

To: Anthony Hood, Chair and Members of the Zoning Commission
From: Concerned Citizens of Woodridge
Date: July 29, 2019

Re: Case No. 19-04

Dear Members of the Commission,

There seems to be some confusion about whether the July 10, 2019 Emergency Text Amendment associated with Case No. 19-04 applies to the Catholic Charities project proposed for 2800 Otis Street NE.

Based on comments made by Chairman Hood and others, we understood that, because of the size of the Catholic Charities project, neither the Emergency Text Amendment nor the changes proposed in Case No. 19-04 would apply. We understood that the Catholic Charities project would continue to be subject to Board of Zoning Adjustment Special Exception review (Case No. 19927).

We were surprised, therefore, when our ANC Commissioner Gail Brevard sent out an email (see attached) she had received from the Department of Consumer and Regulatory Affairs stating (among other things) that:

3. However, on 4/1/2019 the DC Zoning Commission approved an emergency text amendment that established a Community Renewable Energy Facility use is permitted as a matter-of-right, which eliminated the need for BZA Special Exception review for this facility (ZC Order# 19-04). (Emphasis added.)

The Concerned Citizens of Woodridge would greatly appreciate it if the Zoning Commission could clarify whether or not the Catholic Charities project at 2800 Otis Street NE continues to be subject to BZA Special Exception review.

Thank you.

----- Forwarded message -----

From: **Gail Brevard** <brevardb@aol.com>
Date: Sat, Jun 29, 2019 at 12:58 AM
Subject: Catholic Charities Solar Array: Update
To:

Good Day All,

Concerning Catholic Charities' solar array, the matter is Closed.

This organization requested to have their property rezoned from Residential to Utility. The Zoning Commission (ZC), not the Board of Zoning Adjustments (BZA), determined that a re-zoning was not necessary. See below:

Hello Gail:

Thank you for contacting the District of Columbia Department of Consumer and Regulatory Affairs (DCRA). Here is a brief timeline for Zoning's part in DCRA's permit process for the permit issued in Case #6683 involving the solar array for 2800 Otis Street NE.

1. On 11/14/19 the property applied to the Board of Zoning Adjustment (BZA) for zoning relief to allow the installation of a solar array at the site BZA Case #19927. This would not be allowed as a matter-of-right installation in a R-1-B zoning district [Residential]. The Zoning Administrator determined that it would be a "Utility" use, permitted only by Special Exception in the R-1-B zone.
2. The hearing date set for 2/27/19 was postponed, due to the prior week's closure of the DC Government, until April 17, 2019
3. However, on 4/1/2019 the DC Zoning Commission approved an emergency text amendment that established a Community Renewable Energy Facility use is permitted as a matter-of-right, which eliminated the need for BZA Special Exception review for this facility (ZC Order# 19-04).
4. On 4/3/19 the property applied for solar permit #SOL1900996 for *"Installation of a GROUND-MOUNTED grid-tied 2028.8 kW solar PV system, consisting of 5072 solar modules."*
5. On 4/13/2019 the application was approved by Structural, Fire and Electrical Review
6. On 4/26/19, ZC approved the application based upon the ZC Order #19-04, which allows these uses as a matter-of-right in the R-1-B Zone.
7. Permit #SOL1900996 was issued on 6/4/2019.

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