



August 28, 2019

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Frederick L. Hill, Chairperson  
Board of Zoning Adjustment  
441 4th Street, NW, Suite 200S  
Washington, DC 20010

**Re: BZA Case No. 20095  
Applicant's Prehearing Statement**

Chairperson Hill and Honorable Members of the Board:

On behalf of Applicant Mi Casa, Inc., please find enclosed the Prehearing Statement for the above-referenced case. We look forward to presenting the application for an all-affordable project to the Board of Zoning Adjustment on September 18, 2019.

Thank you for your attention to this matter.

Sincerely,

COZEN O'CONNOR

A handwritten signature in blue ink, appearing to read "MM", written over a horizontal line.

BY: Meridith H. Moldenhauer

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 28<sup>th</sup> day of August, 2019 a copy of the foregoing Prehearing Statement was served, via electronic mail, on the following:

District of Columbia Office of Planning  
c/o Jonathan Kirschenbaum  
1100 4<sup>th</sup> Street SW, Suite E650  
Washington, DC 20024  
Jonathan.Kirschenbaum@dc.gov

Advisory Neighborhood Commission 5E  
c/o Patricia Williams, SMD Commissioner  
[5E02@anc.dc.gov](mailto:5E02@anc.dc.gov)

Advisory Neighborhood Commission 5E  
c/o Bradley Ashton Thomas, Chair  
[5E05@anc.dc.gov](mailto:5E05@anc.dc.gov)

  
Meridith H. Moldenhauer

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

**APPLICATION OF  
MI CASA, INC.**

**BZA CASE NO. 20095**

**APPLICANT'S PREHEARING STATEMENT**

**I. EXECUTIVE SUMMARY AND NATURE OF RELIEF SOUGHT**

This Prehearing Statement is submitted on behalf of Mi Casa, Inc. (the "Applicant"), a non-profit affordable housing developer, regarding properties located the intersection of Q Street and Florida Avenue NW (Square 615, Lots 75, 148-152, 806 and 835) (the "Property"). As noted in the original application, the Applicant proposes to subdivide the Property and construct an all-affordable, 24-unit residential development with neighborhood-serving retail and non-profit office space (the "Project"). The Applicant is the recipient of the Property through a disposition from the District's Department of Housing and Community Development ("DHCD") that requires 50% of the affordable units to be rented to households with incomes lower than 50% Annual Median Income ("AMI") and encourages development Family-style affordable dwelling units (2 or more bedrooms) which allow families to grow in place. A copy of the final DHCD solicitation is attached at **Tab A**.

To construct the proposed Project, the Applicant seeks special exception relief under Subtitle A § 207.2 to adjust a zone boundary line that crosses the Property. In connection with this relief, the Applicant seeks variance relief from the preamble of Subtitle A § 207.1, which requires that a lot be in single ownership as of May 12, 1958 to move a zone boundary line under Subtitle A § 207.2. The Applicant also requests variance relief from the requirements for a formal loading berth under Subtitle C § 901.1, and the Project has a 12' x 24'-loading area.

## II. UPDATES TO ARCHITECTURAL PLANS

The architectural plan set (the “Plans”) has been updated but remains substantially similar to that filed with the original application. A copy of the updated Plans are attached at **Tab B**. The Applicant continues to propose a 24-unit residential building with retail and office space on the ground level and mezzanine, respectively. Nonetheless, the Applicant highlights minor changes in the Plans as follows.

First, on the ground level the previously identified retail use has been separated into two, distinct spaces: one for retail and one for a restaurant. The inclusion of an eating/drinking establishment use does not change any zoning requirements for the Project. The total gross floor area dedicated to the retail/restaurant use has been decreased slightly from 6,385 sq. ft. to 6,306 sq. ft. Other minor changes to the ground level include removing the approximately 740 sq. ft. conference room for the office use, altering the size and shape of the lobby area and utility/trash rooms, and “flipping” the stairwell on the eastern side of the Project. The long-term bicycle storage room has been identified on the Project Site Plan. The Project will provide 13 long-term bicycle spaces on the ground floor. There are also short-term bicycle parking racks located in public space on Q Street NW. The Site Plan shows four, double-sided bike racks (two near the retail entrance on Florida Avenue and two near the residential entrance on Q Street) for a total of 21, short-term bike spaces.

Second, on the mezzanine level, the office use has been increased from 2,895 sq. ft. to 2,959 sq. ft. Due to the removal of the conference room on the ground level, the overall gross floor area dedicated to an office use has been decreased.

Third, the Applicant has provided further detail on the proposed sizes and layouts of the 24 residential units. The gross square footage and floor-area-ratio calculations have been

updated as well. The Project now proposes 37,206 sq. ft., which equates to a floor-area-ratio of 3.0.

Finally, the Applicant has included a roof plan. The roof will consist of a large solar array that contributes substantially toward the Project's overall energy efficiency. There is no penthouse or otherwise habitable space on the roof. The Applicant also provides two perspective views, showing the conceptual design as seen from the North across Q Street and from the Northeast across Florida Avenue. These perspective views also indicate residential and retail signage locations. This signage will satisfy the District's signage requirements at Appendix N to the 2013 Building Code and will be approved by the District's Department of Consumer and Regulatory Affairs during permitting.

In response to questions from the District's Department of Transportation ("DDOT") and the Office of Planning ("OP"), the Applicant's Site Plan has also been updated to show the property lines along Florida Avenue and Q Streets and the widths of the sidewalks and landscape buffers. The Site Plan also identifies the size and depth of the bay projections, and it shows the lead walks. In addition, multiple tree planters are shown along Florida Avenue near the retail entrance, as well as others along Q Street.

### **III. COMMUNITY OUTREACH**

The Applicant worked closely with ANC 5E (the "ANC") and other community groups during the DHCD solicitation process.<sup>1</sup> For this subject application, on June 18, 2019, the Applicant attended the ANC meeting to present the Project to the community. Although the ANC did not take a vote in June, the Applicant received positive comments on the Project from the ANC. As the ANC did not hold regularly scheduled meetings in July or August, the

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<sup>1</sup> As noted in the initial application, the Applicant presented its general development plans for the Property to the ANC and the community during the DHCD award process. As such, the ANC and community are familiar with the Applicant and the proposed Project from prior to this BZA application.

Applicant will be attending the ANC's next meeting, which does not take place until September 17, 2019. The Applicant anticipates obtaining a vote of support from the ANC at that time.

**IV. EXPERT WITNESSES**

Greg Powe, the Project architect, will testify in support of the application as an expert witness. Mr. Powe was identified in the initial application (Ex. No. 11), and a copy of his resume is attached at **Tab C**.

**V. CONCLUSION**

For the reasons stated above, and for the reasons enumerated in the Applicant's prior filings as well as the reasons discussed at the Board's hearing, the Applicant submits that the application meets the requirements for special exception and variance relief. Accordingly, the Applicant respectfully requests that the Board approve the application on September 18, 2019.

Respectfully submitted,  
COZEN O'CONNOR



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