

November 21, 2018

**VIA IZIS AND HAND DELIVERY**

D.C. Board of Zoning Adjustment  
441 4<sup>th</sup> Street, N.W.  
Suite 200-S  
Washington, D.C. 20001

Re: **BZA Case No. 19888: SOME, Inc. (the “Applicant”) Special Exception Application for Square 668, Lots 41, 67, 809, and 810 (the “Property”) – Pre-Hearing Submission**

Dear Members of the Board:

Please accept for filing the enclosed twenty-one day pre-hearing statement of the Applicant. By the instant application, the Applicant is requesting special exception relief from the loading requirements for the construction of a multi-family residential building to provide approximately 139 affordable residential units along North Capitol Street (the “**Project**”). The Applicant is seeking a special exception pursuant to 11-C DCMR § 909.2 for relief from the loading requirements as set forth in the Zoning Regulations.

Set forth below is (1) a discussion explaining the updating drawings; (2) information regarding community outreach and input; and (3) expert witness resumes and outlines of testimony.

**I. Updated Drawings**

The Applicant has continued working with the Office of Planning (“OP”) and the District Department of Transportation (“DDOT”) regarding the Project. In these conversations, DDOT requested the trash room be relocated to the opposite side of the building to be closer to the existing commercial loading zone near the Property at North Capitol Street. In studying options to accomplish this, the project architect determined that, rather than implement a discrete plan revision as might be expected, it made more sense to flip the entire building plan. The resulting building is essentially a mirror image of the initially proposed building: there is no change to the program and very little change to the configuration and dimensions of the interior spaces. The second through fourteenth floors and the penthouse have no revisions whatsoever, aside from the mirroring. The first floor and cellar levels have minor revisions at the rear (northeast and southeast) corners, adjustment to coordinate with the angled notch of the northeast corner lot line. The flip and minor adjustments create no changes to conformance with the applicable Zoning parameters (as outlined on the Zoning Data sheet). Attached as Exhibit C are updated plans for the Project, illustrating the revisions described above.

Additionally, OP provided comments to the Applicant regarding projections and items in public space. The Applicant will continue to coordinate with OP and the Department of Consumer and Regulatory Affairs regarding these projection-related issues separately from this application, since the Construction Code issue is not directly related to the loading relief being requested and not typically subject to the Board’s purview more generally. Therefore, the façade design is subject to potential change, as needed, to address any Code-related issues that arise in permit review, particularly relating to allowable projections.

## **II. Community Outreach and Input**

Since submitting the application, the Applicant has continued to reach out to the community, including the Advisory Neighborhood Commission (“ANC”) and neighboring civic associations to discuss the Project. The ANC includes three civic associations – the Eckington Civic Association, the Hanover Civic Association, and the Bates Civic Association – although the Property is not located within the boundaries of any of these Associations. However, pursuant to the request of the ANC, the Applicant presented the Project to all three Civic Associations – to Eckington on October 1<sup>st</sup>, to Hanover on October 17<sup>th</sup>, and to Bates on November 5<sup>th</sup> – and all three Associations voted in support of the Project. The Applicant also presented at two regularly-scheduled ANC meetings – on October 16<sup>th</sup> and November 20<sup>th</sup>. At the second meeting on November 20<sup>th</sup>, the ANC voted in support of the Project.

## **III. Expert Witness Submissions**

By this filing, the Applicant is also submitting the resumes of Eric B. Colbert, AIA, and Steven K. Dickens, AIA, of Eric Colbert and Associates, as Exhibit A, in order to qualify them as experts in the field of design and architecture by the Board. The resume of Erwin Andres, the Applicant’s transportation expert, was previously submitted into the record at Exhibit 31B. The Applicant is also filing its outlines of witness testimony as Exhibit B.

## **IV. Conclusion**

We look forward to presenting this case to the Board on December 12, 2018. If you have any questions, please do not hesitate to contact Jeff at (202) 721-1132 or Meghan at (202) 721-1138. Thank you for your attention to this application.

Sincerely yours,



Jeff C. Utz



Meghan Hottel-Cox

### Certificate of Service

The undersigned hereby certifies that copies of the foregoing document was delivered by first-class mail or hand delivery to the following addresses on November 21, 2018.

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