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June 28, 2021

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Mr. Frederick Hill, Chairperson
Board of Zoning Adjustment
District of Columbia Office of Zoning
441 4th Street NW, Suite 200/210-S
Washington, DC 20001

VIA: Interactive Zoning Information System Filing - IZIS

RE: BZA 19616A: 818 Potomac Ave; Modification of Significance to change principal use to lodging, addition of two special exceptions

Chairperson Hill,

At a regularly scheduled, properly noticed, meeting on June 8, 2021, with a quorum present, Advisory Neighborhood Commission (ANC) 6B voted 8-1-1 in conditional support of the application referenced above.

ANC 6B is in support of this application on the following conditions:

1) The order shall prohibit all accessory uses allowed under lodging use that would generate a demand for loading. Such use would include conference space, restaurant use, or the like.

2A) A condition is added to the order that allows ANC 6B or the successor affected ANC after redistricting to pass a resolution in opposition to the continued relief here including the change in principal use. If such a resolution is transmitted to the BZA no sooner than 4.5 years after the effective date of the order no later than 5 years after the effective date, the relief granted in this application shall be term limited to five years and the applicant must seek a further modification of significance to extend the relief here.

2B) If the above "look-back" condition is not amenable to OAG or BZA, ANC 6B supports the relief only if the order is term limited to five years.

ANC 6B opposes any order that is without a "look back" or five-year term limit. The underlying application was approved with ANC 6B in full support of a *residential* project. The entire discussion around the initial relief for lot occupancy and ground floor usages centered the value this relief for this use would bring related to residential vitality. The other two letters of support from Capitol Riverfront BID and Ellen McCarthy further echoed the energy from a residential project. Had the initial proposal been for lodging use, the discussion would likely have been much different.

While we understand lodging use is by-right in the NC-6 zone, A-304.10(e) makes clear a change in principal use to an order is a modification and can be processed either under Y-703 or Y-704. As party to the initial case and this case, ANC 6B contends such a modification would rise to the level as a modification of significance. **We want to be clear, our conditional support in condition 2A's "look back" provision must allow for a resolution in opposition for ANC 6B or our successor ANC to oppose continued relief on solely on the impacts of the change in use** as well as the newly requested loading and bike shower special exceptions. If the BZA or OAG do not believe such a look back provision is allowable, ANC 6B supports relief if and only if the entire order is term limited to 5 years. Otherwise, we are opposed to the application.

Commissioner Kirsten Oldenburg (6B04) and Corey Holman (6B06, Planning and Zoning Committee Chair) are authorized to present this report and represent ANC 6B at the Board of Zoning Adjustment

Sincerely,



Brian Ready
Chair, ANC6B

cc: Cary Kadlecek



**BEFORE THE ZONING COMMISSION AND
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA**



FORM 129 – ADVISORY NEIGHBORHOOD COMMISSION (ANC) REPORT

Before completing this form, please review the instructions on the reverse side.

Pursuant to §§ 3012.5 and 3115.1 of Title 11 DCMR Zoning Regulations, the written report of the Advisory Neighborhood Commission (ANC) shall contain the following information:

IDENTIFICATION OF APPEAL, PETITION, OR APPLICATION:

Case No.:		Case Name:	
Address or Square/Lot(s) of Property:			
Relief Requested:			

ANC MEETING INFORMATION


Date of ANC Public Meeting:	D	D	/	M	M	/	Y	Y	Was proper notice given?:	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Description of how notice was given:													
Number of members that constitutes a quorum:		Number of members present at the meeting:											

MATERIAL SUBSTANCE

The issues and concerns of the ANC about the appeal, petition, or application as related to the standards of the Zoning Regulations against which the appeal, petition, or application must be judged (*a separate sheet of paper may be used*):

The recommendation, if any, of the ANC as to the disposition of the appeal, petition, or application (*a separate sheet of paper may be used*):

AUTHORIZATION

ANC		Recorded vote on the motion to adopt the report (i.e. 4-1-1):	
Name of the person authorized by the ANC to present the report:			
Name of the Chairperson or Vice-Chairperson authorized to sign the report:			
Signature of Chairperson/ Vice-Chairperson:		Date:	

**ANY APPLICATION THAT IS FOUND TO BE INCOMPLETE MAY NOT BE ACCORDED "GREAT WEIGHT" PURSUANT TO
11 DCMR §§ 3012 AND 3115.**

INSTRUCTIONS

Pursuant to 11 DCMR §§ 3012.6 and 3115.2, the Zoning Commission and Board of Zoning Adjustment shall give “*great weight*” to the written report of the affected Advisory Neighborhood Commission (ANC), as required by the Comprehensive Advisory Neighborhood Commissions Reform Amendment Act of 2000.

1. All ANC reports shall be made pursuant to this form. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form.
2. Present this form and supporting documents to the Office of Zoning at 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001.
3. Submission deadlines are as follows:

For Zoning Commission:

- a. ANCs must file this form at least seven (7) calendar days in advance of the hearing, if they wish to participate in a contested case under § 3022.
- b. ANCs may file this form as long as the case record is open, if they wish to participate in a rulemaking case under § 3021.

For Board of Zoning Adjustment:

- a. ANCs must file this form at least seven (7) calendar days in advance of the hearing.



If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete a Form 155 - Request for Reasonable Accommodation.

District of Columbia Office of Zoning

441 4th Street, N.W. Ste. 200-S, Washington, D.C. 20001

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