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May 16, 2012

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Nicholas A. Majett  
Director  
DC Department of Consumer & Regulatory Affairs  
1100 4<sup>th</sup> Street SW  
Washington, DC 20024

Dear Director Majett,

Advisory Neighborhood Commission 6B (ANC 6B) is writing to get clarification on how the Department of Consumer and Regulatory Affairs (DCRA) handles the permitting process for the Hill East Waterfront / Reservation 13.

Public Reservation 13 / Hill East Waterfront is the 67-acre parcel of land generally bounded by Independence Avenue SE on the north, the Anacostia River on the east, Congressional Cemetery on the south and 19<sup>th</sup> Street SE on the west. In 2002, the Council of the District of Columbia approved the Reservation 13 / Hill East Waterfront Master Plan which calls for mixed-use residential, office and retail development on the site.

On April 13, 2009, the Zoning Commission approved new form-based zoning for the Hill East Waterfront based on the Hill East Waterfront Master Plan. Zoning Commission Order No. 04-05 created the "Hill East (HE) District" and divided the site into four sub-districts – HE District 1, 2, 3 and 4. The final rulemaking for the Hill East District was effective on August 7, 2009, the date of publication in the *DC Register*.

In reviewing permit applications and requests since August 2009, DCRA consistently refers to 1900 Massachusetts Avenue SE, the address of the Hill East Waterfront / Reservation 13 as "unzoned." The DCRA monthly permit listings do not include any references to the HE District nor the HE District sub-districts. Attached to this letter are four recent examples of incorrect classification from the DCRA monthly permit list.

ANC 6B requests answers to the following questions:

- 1) Why has DCRA not recognized the HE District in permit applications and requests for 1900 Massachusetts Avenue SE?
- 2) Was all of the construction work permitted and completed at the site since August 7, 2009 allowed under the HE District?

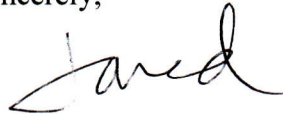
ANC 6B Letter to DCRA Director Majett  
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- 3) Did any of the construction/building work permitted and completed at the site since August 7, 2009 require zoning relief to comply with the HE District?
- 4) Why was ANC 6B not properly noticed about all special exception and variance requests for construction/building work permitted and completed at the site since August 7, 2009?

We appreciate your timely response to this letter.

ANC 6B approved transmission of this letter by a vote of 8-0 at a properly noticed public meeting on Tuesday, May 15, 2012.

Sincerely,



Andrew Jared Critchfield, Ph.D.  
Chair

cc:

Yvette Alexander, Ward 7 Councilmember, Council of the District of Columbia  
Tommy Wells, Ward 6 Councilmember, Council of the District of Columbia