



June 24, 2019

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Frederick L. Hill, Chairperson
Board of Zoning Adjustment
441 4th Street, NW, Suite 200S
Washington, DC 20010

**Re: BZA Case No. 20047
Applicant's Cover Letter, Form 150, and Updated Plans**

Chairperson Hill and Honorable Members of the Board:

On behalf of the Applicant, District Department of General Services (the "Applicant"), please find enclosed Applicant's Form-150 Motion for Waiver of the 21-Day Filing Deadline, attached at **Tab A**, and Applicant's comprehensive set of updated plans ("Updated Plans"), attached at **Tab B**. The application is scheduled to be heard before the Board of Zoning Adjustment on June 26, 2019.

A. Motion for Waiver of the 21-Day Filing Deadline:

Pursuant to Subtitle Y § 101.9, the Board has the authority to waive the 21-day filing deadline for supplemental documents "if the waiver will not prejudice the rights of any party and is not otherwise prohibited by law." Here, as indicated in the Applicant's Prehearing Statement (BZA Ex. 30), the Applicant presented the application to the full ANC on June 17th and continues to work with the District's Historic Preservation Review Board ("HPRB") and Historic Preservation Office ("HPO") staff on elements of the design. The Updated Plans provide the Board with a comprehensive set of architectural plans illustrating the changes made in response to community comments and HPRB and HPO review since the original application was filed with the Board of Zoning Adjustment on April 30, 2019.

As the Updated Plans provide the same information that was presented to the ANC and there are no other parties to this case, no rights of any party will be prejudiced by this supplemental filing. Accordingly, for good cause shown, pursuant to Subtitle Y § 101.9, we respectfully request that the Board waive the 21-day filing deadline under Subtitle Y § 300.15.

B. Applicant's Updated Architectural Plans

The Updated Plans reflect the following changes:

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- Changes to the building layout, including the relocation of the stage from the east side to the north side of the Gymnasium. The rear setback was adjusted accordingly in the zoning summary; the building remains in compliance with the required 25 foot rear setback, with a new setback of 31 feet- 5 inches. This mass occurs under grade and does not impact the building massing as perceived by the community. The Grade Plane Measuring point was adjusted based on the new rear elevation.
- Renderings showing the overall site have been updated to reflect the new gym configuration and the removal of the raised bleachers on the Gymnasium roof in association with plan evolution.
- The Zoning Summary Pervious Surface Area has been updated, along with the supporting diagram and roof plans, showing a flattened roof, with increased green roof area. The overall building height and pervious surface area remain compliant.
- Updated information renderings showing additional detail for the retaining wall relief requested.

C. Applicant's Request for Flexibility

The Applicant anticipates that changes due to design development and coordination with review agencies, such as HPRB and HPO, will impact the plans presented to the Board. Accordingly, the Applicant requests flexibility because the elevations and rendering in the Application are expected to change as part of the ongoing coordination with the Historic Preservation Board.

Changes anticipated by the Applicant include adjustments to minor changes to the building footprint, the location and height of retaining walls, location and size of the penthouse mechanical screening, and minor adjustments to the building height. The Applicant anticipates minor modifications to the building footprint that will result in minor changes to the site plan dimensions and plat, but does not anticipate such changes will increase GFA or FAR beyond the requested relief. Additionally, the Applicant anticipates that the final location of the site walls may require adjustment with the development of the landscape screening, however, the final overall retaining wall heights will be within the requested relief height. Further, the location and size of the rooftop mechanical screen will be subject to change with the coordination of final mechanical units. Finally, the Project's height will be subject to minor change and thus the Applicant is seeking flexibility regarding adjustments to the envelope height, with the understanding that the Project will remain lower than the existing structures and will be within the allowed height for public education buildings in the R-1-B zone. Accordingly, the Applicant respectfully requests the following conditions be added to the Order:

- 1) To permit adjustment, as required and approved by HPRB, to the building footprint and minor changes to the building footprint, site plan dimensions and plat so long as the modification does not increase GFA and the FAR remains at, or below the current relief requested.
- 2) To permit adjustments, as required and approved by HPRB, to the final location of the retaining walls in line with the development of the landscape screening so long as the final overall retaining wall heights will be no higher than the requested relief.
- 3) To permit modification, as required and approved by HPRB, of the location and size of the rooftop mechanical screen as needed to coordinate with of final units so long such changes do not trigger any new relief from the permitted penthouse height and setback requirements.

- 4) To permit minor changes, as required and approved by HPRB, to the Project's building height and envelope, so long as the Project does not require any new relief and is within the height permitted for public education buildings in the R-1-B zone.

None of the foregoing flexibility requested is anticipated to result in an expansion of the relief requested or to require additional relief under the Zoning Regulations.

D. Community Outreach

As part of the John Eaton Elementary School modernization project, the Applicant has presented to and engaged with the community at numerous SIT meetings and community meeting regarding the overall school modernization, the HPRB application and this Application. While the modernization community outreach process has provided a venue for the neighbors to voice concerns about current parking issues, the Applicant has explained, and the community recognizes, that this BZA Application does not require or involve parking relief. However, the Applicant has pledged to continue working with the neighbors and DDOT with the goal of creating a better street parking plan for the neighborhood.

The Applicant presented the Application to ANC 3C's Planning and Zoning Committee on June 3, 2019. ANC 3C's Planning and Zoning Committee recommended support for the Application and the Application was approved unanimously at the full ANC 3C's meeting on June 17, 2019 (*See ANC Resolution at BZA Ex. 38*). In connection with the Applicant's efforts to work with the ANC and community, the Applicant worked with the ANC and consents to the ANC's proposed conditions.

Thank you for your attention to this matter. We look forward to presenting to this application to the Board at the public hearing scheduled for June 26, 2019.

Sincerely,

COZEN O'CONNOR



Meridith Moldenhauer

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of June, 2019, copies of the foregoing Cover Letter, Form 150, and Updated Plans were served, via electronic mail, on the following:

District of Columbia Office of Planning
c/o Karen Thomas
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Advisory Neighborhood Commission 3C
Nancy MacWood, SMD 3C09 and Chair
3C09@anc.dc.gov



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