:

(F) SHED OR GARAGE (COMPLETE ITEMS 103 THRU 113)

103. Number:	104. Length: ft.	105. Width: ft.	106. Area: sq. ft.	107. Height: ft.	108. Volume: cu. ft.	109. Estimated Cost of Work: $

110. Material of Roof:	111. Material of Sides:	112. Wall thickness:: ☐ External ( ) inches ☐ Party ( ) inches	113. Color

OFFICIAL USE ONLY

FEE $	
By:	Date:

(G) AWNING (COMPLETE ITEMS 114 THRU 123)

114. Number:	115. Color:	116. Type: ☐ Folding ☐ Fixed	117. Projections: Beyond bldg. line ____ in. Beyond pt. of attachm. ____ in.	118. Height of lowest part of awning: (a) ____ ft above sidewalk (b) ____ ft above parking (c) ____ ft above grade

119. Material of Frame:	120. Material of Covering:	121. Lettering on Awning? ☐ Yes ☐ No	122. Fixed posts? ☐ Yes ☐ No	123. Over sidewalk cafe? ☐ Yes ☐ No

OFFICIAL USE ONLY

FEE $	
By:	Date:

(H) SIGN (COMPLETE ITEMS 124 THRU 144)

124. Number:	125. Electric Signs? ☐ Yes, answer q. 126-132 ☐ No, SKIP q. 126-132	126. Type: ☐ Incandes. ☐ Fluoresc. ☐ Neon	127. Power ____ VA	128. Electrical Contractor: Lic. No.:

129. Address of Electrical Contractor *(include Zip)*	130. Signature of Licensed Electrician:	131. Phone:	132. License No.:

133. Height relative to building and ground: (a) ____ ft ____ in above sidewalk (b) ____ ft ____ in above roof (c) ____ ft ____ in is bldg height (d) ____ ft ____ in above projection or window (e) ____ ft ____ in from roof to sign's bottom	134. Material of Sign:	135. Type of Sign:	136. Color:
	137. Width: ft.	138. Length: ft.	139. Area of Sign: sq. ft.	140. Width of Business Frontage: ft.

141. C of O Number for Building:	142. Sign Contractor Lic. No.:	
143. Sign Contractor's Address:	144. Phone:	

OFFICIAL USE ONLY

Sign FEE $		Elect. FEE $		Total FEE $	
By:	Date:	By:	Date:	BY:	Date:

(I) APPLICANT'S SIGNATURE:

A. **OWNER:** I hereby certify that I am the owner of the property; that the application and plans are complete and correct to the best of my knowledge; and that if a permit (or permits) is issued, the construction will conform to the D.C. Construction Codes, the Zoning Regulations, and other applicable laws and regulations of the District of Columbia.

Signature of Owner: _____ Address: _____ Date: _____

B. **AGENT:** I hereby certify that I have the authority of the owner to make this application. I declare that the application and plans are complete and correct to the best of my knowledge. The owner has assured me that if a permit (or permits) is issued, the construction will conform to the D.C. Construction Codes, the Zoning Regulations, and other applicable laws and regulations of the District of Columbia.

Signature of Agent: Catherine Harrison Address: 10616 Brookes Reserve Upper Marlboro, MD 20772 Date: 10-9-02

(J) APPROVAL — DO NOT WRITE ON THIS PAGE; OFFICIAL USE ONLY):

A. PERMIT CONTROL

- ☐ 1. Fine Arts by: _____ Date: _____
- ☐ 2. Historic by: _____ Date: _____
- ☐ 3. PADC by: _____ Date: _____
- ☐ 4. Cap. Gateway by: _____ Date: _____
- ☐ 5. W.H./ Obs. Precinct by: _____ Date: _____
- ☐ 6. Flood Control by: _____ Date: _____
- ☐ 7. WMATA by: _____ Date: _____
- ☐ 8. Condem. by: _____ Date: _____
- ☐ 9. RLA by: _____ Date: _____
- ☐ 10. Rental Accom. by: _____ Date: _____
- ☐ 11. Chinatown Distr. by: _____ Date: _____
- ☐ 12. Utility Clearance by: _____ Date: _____
- ☐ 13. General Liability Ins. Policy Clearance by: _____ Date: _____

B. CLEARANCE TO FILE PLANS

- ☐ 1. Zoning by: _____ Date: _____
- ☐ 2. DPW — Permit and Records Division
  Access to Parking Street ☐ Street ☐ Alley
  Cleared by: _____ Date: _____
- ☐ 3. DPW - Consumer Engineer
  Cleared by: VKE Date: 10/10/02
- ☐ 4. ERA - Erosion Control
  Cleared by: RLA Date: 10/10/02

Restrictions of the Permit:
CLEARED FOR EWA 10.9.02

SEPARATE ELECTRICAL, PLUMBING AND MECHANICAL INSTALLATION PERMITS ARE REQUIRED
Private Property Only
This permit does not authorize cutting, public sidewalk, curb, gutter

C. PLANS AND APPLICATION APPROVAL

- ☐ 1. Information Counter by: _____ Date: 10/9/02
- ☐ 2. Information Center by: _____ Date: _____
  - ☐ (a) ABC Board by: _____ Date: _____
  - ☐ (b) Noise Control by: _____ Date: _____
  - ☐ (c) Industrial Safety by: _____ Date: _____
  - ☐ (d) Vector Control by: _____ Date: _____
  - ☐ (e) D.C. Animal by: _____ Date: _____
  - ☐ (f) Police Dept. by: _____ Date: _____
- ☑ 3. Zoning by: Gladys Hicks Date: 11/16/02
  Zoning Update by: _____ Date: _____
- ☐ 4. DPW - Permit and Records Division/Deposit #
  Sidewalk Deposit $ _____ Driveway Deposit $ _____
  by: Michelle Molloy Date: 11-14-02
- ☑ 5. Water/Sewer Design Branch
  Consumer Eng. by: _____ Date: _____
- ☑ 6. Environmental Regulation Administration
  - ☐ Environmental Policy Review
    Control No.: Chris Hlaeb
    by: _____ Date: 11/26/02
  - ☑ Erosion Control by: RLA Date: 12/4/02
  - ☐ Storm Water Mgmt. by: _____ Date: _____
  - Plan No. _____
- ☑ 7. Mechanical Eng. Review by: _____ Date: 11/1/02
- ☑ 8. Plumbing Eng. Review by: _____ Date: 11/1/02
- ☑ 9. Electrical Eng. Review by: _____ Date: 11/25/02
- ☐ 10. Health Plan Review
  - ☐ (a) Food Plan Review by: _____ Date: _____
  - ☐ (b) Medical X-ray Plan Rev. by: _____ Date: _____
- ☑ 11. D.C. Fire Dept. (Fire Prevention Plan Review Section) by: _____ Date: 11/25/02
- ☐ 12. Elevator Plan Rev. Sec. by: _____ Date: _____
- ☐ 13. Plumbing Insp. Rev. by: _____ Date: _____
- ☐ 14. Construction Insp. Branch (Field Check) by: _____ Date: _____
- ☐ 15. Historic Pres. Div. by: _____ Date: _____
- ☑ 16. Structural Eng. by: _____ Date: 12/12/02
- ☐ 17. Permit and Certificate Issuance Counter By: _____ Date: _____
- ☐ 18. Q.C. By: _____ Date: 12/12/02

TO REPORT WASTE, FRAUD, OR ABUSE BY ANY D.C. GOVERNMENT OFFICE OR OFFICIAL, CALL THE D.C. INSPECTOR GENERAL AT 1-800-521-1639

ZONING

C of O Number _____ Date _____
Existing Use(s) _____
Proposed Use: Storage / Warehouse (ATM)
c/o #1685565

- ☐ New bldg.
- ☒ P.O.S.
- ☐ File in room 329

5/24/94

Job No.:	BZA Case No.:	PUD Order No.:
36-C	N/A	N/A

DPW — PUBLIC SPACE

Street Name: _____
Street Width: _____
Road Width: _____
Sidewalk Width: _____
Parking: _____
Restrictions: _____

2-0307-4 wd-375

DISTRICT OF COLUMBIA GOVE :MENT
OFFICE OF THE SURVEYOR

Washington, D.C., 12-12, 2002

Plat for Building Permit of SQ-748 154/81

Scale: 1 inch = 40 feet Recorded in Book 157 Page 34 A

Receipt No. 02-[illegible]

Furnished to: INTERIOR SOLUTIONS

Surveyor, D.C.

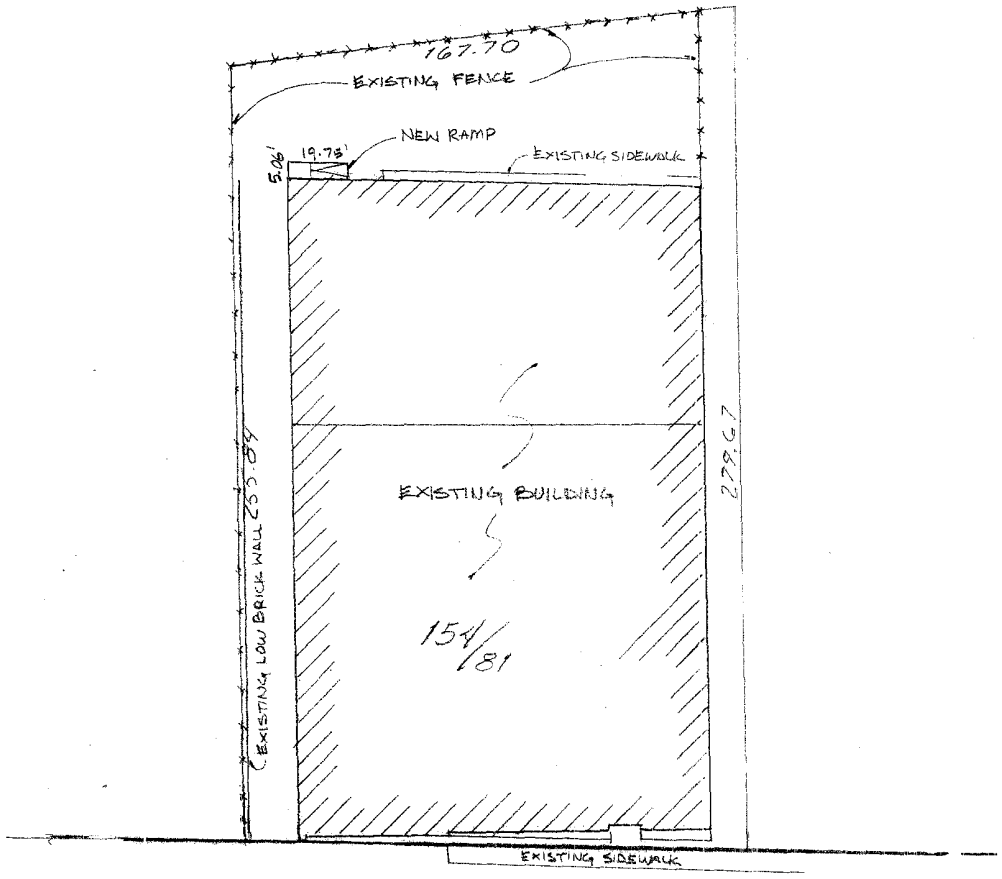
By: LH

I hereby certify that all existing improvements shown hereon, are completely dimensioned, and are correctly platted; that all proposed buildings or construction, or parts thereof, including covered porches, are correctly dimensioned and platted and agree with plans accompanying the application; that the foundation plans as shown hereon is drawn, and dimensioned accurately to the same scale as the property lines shown on this plat;and that by reason of the proposed improvements to be erected as shown hereon the size of any adjoining lot or premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified and agreed that accessible parking area where required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon. It is further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb and alley grade will not result in a rate of grade along centerline of driveway at any point on private property in excess of 20% for single-family dwellings or flats, or in excess of 12% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property.)

Date: 12-11-02

[signature]
(Signature of owner or his authorized agent) Pres/Sec

NOTE: Data shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.



ADAM PLACE

COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

January 15, 2003

Mr. David Clark, Director
Department of Consumer and
Regulatory Affairs
941 North Capitol Street, N. E., 9th Floor
Washington, D. C. 20002

Dear Mr. Clark:

I am requesting that you immediately place a stop work order for building construction taking place on 2210 Adams Place, NE to prevent the inappropriate opening of a 150 bed corrections facility for the purpose of housing 150 inmates by Bannum, Inc. The area is zoned industrial and consequently does not allow for residential use. The contract issued to Bannum by The Federal Bureau of Prisons is for 5 years. The building construction permit issued by your department is a temporary permit for three years. Additionally, Bannum has never presented its proposal to the affected Advisory Neighborhood Commission (ANC) for a vote by the entire body. The ANC is on record as opposing the facility and will participate in a community town hall meeting Tuesday evening, January 21st to oppose the facility.

I have opposed the opening of this facility since I first learned of its interest in locating in this industrial zone, and have written letters to the Federal Bureau of Prisons stating my opposition. By letter to Councilmember Sharon Ambrose, Chair of the Committee on Consumer and Regulatory Affairs, I have requested that she holds an investigatory hearing on the opening of this facility and the issuance of permits from your department.

Your immediate response to this request is necessary. My Chief of Staff, Estell Mathis-Lloyd, is assisting me in this matter. She can be reached on (202) 724-8067. Her email address is: elloyd@dccouncil.washington.dc.us.

Sincerely,

Vincent B. Orange, Sr.
Councilmember, Ward 5

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Consumer and Regulatory Affairs

Office of the Director

January 31, 2003

The Honorable Vincent B. Orange, Sr.
Ward 5 Councilmember
Council of the District of Columbia
1350 Pennsylvania Avenue NW
Washington DC 20004

Ref: 2210 Adams Street NE

Dear Councilmember Orange:

This is in response to your letter dated January 15, 2003, in which you asked that a stop work order be placed on construction taking place at the referenced address.

The intended use, a 150-bed community corrections center, is institutional. The property is located in a C-M-2 zone, which permits such a use.

The building permit that was issued for this property (#B425438) does not have a three-year expiration date. However, pursuant to DCMR 11, 801.7 (k), a..."temporary detention or correctional institution on leased property" is limited to a period of use not to exceed three years in a C-M zone, unless a special exception has been approved by the Board of Zoning Adjustment. DCRA will ensure that the certificate of occupancy for this property, when issued, specifically limits the use of this property as a correctional institution to three years, as stated in the zoning regulations.

Do not hesitate to contact me if you have additional questions.

Sincerely,

David A. Clark
Director

cc: Theresa Lewis
Denzil Noble
Robert Kelly

Temple Law Offices

1200 G Street, N.W., Suite 370
Washington, D.C. 20005

Telephone (202) 628-1101
Facsimile (202) 628-1149
E-mail: templepc@aol.com

Donald M. Temple ★ ▶

Associate
Jeanett P. Henry ★ ✧

Of Counsel
Everett Bellamy ◀
Warner Session ★

Admitted District of Columbia Bar ★
Admitted Maryland Bar ✧
Admitted Ohio Bar ◀
Admitted Pennsylvania Bar ▶

URGENT ATTENTION REQUESTED

February 7, 2003

BY HAND DELIVERY

Mr. David Clark
Director
Department of Consumer
and Regulatory Affairs
941 North Capital Street, N.E.
Washington, D.C. 2002

Dear Mr Clark:

Please be advised that I have agreed to represent the Concerned Citizens for Ward 5, Inc. This letter is written on their behalf and underscores their strenuous opposition to Bannum, Inc.'s ("Bannum") efforts to locate a Community Based Residential Facility at 2210 Adams Street, NE without seeking proper zoning approval and appropriate input from its citizens and elected leaders, thereby strategically attempting to circumvent the law. To this end, we are carefully monitoring developments and have been made aware of a January 13, 2002 letter from Councilmember Vincent Orange to you and your January 31, 2002 response. Based upon the record in this matter we urge that the views stated in your response be retracted and further, that you immediately issue a stop work order at this facility until the contractor secures zoning approval, consistent with District of Columbia law.

On or around December 13, 2002 the United States Department of Justice, Bureau of Prisons ("BOP") awarded Bannum a contract to provide a Community Correctional Center in the District of Columbia. In its bid solicitation, the contractor was required to submit "satisfactory proof" in writing that it met all zoning requirements, including documentation from "necessary local officials stating that the contract may be performed at the proposed site(s) in accordance with the current zoning and other requirement of the local jurisdiction."

In response to this requirement Bannum's law firm, Holland & Knight, transmitted a letter dated December 11, 2000 to Michael Johnson, then Acting Zoning Administrator, which stated that Bannum intended to lease the subject property for use as a "Residential Community Corrections

Center ("CCC") under a contract with the Department of Justice. (See Attachment A). It then provided a definition of the CCC that essentially describes a Community Based Residential Facility ("CBRF"). That letter correctly noted that this area is zoned as Commercial Light Manufacturing ("CM-2") and that a "[t]emporary detention or correctional institution on leased property for a period not to exceed three (3) years" was permitted in this District as a matter of right. A CBRF, however, is not a "temporary detention or correctional institution." The letter peculiarly elicited a "concurrence" from the Acting Zoning Administrator with the law firm's "interpretation of this section of the zoning regulations" which Mr. Johnson gave. The same exact concurrence was taken almost a year later when the law firm wrote to Acting Zoning Administrator Olutoye Bello. (Attachment 2). Mr. Carter has discussed this matter directly with Robert Kelly, the present Zoning Administrator, who indicated that the aforementioned two letters were not in the official file on this case and further, that there is no matter of right zoning which permits Bannum's CBCF to be located in this CM-2 zoned area.

According to Title 11 DC Municipal Regulations Section 199, a CBRF is a "residential facility for persons who have a common need for treatment, rehabilitation, assistance, or supervision in their daily living." The Regulations further state: "If an establishment is a community based residential facility as defined in this section, it shall not be deemed to constitute any other use permitted under the authority of these regulations." The Regulations then provide a list of subcategories for this type of facility: adult rehabilitation home, Community residence facility, Emergency shelter, Health care facility, Substance abusers home, Youth Rehabilitation home and a Youth Residential Care home. Unless we are mistaken, the proposed facility is an Adult Rehabilitation Home. As explained to the community it fits no other definition in the Municipal Regulations.

Herein lies the problem. Two District of Columbia Acting Zoning Administrators, for some unexplained reason, did not understand that the CCC facility Bannum proposed to locate in this CM-2 zone was actually a CBRF, *not* a "temporary detention or residential facility." Thus, the facility did not enjoy "matter of right" zoning. Perhaps their repeated concurrences can be attributed to the fact that nowhere in these letters were the terms "Community Based Residential Facility" or "halfway house"referenced. Given their role as gatekeepers of the public interests and that their actions had significant legal implications, it is quite troubling that neither of these officials sought independent legal opinions from DC Zoning Commission attorneys and/or the Office of the Corporation Counsel prior to concurring with a private law firm's statement of the issue and view of the matter. We think that the circumstances surrounding the Zoning Administrators' execution of these two concurrences should be carefully scrutinized by appropriate government officials and agencies, including yourself, because the referenced concurrences and the manner in which Bannum has approached government
approval of the CBRF at issue may violate public policies and District of Columbia law.

One can't help but wonder why BOP's contract review staff accepted DC Zoning Administrators' "concurrences" on non-government stationery in response to an inquiry which never specifically mentioned the term "CBRF" or "halfway house" as satisfactory documentation

of compliance with DC zoning laws. It appears that the Bureau of Prisons procurement staff erroneously relied on these concurrences about broad and non-specific interpretations of the District of Columbia Zoning laws in awarding this contract and also failed consider the affected community's adamant opposition to the location of the facility thus engendering maximum distrust not only of Bannum and the BOP at a time when strong community support is needed most.

If you take no action on this issue, you will effectively sanction the possible circumvention and violation of District of Columbia zoning laws. Councilmember Orange's January 13, 2002 letter requested that you "immediately place a stop work order on this building construction" to prevent an inappropriate opening of the proposed 150 bed facility. Your January 31, 2003 response was woefully inadequate and was based on the same woefully inadequate interpretation of the facts to which former Zoning Administrators Johnson and Bello concurred, to wit, that "the intended use, a 150 bed community correctional center, is institutional." "Institutional" is not the applicable legal standard. Unless retracted, for for the third time the District Government will have failed to uphold its public duty to independently assess the specific proposed use of the property at issue thereby turning a blind eye to what may be a clear violation of District of Columbia zoning laws and circumvention of public interests.

Against this backdrop, The Concerned Citizens for Ward 5, Inc. reiterate Councilmember Orange's January 13, 2003 request that you immediately issue a "stop work" order on this facility and require the contractor to secure the necessary and appropriate zoning approvals required by District of Columbia law. Further delays by the government will only complicate this matter.

Should you wish to more fully understand the volatility and sensitivity of this issue, please feel free to attend our next Community meeting on February 11, 2003. On behalf of the Concerned Citizens of Ward 5, I thank you in advance for your immediate attention.

Respectfully,

Donald M. Temple, Esq.

cc: Councilmember Vincent Orange
Councilmember Sharon Ambrose
Councilmember Linda Cropp
Councilmember Adrian Fenty
Councilmember Kevin Chavous
Councilmember Sandy Allen
Councilmember David Catana
Councilmember Phil Mendelson
Ms. Kathyleen Hawksawyer, Bureau of Prisons
Charles Maddox, D.C. Inspector General

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Consumer and Regulatory Affairs

Office of the Director

February 21, 2003

Donald Temple
1200 G Street, NW
Suite 370
Washington, DC 20005

Dear Mr. Temple:

This letter is to acknowledge receipt of your letter dated February 7, 2003 regarding 2210 Adams Street, Northeast.

This matter has been referred to Denzil Noble, Administrator of the Building and Land Regulation Administration. You may contact Mr. Noble or his assistant Robert Henry on (202) 442-4677 or by e-mailing Robert.Henry@dc.gov.

Please be advised that you should receive a response from Mr. Noble within seven (7) business days from the date of this letter. If you have not received a response by March 4, 2003, please feel free to contact me on (202) 442-8947 for further assistance.

Sincerely,

Joseph McCarley
Customer Service Advocate

Cc: Denzil Noble
IQ# 166441

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS



Building and Land Regulation Administration
Office of the Administrator

February 21, 2003

Donald Temple Esq.
Temple Law Offices
1200 G Street NW
Suite 370
Washington DC 20005

RE: 2210 Adams Street NE Zone, C-2-M

Dear Mr. Temple:

This letter is in response to your letter dated February 7, 2003, concerning the referenced address. The intended use, a 150-bed community corrections center, is institutional. The property is located in a C-M-2 zone, which permits such a use.

The building permit that was issued for this property (#B425438) does not have a three year expiration date. However, pursuant to DCMR 11, 801.7 (k), a...."temporary detention or correctional institution on leased property " is limited to a period of use not to exceed three years in a C-M zone, unless a special exception has been approved by the Board of Zoning Adjustment. DCRA will ensure that the certificate of occupancy for this property, when issued, specifically limits the use of this property as a correctional institution to three years, as stated in the zoning regulations.

In your letter you indicate that the approval of a construction permit was not consistent with the District of Columbia laws. It would assist us in providing a response if you could provide us with the sections of the codes and or laws to which you refer.

Your concerns involving previous Zoning Administrators' concurrences on non-governmental stationary have been addressed. This practice is no longer used by this office.

Should you have questions, contact me at 442-4455.

Sincerely,

Denzil Noble
Acting Administrator

Cc David Clark
Theresa Lewis
Robert W. Kelly

#166441

COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

February 26, 2003

Mr. David Clark, Director
Department of Consumer and
Regulatory Affairs
941 North Capital Street, N. E.
Washington, D.C. 20002

Dear Mr. Clark:

Thank you for your response, dated January 31, 2003, to my letter urging you to place a "stop work" order on the building construction. I am making this request becuase I have learned that the site is being developed for use as a "community based residential facility/halfway house" for approximately 150 inmates.

In your letter you mentioned that the intended use was for a 150 bed "community residential facility" which appears to be an equivalent term for a halfway house. In fact, under the the solicitation document for the Bureau of Prisons, a Community Corrections Center (CCO) is also considered a "halfway house." I attended several meetings where Ms. Kathleen Campbell, a representive of the Bureau of Prisons, Community Corrections Branch, confirmed that this is a halfway house. As a result, I think that your understanding of the intended use is incorrect.

Under applicable zoning laws, this use is not permitted in a CM-2 Zone. Based on our experience, I understand that a halfway house is not a " temporary detention or correctional institution on a leased property" as stated in DCMR 11, 801.7(K).

I have attached a copy of the Bureau of Prisons solicitation document for you to peruse. I hope that this information will give you sufficient justification to reconsider your decision. Therefore, your immediate response to this request is necessary to ensure that any use of property is consistent with our zoning laws. Please call me directly on (202) 724-8028 or my Chief of Staff, Estell Mathis-Lloyd, on (202) 724-8067.

Very truly yours,

Vincent B. Orange, Sr.
Councilmember, Ward 5

cc: Sharon Ambrose
Jim Graham
Denzil Noble
Phil Mendelson
Robert Kelly

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Form BLRA-15
(Rev. 9/30/91)

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION

BUILDING PERMIT

PERMIT NO. B448325

PERMIT

Date 1/17/03 (Type) MISC.

Address of work 2210 ADAMS PLACE N.E. Lot PARCEL 154/61 Square

Permission is hereby granted to (Owner)

RANNIM CENTER NO.

TOTAL PERMIT FEE $

FILING FEE $

DATE

FEE PAYABLE $ 25.00

whose authorized agent to perform the work described herein at the address shown above in strict accordance with the conditions stated on BOTH sides of this permit.

Authorized work and conditions of performance thereof:

FOR INSPECTIONS CALL ~~727-7562~~ 442-4641

REV. BLDG PERMIT B425438 ISSUED 1/12/02 INCL. TO READ "3 YR TEMPORARY USE". TEMPORARY 150 BED COMMUNITY CORRECTIONS CENTER ON LEASED PROPERTY FOR A PERIOD NOT TO EXCEED (3) YEARS.

Builder—

Value $ No. of Bldgs.

Width of Bldgs. Length Height No. of Stories 1

Zone CM2

To be occupied as COMMUNITY CORRECTIONS CENTER

Height of terrace above grade

Projections:

Address of owner SAME AS ABOVE

Deposit No. Amount $

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

Chief, Permit Issuance Branch

Permit Clerk

D CLARK 32301 **3 YEAR TEMPORARY USE**

DIRECTOR

1/21/03 001 CASHIER 1 BUILD STRUCTURE FEE $25.00

PRE-FILE NUMBERS		ZONING DISTRICT	FILE NUMBER	PERMIT NUMBER	
A.D.C. No.:	O.G. No.:	CM-2			By:
P.A. No.:	S.L. No.:	Ward No.:	Receipt No.:	Date:	Receipt No.:

★ ★ ★ GOVERNMENT OF THE DISTRICT OF COLUMBIA

DCRA-99 (Rev. 10/97)

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION: PERMIT PROCESSING DIVISION (727-7050)

APPLICATION FOR CONSTRUCTION PERMITS ON PRIVATE PROPERTY

(PRINT IN INK OR TYPE; DO NOT WRITE IN SHADED AREAS OR ON PAGE 4)

CLEARANCE TO FILE
By: Date:

ERASING, CROSSING OUT, WHITING OUT, OR OTHERWISE ALTERING ANY ENTERED INFORMATION WILL VOID THIS APPLICATION

(A) ALL APPLICANTS MUST COMPLETE ITEMS 1 THRU 27

1. Address of Proposed Work:	Suite No.:	2. ~~Lot~~ Parcel	3. Square:	4. Application Date:
2210 Adams Place NE		154/81		1-8-03

5. Owner of Building or Property:	6. Address: *(include Zip)*	7. Phone:
Bannum Center	2210 Adams Place NE WDC	Work: Home:

8. Agent for Owner: *(if applicable)*	9. Address: *(include Zip)*	10. Phone:
Catherine Harrison, ~~SJ~~	10614 Brookes Reserve Rd Upper Marlboro, MD 20772	Work: 301 Home: 627-8718

11. Type of Proposed Work *(check all applicable boxes)*:

- ☐ New Building
- ☐ Addition
- ☐ Alteration and Repair
- ☐ Raze Building
- ☐ Retaining Wall
- ☐ Fence
- ☐ Shed
- ☐ Awning
- ☐ Garage
- ☐ Sign
- ☒ Other *(Specify)* change to building permit #425438

12. Description of Proposed Work:

Change tenant ~~warehouse~~ space ~~to~~ 150 Bed ~~community~~ Corrections center.
Rev
Bldg Permit #B425438 issued 1/12/02
incl. to read 3yr temporary use

13. Existing Use(s) of Building or Property:	14. Ex. No. of Stories of Bldg.:	15. Ex. No. of Dwelling Units:	Official Use Only
warehouse	1	0	Miscellaneous FEE $ 25.00
16. Proposed Use(s) of Building or Property:	**17. Prop. No. of Stories of Bldg.:**	**18. Prop. No. of Dwelling Units:**	By: Date: 1/17/03
3 year temporary use Community Corrections center	1	0	

19. Starting Date of Work:	20. Completion Date of Work:	21. Method of Removing Construction Debris:	22. Does the proposed work involve **disturbing the earth** or razing a building?
ASAP		☐ Pick-up Truck ☐ Dumpster ☐ Other *(specify)*:	☐ Yes, answer q. 23 ☒ No, SKIP q. 23-27

23. Is the area of disturbed earth more than 50 sq. ft.?	24. Soil Erosion Control Methods:	25. Area of Offsite Drainage:	26. No. of Footings or Columns:	27. Size of Footings of Columns:
☐ Yes, answer q. 24-25 ☐ No, SKIP q. 24-25		sq. ft.		sq. ft.

ALWAYS SIGN THE APPLICATION ON PAGE 3 (SECTION I).

Complete Section B if the proposed work is **new building, addition or alteration.** (Page 2)
Complete Section C if the proposed work is **razing a building.** (Page 2)
Complete Section D if the proposed work is a **retaining wall.** (Page 2)
Complete Section E if the proposed work is a **fence.** (Page 3)
Complete Section F if the proposed work is a **shed/garage.** (Page 3)
Complete Section G if the proposed work is an **awning.** (Page 3)
Complete Section H if the proposed work is a **sign.** (Page 3)

OFFICIAL USE ONLY

	B	P	H	A	
M					
P					
E					W ☐ Yes ☐ No
F					PLANS:
S					☐ No ☐ Sm ☐ Lg

2-0307 wd-375

(B) NEW BUILDING, ADDITION, & ALTERATION (COMPLETE ITEMS 28 THRU 60)

28. Architect's Name:	29. Lic. No.:	30. Architect's Address: *(include Zip)*	31. Phone:
32. Engineer's Name:	33. Lic. No.:	34. Engineer's Address: *(include Zip)*	35. Phone:
36. Building Contractor's Name:	36A. Lic. No.:	37. Contractor's Address:	38. Phone:

39. Type of Construction	40. Fire Suppression:	41. Booster Pump:	42. Total Lot Area:	43. Breakdown of Lot Area (= 100%)
☐ Masonry ☐ Steel ☐ Wood ☐ Other: ☐ Concrete	☐ Fully Sprinklered ☐ Standpipe System ☐ Partially Sprinklered ☐ None ☐ Other: _____	☐ New ☐ Existing ☐ None	sq. ft.	a. Building: ____ % b. Paved Area: ____ % c. Greenery: ____ %

44. Present Gross Floor Area of Bldg.:	45. Proposed Gross Floor Area of Bldg:	46. Floors involved in this permit:	47. **Projection beyond building line?**
sq. ft.	sq. ft.	☐ All ☐ Floors _____	☐ Yes, answer **q. 48-52** ☐ No, SKIP **q. 48-52**

48. Number and type of **projection:**	49. Distance of **projection:**	50. Width of **projection:**	51. Width of building frontage: ft. 52. Signature of Owner **(projection only):**

53. Water or Sewer Excavation?	54. Driveway Construction?	55. Sheeting/Shoring Necessary?	56. Elevators involved?	57. No. and type of elev.:	58. Plans Certified by Engineer?
☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes, answer **q. 57** ☐ No, SKIP **q. 57**		☐ Yes, cert. is attached ☐ No

59. Estimated Cost of Work:	OFFICIAL USE ONLY			
(a) New/Add.: $ _____ (b) Alt/Rep.: $ _____ Total: $	Alter/Repair FEE	New Const. FEE	Filing Fee	TOTAL PERMIT FEE
	$	$	$	$
60. Volume of New Bldg. or Addition: cubic ft.	By: / Date:	By: / Date:	By: / Date:	By: / Date:

(C) RAZING A BUILDING (COMPLETE ITEMS 61 THRU 83)

61. Raze Contractor's Name:	62. Contractor's Address: *(include Zip)*	63. Phone:
64. Insurance Company:	65. Policy or Certif. No.:	66. Expir. Date: / 67. Raze Method:

68. Building Material:	69. Raze Entire Building?	70. Building Condemned?	70A. Building Vacant?	71. Public Space Vault?	72. Disconnect Water and/or Sewer?	73. Size of Water Connection:
	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	in.

74. Plumber's Name:	75. Lic. No.	76. Length: ft.	77. Width: ft.	78. Height: ft.	79. Volume: cu. ft.	80. Party Wall? ☐ Yes ☐ No

81. Asbestos in the Building?	82. Raze Contractor Signature:	OFFICIAL USE ONLY		
☐ No ☐ Yes, Location _____	83. Owner's Signature:	FEE	By:	Date:
		$		

(D) RETAINING WALL (COMPLETE ITEMS 84 THRU 93)

The retaining wall will not obstruct any accessible parking required by D.C. Zoning Regulations

84. Cost of Work:	85. Material:	86. Height:	87. Color:	88. Location:
$		ft.		☐ Entirely on Owner's Land ☐ Party Line with Adjacent Neighboring Land*

* If party wall, the owner of the adjoining property must agree to the erection of the retaining wall and this application.

89. Signature of Adjoining Owner:	90. Phone: Work / Home	OFFICIAL USE ONLY		
91. Address of Adjoining Owner:	92. Lot: / 93. Square:	FEE	By:	Date:
		$		

(E) FENCE (COMPLETE ITEMS 94 THRU 102)

The fence will not obstruct any accessible parking required by D.C. Zoning Regulations

94. Material and type:	95. Height: ft.	96. Color:	97. Location: ☐ Entirely on Owner's Land ☐ Party Line with Adjacent Neighboring Land *

* If party fence, the owner of the adjoining property must agree to the erection of the fence and this application.

98. Signature of Adjoining Owner:	99. Phone: Work Home	OFFICIAL USE ONLY: FEE $	By:	Date:
100. Address of Adjoining Owner:	101. Lot:	102. Square:		

(F) SHED OR GARAGE (COMPLETE ITEMS 103 THRU 113)

103. Number:	104. Length: ft.	105. Width: ft.	106. Area: sq. ft.	107. Height: ft.	108. Volume: cu. ft.	109. Estimated Cost of Work: $	OFFICIAL USE ONLY: FEE $ By: Date:
110. Material of Roof:	111. Material of Sides:	112. Wall thickness:: ☐ External ( ) inches ☐ Party ( ) inches			113. Color:		

(G) AWNING (COMPLETE ITEMS 114 THRU 123)

114. Number:	115. Color:	116. Type: ☐ Folding ☐ Fixed	117. Projections: Beyond bldg. line ____ in. Beyond pt. of attachm. ____ in.	118. Height of lowest part of awning: (a) ____ ft above sidewalk (b) ____ ft above parking (c) ____ ft above grade	OFFICIAL USE ONLY: FEE $ By: Date:

119. Material of Frame:	120. Material of Covering:	121. Lettering on Awning? ☐ Yes ☐ No	122. Fixed posts? ☐ Yes ☐ No	123. Over sidewalk cafe? ☐ Yes ☐ No

(H) SIGN (COMPLETE ITEMS 124 THRU 144)

124. Number:	125. Electric Signs? ☐ Yes, answer q. 126-132 ☐ No, SKIP q. 126-132	126. Type: ☐ Incandes. ☐ Fluoresc. ☐ Neon	127. Power ____ VA	128. Electrical Contractor: Lic. No.:

129. Address of Electrical Contractor *(include Zip)*	130. Signature of Licensed Electrician:	131. Phone:	132. License No.:

133. Height relative to building and ground: (a) ____ ft ____ in above sidewalk (b) ____ ft ____ in above roof (c) ____ ft ____ in is bldg height (d) ____ ft ____ in above projection or window (e) ____ ft ____ in from roof to sign's bottom	134. Material of Sign:	135. Type of Sign:	136. Color:
	137. Width: ft.	138. Length: ft.	139. Area of Sign: sq. ft.
			140. Width of Business Frontage: ft.

141. C of O Number for Building:	142. Sign Contractor Lic. No.:	143. Sign Contractor's Address:	144. Phone:

OFFICIAL USE ONLY					
Sign FEE		Elect. FEE		Total FEE	
$		$		$	
By:	Date:	By:	Date:	BY:	Date:

(I) APPLICANT'S SIGNATURE:

A. **OWNER:** I hereby certify that I am the owner of the property; that the application and plans are complete and correct to the best of my knowledge; and that if a permit (or permits) is issued, the construction will conform to the D.C. Construction Codes, the Zoning Regulations, and other applicable laws and regulations of the District of Columbia.

Signature of Owner:_____ Address:_____ Date:_____

B. **AGENT:** I hereby certify that I have the authority of the owner to make this application. I declare that the application and plans are complete and correct to the best of my knowledge. The owner has assured me that if a permit (or permits) is issued, the construction will conform to the D.C. Construction Codes, the Zoning Regulations, and other applicable laws and regulations of the District of Columbia.

Signature of Agent: Athenee Harrison Address: 10616 Brookes Reserve Rd Upper Marlboro, MD 20772 Date: 1-8-03

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DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
PERMIT SERVICE CENTER

BUILDING PERMIT CONTROL BATCH SHEET

Date: / /200
Intake Time: ☐AM ☐PM

LOG NO. 01 -

Time At Engr.'s Counter: ☐AM ☐PM

Review Completion Due: ☐AM ☐PM

Address: 2210 Adams PL NE

Time Review Completed: ☐AM ☐PM

REQUIRED REVIEWS (Checked boxes only)	REVIEWER	TIME	REVIEW STATUS	JOB SCREENED ?
☐ PUBLIC SPACE ✓		IN ☐AM ☐PM OUT ☐AM ☐PM	☐ Approved ☐HFC ☐ Ref. to DPW ☐ Conf. w/ Applicant	
☐ ZONING	FAXED	IN ☐AM ☐PM OUT ☐AM ☐PM	☐ Approved ☐HFC ☐Ref. to BZA ☐ Ref. to Zoning Administrator☐ ☐ Conf. w/ Applicant	
☐ SOIL EROSION ☐ STORMWATER MGMT.		IN ☐AM ☐PM OUT ☐AM ☐PM	☐ Approved ☐HFC ☐Ref. to DOH ☐ Conf. w/ Applicant	
☐ AIR QUALITY ☐ EIS		IN ☐AM ☐PM OUT ☐AM ☐PM	☐ Approved ☐HFC ☐Ref. to DOH ☐ Conf. w/ Applicant	
☐ WATER AND SEWER		IN ☐AM ☐PM OUT ☐AM ☐PM	☐ Approved ☐HFC ☐ Ref. to WASA ☐ Conf. w/ Applicant ☐ WASA Deposit Required	
☐ MECHANICAL/PLUMBING		IN ☐AM ☐PM OUT ☐AM ☐PM	☐ Approved ☐HFC ☐ Conf. w/ Applicant	
☐ HEALTH (Food & Medical)		IN ☐AM ☐PM OUT ☐AM ☐PM	☐Approved ☐HFC ☐ Conf. w/ Applicant	
☐ ELECTRICAL		IN ☐AM ☐PM OUT ☐AM ☐PM	☐ Approved ☐HFC ☐ Conf. w/ Applicant	
☐ ELEVATOR		IN ☐AM ☐PM OUT ☐AM ☐PM	☐ Approved ☐HFC ☐ Conf. w/ Applicant	
☐ FIRE PROTECTION		IN ☐AM ☐PM OUT ☐AM ☐PM	☐ Approved ☐HFC ☐ Conf. w/ Applicant	
✓ STRUCTURAL		IN ☐AM ☐PM OUT ☐AM ☐PM	☐ Approved ☐HFC ☐ Conf. w/ Applicant	

Remarks:

Form BLRA-14
(Rev. 4/96)

BUILDING AND LAND REGULATION ADMINISTRATION

PERMIT NO. B425438

LOT SQUARE PARCEL 154/81

BUILDING PERMIT/ALTER & REPAIR

PERMIT

OWNER: BANNUM CENTER

ADDRESS: 2210 ADAMS PLACE N.E.

PERMIT FEE $5,385.00

11/12/02

XXXXXXPHONE#

CONTRACTOR

XXXADDRESS

CHANGE TENANT WAREHOUSE SPACE TO 150 BED COMMUNITY CORRECTIONS CENTER. CLEARED FOR EIS. SEPARATE ELEC., PLUMB & MECH INSTALLATION PERMITS ARE REQUIRED. THIS PERMIT DOES NOT AUTHORIZE CROSSING PUBLIC SIDEWALK WITH TRUCKS. PRIVATE PROPERTY ONLY.

ZONE: CM2 1 STORY

OWNER'S ADDRESS: SAME

COMMUNITY CORRECTION CENTER

to perform the work described herein at the address shown above under the conditions stated on BOTH sides of this permit. Authorized work and conditions of performance thereof.

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

Chief, Permit Issuance Branch

BY

Permit Clerk

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

FOR INSPECTIONS CALL 442-4641

D CLARK

DIRECTOR

OFFICE COPY

ER220121 BUILD, ALTER & REPAIR
Receipt # 207194 Amount $$$5,385.00
Reg# 11/12/02 at 04:10 Clk# 10
Stuart-Hobson D. GOVERNMENT
OUTSTORA CASHIER OFFICE