



**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
OFFICE OF THE ZONING ADMINISTRATOR**

September 30, 2019

New Columbia Solar  
401 New York Ave. NE, 2nd Floor  
Washington, DC 20002

Attn: Nicholas Bihun

Re: Elevated Ground Mount Solar Array - St Luke's Catholic Church - 4925 E Capitol St SE  
Determination Letter - SOL1902085

Dear Mr. Bihun,

This is to confirm the substance of the discussion with my staff on May 2<sup>nd</sup>, 2019, concerning the solar elevated ground mount portion of the proposed solar photovoltaic system that will be located at 4925 E Capitol St SE. The proposed installation will be on an existing parking lot. The proposed solar photovoltaic system will be a Community Renewable Energy Facility (CREF) as defined in subsection 100.2 of § 100, DEFINITIONS, of Chapter 1, DEFINITIONS of Subtitle B, DEFINITIONS, RULES OF MEASUREMENT, AND USE CATEGORIES of Title 11 of the Washington, D.C. Municipal Regulations (DCMR). The discussion had specific references to Lot 5330 on Square 0031, hereinafter referred to as the "Project". The lot is in a bifurcated zone, R-2 ad RA-1. The proposed solar array will be sited entirely in the RA-1 section of the lot.

You proposed to construct a 139.2 kW (DC) solar photovoltaic system. The following is a list of clarifications provided for the various aspects of the project:

1. Lot Occupancy. Whereas the Project and associated solar equipment and existing structures are in a RA-1/R-2 zone located in the parking lot of a "Place of Worship", this Project is in conformance with applicable zoning requirements (Title 11 - Subtitle D Subsection 304.1; Subtitle F Subsection 304.1).
  - Square 0031 – Area of existing structures = 28,379 SQFT; Area of Proposed Array= 7,788.27 SQFT; Aggregate Structure Area= 36,16727 SQFT; Lot Area= 95,858 SQFT; Lot Occupancy = 38%
2. Aggregate Panel Face Area. Whereas the Project and associated solar equipment has an aggregate panel face area of 7,788.27 SQFT which is less than the maximum aggregate panel face area of one-and-one-half (1.5) acres or less [1.5 acres = 65,340.00 SQFT]. This Project is in conformance with applicable zoning requirements (Zoning Commission Case No. 19-04 Subtitle U Subsection 201.1(c)(2)(B)).

3. Density – Floor Area Ratio (FAR). Whereas the Project and associated solar equipment and existing structures are in a RA-1, this Project is in conformance with applicable zoning requirements (Title 11 - Subtitle F Subsection 304.1).
  - Square 0031 – Square 0031 – Area of existing structures = 28,379 SQFT; Area of Proposed Array= 7,788.27 SQFT; Aggregate Structure Area= 36,16727 SQFT; Lot Area= 95,858 SQFT; Floor Area Ratio = .38
4. Green Area Ratio (GAR). Whereas the Project and associated solar equipment are additions less than 100 percent of the assessed building value as set forth in the records of the Office of Tax and Revenue as the date of the building permit application, this Project is exempt from applicable zoning requirements (Title 11 - Subtitle C Subsection 601.3).
5. Density – Lot Dimensions. Whereas the lot area is 95,858 SQFT and the lot width is 520 FT therefore this Project is in conformance with applicable zoning requirements (Title 11 - Subtitle D Subsection 302.1).
6. Maximum Building Height. Whereas the Project and associated solar equipment and structures do not exceed twenty (20) feet in height, this Project is in conformance with applicable zoning requirements (Title 11 - Subtitle D Subsection 5002.1; Subtitle F Subsection 5002.1; Zoning Commission Case No. 19-04 Subtitle U Subsection 201.1(c)(2)(A)).
7. Setbacks. Whereas the Project and associated solar equipment is not located on an ally, there are no rear yard requirements and because it is not located beside the principle building there are no zone specific side yard setback requirements, and whereas the panels are sited no less than forty feet (40 ft.), including Ayers Pl. SE to the south and 50<sup>th</sup> St. SE to the east, from the adjacent properties in the RA-1, R-2 and R-3 zones the Project is in conformance with applicable zoning requirements (Title 11 - Subtitle D 5004.1; 5005.1; Subtitle F 5003.1; Zoning Commission Case No. 19-04 Subtitle U Subsection 201.1(c)(2)(D)).
8. Parking. Whereas the use of the facility is Institutional, religious, the occupancy capacity in the main sanctuary is 350 and there are 37 existing parking spots. Though the Project and associated solar equipment will reduce the amount of on-site parking by two (2) parking spaces it remains in conformance with applicable zoning requirements (Title 11 - Subtitle C Subsection 701.5).

Accordingly, when you file the plans for a building permit, I will approve drawings that are consistent with the information noted above. Please let me know if you have any further questions.

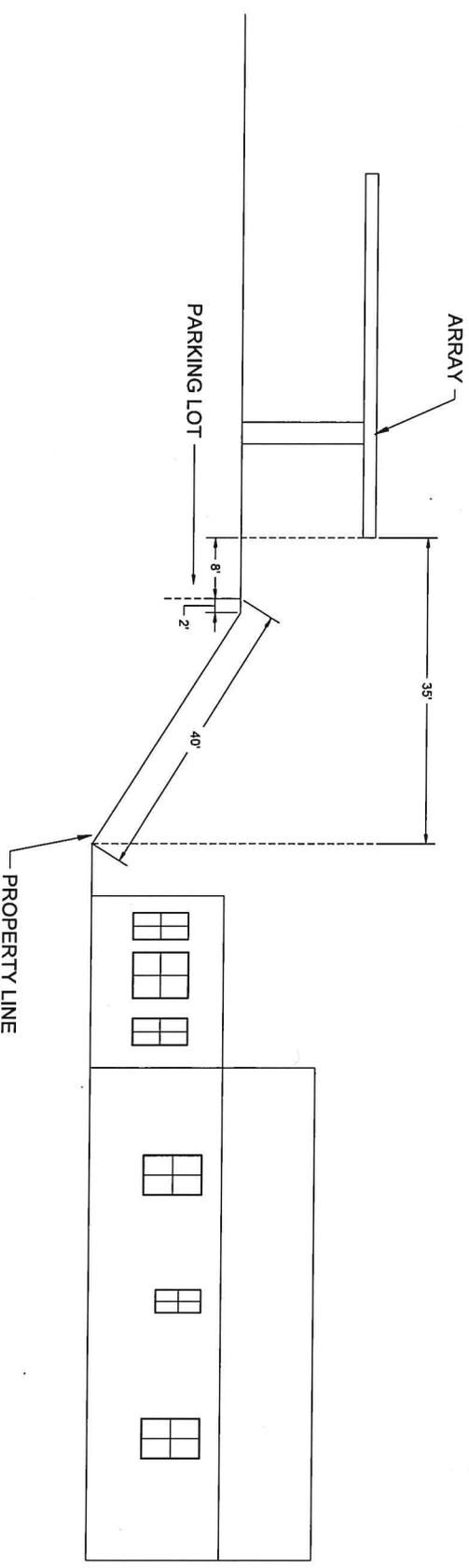
Sincerely,



Matthew Le Grant  
Zoning Administrator

on the information supplied, and the laws, regulations, and policy in effect as of the date of this letter. Changes in the applicable laws, regulations, or policy, or new information or evidence, may result in a different determination. This letter is **NOT** a final decision of the Zoning Administrator that may be appealed under Section Y-302.1 of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations), but instead is an advisory statement of how the Zoning Administrator would rule on an application if reviewed as of the date of this letter. Therefore, this letter does **NOT** vest an application for zoning or other DCRA approval process, which may only occur as part of the review of an application submitted to DCRA. This determination is limited to an interpretation of the Zoning Regulations, and I am not making any representations as to Building Code requirements or other D.C. laws.

Attachment:      Plat of Panel Location –dated 3-20-19  
                         Elevation/Section of Array 8-29-19



REV	DATE	BY	DESCRIPTION
2	06/20/19	PK	REV
1	06/20/19	PK	REV

  
**NEW COLUMBIA**  
 50118  
 401 New York Avenue,  
 Second Floor  
 Washington, DC 20002  
 T. (202) 810-1681

DATE	APPROVED	DESIGNED
06/20/19	PK	PK

DRAWN BY: ST. BARNABAS  
 CHECKED BY: \*\*  
 DATE: 06/20/19  
 SCALE: AS SHOWN  
 PROJECT NO: 19-0001

SHEET SCHEDULE  
 ST. LUKES CHURCH

PROJECT NAME AND ADDRESS  
**ST. LUKES CHURCH**  
 425 E. CAPITOL ST SE  
 WASHINGTON, DC 20019  
 N.W.

DRAWING NAME  
**SODE ELAVTION  
 PLAN AND DETAIL**

DRAWING NUMBER  
 SHEET

DISTRICT OF COLUMBIA GOVERNMENT  
OFFICE OF THE SURVEYOR

Washington, D.C., March 20, 2019

Plot for Building Permit of: SQUARE 5330 Lot 31

Scale: 1 inch = 50 feet

Recorded in Book 100 Page 39

Receipt No. 19-03672 Drawn by: A.S.

Furnished to: NICHOLAS BHUN

"I hereby certify that the dimensions and configuration of the lot(s) herein depicted are consistent with the records of the Office of the Surveyor unless otherwise noted, but may not reflect actual field measurements. The dimensions and configuration of EAST lot as provided by the Office of Tax and Revenue may not necessarily agree with the deed description(s)."

Surveyor, D.C.

I hereby certify that on this plot as which the Office of the Surveyor has shown the dimensions of the lot, I have accurately and completely depicted and labeled the following:

- 1) all existing buildings and improvements - including parking spaces, covered porches, decks and retaining walls over five feet above grade, and any existing facade-line or party wall labeled as such, with as projections and improvements in public space - with complete and accurate dimensions;
  - 2) all proposed demolition or reuse of existing buildings fully labeled as such, all proposed buildings and improvements - including parking spaces, covered porches, decks and retaining walls over four feet above grade, any existing facade-line or party wall labeled as such, as well as projections and improvements in public space and the improvements used to satisfy previous notices to grant since that requirements - with complete and accurate dimensions, in conformity with the plans submitted with building permit application \_\_\_\_\_ NO. 122297 \_\_\_\_\_ and
  - 3) any existing chimney or vault on adjacent property that is located within 10 feet of this lot.
- I also hereby certify that:
- 1) my depiction on this plot, as detailed above, is accurate and complete as of the date of my signature below;
  - 2) there is no elevation change exceeding ten feet measured between lot lines, or if so, this elevation change is depicted on a site plan submitted with the plans for this permit application;
  - 3) I have ~~not~~ (circle one) filed a subdivision application with the Office of the Surveyor;
  - 4) I have ~~not~~ (circle one) filed a subdivision application with the Office of Tax & Revenue; and
  - 5) if there are changes to the lot and its boundaries as shown on this plot, or to the proposed construction and plans as shown on this plot, that I shall obtain an updated plot from the Office of the Surveyor on which I will depict all existing and proposed construction and which I will then submit to the Office of the Zoning Administrator for review and approval prior to permit issuance.
- The Office of the Zoning Administrator will only accept a Building Plot issued by the Office of the Surveyor within the two year period to the date DCA accepts a Building Permit Application as complete. I acknowledge that any inaccuracy or error in my depiction on this plot will subject my permit or certificate of occupancy issued in reliance on this plot to enforcement, including revocation under Sections 195 (1) and 1103.2 of the Building Code (Title 12A of the DCMR) as well as prosecution and penalties under Section 404 of D.C. Law 4-64 (D.C. Official Code 22-2407).

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Printed Name: \_\_\_\_\_ Relationship to Lot Owner: \_\_\_\_\_  
If registered design professional, provide license number \_\_\_\_\_ and include stamp below

