

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



November 30, 2015

ANC 2F
5 Thomas Circle, NW
Washington, DC 20005

Commissioner Charlie Bengel
ANC/SMD 2F06
910 M Street NW #418
Washington, DC 20001

Re: Z.C. Case No. 15-32 (1126 9th St. NW, LLC – Consolidated PUD and Related Map Amendment @ Square 369, Lot 880)

Dear ANC Chair & ANC/SMD Commissioners:

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 1126 9th St. NW, LLC (the “Applicant”) for approval of a consolidated planned unit development (“PUD”) and related map amendment to property located in the northwest quadrant of the District at 1126 9th Street, N.W, also known as Square 369, Lot 880. 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 30 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 your ANC has not received a courtesy copy of the application from the Applicant, please notify us so we can assist you in obtaining a copy. 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.



**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

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.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FILING
Z.C. Case No. 15-32
(1126 9th St. NW, LLC – Consolidated PUD and
Related Map Amendment @ Square 369, Lot 880)
November 9, 2015

THIS CASE IS OF INTEREST TO ANC 2F

On November 27, 2015, the Office of Zoning received an application from 1126 9th St. NW, LLC (the “Applicant”) for approval of a consolidated planned unit development (“PUD”) and related map amendment for the above-referenced property.

The property that is the subject of this application consists of Lot 880 in Square 369 in northwest Washington, D.C. (Ward 2), on property located at 1126 9th Street, N.W. The property is currently zoned DD/C-2-A and DD/C-2-C. The Applicant is proposing a PUD-related map amendment to rezone the property, for the purposes of this project, to the DD/C-2-C Zone District.

The property is currently improved with two one-story buildings and related surface parking. The Applicant proposes to construct a mixed-use multi-family building of retail and residential uses, with a full-service grocery store at ground level. The maximum height of the building will be 73’4” and the total gross floor area will be approximately 273,308 square feet, with a maximum density of 3.12 floor area ratio (“FAR”).

The applicant is requesting approval of this PUD in order to create a residential project with office and/or retail uses on the ground floor and second floor of the site. This project will create approximately 28 new residential units, and approximately 7,644 gross square feet (“GSF”) of commercial space on the ground floor and second floor, with a total project gross floor area of approximately 40,290 GSF. The Applicant is also requesting approval for the second level of the project to be utilized as residential, which would result in a use mix of approximately 33 new residential units, approximately 3,723 GSF of commercial space on the ground floor and second floor and no change to the total project gross floor area. The proposed project will have an overall density of approximately 5.3 FAR and maximum heights of 100 feet along 9th Street and 54 feet, 2 inches (with two loft bump ups creating a building height of 61 feet, 4 inches) feet along M Street. Loading will be from the rear of the property, accessible via an existing alley. The Project will include two non-compliant surface parking spaces and no underground parking.

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.