

EXHIBIT B

Factual Timeline for Ward One Motion to Dismiss for Untimeliness

1. On December 7, 2017, Mayor Bowser announced the Ward 1 Short-Term Family Housing Program site location at 2500 14th Street NW (Square 2662, Lot 205). *See* Mayor Bowser’s press release at <https://mayor.dc.gov/release/mayor-bowser-announces-ward-1-short-term-family-housing-program-site>.
2. Also on December 7, 2017, ANC 1B unanimously approved the Ward 1 site – including 35 residential apartments for short-term family housing and 15 apartments to be used for permanent supportive housing for seniors. *See* BZA Ex. 15.
3. The Project was introduced at the Ward 1 Community Town Hall meeting on January 18, 2018. *See* Ending Homelessness in the District of Columbia: Ward 1 at https://dmhhs.dc.gov/sites/default/files/dc/sites/dmhhs/page_content/attachments/Deck_Ward%201%20STFH%20Town%20Hall_1.18.18.pdf.
4. On January 31, 2018, the DC Council enacted D.C. Act 22-244 “the Homeless Shelter Replacement Temporary Amendment Act of 2017 (“HSRTAA”) designating the Property as the site for the Ward 1 short term family housing site for 35 units. HSRTAA became effective on March 28, 2018.
5. On February 1, 2018, the Project was clearly identified as a matter-of-right project in the “Short-term Family Housing in Ward 1 Questions & Answers” publication on the District Department of Health and Human Services website. *See* Ending Homelessness in the District of Columbia: Ward 1 at https://dmhhs.dc.gov/sites/default/files/dc/sites/dmhhs/page_content/attachments/Ward%201%20Short-term%20Family%20Housing%20Q%26A_2.1.18_0.pdf.
6. Additional notice of the “Short-term Family Housing in Ward 1 Questions & Answers” publication was provided to the Advisory Team at the March 28, 2018 Ward 1 Advisory Team (“Advisory Team”) inaugural meeting. An internet link to the documents was also provided in the March 28, 2019 meeting minutes. *See* Ending Homelessness in the District of Columbia: Ward 1 at <https://dmhhs.dc.gov/homewarddc>.
7. Advisory Team meetings discussing and reviewing the status and design of the Project continued April 25, 2018, August 8, 2018, October 9, 2018, December 5, 2018, January 28, 2019, February 27, 2019, April 24, 2019, July 24, 2019. *See* Ending Homelessness in the District of Columbia: Ward 1 Meeting Minutes at https://dmhhs.dc.gov/sites/default/files/dc/sites/dmhhs/page_content/attachments/Minutes_Ward%201%20Advisory%20Team%20Launch%20Meeting_3.28.18.pdf.
8. The RFP preliminary announcement meeting introduced the Project, including its matter-of-right design and use on May 24, 2018.
9. On May 26, 2018, the RFP was issued, explicitly including a detailed description of elements of the by-right Project.

10. The RFP was announced as being award to GCS/Signal at the Advisory Team meeting on August 8, 2018.
11. DCRA Projectdox accepted the Foundation Permit Application with complete architectural plans, zoning summary and showing all elements now on appeal on January 22, 2019. *See **Exhibit G***.
12. DCRA Projectdox accepted the Sheeting and Shoring Permit Application with complete architectural plans, zoning summary and showing all elements now on appeal on January 25, 2019. *See **Exhibit G***.
13. DCRA Permit Tracker shows Zoning Review approved the Foundation Permit on February 1, 2019. *See **Exhibit G***
14. DCRA Permit Tracker shows Zoning Review approved the Sheeting and Shoring Permit on February 12, 2019. *See **Exhibit G***
15. On February 20, 2019, Appellant brought its rear yard setback concerns to the City's attention. *See BZA Ex. 33, p.5.*
16. Appellant met with DGS to discuss Appellant's zoning concerns and parking issues regarding the Project on March 11, 2019. *See email exchange between DGS and Appellant dated March 29, 2019 attached at **Exhibit F***.
17. DGS sought confirmation that Project comprised a single building and was not required to have a rear yard setback from the Zoning Administrator on March 14, 2019. *See BZA Ex. 5.*
18. On March 25, 2019, DGS received the zoning confirmation email from the Zoning Administrator confirming the Project would be considered a single building and thus was compliant as to its rear yard setback. *See BZA Ex. 5.*
19. By March 29, 2019, DGS had provided a copy of the March 25, 2019 zoning confirmation email¹ to Appellant. *See **Exhibit F***.
20. Appellant learned the City and DGS did not agree with Appellant's setback allegations when Appellant met with DGS, DGS's counsel, and Councilmember Nadeau on April 3, 2019. *See BZA Ex. 33, p.5.*
21. CFA issued their final approval of exterior design for the Project on April 25, 2019.
22. DGS applied for the Building Permit on April 22, 2019, commencing formal review of the Project by DCRA.

¹ The copy of the March 25, 2019 zoning confirmation email at BZA Ex. 5 does not include the date it was transmitted to Appellant.

23. Construction guidelines for the Project were finalized with the Advisory Team during the April 24, 2019 Advisory Team meeting.
24. On April 18, 2019, Appellant counsel's issued his Zoning Compliance Analysis ("Appellant's April Memorandum"), which was emailed to DGS and the Zoning Administrator on April 19, 2019.
25. DGS's counsel raised the issue of timeliness to Appellant when undersigned counsel responded to Appellant's April Memorandum via a detailed letter responding specifically to the same issues now on appeal: use, single building, rear yard, parking and loading, delivered by email on May 3, 2019.
26. In preparation for a meeting with the Zoning Administrator on May 10, 2019, Appellant counsel sent an email to the Zoning Administrator on May 8, 2019, detailing again the issues now at issue on appeal: use, single building, rear yard, parking and loading, and disputing DGS's timeliness notification.
27. On May 10, 2019, Appellant met with the Zoning Administrator, DCRA general counsel, and Ward 1 council member's chief of staff to discuss use, single building, setbacks, parking and loading, and timeliness. *See* BZA Ex. 33.
28. Monthly construction updates have been issued and published on Department of General Services website since May 2019. *See* <https://dgs.dc.gov/page/short-term-family-housing-construction-projects-wardone>.
29. Monthly construction updates have been issued and published on Department of General Services website including the June update which notified the public of DCRA's approval of the Construction sitework permits.
https://dgs.dc.gov/sites/default/files/dc/sites/dgs/publication/attachments/Ward%201%20STFH%20Monthly%20Update_June2019.pdf
30. On June 3, 2019, both the Foundation Permit and the Sheeting and Shoring Permit were issued by DCRA.
31. The 60-day appeal period to appeal the zoning decisions confirmed at the May 10, 2019 meeting with Appellant, DGS, and the Zoning Administrator ended on July 10, 2019.
32. The 60-day appeal period to appeal the Foundation Permit and the Sheeting and Shoring Permit issued by DCRA showing all plans challenged ended on August 2, 2019.
33. On September 30, 2019, the Building Permit was issued.
34. On October 24, 2019, 167 days after the May 10, 2019 meeting with Appellant, DGS, and the Zoning Administrator and 143 days after the June 3, 2019 the Foundation Permit and the Sheeting and Shoring Permit were issued by DCRA, Appellant filed this appeal.