

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



August 7, 2020

ANC 6D
6D@anc.dc.gov

Commissioner Rhonda Hamilton
ANC/SMD 6D06
6D06@anc.dc.gov

Re: 1319 South Capitol Owner, LLC – CG Design Review for Sq. 653, Lots 14, 15, 53, 54, 60-64, 68, 70, 810, 811, and 831)

Dear ANC Chair & ANC/SMD Commissioner:

Please find attached the public hearing notice for the above referenced project. Pursuant to Subtitle Z § 406.3, if your ANC wishes to participate in the hearing, then its written report must be received at least seven days in advance of the public hearing. The report must contain the information required by Subtitle Z § 406.2, which is included at the bottom of this letter. That information is also included in Form 129 – Advisory Neighborhood Commission (ANC) Report, which is attached for your convenience and is the preferred mechanism to complete your report. Any written report received prior to the date of a Commission meeting to consider final action will be given “great weight.”

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.

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,

A handwritten signature in blue ink that reads "Sharon S. Schellin".

Sharon S. Schellin
Secretary to the Zoning Commission
Attachment

Subtitle Z § 406.2

406.2 The Commission shall give "great weight" to the written report of the ANC(s), pursuant to § 3 of the Comprehensive Advisory Neighborhood Commissions Reform Amendment Act of 2000, as amended, that is received at any time prior to the date of a Commission meeting to consider final action including any continuation thereof on the application. All written reports shall contain the following:

- (a) The case name and number;
- (b) The date the public meeting of the ANC to consider the application occurred;
- (c) A statement that proper notice of that public 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 public meeting;
- (e) The issues and concerns of the ANC about the application, as related to the standards against which the application shall be judged;
- (f) The recommendation, if any, of the ANC as to the disposition of the application;
- (g) The outcome of 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 VIRTUAL PUBLIC HEARING**

TIME AND PLACE: **Monday, October 26, 2020 @ 4:00 p.m.**
**WebEx or Telephone – Instructions will be provided on
the OZ website by Noon of the Hearing Date¹**

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 20-18 (1319 South Capitol Owner, LLC – Design Review of Buildings and Structures on South Capitol Street @ Square 653, Lots 14, 15, 53, 54, 60-64, 68, 70, 810, 811, and 831 [1319 South Capitol Street, S.W.]

THIS CASE IS OF INTEREST TO ANC 6D

1319 South Capitol Owner, LLC, filed an application (the “Application”) on July 24, 2020, pursuant to the Zoning Regulations (Title 11, Zoning Regulations of 2016, of the District of Columbia Municipal Regulations, to which all references are made unless otherwise specified) requesting that the Zoning Commission of the District of Columbia (the “Commission”) grant design review approval pursuant to Subtitle K § 512 and Subtitle X, Chapter 6 for a residential development on Lots 14, 15, 53, 54, 60-64, 68, 70, 810, 811, and 831 in Square 653 (the “Property”) with a street address of 1319 South Capitol Street, S.W.

The Property consists of approximately 37,453 square feet of land area in Ward 6. The Property is bounded on the east by South Capitol Street and private rowhouses, on the south by a large apartment building, on the west by an alley and a residential community, and on the north by N Street. The Property is currently improved with a large surface parking lot and eight (8) rowhouses. The Property is located in the CG-2 Zone.

The Application proposes to incorporate construct six of the Property’s existing rowhouses into a new eleven- (11) story building containing approximately 302 residential units (the “Project”). The Project will have a floor area ratio (“FAR”) of 7.2, a maximum lot occupancy of 70%, and a maximum building height of 110 feet. The Project will provide approximately 180 vehicular parking spaces, approximately 100-107 long term bicycle parking spaces, and loading facilities and is designed to meet or exceed LEED v.4 Silver for New Construction.

The Application requests flexibility pursuant to Subtitle X § 603 from the following requirements of the Zoning Regulations to accommodate the Project’s design:

- The minimum rear yard requirements of Subtitle K § 502.7;
- The minimum court dimension requirements of Subtitle K § 502.9; and
- The required South Capitol Street setback of Subtitle K § 510.1(b)(1).

¹ Anyone who wishes to participate in this case but cannot do so via WebEx or telephone, may submit written comments to the record. (See p. 2, *How to participate as a witness – written statements.*)

This virtual public hearing will be conducted in accordance with the contested case provisions Subtitle Z, Chapter 4, including the text provided in the Notice of Emergency and Proposed Rulemaking adopted by the Zoning Commission on May 11, 2020, in Z.C. Case No. 20-11.

How to participate as a witness – oral presentation

Interested persons or representatives of organizations may be heard at the virtual public hearing. All individuals, organizations, or associations wishing to testify in this case are **strongly encouraged to sign up to testify at least 24 hours prior to the start of the hearing** on OZ’s website at <https://dcoz.dc.gov/> or by calling Donna Hanousek at (202) 727-0789 in order to ensure the success of the new virtual public hearing procedures.

The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The Commission must base its decision on the record before them. Therefore, it is **highly recommended that all written comments and/or testimony be submitted to the record at least 24 hours prior to the start of the hearing**. The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- | | | |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 60 minutes collectively |
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

Pursuant to Subtitle Z § 408.4, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

How to participate as a witness – written statements

Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by e-mail to zcsubmissions@dc.gov. Please include the case number on your submission. If you are unable to use either of these means of submission, please contact Donna Hanousek at (202) 727-0789 for further assistance.

How to participate as a party.

Any person who desires to participate as a party in this case must so request and must comply with the provisions of Subtitle Z § 404.1.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Commission, and to exercise the other rights of parties as specified in the Zoning Regulations. If you are still unsure of what it means to participate as a party and would like more information on this, please contact OZ at dcoz@dc.gov or at (202) 727-6311.

Except for an affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person’s interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than 14 days prior to the date set for the hearing, or 14 days prior to a scheduled public meeting if seeking advanced party status consideration, a Form 140 – Party Status Application, a copy of which may be downloaded from OZ’s website at: <https://app.dcoz.dc.gov/Help/Forms.html>**. This form may also be obtained from OZ at the address stated below.

“Great weight” to written report of ANC

Subtitle Z § 406.2 provides that the written report of an affected ANC shall be given great weight if received at any time prior to the date of a Commission meeting to consider final action, including any continuation thereof on the application, and sets forth the information that the report must contain. Pursuant to Subtitle Z § 406.3, an ANC that wishes to participate in the hearing must file a written report at least seven days in advance of the public hearing and provide the name of the person who is authorized by the ANC to represent it at the hearing.

FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

ANTHONY J. HOOD, ROBERT E. MILLER, PETER G. MAY, PETER A. SHAPIRO, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

Do you need assistance to participate? If you need special accommodations or need language assistance services (translation or interpretation), please contact Zee Hill at (202) 727-0312 or Zelalem.Hill@dc.gov five days in advance of the meeting. These services will be provided free of charge.

¿Necesita ayuda para participar? Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Avez-vous besoin d’assistance pour pouvoir participer? Si vous avez besoin d’aménagements spéciaux ou d’une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à Zelalem.Hill@dc.gov cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

참여하시는데 도움이 필요하세요? 특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312 로 전화 하시거나 Zelalem.Hill@dc.gov 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

您需要有人帮助参加活动吗?如果您需要特殊便利设施或语言协助服务(翻译或口译)·请在见面之前提前五天与 Zee Hill 联系·电话号码 (202) 727-0312, 电子邮件 Zelalem.Hill@dc.gov 这些是免费提供的服务。

Quí vị có cần trợ giúp gì để tham gia không? Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc Zelalem.Hill@dc.gov trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

ለሙሳተፍ ዕርዳታ ያስፈልግዎታል? የተለየ እርዳታ ከስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም) ከስፈለገዎት እባክዎን ከስተባባሪው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እንኳ አገልግሎቶች የሚሰጡት በነጻ ነው።



**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 Subtitle Z § 406.2 and Subtitle Y § 406.2 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*):

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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*):

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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 SUBTITLE Z § 406 AND SUBTITLE Y § 406.

INSTRUCTIONS

Pursuant to 11 DCMR Subtitle Z § 406.2 and Subtitle Y § 406.2, the Zoning Commission (ZC) and Board of Zoning Adjustment (BZA) 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. ANC reports and any accompanying documents must be submitted to the record by using:
 - a. The Interactive Zoning Information System (IZIS) at www.dcoz.dc.gov;
 - b. By email to zcsubmissions@dc.gov for the ZC or bzasubmissions@dc.gov for the BZA; or
 - c. In person or by U.S. mail addressed to 441 4th Street, NW, Suite 200-S, Washington, DC 20001.
3. Submission deadlines are as follows:
 - a. ANCs must file this form at least seven (7) calendar days in advance of the hearing, if they wish to participate in a public hearing under Subtitle Z § 406.3 and Subtitle Y § 406.3.
 - b. In all cases before the ZC or BZA, ANCs must file this form before the ZC or BZA makes a decision in order to receive great weight.

If You See Something, Say Something Report Fraud, Waste, Abuse, and Mismanagement in the Government of the District of Columbia to the Office of the Inspector General
717 14th Street, N.W., Suite 500 | Washington, D.C. 20005

CALLS ARE CONFIDENTIAL

Toll Free Hotline

1-800-521-1639 | 202-724-TIPS (8477) | Email: hotline.oig.dc.gov | Web Page: www.oig.dc.gov



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

(202) 727-6311 * (202) 727-6072 fax * www.dcoz.dc.gov * dcoz@dc.gov