



Near Southeast/Southwest
Advisory Neighborhood Commission 6D

November 10, 2015

1101 Fourth Street, SW
Suite W 130
Washington, DC 20024
202.554.1795
Email: office@anc6d.org
Website: www.anc6d.org

OFFICERS

Chairperson
Roger Moffatt

Vice Chairperson
Andy Litsky

Secretary
Stacy Cloyd

Treasurer
Meredith Fascett

Board of Zoning Adjustment
441 4th Street NW
Suite 200S
Washington, DC 20001

SUBMITTED VIA THE IZIS ONLINE SYSTEM

**RE: Requested Variances and Special Exceptions for Case 19113, Square 679, Lot 46
(proposed street address 1000 South Capitol Street SE)**

Dear Board Members,

COMMISSIONERS

SMD 1 *Marjorie Lightman*
SMD 2 *Stacy Cloyd*
SMD 3 *Rachel Reilly Carroll*
SMD 4 *Andy Litsky*
SMD 5 *Roger Moffatt*
SMD 6 *Rhonda Hamilton*
SMD 7 *Meredith Fascett*

At a regularly scheduled and properly noticed public meeting on November 9, 2015, with a quorum present, a quorum being 4 Commissioners, Advisory Neighborhood Commission (ANC) 6D voted 5-0-1 (one abstaining) in support of Lerner South Capitol Street Joint Venture's ("Lerner's") application for two zoning variances and a special exception. These relate to the side yard, the loading berth (variances), and the roof structure (special exception).

Side Yard

ANC 6D supports Lerner's request to have a side yard of a different width than zoning on the site currently allows (775.5). It is our understanding that Lerner's proposed side yard would match those of buildings in the Capitol Gateway Overlay, which is to the south of this site. Providing either a narrower or a wider side yard than proposed would create visual discontinuity along the east side of South Capitol Street, which will soon begin construction that will turn it from a highway to a boulevard.

Loading Berth

ANC 6D supports Lerner's request for a variance from loading berth requirements (2201.1). The loading area for the proposed building is via an alley that is too narrow to accommodate a 55-foot truck, and ANC 6D opposes loading from adjacent streets. If 55-foot trucks will not serve the building, then it is not appropriate to build a 55 foot deep loading berth. A berth that is 30 feet deep will accommodate the trucks serving the building. ANC 6D expects that Lerner will consult with DDOT on their final plans for loading, and that they or any successor owner/operator of the site will submit those plans to the ANC before they are enacted.



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Roof Structure

ANC 6D supports Lerner's request for a special exception from the roof structure setback (770.6(b)) and single enclosure (411.3) requirements. The setback requirements are not met only on the eastern portions of the building, which face an alley and an internal courtyard. As such, the exception will not change sightlines along public streets. Allowing two roof structures instead of a single one allows for additional residential amenities on the rooftop and again, should not worsen sightlines from the street.

Other Issues

The proposed building sits on what is currently Nationals Parking Lot K. The loss of game-day parking spaces and the addition of over 300 households to the neighborhood will place further demands on an already difficult parking situation. Lerner agrees not to petition DDOT to make any block adjacent to the building eligible for Residential Parking Permits (RPPs), and to place information in all leases stating that tenants are not eligible for RPPs. Inclusion of this commitment in the BZA's decision is a condition of ANC 6D's support for the variances and special exception.

ANC 6D is also concerned that residents of the building will be tempted to use the rightmost lane of South Capitol Street for loading, deliveries, and boarding and disembarking from taxis and other vehicles. The problem could be mitigated if DDOT used signage and street markings to indicate a small "drop-off" zone on the building's K Street frontage.

ANC 6D requests that Lerner return to present the ANC with its public space permit application and construction management plan as soon as these are created.

ANC 6D opposes after-hours construction and construction-related work on sites close to residences in accordance with DCMR 12A section 105.1.3. Given the proximity of the 1000 S. Capitol St. SE site to other residential buildings, ANC 6D requests that if Lerner applies for an after-hours permit, Lerner will also inform the Commission of the request and the reasons for it, so that neighborhood residents can understand the need for the permit application and have the opportunity to provide feedback to DDOT and DCRA. In addition, ANC 6D requests that Lerner send an electronic copy of any issued after-hours permit to the Commission at least 24 hours before the commencement of after-hours work. Inclusion of this commitment in the BZA's decision is a condition of ANC 6D's support for the variances and special exception.

ANC 6D understands that this building does not have an affordable housing requirement. However, we understand that Lerner or any successor owner/operator of the site, in a rental apartment building development, has committed to making two units affordable: one for a household with an income that is 80-120% of Area Median Income and one for a household with an income that is 50-80% of Area Median Income. The number of bedrooms in each unit is not yet determined but will be in keeping with the unit distribution in the completed building. Lerner will verify the income of each household living in an affordable unit and set the rent at no more than 30% of each household's income. Inclusion of this commitment in the BZA's decision is a condition of ANC 6D's support for the variances and special exception.

Respectfully submitted,

Roger Moffatt
Chair, ANC 6D