



January 2, 2013

Commissioner Thompson:

Thank you for ANC 3/4G's letter, dated December 12, 2012, regarding the proposed construction project at 5333 Connecticut Avenue, NW.

We understand your interest and concern about local community development and our offices have worked closely together to determine what construction permits have been filed or issued, as well as any applicable provisions relating to zoning or the District's Comprehensive Plan.

The property is zoned as R-5-D and the project, as currently proposed, falls within the matter-of-right entitlements of an R-5-D zoning district. As you may know, matter-of-right projects may submit and receive construction permits, provided they meet the applicable District Construction Codes and Zoning Regulations, without need for review by the Board of Zoning Adjustment or the Zoning Commission.

In researching the history of this property, we found that it appears to have been zoned as far back as 1966 for its current level of density. The site had a previous Comprehensive Plan designation for low-density commercial, but that designation was changed to high-density residential in 1992 and was reflected on the 1992 Comprehensive Plan Generalized Land Use Map. This high-density residential designation and zoning have carried through all subsequent Comprehensive Plans and zoning maps.

Your letter also raises the question of whether the property is subject to a Large Tract Review. Under District law, a Large Tract Review is required only where a proposed residential development site is of at least three acres. Because the property tax records indicate that the site is just over one acre, a Large Tract Review is not required.

However, the Department of Consumer and Regulatory Affairs (DCRA) construction permits process will review all submitted project plans for compliance with District construction and environmental regulations.

DCRA has received the following permits applications for the project:

- Foundation Permit (#FD 1200052) submitted on April 10, 2012 for the following scope of work: "Foundation to Grade Permit for an apartment building with 1-2/3 levels of underground parking". DCRA reviews are completed and waiting for D.C. sister agency (DC Water, DDOE & DDOT) approvals;



- Sheeting/Shoring permit (#SH 1200128) submitted on July 30, 2012 for the following scope of work: "Sheeting and shoring for New Building". DCRA reviews are completed and waiting for sister agency approvals; and
- Building Permit (#B 1208792) submitted on August 22, 2012 for the following scope of work: "Construct a new 9-story above-ground apartment building with two levels of underground parking". DCRA reviews are completed, but submitted plans need corrections. Also awaiting for sister agency approvals.

Additionally, the following permit was issued for this address:

- Soil Boring permit (#SB 1200400) submitted on July 16, 2012 and issued July 25, 2012 for the following scope of work: "Advance a total of three hollow stem auger soil borings for the installation of groundwater monitoring well, MW-1, MW-2 and MW-3. Wells diameter 5.5 by 40 feet deep max, as directed on the work plans report, site plans, DC well construction form and DC well schematic form".

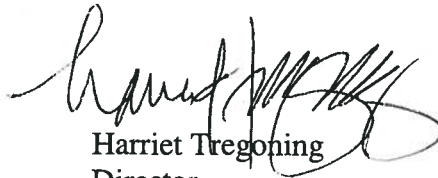
Please note that information on all issued DCRA permits is available online at <http://pivs.dkra.dc.gov>. Additionally, information on all submitted and issued construction permits is distributed on a bi-weekly basis by DCRA to each ANC. All submitted building permit applications and plans are available for public review in the DCRA Records Room (1100 Fourth Street, SW, Second Floor).

As this project is matter-of-right, there is no statutory requirement for ANC review and/or approval of the proposed building plans. While we are happy to provide access to any submitted building plans, we cannot unilaterally impose requirements on building permit applicants that is not explicitly authorized by District law.

Sincerely,



Nicholas Majett  
Director,  
Department of Consumer and Regulatory Affairs



Harriet Tregoning  
Director,  
Office of Planning