

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Zoning Commission



April 11, 2014

ANC 6C
PO Box 77876
Washington, D.C. 20013

ANC 6C06
Tony Goodman
1152 4th Street, N.E.
Washington, D.C. 20002

Re: Notice of Receipt of Z.C. Case No. 05-36I (Toll DC II LP – PUD Modification @ Square 749)

Dear ANC Chair & ANC/SMD Commissioner:

Pursuant to D.C. Official Code § 1-309.10 (b), the Zoning Commission for the District of Columbia hereby gives you notice of the receipt of an application from Toll DC II LP (the “Applicant”) for approval of a modification to a previously approved planned unit development (“PUD”) for property located in the northeast quadrant on a site bounded by 2nd Street, N.E. (west), K Street, N.E. (south), 3rd Street, N.E. (east), and L Street, N.E. (north), N.W., also known as Square 749, Lots 826 and 827. Please note that this case was filed electronically through the Interactive Zoning Information System (“IZIS”). You can access and file your report for this case through IZIS at <http://app.dcoz.dc.gov>.

Pursuant to D.C. Official Code § 1-309.10(d)(2), the Zoning Commission must wait thirty days, excluding Saturdays, Sundays, and holidays before it can make its decision on this application. However, as a practical matter, the Commission cannot make a decision that soon, because it must first hold a public hearing and the National Capitol Planning Commission is thereafter given thirty days to review the application.

You will also receive notice of the hearing date at least 40 calendar days in advance. If your ANC wishes to participate as a party, then the written report must be received no later than seven days prior to the hearing date and contain the information required by 11 DCMR § 3012.5. Form 129 – Advisory Neighborhood Commission (ANC) Report, which is attached for your convenience, is the preferred mechanism to complete this Report. In the alternative, you can review § 3012.5, which states the required information for the written report, a copy of which is included at the bottom of this letter. Any written report received prior to the close of the record in this case that contains that information will be given “great weight.”

Great weight does not mean that the Zoning Commission must defer to an ANC’s view, but instead requires acknowledgement of the ANC as the source of the recommendations and explicit reference to each of the ANC’s issues and concerns. It is therefore important that the written report not only indicate

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ZONING COMMISSION
District of Columbia
CASE NO. 05-36I
EXHIBIT NO. 9

whether the ANC supports or opposes the application, but that is also identify each issue and concern that led to the recommendation made.

If you have any questions, please do not hesitate to contact me at (202) 727-6311.

Sincerely,



Sharon S. Schellin
Secretary to the Zoning Commission
Attachment

11 DCMR 3012.5

3012.5 If an Advisory Neighborhood Commission (ANC) wishes to participate in a contested case under § 3022, the ANC shall file a written report with the Zoning Commission at least seven (7) days in advance of the hearing. In a rulemaking under § 3021, there shall be no filing deadline as long as the record in that case is open. All written reports shall contain the following:

- (a) An identification of the application or petition;
- (b) When the public meeting of the ANC to consider the application or petition was held;
- (c) Whether proper notice of that meeting was given by the ANC;
- (d) The number of members of the ANC that constitute a quorum and the number of members present at the meeting;
- (e) The issues and concerns of the ANC about the application or petition, as related to the standards against which the application or petition shall be judged;
- (f) The recommendation, if any, of the ANC as to the disposition of the application or petition;
- (g) The vote on the motion to adopt the report to the Commission;
- (h) The name of the person who is authorized by the ANC to present the report; and
- (i) The signature of the ANC chairperson or vice-chairperson.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

NOTICE OF FILING

Z.C. Case No. 05-36I

(Toll DC II LP – PUD Modification @ Square 749)

April 11, 2014

THIS CASE IS OF INTEREST TO ANC 6C

On April 8, 2014, the Office of Zoning received an application from Toll DC II LP (the “Applicant”) for approval of a modification to planned unit development (“PUD”) for the above-referenced property.

The property that is the subject of this application consists of Lots 826 and 827 in Square 749 in Northeast Washington, D.C. (Ward 6), which is located on a site bounded by 2nd Street, N.E. (west), K Street, N.E. (south), 3rd Street, N.E. (east), and L Street, N.E. (north).

The Applicant proposes a number of changes to the Phase II PUD building: design changes to achieve a more efficient core (yielding 35,000 additional square feet); an increase in the residential units from 500 to 525 a reduction of parking spaces from 329 to 243, while increasing the number of bicycle parking spaces from 55 to 175; refinements to the façade; and enhancement to the sustainability features. The relocated courtyard also enables a reduction in the loading facilities for the entire PUD.

This case was filed electronically through the Interactive Zoning Information System (“IZIS”), which can be accessed through <http://dcoz.dc.gov>. For additional information, please contact Sharon S. Schellin, Secretary to the Zoning Commission at (202) 727-6311.



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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