

**United House of Prayer
For All People
625 Rhode Island Avenue, NW**

CASE NO. 09-05

**PREHEARING STATEMENT
OF THE APPLICANT
TO THE
DISTRICT OF COLUMBIA ZONING COMMISSION
FOR A
CONSOLIDATED PLANNED UNIT DEVELOPMENT
AND ZONING MAP AMENDMENT**

July 2, 2009

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ZONING COMMISSION
District of Columbia

CASE NO.

09-05

EXHIBIT NO.

10

DEVELOPMENT TEAM

Applicant/Owner: United House of Prayer for All People
1721 7th Street, N.W.
Washington, DC 20001

Architect of Record: Suzane Reatig Architecture
1312 8th Street, N.W.
Washington, DC 20001

Civil Engineer: CAS Engineering
108 West Ridgeville Blvd., Suite 101
Mt. Airy, MD 21771

Traffic Consultant: O. R. George & Associates, Inc.
10210 Greenbelt Road, Suite 310
Lanham, MD 20706-2218

Land Use Counsel: Holland & Knight LLP
2099 Pennsylvania Avenue, N.W., Suite 100
Washington, D.C. 20006

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LIST OF EXHIBITS

Exhibit	Description
A	Architectural Sheets
B	Memorandum Regarding Building Design and Materials
C	LEED Checklist
D	List of the Applicant's Witnesses and Estimated Time Required For Presentation of Applicant's Case
E	Outline of Testimony of Apostle Green -- United House of Prayer For All People
F	Outline of Testimony and Resume of Suzane Reatig & Megan Mitchell - Suzane Reatig Architecture
G	Outline of Testimony and Resume of Osborne George - O. R. George & Associates, I.r.c.
H	Outline of Testimony and Resume of Steven E. Sher - Holland & Knight LLP
I	List of Maps, Plans or Other Documents Readily Available To The Public, Which May Be Offered Into Evidence
J	List of Names and Addresses of All Property Owners Within 200 Feet of the Subject Property

**CERTIFICATION OF COMPLIANCE
WITH SECTION 3013 OF THE ZONING REGULATIONS**

The Applicant hereby certifies that this application, one original and twenty copies of which were filed with the Zoning Commission on July 2, 2009 complies with the provisions of Section 3013 of the Zoning Regulations as set forth below, that the application is complete.

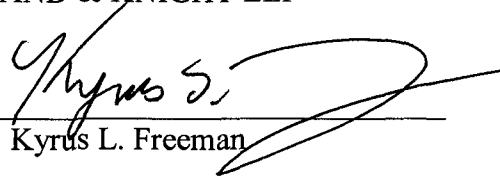
<u>Subsection</u>	<u>Description</u>	<u>Page</u>
3013.1(a)	Information Requested by Zoning Commission and Office of Planning	Pgs. Herein
3013.1(b)	List of Witnesses	Exhibit D
3013.1(c)	Outline of Testimony of Applicant's Witnesses and Resumes	Exhibit E-H
	Apostle Green United House of Prayer For All People	Exhibit E
	Suzane Reatig & Megan Mitchell Suzane Reatig Architecture	Exhibit F
	Osborne George O. R. George & Associates, Inc.	Exhibit G
	Steven E. Sher Holland & Knight LLP	Exhibit H
3013.1(e)	Reduced Plans	Exhibit A
3013.1(f)	List of Maps, Plans or other Documents Readily Available That May Be Offered Into Evidence	Exhibit I
3013.1(g)	Estimated Time Required for Presentation of Applicant's Case	Exhibit D
3013.6(a)	List of Names and Addresses of All Property Owners Within 200 Feet of The Subject Property	Exhibit J

The undersigned HEREBY CERTIFIES that all of the requirements of Section 3013 of the Zoning Regulations have been complied with. In accordance with Section 3013.8, this application will not be modified less than twenty days prior to the public hearing.

Respectfully Submitted,

HOLLAND & KNIGHT LLP

By:


Kyrus L. Freeman

I. INTRODUCTION

This Prehearing Statement and the attached documents are submitted by the United House of Prayer for All People (the "Applicant" or "House of Prayer"), as owner of Lots 115, 116, 117, 118 and 119 in Square 442 (the "Subject Property"), in support of its applications to the Zoning Commission for the District of Columbia (the "Commission") for the consolidated review and approval of a Planned Unit Development ("PUD") and a zoning map amendment to rezone the Subject Property from the R-4 District to the C-2-B District. As set-forth herein, this Prehearing Statement meets the filing requirements for a PUD application under Chapter 24 of the District of Columbia Zoning Regulations.

As shown on the updated Architectural Sheets (the "Prehearing Plans") attached hereto as Exhibit A, the Subject Property has a land area of approximately 16,320 square feet and is located on the north side of Rhode Island Avenue, N.W., between 6th and 7th Streets, N.W. The Subject Property is located in the R-4 District. The property has approximately 93 feet of frontage on Rhode Island Avenue, N.W. Square 442 is bounded by S Street, N.W. to the north, 6th Street, N.W. to the east, Rhode Island Avenue and R Street, N.W. to the south, and 7th Street, N.W. to the west. The site is within walking distance of the Shaw-Howard University Metrorail Station, which has an entrance located on the north side of R Street, between 7th and 8th Streets, which is approximately 450 feet from the Subject Property, and an entrance located at the northeast corner of 7th and S Streets, which is approximately 600 feet from the Subject Property.

The Applicant is seeking consolidated PUD approval to develop a multiple-family building on the Subject Property in accordance with the C-2-B PUD zoning requirements.

The project will contain approximately 57,120 square feet of gross floor area, with an overall FAR of 1.97 and a maximum building height of approximately 48.6 feet. The project will include a total of 16 residential units, 8 of which will be affordable to households earning 60 – 80% of the area median income ("AMI"). The project also includes 11 surface parking spaces which will be accessed from the public alley adjacent to the Subject Property.

The Applicant originally filed a PUD Statement and supporting documents, including architectural plans and drawings, with the Zoning Commission on March 23, 2009 (the "PUD Submission"). The PUD Submission set forth in detail the proposed development, project design, requested areas of zoning and design flexibility, and a discussion of how the project meets the PUD review and approval requirements. The Applicant notes that the Office of Planning report, dated May 1, 2009, recommended that the Zoning Commission schedule a public hearing on the application, and that the Office of Planning would continue to work with the Applicant in reviewing the application prior to the public hearing. This Prehearing Submission supplements the PUD Submission and responds to those issues raised by the Zoning Commission.

II. ISSUES/CONCERNS RAISED BY THE ZONING COMMISSION

At its public meeting of May 11, 2009, the Zoning Commission voted to schedule a public hearing for the application, but expressed two primary areas of concern. First, the Zoning Commission indicated that that the Architectural Plans and Elevations dated March 20, 2009 and filed with the application needed more detail and consideration regarding the building's design and materials. Second, the Zoning Commission requested the required ADA access be moved from the western entrance of the building and relocated to the front of the building.

A. Revisions to the PUD Plans

As shown on the Prehearing Plans attached hereto as Exhibit A, the Applicant has added an ADA compliant access ramp at the main entrance to the building. Thus, the project now includes two ADA compliant entrances. In addition, a memorandum prepared by the project's architect describing the project's materials and design considerations is attached hereto as Exhibit B.

III. ISSUES/CONCERNS RAISED BY THE OFFICE OF PLANNING

On page 4 of its set-down report, the Office of Planning requested that the Applicant provide additional details regarding the energy efficiency elements that will be included in the project. The Applicant anticipates seeking LEED certification at the "Certified" level for this project, and a checklist indicating the sustainability features to be incorporated into the project is attached hereto as Exhibit C.

**IV. ADDITIONAL REQUIREMENTS OF SEC. 3013
OF THE ZONING REGULATIONS**

A. List of Witnesses Prepared to Testify on Behalf of the Applicant

In accordance with Sec. 3013.1(b) of the Zoning Regulations, a list of witnesses prepared to testify at the public hearing on behalf of the Applicant is attached as Exhibit D.

B. Summary of Testimony of Witnesses or Reports and Area of Expertise

In accordance with Sec. 3013.1(c) of the Zoning Regulations, the resumes and summaries of the testimony of those persons who may be called to testify at the public hearing are attached as Exhibits E through J.

C. List of Maps, Plans or Other Documents Readily Available

In accordance with Sec. 3013.1(f) of the Zoning Regulations, the following maps, plans, or other documents that are readily available to the general public may be offered into evidence at the public hearing:

1. Exhibits Herein
2. Zoning Regulations and Map of the District of Columbia
3. Future Land Use Map of the District of Columbia
4. District of Columbia Comprehensive Plan ("Comprehensive Plan")
5. Metrobus and Metrorail Route Maps and related WMATA and other public transportation materials
6. Orders of the D.C. Zoning Commission and Board of Zoning Adjustment
7. Orders and Reports of District and Federal Agencies
8. Publicly Available Information from District of Columbia

D. Estimate of Time Required for Presentation of Applicant's Case

In accordance with Sec. 3013.1(g) of the Zoning Regulations, the estimated time for the presentation of the Applicant's case is thirty (30) minutes.

E. Agreements with the District of Columbia

The Applicant is in the process of negotiating a First Source Agreement with the Department of Employment Services. A copy of the executed First Source Agreement will be submitted no less than 20 days prior to the public hearing on this application.

F. Names and Addresses of Owners of Property Within 200 Feet of Property

In accordance with Section 3013.6 of the Zoning Regulations, a list of the names and addresses of the owners of all property located within two hundred feet (200') of the PUD Site is attached as Exhibit L.

G. Reports by Traffic Consultant

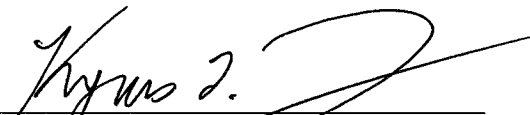
In accordance with Section 3013.10 of the Zoning Regulations, the report prepared by O.R. George & Associates, Inc. was submitted as part of the initial PUD Submission filed on March 23, 2009.

V. CONCLUSION

For the reasons stated above, the Applicant respectfully requests that the Zoning Commission approve the PUD application and Zoning Map amendment.

Respectfully submitted:

HOLLAND & KNIGHT LLP

By: 

Norman M. Glasgow, Jr., Esq.

Kyrus L. Freeman, Esq.

Steven E. Sher, Director of Zoning
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