

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



January 15, 2019

ANC 7F
c/o 7F01@anc.dc.gov

Commissioner Carol Fletcher
ANC/SMD 7F06
7F06@anc.dc.gov

Re: Z.C. Case No. 19-02 (Milestone East Capitol 2, LLC, *et al.* – Map Amendment @ Squares 5411, 5412, 5413, and 5413N)

Dear ANC Chair & ANC/SMD Commissioner:

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 Milestone East Capitol 2, LLC; Milestone East Capitol 3, LLC; Milestone East Capitol 4, LLC; and Milestone East Capitol 5, LLC (the “Applicant”) for approval of a map amendment to rezone from RA-1 to RA-2, property located in the southeast quadrant of the District at 3610 Minnesota Avenue, S.E. (Square 5411, Lot 802); 3501-3547 East Capitol Street, S.E. (Square 5412, Lot 801); 127 35th Street, S.E. (Square 5413, Lot 802), and 3425 East Capitol Street, S.E. (Square 5413N, Lot 801), also the site of a portion of the Meadow Green Courts Apartments. 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 <https://app.dcoz.dc.gov>.

Pursuant to Subtitle Z § 400.7, the ANC has the opportunity to file the attached Form 130 – ANC Setdown Report to provide feedback on whether or not the Zoning Commission should set down the case for public hearing. You have 30 days to file the ANC Setdown Form from the date the application was referred (Subtitle Z § 400.8).

Further, you will also receive notice of the hearing date at least 40 calendar days in advance. 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. However, as a practical matter, the Commission cannot make a decision that soon, because it must first hold a public hearing and, for those cases that require proposed action to be taken, the National Capitol Planning Commission is thereafter given thirty days to review the 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.

ZONING COMMISSION
District of Columbia
CASE NO.19-02
EXHIBIT NO.11

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

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 FILING**

Z.C. Case No. 19-02

**(Milestone East Capitol 2, LLC, *et al.* – Map Amendment @
Square 5411, Lot 802 - 3610 Minnesota Avenue, S.E.; Square 5412, Lot 801 – 3501-3547
East Capitol Street, S.E.; Square 5413, Lot 802 – 127 35th Street, S.E.; and Square
5413N, Lot 801 – 3425 East Capitol Street, S.E.)
January 15, 2019**

THIS CASE IS OF INTEREST TO ANC 7F

On January 7, 2019, the Office of Zoning received an application from Milestone East Capitol 2, LLC, Milestone East Capitol 3, LLC, Milestone East Capitol 4, LLC, and Milestone East Capitol 5, LLC (together, the “Applicant”) for approval of a map amendment for the above-referenced property.

The property that is the subject of this application consists of Lot 802 in Square 5411, Lot 801 in Square 5412, Lot 802 in Square 5413, and Lot 801 in Square 5413N in southeast Washington, D.C. (Ward 7), on property located at 3610 Minnesota Avenue, S.E., 3501-3547 East Capitol Street, S.E., 127 35th Street, S.E., and 3425 East Capitol Street, S.E. The property is currently zoned RA-1. The Applicant is proposing a map amendment to rezone the property to the RA-2 zone.

The RA-1 zone is intended to permit flexibility of design by permitting all types of urban residential development if they conform to the height, density, and area requirements established for these districts; and permit the construction of those institutional and semi-public buildings that would be compatible with adjoining residential uses and that are excluded from the more restrictive residential zones. The RA-1 zone allows a maximum height of 40 feet (and three stories); maximum lot occupancy of 40%; and maximum density of 0.90 floor area ratio (“FAR”).

The RA-2 zone is intended to permit flexibility of design by permitting all types of urban residential development if they conform to the height, density, and area requirements established for these districts; and permit the construction of those institutional and semi-public buildings that would be compatible with adjoining residential uses and that are excluded from the more restrictive residential zones. The RA-2 zone provides for areas developed with predominantly moderate-density residential uses. The RA-2 zone allows a maximum height of 50 feet; maximum lot occupancy of 60%; and maximum density of 1.8 FAR.

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.



**BEFORE THE ZONING COMMISSION AND
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA**



FORM 130 – ADVISORY NEIGHBORHOOD COMMISSION (ANC) SETDOWN FORM

Before completing this form, please review the instructions on the reverse side.

Pursuant to Subtitle Z §§ 400.7 and 400.8 of Title 11 DCMR Zoning Regulations, the ANC Setdown Form shall contain the following information:

IDENTIFICATION OF PETITION OR APPLICATION:

Case No.:		Applicant Name:	
ANC (ex. 1A):		Date Referred to ANC:	
Date Setdown Form Due:			

ANC MEETING INFORMATION

Date of ANC Public Meeting:	<input type="text" value="D"/>	<input type="text" value="D"/>	/	<input type="text" value="M"/>	<input type="text" value="M"/>	/	<input type="text" value="Y"/>	<input type="text" value="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:								
Does the ANC recommend the application/petition to be set down for public hearing?:										Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Recorded vote on the motion to adopt the report (i.e. 4-1-1):													

MATERIAL SUBSTANCE

Please provide feedback below on whether the above case should be set down for hearing or not (*a separate sheet of paper may be used*):

AUTHORIZATION

Name of the Chairperson or Vice-Chairperson authorized to sign the form:			
Signature of Chairperson/ Vice-Chairperson:		Date:	

INSTRUCTIONS

1. The ANC Setdown Form 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
 - c. In person or by U.S. mail addressed to 441 4th Street, NW, Suite 200-S, Washington, DC 20001.
3. Submission deadline is as follows; the ANC must file the ANC Setdown form no later than thirty (30 days) after the date the application is referred. No late filings or waivers requesting acceptance of late filings of this form will be accepted.

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



**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*):

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

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 bzsubmissions@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.

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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

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