

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FURTHER PUBLIC HEARING**

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TIME AND PLACE: Monday, January 7, 2019, @ 6:30 p.m.
Jerrily R. Kress Memorial Hearing Room
441 4th Street, N.W., Suite 220
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 16-23 (Valor Development, LLC – Voluntary Design Review @ Square 1499, Lots 802, 803, 806 and 807)

THIS CASE IS OF INTEREST TO ANCs 3E and 3D

On October 27, 2016, the Office of Zoning received an application from Valor Development, LLC (the "Applicant"), on behalf of FW DC-Spring Valley Shopping Center LLC and Apex Real Estate Company.¹ The Applicant is requesting review and approval of a new mixed-use (residential and retail) development project for Lots 802, 803, 806 and 807 in Square 1499 (the "Project Site"), pursuant to the design review provisions of Subtitle X, Chapter 6 of the 2016 Zoning Regulations of the District of Columbia ("ZR16") (11 DCMR Subtitle X, Chapter 6), and specifically pursuant to 11-X DCMR § 601.2, which permits property owners to voluntarily apply for design review of a proposed development. As part of this design review, the Applicant seeks flexibility from the rear yard requirements of the MU-4 zone. The Commission can grant such flexibility as part of the design review process pursuant to 11-X DCMR § 603.1, which permits it to grant flexibility from certain development standards including the standards for "setbacks."² The Applicant is also requesting special exception relief to allow a ten-foot penthouse on top of a row dwelling for purposes of providing access to a roof deck. The Commission can grant such relief as part of the design review process pursuant to 11-X DCMR § 603.3

The Project Site consists of approximately 160,788 square feet of land area and is generally bounded by Yuma Street on the north; Massachusetts Avenue on the south; 48th Street on the east; and the Spring Valley Exxon station on the west. The Project Site is currently improved with the Spring Valley Shopping Center ("SVSC") (Lots 802 and 803), the former American University Law School building ("AU Building") (Lot 806), and a vacant grocery store building, retail uses (restaurant and salon), and surface and below-grade parking (Lot 807). Collectively, Lots 806 and 807 make up Record Lot 9. The Project Site is zoned MU-4, a district in which residential and retail uses are permitted as a matter of right.

¹ The Applicant's original application included Lot 807, which is currently owned by Apex Real Estate Company, and Lots 802 and 803, which are owned by FW DC-Spring Valley Shopping Center LLC. On September 8, 2017, the Applicant amended its application to also include Lot 806, which is owned by American University. The Applicant has submitted letter of authorization from each of the aforementioned property owners within the design review project area.

² When the current versions of Subtitle G and X were first proposed, the applicable minimum rear yard requirement was referred to as a "rear setback." This terminology was later replaced with the traditional reference to a "minimum rear yard" in current Subtitle G, but the reference to "setbacks" in 11-X DCMR § 603.1 was not similarly revised.