

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Zoning Commission



March 4, 2013

ANC 6D  
1101 4<sup>th</sup> Street, S.W.  
Suite W 130  
Washington, D.C. 20024

Commissioner David Garber  
ANC/SMD 6D07  
[6D07@anc.dc.gov](mailto:6D07@anc.dc.gov)

**Re: Notice of Receipt of Z.C. Case No. 13-05 (Forest City Washington – 1<sup>st</sup>-Stage PUD, 2<sup>nd</sup>-Stage PUD and Related Map Amendments @ Squares 744S and 744SS)**

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 Forest City Washington (the “Applicant”) for approval of a first-stage planned unit development (“PUD”), a second-stage PUD, and related map amendments from the CG-W-2 Zone District to the CG/CR and CG/W-1 Zone Districts for property located in the southeast quadrant on property bounded by N Place, S.E. (north), First Street, S.E. (west), Diamond Teague Park (south), and DC Water’s Main and O Street pumping stations (east)

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 whether the ANC supports or opposes the application, but that it 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. 13-05**  
**(Forest City Washington – 1<sup>st</sup>-Stage PUD, 2<sup>nd</sup>-Stage PUD, and Related Map**  
**Amendments @ Squares 744S and 744SS)**  
**March 4, 2013**

**THIS CASE IS OF INTEREST TO ANC 6D**

On February 27, 2013, the Office of Zoning received an application from Forest City Washington (the “Applicant”) for approval of a first-stage planned unit development (“PUD”), a second-stage PUD, and related map amendments for the above-referenced property.

The property that is the subject of this application consists of part of Lot 805 in Square 744S and part of Lot 801 in Square 744SS in Southeast Washington, D.C. (Ward 6), which is bounded by N Place, S.E. (north), First Street, S.E. (west), Diamond Teague Park (south), and DC Water’s Main and O Street pumping stations (east). The property is currently zoned CG/W-2. The Applicant proposes PUD-related map amendments to rezone the property, for the purposes of this project, to CG/CR and CG-W1.

The property is currently improved with multiple low-scale buildings used for a variety of light industrial uses. In the first-stage PUD, the Applicant proposes to demolish several buildings and retain part of one (the Fleet Maintenance Shop) in order to redevelop the property into four new city blocks that will contain a new movie theater, two residential buildings with approximately 600 residential units, and 137,000-147,000 square feet of retail, arts, and entertainment space – with an approximate total density of 5.81 floor area ratio. The second-stage PUD seeks approval for the 2,500-seat movie theater, which will be located at the northeastern corner of the property and will also include approximately 2,000 square feet of ground-floor retail space and 337 parking spaces.

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.



**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.**

### *Person vs. Party in a Proceeding*

Any person or representative of an organization may provide written and/or oral testimony at a public hearing. A person who desires to participate as a party in a proceeding, however, must make a request and must comply with the provisions on this form. A party has the right to cross-examine witnesses, submit proposed findings of fact and conclusions of law, receive a copy of the written decision of the Zoning Commission or Board of Zoning Adjustment, submit a Motion for Reconsideration or Rehearing, and exercise any other rights of parties as specified in the Zoning Regulations. Approval of party status is contingent upon the requester clearly demonstrating that his or her interest will be more significantly, distinctively, or uniquely affected by the proposed zoning action than that of other persons.

#### INSTRUCTIONS

**Any request for party status as provided in the District of Columbia Zoning Regulations (11 DCMR Zoning) that is not completed in accordance with the following instructions shall not be accepted.**

1. All applications shall be made pursuant to this form. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form (drawings and plans may be no larger than 11" x 17").
2. Present this form and supporting documents to the Office of Zoning at 441 4<sup>th</sup> Street, N.W., Suite 200-S, Washington, D.C. 20001, not less than fourteen (14) days prior to the date set for the hearing.



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

District of Columbia Office of Zoning  
441 4th Street, N.W., Ste. 200 S, Washington, D.C. 20001  
(202) 727 6311 \* (202) 727 6072 fax \* [www.dcoz.dc.gov](http://www.dcoz.dc.gov) \* [dcoz@dc.gov](mailto:dcoz@dc.gov)