

DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT
441 4th Street, N.W.
Washington, D.C. 20001

Appeal by Adams Morgan Friends & Allies

BZA Appeal No. 19896

D.C. DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS’
PRE-HEARING STATEMENT

The D.C. Department of Consumer and Regulatory Affairs (DCRA) respectfully requests that the Board of Zoning Adjustment (Board) deny this appeal for the following reasons:

On August 3, 2018, the Owner of 1731 Kalorama Road, N.W. obtained Building Permit B1800516. The description of work consisted of “Proposed 14,650 sf New Construction, Multi-family. 28 units. 3 Stories.” This property is located in a RC-1 zone. On or around October 9, 2018, Appellant, Adams Morgan Friends & Allies, appealed the issuance of the building permit on the grounds that there were multiple violations of the zoning regulations. DCRA asserts that the Zoning Administrator correctly approved the Permit.

FACTUAL AND PROCEDURAL BACKGROUND

On August 3, 2018, the Owner of 1731 Kalorama Road, N.W. received Building Permit 1800516. The permit allowed for the following work: “Proposed 14,650 sf New Construction, Multi-family. 28 units. 3 Stories.” (Exhibit 1- Building Permit B1800516)

On or around October 9, 2018, Appellant, Adams Morgan Friends & Allies, appealed the issuance of the building permit. In its statement of appeal, Appellant alleged:

1. Offstreet Parking required; The project, as its being fitted now, seems to indicate none will be provided requiring a variance (11-C DCMR §701; 11-K DCMR §717);
2. The size of the pit being dug indicates zoning issues with side yards, rear yard, and lot occupancy, as well as FAR (11-B DCMR §301, §303, §311, §319; 11-K DCMR §703 §704 §705; and
3. The Grantee needs a height variance (11-B DCMR §306, §308, 11-K DCMR §702, §707), Alley Lot requirements (11-K DCMR §709) and rooftop structure variances

and GAR (11-K DCMR §702, §707), as well as Inclusionary Zoning variance (11-C DMR §1001, §1003).¹

However, after reviewing the evidence, this Board will agree that the Zoning Administrator reviewed the building permit application and plans, and correctly approved the Permit.

ARGUMENT

Appellant’s statement of appeal lists a number of alleged violations of the zoning regulations without any detail. DCRA addresses each assertion in the order presented.

I. The Project has a Sufficient Number of Parking.

Appellant alleges “Offstreet Parking required; The project, as its being fitted now, seems to indicate none will be provided requiring a variance (11-C DCMR §701²; 11-K DCMR §717³)”

¹ BZA 19896- Exhibit 1- Statement of Appeal at page 2.

² 11-C DCMR § 701 Minimum Vehicle Parking Requirements

701.1 The minimum parking requirements set forth in this section shall apply to the R, RF, RA, MU, NC, and PDR zones; and only as specified in zones within Subtitle K.

701.2 Where required, the minimum parking requirements set forth in Subtitle C § 701.5, in addition to any specific parking requirements of this title, shall be met when a new building is constructed.

701.3 Parking standards for uses in the residential use categories are calculated in the number of parking spaces per dwelling unit.

701.4 Parking standards for uses based on gross floor area are calculated in the number of parking spaces per one thousand square feet (1,000 sq. ft.) of gross floor area as described in Subtitle C § 709.

701.5 Except as provided for in Subtitle C § 702, parking requirements for all use categories are as follows (all references to “sq. ft.” refers to square feet of gross floor area as calculated in Subtitle C § 709):

TABLE C § 701.5: PARKING REQUIREMENTS

Use Category	Minimum number of vehicle parking spaces
Agriculture, large	1.67 per 1,000 sq. ft.
Agriculture, residential	None
Animal sales, care and boarding	1 per 1,000 sq. ft. in excess of 3,000 sq. ft.
Antennas	None
Arts, design, and creation	1 per 1,000 sq. ft. in excess of 3,000 sq. ft.
Basic utilities	0.33 per 1,000 sq. ft. in excess of 3,000 sq. ft.
Chancery	0.5 per 1,000 sq. ft. in excess of 3,000 sq. ft., or as determined by the Foreign Mission Board of Zoning Adjustment.
Community-based institutional facility	1 per 1,000 sq. ft.
Daytime care	0.5 per 1,000 sq. ft. with a minimum of 1 space required.
Eating and drinking establishments	1.33 per 1,000 sq. ft. in excess of 3,000 sq. ft. A minimum of 1 parking space shall be required for a food delivery service.

BZA Appeal 19896 – DCRA’s Pre-Hearing Statement

Education, college/university	For each building: 2 for each 3 teachers; plus either 1 for each 10 classroom seats or 1 for each 12 stadium seats or 1 for each 10 auditorium seats, whichever is greater, except if a campus plan has been approved by the Zoning Commission or the Board of Zoning Adjustment for the college or university, in which case the parking shall be provided as set forth in the approved campus plan.
Education, private	Elementary and middle school: 2 for each 3 teachers and other employees; High school and accessory uses: 2 for each 3 teachers and other employees, plus either 1 for each 20 classroom seats or 1 for each 10 seats in the largest auditorium, gymnasium or area usable for public assembly, whichever is greater.
Education, public	0.25 per 1,000 sq. ft.
Emergency shelter	0.5 per 1,000 sq. ft.
Entertainment, assembly, and performing arts	2 per 1,000 sq. ft.
Firearm sales	1.33 per 1,000 sq. ft. in excess of 5,000 sq. ft.
Government, large-scale	None
Government, local	0.5 space per 1,000 sq. ft. in excess of 2,000 sq. ft. with a minimum of 1 space required; except: Public recreation and community center: 0.25 space per 1,000 sq. ft. in excess of 2,000 sq. ft. with a minimum of 1 space required; and Kiosk public library – no requirement.
Medical care	1 per 1,000 sq. ft. in excess of 3,000 sq. ft., with a minimum of 1 space required.
Institutional, general	1.67 per 1,000 sq. ft. in excess of 5,000 sq. ft.
Institutional, religious	1 for each 10 seats of occupancy capacity in the main sanctuary; provided, that where the seats are not fixed, each 7 sq. ft. usable for seating or each 18 in. of bench if benches are provided shall be considered 1 seat.
Lodging	0.5 per 1,000 sq. ft. in excess of 3,000 sq. ft.
Marine	0.5 per 1,000 sq. ft.
Motor vehicle-related	2 per 1,000 sq. ft.
Office	0.5 per 1,000 sq. ft. in excess of 3,000 sq. ft., except: a medical or dental office, clinic, or veterinary hospital: 1 per 1,000 sq. in excess of 3,000 sq. ft.
Parking	None
Parks and recreation	0.5 per 1,000 sq. ft.
Production, distribution, repair	1 per 1,000 sq. ft. in excess of 3,000 sq. ft., except warehouse or storage facility – 1 per 3,000 sq. ft.
Residential, single dwelling unit	1 per principal dwelling.
Residential, flat	1 per 2 dwelling units.
Residential, multiple dwelling unit	1 per 3 dwelling units in excess of 4 units, except: 1 per 2 dwelling units for any R or RF zone; 1 per 6 units of publicly assisted housing, reserved for the elderly and/or handicapped.
Retail	1.33 per 1,000 sq. ft. in excess of 3,000 sq. ft.
Service, general	1.33 per 1,000 sq. ft. in excess of 3,000 sq. ft.
Service, financial	1.33 per 1,000 sq. ft. in excess of 3,000 sq. ft.
Sexually-based business establishment	1.67 per 1,000 sq. ft. in excess of 5,000 sq. ft.
Transportation infrastructure	None
Waste-related services	1 per 1,000 sq. ft.

701.6 If two (2) or more uses are located on a single lot or in a single building and the applicable parking standard for such uses exempts an initial floor area (for example, the first 3,000 sq. ft. of gross floor area), only one exempt floor area may be deducted from the total combined parking requirements for the uses and the exempt floor area shall be pro-rated among uses.

701.7 If two (2) or more uses are located on a single lot or in a single building, the number of parking spaces provided on-site, or off-site in accordance with Subtitle C § 701.8(b), must equal the total number of parking spaces required for all uses, except when parking is shared among uses as provided in Subtitle C § 701.9. If a single use falls into more than one (1) use category for which different parking minimums apply, the greater number of parking spaces shall apply.

701.8 Required parking spaces shall be located either:

- (a) On the same lot as the use or structure they are meant to serve; or
- (b) On another lot, subject to the following provisions:
 - (1) The off-site location shall be a maximum of six hundred feet (600 ft.) from the use or structure that the parking spaces serve, as measured from the nearest lot line;
 - (2) The off-site location may be located within a different zone, except that the off-site parking location for a use within any zone other than an R or RF zone shall not be located within an R or RF zone, except parking for Transportation Infrastructure uses as permitted by Subtitle U § 202.1(q); and
 - (3) Spaces provided off-site in accordance with Subtitle C § 701.8(b) shall not serve as required parking for any other use, unless they are shared parking spaces in accordance with Subtitle C § 701.9;
- (c) Unless under common ownership, a written agreement shall remain in effect between the owner of the parking area and the owner of the use for which the parking spaces are required (the use);
- (d) A draft of the written agreement shall be provided as part of any building permit application associated with either the site of the parking area or the site for which the parking spaces are required. The final, original written agreement shall be filed with the Zoning Administrator prior to the issuance of the first certificate of occupancy for the use and any amendment or successor agreement must be filed no later than ten (10) days following execution by the parties;
- (e) The Zoning Administrator shall maintain a file of all written agreements and amendments for the lot where the use is located and the lot providing the required parking spaces; and The Board of Zoning Adjustment may allow off-site parking spaces to be located elsewhere than as permitted pursuant to Subtitle C § 701.8(b)(1) in accordance with the general special exception requirements of Subtitle X, subject to:
 - (1) The applicant’s demonstration that the accessory parking spaces shall be located so as to furnish reasonable and convenient parking facilities for the occupants or guests of the building or structures that they are designed to serve; and
 - (2) The Board of Zoning Adjustment may impose conditions as to screening, coping, setbacks, fences, the location of entrances and exits, or any other requirement it deems necessary to protect adjacent or nearby property. It may also impose other conditions it deems necessary to assure the continued provision and maintenance of the spaces.

701.9 Parking spaces, whether required or not, may be shared among more than one (1) use, whether the uses are on the same lot or on separate lots. Parking spaces that are shared among more than one (1) use shall be subject to the following conditions:

- (a) The spaces shall not serve as required parking for any other use during the days and times each use they serve is in operation;
- (b) Parking may be shared:
 - (1) Between uses and a parking site within the same zone; or
 - (2) Between uses and a parking site within an R and RF zone; or
 - (3) Between a use in an R or RF zone and a parking site in any other zone; but
 - (4) May not be shared between a parking site within an R or RF zone and a use located in any other zone;
- (c) Unless under common ownership, a written agreement shall remain in effect between the owner of the parking area and the owner of the use for which the parking spaces are required (the use), and shall include the obligation set forth in Subtitle C § 701.9;
- (d) A draft of the written agreement shall be provided as part of any building permit application associated with either the site of the parking area or the site for which the parking spaces are required. The final, original written agreement shall be filed with the Zoning Administrator prior to the issuance of the first

Eight (8) parking spaces are typically required for a 28-unit apartment building. The proposed construction calls for 2 car-share parking and 3 parking spaces. (Exhibit 2- A100 Site Plan) However, per 11-C DCMR § 708.1, “Dedicated car-share parking spaces may be counted toward fulfillment of any minimum parking requirement in any zone other than an R or RF zone.” 11-C DCMR § 708.2 states, “Up to two (2) dedicated car share spaces provided in accordance with this provision may each count as three (3) required parking spaces for the purposes of calculating the provision of required parking pursuant to Subtitle C § 701.5.” Each car-share parking space may count as three (3) required parking spaces.

Here, there are two (2) car-share parking spaces proposed for this project so, this is counted as six (6) parking spaces. In addition, the project provides three (3) traditional parking spaces. Therefore, the total number of parking space equivalents is nine (9), which exceeds the minimum 8 space requirement under the zoning regulations so, it complies.

certificate of occupancy for the use and any amendment or successor agreement must be filed no later than ten (10) days following execution by the parties; and

(e) The Zoning Administrator shall maintain a file of all written agreements and amendments for the lot where the use is located and the lot providing the required parking spaces.

701.10 The number of required parking spaces shall not be reduced below the minimum required as long as the use that generated that requirement remains in existence.

701.11 Dedicated car-share parking spaces may be counted toward fulfillment of a minimum parking requirement.

701.12 Uses governed by a campus plan are subject to the minimum parking requirement approved by the Zoning Commission and are not subject to the parking requirements otherwise applicable.

701.13 Parking spaces provided in an amount which exceeds that required by this section shall be subject to the provisions of Subtitle C § 707.

701.14 Required parking spaces shall be provided and maintained so long as the structure that the parking spaces are designed to serve exists.

³ 11-K DCMR §717 Parking, Loading, And Vehicle Access (RC)

717.1 Parking requirements for the RC zones are as specified in Subtitle C, Chapter 7.

717.2 Bicycle parking requirements for the RC zones are as specified in Subtitle C, Chapter 8.

717.3 Loading requirements for the RC zones are as specified in Subtitle C, Chapter 9.

II. The Proposed Construction complies with the Requirements for Side Yards, Rear Yards, Lot Occupancy and FAR.

Appellant alleges “The size of the pit being dug indicates zoning issues with side yards, rear yard, and lot occupancy, as well as FAR (11-B DCMR §301, §303, §311, §319; 11-K DCMR §703 §704 §705.” The Office of the Zoning Administrator determines whether a project complies with the zoning regulations based on the architectural plans, not the size of a “pit.” Per the architectural plans, the project complies with the requirements for side yards, rear yards and lot occupancy.

Side yard

In a RC-1 zone, a side yard is not required; however, if a side yard is proposed, then the minimum side yard requirement is four (4) feet. (11-K DCMR § 705.1⁴) The proposed side yard, per the plat, is 4 feet 9 inches on one side and 8 feet 2 inches on the other side. (Exhibit 3-Certified Plat October 2017 for 1731 Kalorama Road, N.W.) This project complies with the side yard requirements.

⁴ 11-K DCMR § 705.1 Side Yard (RC)

705.1 A minimum side yard shall be provided for each structure located in the RC zones as set forth in the following table:

TABLE K § 705.1: MINIMUM SIDE YARD

Zone	Minimum Side Yard Distance
RC-1	None required; however, if a side yard is provided, it shall be no less than 4 ft.
RC-2	None required for a principal building; however, if a side yard is provided, it shall be at least 2 in. wide for each 1 ft. of height of building but no less than 5 ft.
RC-3	None required for a principal building; however, if a side yard is provided, it shall be at least 2 in. wide for each 1 ft. of height of building but no less than 5 ft.

Rear yard

The minimum rear yard requirement is fifteen (15) feet in a RC-1 zone. (11-K DCMR § 704⁵) The proposed rear yard for this project is 28 feet 3 inches, which exceeds the minimum requirement and complies with the regulations. (Exhibit 3- Certified Plat October 2017 for 1731 Kalorama Road, N.W.)

Lot occupancy

In a RC-1 zone, the lot occupancy is a maximum of 60%. (11-K DCMR § 703⁶) Here, DCRA calculated the lot occupancy as 59.1% (4,295 ft²), which satisfied the lot occupancy requirements.

⁵ 11-K DCMR §704 Rear Yard

704.1 A minimum rear yard shall be provided for each structure located in the RC zones as set forth in the following table:

TABLE K § 704.1: MINIMUM REAR YARD

Zone	Minimum Rear Yard Distance
RC-1	A distance equal to 4 inches per 1 foot of principal building height but no less than 15 feet
RC-2	15 feet
RC-3	15 feet

⁶ 11-K DCMR § 703 Lot Occupancy (RC)

703.1. No structure, including its accessory building, shall occupy its lot in excess of the percentage of lot occupancy set forth in the following table:

TABLE K § 703.1: MAXIMUM PERMITTED LOT OCCUPANCY

Zone	Use	Maximum Lot Occupancy
RC-1	Pub Rec Center	20%
	All Other	60 %
RC-2	Residential	60 %
	Residential with IZ	75%
	All Other	N/A
RC-3	Residential	80%
	Residential with IZ	80%

FAR (Floor Area Ratio)

Pursuant to 11-B DCMR § 303.3, “FAR shall be calculated by dividing the total GFA,⁷ as calculated under Subtitle B § 304, of all buildings on a lot by the area of that lot.” The maximum Floor Area Ratio (FAR) in a RC zone is 1.8 and “All Other with IZ” is 2.16. (11-K DCMR § 701⁸) This project qualifies for Inclusionary Zoning Program (IZ), which is discussed in more detail below. Based on DCRA’s calculations, the FAR for this project is 2.05, which complies with the zoning regulations.

III. The Plans comply with Height, Alley Lot, Rooftop Structure, GAR and Inclusionary Zone Requirements.

Height

Appellant alleges that the proposed plans require height variances and references 11-B DCMR §306, §308; 11-K DCMR §702 and §707. The maximum building height in a RC-1 zone

	All Other	N/A
--	-----------	-----

⁷ GFA- Gross Floor Area

⁸ 11-K DCMR § 701 Density- Floor Area Ratio (FAR) (RC)

701.1 Except as provided in other provisions of this chapter, the maximum permitted floor area ratio (FAR) in a RC zone shall be as set forth in the following table:

TABLE K § 701.1: MAXIMUM PERMITTED FAR

Zone	Use	Maximum FAR
RC-1	Public Library	2.0
	All Other	1.8
	All Other with IZ	2.16
RC-2	Total	2.5
	Total with IZ	3.0
	Non-Residential	1.5 for lots larger than 10,000 sq. ft.
RC-3	Total	3.5
	Total with IZ	4.2
	Non-Residential	1.5 for lots larger than 10,000 sq. ft.

701.2 In the RC-2 and RC-3 zones, an existing building on a lot with an area ten thousand square feet (10,000 sq. ft.) or less may have a maximum FAR of 2.0 for non-residential uses, provided the uses are located in the ground story, and the story directly above the ground story and the use shall not include eating or drinking uses.

701.3 Inclusionary Zoning requirements for the RC zones are as specified in Subtitle C, Chapter 10.

is 40 feet. (11-K DCMR § 702⁹) The plans depict a height of 40 feet, which complies with the zoning regulations. (Exhibit 4- A202 East Elevation)

Alley Lot

The alley lot requirements do not apply to this project because the property does not meet the definition of an alley lot. Under 11-B DCMR § 100.2, an alley lot, “Is either **a lot** that is recorded on the records of the Surveyor, District of Columbia, **that faces or abuts an alley that does not face or abut a street at any point** (alley record lot) **or a lot** that is recorded on the records of the D.C Office of Tax and Revenue, on or before November 1, 1957, **that faces or abuts an alley that does not face or abut a street at any point** (alley tax lot).” (emphasis added) In this case, site plan A100 shows that one side of the lot abuts a street, specifically Kalorama Road. (Exhibit 2- Site Plan A100) Therefore, this property does not meet the definition of alley lot and is therefore not subject to the alley lot requirements.

Rooftop Structure

In a RC-1 zone, the maximum height permitted for a penthouse is 12 feet for habitable penthouse space, and 15 feet for penthouse mechanical space. (11-K DCMR 702.4¹⁰) The

⁹ 11-K DCMR § 702 Height and Penthouse Regulations (RC)
702.1 The maximum permitted building height, not including the penthouse, in a RC zone shall not exceed that given in the following table:

TABLE K § 702.1: MAXIMUM PERMITTED BUILDING HEIGHT AND STORIES

Zone	Maximum Height (Feet)	Maximum No. of Stories
RC-1	40	3
RC-2	40	No limit
RC-3	40 50 with IZ	No limit

¹⁰ 11-K DCMR § 702.4
702.4 The maximum permitted height of a penthouse, except as prohibited on the roof of a detached dwelling, semi-detached dwelling, rowhouse or flat in Subtitle C § 1500.4, shall be as set forth in the following table:

TABLE K § 702.4: MAXIMUM PERMITTED PENTHOUSE HEIGHT AND STORIES

proposed penthouse has a penthouse habitable space of ten (10) feet and a smaller mechanical level four (4) feet above the habitable space. (Exhibit 4-A202 East Elevation) The total proposed penthouse height above the roof is fourteen (14) feet, which complies with the zoning regulations.

Green Area Ratio (GAR)

Green Area Ratio (GAR) is the ratio of the weighted value of landscape elements to land area. (11-C DCMR § 600.1) The GAR is calculated by adding up all of the landscape elements, plus any applicable multiplier, and dividing the total number by the lot area. (11-C DCMR § 602.1) The minimum GAR requirement for a RC-1 zone is 0.4. (11-K DCMR § 707.1¹¹) The current project has a GAR of 0.793, which exceeds the minimum requirements. (Exhibit 5- GAR Worksheet.)

ZONE	Maximum Penthouse Height	Maximum Penthouse Stories
RC-1 RC-2	12 ft. except 15 ft. for penthouse mechanical space	1
RC-3	12 ft., except 18 ft. 6 in. for penthouse mechanical space	1; Second story permitted for penthouse mechanical space

¹¹ 11-K DCMR § 707 Green Area Ratio (GAR) (RC)
707.1 A minimum green area ratio (GAR) shall be provided for each lot in an RC zone as set forth in the following table pursuant to the conditions and requirements of Subtitle C, Chapter 6:

TABLE K § 707.1: MINIMUM GREEN AREA RATIO

Zone	Minimum GAR
RC-1	0.40
RC-2	0.30
RC-3	0.30

Inclusionary Zoning Program Requirements

The Inclusionary Zoning (IZ) Program was created to increase the amount and expand the geographic distribution of adequate, affordable housing available, increase the production of affordable housing units throughout the District, and to create housing that will be affordable to low- and moderate-income residents. (11-C DCMR § 1000.1)

The Inclusionary Zoning requirements mandate that an inclusionary development which does not employ Type I construction must set aside the greater of ten percent (10%) of the gross floor area for residential use, including habitable penthouse space or seventy-five percent (75%) of its achievable bonus density to inclusionary units plus an area equal to ten percent (10%) of the penthouse habitable space as described in Subtitle C § 1001.2(d). The project’s total Gross Floor Area (GFA) is 19,070 ft², of which the net floor area is 15,165 ft², is documented on the approved Certificate of Inclusionary Zoning Compliance Application [CIZC]. (Exhibit 6- Certificate of Inclusionary Zoning Compliance Application and Penthouse Affordable Housing Addendum) First, the project does not employ Type I construction.¹² Second, the regulation requires that the project set aside the greater of 10% of the floor area or 75% of the achievable bonus units. In the instant case, the greater amount is 10% of the floor area. The minimum Inclusionary Zone square footage for this project is 1,516.5 ft². The project provides 2,147 ft², which satisfies the floor area requirement. (11-C DCMR § 1003.1¹³)

¹² DCRA Exhibit 6- Box 19 of Inclusionary Zoning Compliance Application.

¹³ 11-C DCMR § 1003.1 Set Aside Requirements

1003.1 An inclusionary development which does not employ Type I construction as defined by Chapter 6 of the International Building Code as incorporated into District of Columbia Construction Codes (Title 12 DCMR) to construct a majority of dwelling units and which is located in a zone with a by-right height limit of fifty feet (50 ft.) or less **shall set aside the greater of ten percent (10%) of the gross floor area** dedicated to residential use including penthouse habitable space as described in Subtitle C § 1001.2(d), or seventy-five percent (75%) of its achievable bonus density to inclusionary units **plus an area equal to ten percent (10%) of the penthouse habitable space** as described in Subtitle C § 1001.2(d). (emphasis added.)

In addition to the requirements for gross floor area, the IZ program has development standards for the proportion and distribution of inclusionary units. For example, the aggregate of the proportion of studio and one-bedroom inclusionary units shall not exceed the proportion of the comparable market rate units for each unit type,¹⁴ and inclusionary units shall not be overly concentrated by tenure, dwelling type, including single dwelling units, flats, or multiple-dwellings, or on any floor of a project.¹⁵ Here, the inclusionary units comprise of 4 units. Specifically, 1 two bedroom unit and 3 studios are inclusionary units.¹⁶ Two of the units are in the cellar, one unit is on the first floor and the final unit is on the 2nd floor. The number of the inclusionary units is in proportion to the proposed project and the units are located throughout the proposed building. This project complies with the requirements for minimum square footage under 11-C DCMR § 1003, the proportion of units under 11-C DCMR § 1005.1, and the distribution of units under 11-C DCMR § 1005.5.

CONCLUSION

For the foregoing reasons, DCRA respectfully requests that the Board (1) affirm that the Zoning Administrator correctly approved the Permit; and (2) deny this appeal.

Respectfully submitted,

/s/ Esther Yong McGraw

ESTHER YONG MCGRAW

General Counsel

Department of Consumer and Regulatory Affairs

/s/ Patricia B. Donkor

¹⁴ 11-C DCMR § 1005.1- The proportion of studio and one-bedroom inclusionary units shall not exceed the proportion of the comparable market rate units for each unit type.

¹⁵ 11-C DCMR § 1005.5- Inclusionary units shall not be overly concentrated by tenure, dwelling type, including single dwelling units, flats, or multiple-dwellings, or on any floor of a project.

¹⁶ DCRA Exhibit 6- Inclusionary Zoning Compliance Application Section C.

PATRICIA B. DONKOR
Deputy General Counsel

Date: 5/15/2019

/s/ Adrienne Lord-Sorensen
ADRIANNE LORD-SORENSEN (DC Bar # 493865)
Assistant General Counsel
Department of Consumer and Regulatory Affairs
Office of the General Counsel
1100 4th Street, S.W., 5th Floor
Washington, D.C. 20024
(202) 442-8401 (office)
(202) 442-9447 (fax)

CERTIFICATE OF SERVICE

I certify that on this 15th day of May 2019 a copy of “DCRA’s Pre-Hearing Statement” was served via electronic mail to:

Adams Morgan Friends & Allies
c/o Chris Otten
2203 Champlain Street, N.W. #303
Washington, D.C. 20009
(202) 810-2768
Crotten2@gmail.com

Ted Guthrie
Advisory Neighborhood Commission 1C
Chairperson
1849 Kalorama Road, N.W., Apt.2.
Washington, D.C. 20009
tedguthrie3@gmail.com
1c03@anc.dc.gov

Goulston & Storrs
c/o Meghan Hottel-Cox, Esq.
1999 K Street, N.W., Suite 500
Washington, D.C. 20006
MHottel-Cox@goulstonstorrs.com
(202) 721-1138

Japer Bowles
ANC 1C071762 Lanier Place, N.W.
Washington, D.C. 20009
1C07@anc.dc.gov

Goulston & Storrs
c/o Christine Roddy, Esq.
1999 K Street, N.W., Suite 500
Washington, D.C. 20006
croddy@goulstonstorrs.com
(202) 721-1116

/s/ Adrienne Lord-Sorensen
Adrienne Lord-Sorensen