BDC BUNDY DEVELOPMENT CORPORATION

www.bundydevelopment.com

November 22, 2002

Jerrily Kress, FAIA
Director, Office of Zoning
One Judiciary Square, Suite 210-South
441 Fourth Street, NW
Washington, DC 20001

Dear Ms. Kress:

I/Bundy Development Corporation] am the [owner/contract purchaser] of Lot 46 in Square 485, land that is now vacant used as a parking lot. I propose to develop an apartment house at that location. This property is also known as 809-813 Sixth Street, NW, in municipal tax records.

I have retained Eric Colbert, AIA, an architect registered to practice in the District of Columbia as project architect. I have also retained Lindsley Williams to represent me as in land use, planning, and zoning matters, including filing of the application for variances the project will require. Mr. Colbert will "self-certify" as to the relief needed. That self-certification, however, follows a meeting Mr. Colbert, Mr. Williams, and I held with the Zoning Administrator, Robert Kelly, on Tuesday, November 19, 2002. Mr. Kelly who concurred with our determinations as to relief needed, including an alternative to one of the variances.

The application will be accompanied by two checks, one for $4,800 (the fee for four variances at $1,200 each) and one for $1,200 (the marginal cost for the roof structure special exception, should that be needed if the area variance for floor area ratio not be granted). Mr. Williams met with Mr. Nero of your staff later on November 19 and agreed to this arrangement. We would anticipate your cashing the larger check when you proceed to advertise the case and holding the second one until the time of the case is decided, either cashing it if needed should the variance be denied or returning it to me if the area variance for additional floor area is granted, as we hope.

When the two of them met, Mr. Williams also established that cases filed at this time are likely to be heard in February 2003, possibly as early as the afternoon of February 4. Having been delayed one month to make revisions required at an earlier appearance before the Historic Preservation Review Board, I am pleased to report their conceptual approval was forthcoming on Thursday, November 21. Complying with their earlier directives took an additional month and led to our need for variances in the first place. Accordingly, we hope you will schedule our BZA case at the earliest possible time.

Our plans have also been developed in collaboration with the Office of Planning since the project is located within the area where "Chinatown design" review is required and is now underway. We have already in touch with both ANC 2-D (whose area encompasses the project site through January 2, 2003) and ANC 6-C whose area will encompass the project site after January 2, 2003) and their corresponding Single Member District Commissioner and Single Member District Commissioner-Elect. Likewise, we are in contact with relevant community organizations about our plans. Thank you.

Sincerely,

Pamela D. Bundy

RECEIVED
D.C. OFFICE OF ZONING
2002 NOV 27 PM 12: 10

**Case No. 16973**
**Exhibit No. 8**

1221 Massachusetts Avenue, NW, Suite 4A, Washington, DC 20005

Phone: 202-628-1930; rhorak@bundydevelopment.com; Fax: 202-628-0065

Board of Zoning Adjustment
District of Columbia
CASE NO.16973
EXHIBIT NO.8

**Report on Board of Zoning Adjustment Case Number 16973**

**"Chinatown East LLC [1] "**

**Square 485, Lot 46 (809-813 Sixth Street, NW)**

by Lindsley Williams

Land Use, Planning and Zoning Consultant

## Overview:

This report provides the Board with my observations and conclusions regarding the above-captioned application and provides an outline those presenting the case will follow. The applicant seeks approval to establish an apartment building within the "Chinatown" portion of the "DD" overlay area. The site is entirely located within a relatively small area zoned DD/R-5-E.

> The site is also within the "Downtown" historic district and within the area where other DC law (**10 DC Code 24**), requires approval under the "Chinatown" design procedures, both outside of the jurisdiction of the Board of Zoning Adjustment ("BZA"). The applicant has appeared before the Historic Preservation Review Board and received its conceptual approval. The applicant has also appeared before the Office of Planning for its "Chinatown" review.

"Approval" in this case by the Board requires both variances and Special Exceptions as further explained in the application and in this report.

Granting the application process requires the Board to evaluate whether the applicant satisfies the criteria for all elements of relief sought. This report is intended to present and organize the relevant facts and provide you with opinion as to the impact the planned development would have on nearby properties. In sum, I conclude that each element of relief sought may be granted as the relevant criteria are satisfied and that no other property or public interest is adversely affected.

This report will present the planning context of the case momentarily, with an introduction to its location and the nature of surrounding structures, buildings and uses. Thereafter, this report will "insert" the elements of that being proposed into this context and discuss it.

Overview of Relief Sought

- **Variance** from **lot occupancy** requirements
- **Variance** from **rear yard** requirements
- **Variance** from **"Chinatown" preferred use** requirements
- **Variance** from **maximum floor area ratio ("FAR")** requirements, and, potentially, a
- **Special Exception** approval relating to the portion of the building located above the sixth floor that conform in height and bulk to that of a "roof structure," but here proposed to be established as a small, mostly occupied, seventh floor. Occupancy of that gross square footage is part of the FAR relief sought above. If so occupied, it is not a "roof structure" and is exempt from setback rules. If not so occupied, the area would become a roof structure, those portions of which do not meet prevailing setback requirements being evaluated for relief as a **Special Exception.**

---

1 Initially filed on behalf of "Bundy Development Corporation"

The report will address the "three-pronged" criteria for each variance; the discussion of the Special Exception will likewise address the relevant criteria.

In particular, the applicant is familiar with and believes the facts will demonstrate that situation meets or exceeds the prevailing standards of ***D.C. Code §5-424(g)(3)*** and ***11 DCMR 3103.2,*** under which the Board is authorized to grant an area variance where it finds that three conditions exist:

> **(1) the Site is unique because, *inter alia*, of its size, shape or topography or other extraordinary or exceptional situation or condition;**
>
> **(2) the owner would encounter practical difficulties if the zoning regulations were strictly applied; and**
>
> **(3) the variance would not cause substantial detriment to the public good and would not substantially impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map**
>
> See French v. District of Columbia Board of Zoning Adjustment, 658 A.2d 1023, 1035 (D.C. 1995) (quoting Roumel v. District of Columbia Board of Zoning Adjustment, 417 A.2d 405, 408 (D.C. 1980)); see also, Capitol Hill Restoration Society, Inc. v. District of Columbia Board of Zoning Adjustment, 534 A.2d 939 (D.C. 1987). As discussed below, the proposed development and the variances requested for the same meet all three prongs of this test.

As to the Special Exception, should it be required, I conclude that the application satisfies those criteria, and that those are the only criteria that can be considered in this situation. Relief granted through a Special Exception process has already been determined, by the Zoning Commission when it created the applicable standards, to be appropriate provided the regulatory standards are met, as I believe they are.

> In reviewing an application for Special Exception relief, "[t]he Board's discretion . . . is limited to a determination of whether the exception sought meets the requirements of the regulations. *First Baptist Church of Washington v. District of Columbia Board of Zoning Adjustment,* 423 A.2nd 695, 701 (D.C. 1981) (quoting *Stewart v. District of Columbia Board of Zoning Adjustment,* 305 A. 2nd 516, 518 (D.C. 1973). If the applicant meets the burden, the Board must ordinarily grant the application.

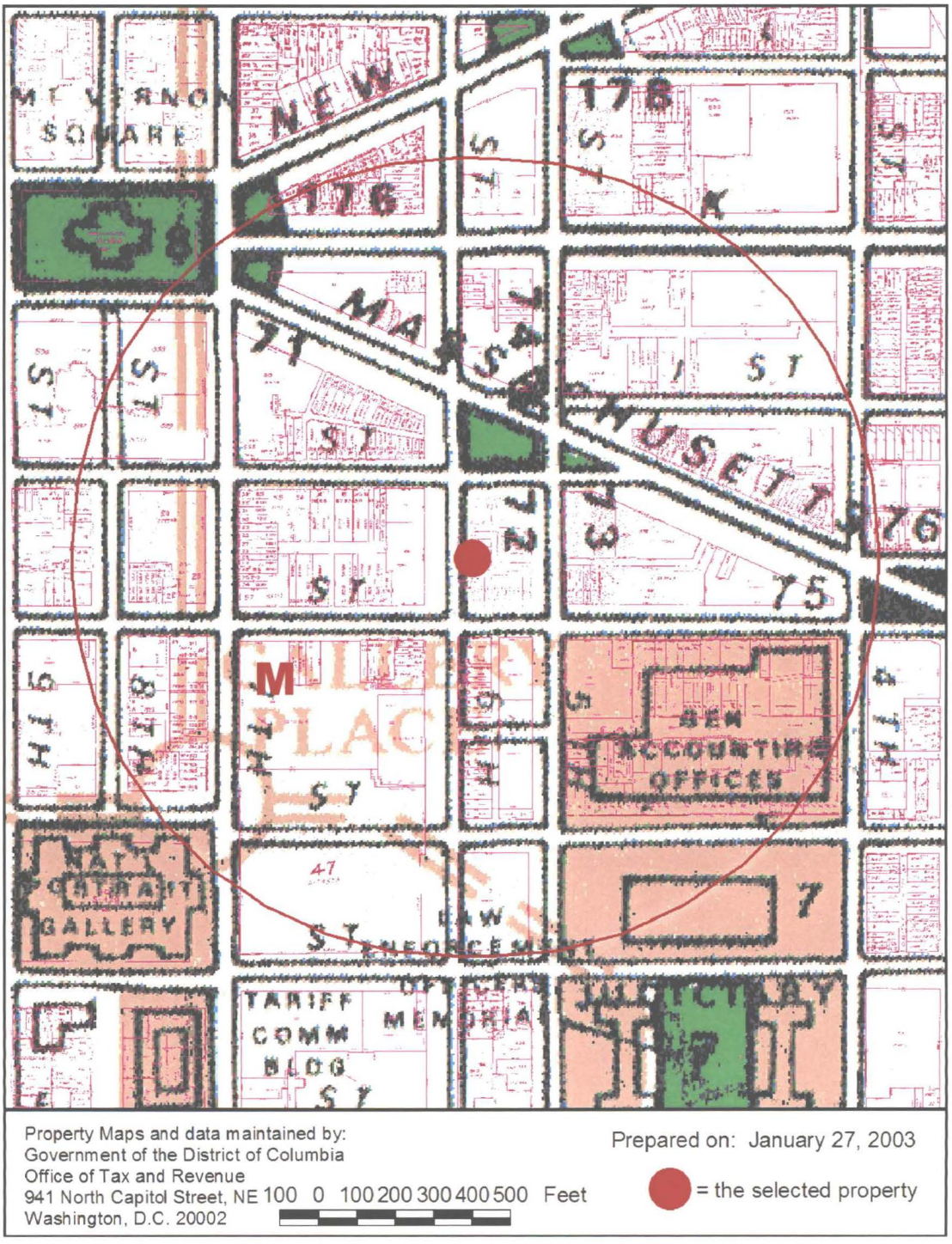
The relief sought would, if granted, permit the construction of a relatively small, high-density high-rise apartment building consisting of 30 apartment units occupying the entire lot within six full stories along with a portion of the seventh story. The project would provide 14 parking spaces, including at least seven fully meeting the requirements for parking spaces of whose dimensions satisfy the requirements of the zoning code.

The Board has jurisdiction to consider the application for variances and special exceptions under §§ 3103 and 3104 of the District of Columbia Municipal Regulations ("Zoning Regulations").

**Setting:**

The site is located at 809-813 Sixth Street, NW. This location, just steps north of H Street is within sight of the MCI center and the emerging Gallery Place complex. Sixth Street forms one of the north-south axes of the District's "Chinatown," which flows north and south off the east-west axis of H Street between 5th Street and 8th Street, NW.

Square 485, Lot 46 -- 809-813 Sixth Street, NW (1,000 ft. radius)



The project site is currently nearly vacant, consisting of an asphalt parking lot and a small attendant's booth. The site has been vacant for about forty years, showing no assessed value for improvements nor any structures present in tax records nor on tax maps or Baist Atlases. By providing housing, the applicant's project would utilize the land in a manner consistent with the uses specified for the underlying zoning and at densities just over those allowed as a matter of right; the plan is also fully consistent with the Comprehensive Plan.

Square 485, Lot 46 -- 809-813 Sixth Street, NW



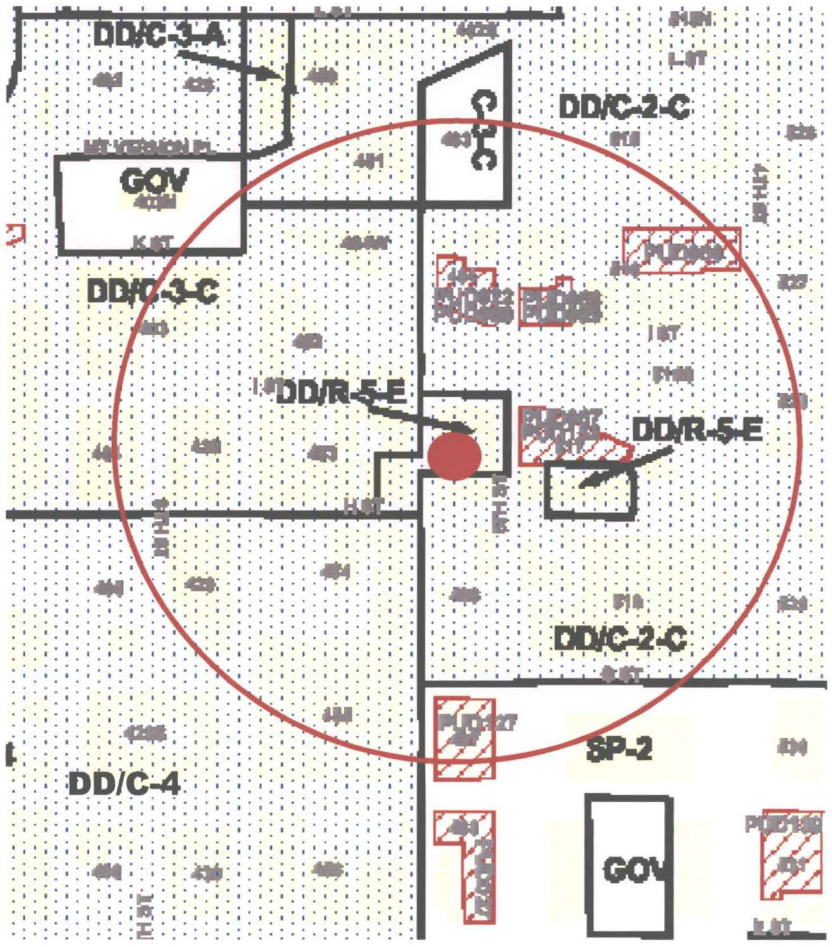
**Description of the Immediate Area:**

As noted above, the project lies within the "Chinatown" portion of the District of Columbia, both as that area is popularly known and as officially reflected in the Zoning Regulations (§ 1705) and the DC Code, which provides for Chinatown Design review in a specific delimited area that is nearly equivalent to that specified in the Zoning Regulations.

Commercial and entertainment functions, including sports venues and motion picture theatres are located in the immediate area. The "Gallery Place" Metro station has one portal within a block of the property (see the bold **M** on map on page 3 of this report).

Relatively little of the land in the immediate area of the project is within Residential zone districts. The land that is so-zoned contains, among other things to large apartment houses, one facing the project site on the west side of Sixth Street north of H Street (Wah Luck) and another (Judiciary House) one block to the east, facing H Street from the north. Both of these are ten stories, built at or close to 90 feet in height. These apartment buildings occupy all the private land zoned DD/R-5-E in their respective Squares.

Most of the immediate area is noted for its substantial commercial character and broadly permissive zoning, e.g., DD/C-4 downtown zoning starts at the southwestern corner of H and Sixth Streets, diagonally across the nearest intersection. Most of the area is also overlaid with the "DD" provisions:



Much of the area south of Square 485 has been rebuilt over the past twenty years, much of it in the last decade. High density apartments and mixed use projects are built or underway from Third Street to Sixth Street along H Street, south of Massachusetts Avenue. Many of these exceed the FAR of 6.0 established for Square 485, and many exceed the normal 90 foot height limit. At Sixth Street, and west, projects take on a more commercial character but still have significant densities – the area responding to Gallery Place, a major, mixed use project that itself could not commence until the District Government vacated the long-time "home" of many DC agencies at 614 H Street and, earlier, a connecting building that faced G Street to the south on the same Square, multistory office buildings that were also at or close to 90 feet tall with undistinguished ("cheap") curtain wall construction that had, at the very least, "seen better days."

The immediate area within 1,000 feet (red circle in diagrams) includes, as noted above, the major sports and entertainment facility commonly known as the "MCI Center," Techworld, the National Building Museum (old Pension Building). Just outside this lie the original "Carnegie" Library (becoming the City Museum) at Mt. Vernon Square, and both the existing and new DC Convention Centers.

The project site is located north of H Street on Sixth Street. The western face of that block of Sixth Street consists of two uses, the Wah Luck House (described above) and the Turner Memorial AME Church:



The eastern face of the block contains a number of structures that appear to be among the area's original commercial and residential buildings, a pattern of building and original uses that extends within the block on its northern and southern faces.

800 Block of Sixth Street – East Side:

From H Street



From I Street



Facing Into the Site from Sixth Street at Wah Luck House




Note, in the above, the massing of the Gospel Mission building to the east of the project site, which has six "institutional" stories, i.e. floor to ceiling heights greater than typical residential construction. Note also in this and other photographs, evidence of nearby high-rise construction now underway (from the cranes).

The proposed project would replace this parking lot with a six story building scaled to be sympathetic to the scale of the building to its east and "infill" land that has been vacant for forty or more years.

Current Uses (per Assessment Records) Along 800 Block of Sixth Street (east side):

- 803 Sixth Street – Used for retail and residential (zoned DD/C-2-C)
- 805 Sixth Street – Used for offices and residential (zoned DD/C-2-C)
- 807 Sixth Street – Used for offices (zoned DD/C-2-C)
    - Public Alley (also Zone Boundary)
    - ***SUBJECT PROPERTY*** – Parking lot (zoned DD/R-5-E)
- 815 Sixth Street – Used for offices (zoned DD/R-5-E)
- 817 Sixth Street – Used for a restaurant (zoned DD/R-5-E)
- 819 Sixth Street – Used for offices (zoned DD/R-5-E)

**Site Location Relative to the Comprehensive Plan & Generalized Land Use Map:**

The zoning for the area in question appears to be "not inconsistent with" the pertinent provisions of the Comprehensive Plan for the Nation's Capital and its Generalized Land Use Map. While not specifically before the Board, in this case the Board may take comfort in that the area does not present a fundament discrepancy as to the proper zoning for the site and area surrounding it since the Land Use Element and Map provide that the area is one favoring a mix of high-desnity residential uses together with high-density ones.

**The Case Before the Board:**

Chinatown East LLC seeks variances from four provisions, and five sections, of the Zoning Regulations as follows (and a possible Special Exception, discussed later):

- Limitation on Maximum Percentage of Lot Occupancy (§ 403.2)
- Requirement for a Rear Yard of Minimum Depth (§ 404.1)
- Limitation of Maximum Allowed Floor Area Ratio (§§ 402.4 and 1707.4(t))
- Requirement that Minimum Floor Area be Utilized by "Preferred Uses" (§ 1705.3)

***Uniqueness Test:***

The subject property satisfies the uniqueness test by virtue of its location with the "Downtown" historic district, the jurisdiction and directives of the Historic Preservation Board, its location within the "Chinatown" area of the "DD" provisions, its placement within the purview of the Office of Planning's "Chinatown Design" review and advice it receives on such matters from the Chinatown Steering Committee. Moreover, it is the only vacant land within either of the two areas zoned DD/R-5-E in the immediate area, all other land being occupied by buildings or structures whose expansion, exterior alteration, demolition, or razing would be controlled by applicable historic preservation authorities. The land in question has been vacant for more than forty years, well before the historic preservation designations were applied to the area in question.

One by-product of this is that this is the only DD/R-5-E property to which the minimum preferred use requirement would effectively apply. That requirement, which may be inadvertent in the first place, discussed below.

Moreover, the site, while not hilly, slopes from north to south (toward the east-west public alley) and from east to west (from the north-south public alley toward Sixth Street). The low point on the site is exactly where applicant first proposed to locate the parking entrance. The Historic Preservation Review Board required that it be relocated, which the plan before you accomplishes, but puts its threshold nearly one foot above where it otherwise would be, reducing the amount of the garage level that can dip far enough below grade so that it no longer contributes to "gross floor area."

Finally, the site is small and, at 5,175 square feet, is about 1,000 square feet smaller than the site the Board favorably reviewed for JBG in Square 486 (BZA #16897) July 16, 2002, a project that sought and earned relief much the same as that sought herein.

***Practical Difficulty Test:***

The applicant would face insurmountable practical difficulties were it required to comply simultaneously with the Zoning Regulations and the conditions of the Historic Preservation Review Board. In effect, the structure would be reduced to no more than five floors of four units, with the first floor providing two thirds of its area (on the three-quarters of the lot available for occupancy) to a "preferred use" and the balance being used for lobby and utility functions. This would reduce the apartment to one of twenty units, a yield that is ten units less than that approved by the HPRB and twelve units less than the design that Mr. Colbert first presented to the HPRB. This would render the project infeasible.

This small apartment building project is conceived as one with a condominium form of ownership. Such owner groups are ill equipped to juggle management of living units with retailers or other uses "preferred" by zoning but not by unit investors/occupants.

Despite its relatively small size, construction that involves buildings of this height is only allowed when there is a reinforced, fireproof concrete core. This type of construction is approximately 25 percent more expensive than construction standards allowed for buildings of fewer stories. This added expense is now distributed across fewer units than first planned, but sufficient to "carry" these added costs. This would not be the case if the unit count were reduced to four per floor on floors 2-5, leaving the first floor for "preferred uses," nor would it be sufficient if the first floor were solely lobby and related purposes, plus an additional apartment of two.

The proposed massing covers the entire lot and sits below the plane formed by Wah Luck House on the west and at the plane formed by the Gospel Mission on the east.

The above conditions apply equally to the requested variance from FAR and the variance from a rear yard of minimum depth.

Moreover, the Board should take note of the provisions of § 402.5. That section provides that first floors and basements of buildings set aside for parking and recreation purposes "shall not be counted in the floor area ratio" provided that the walls and columns surrounding that area enclose no more than fifty percent of same. Thus, had the applicant left the southern and eastern faces of the project open to the elements, no FAR relief would have to sought for that portion of the project. Applicant proposed enclosing the parking area in keeping with design norms of the area.

The balance of the variance for FAR is sought to allow human "occupancy" of all of the seventh floor of the project, an overall area that covers 37.5 percent of the sixth floor roof – just the same area as a "penthouse" would be allowed to cover with no human occupancy of any portion thereof. Within this, most of the area is proposed as space in which a circular stairway would provide roof terrace access to the five units on the sixth floor – along with a much smaller area used for classical penthouse functions.

The allowed FAR of 6.0 is completely utilized in the six floors of apartment units (and first floor lobby). The additional FAR sought is distributed between the basement and seventh floor thusly:

| | | |
|---|---|---|
| Basement (mostly vehicular parking) | : | 4,458.3 square feet (0.861 FAR) |
| Seventh Floor (mostly occupied "penthouse") | | 1,940.0 square feet (0.375 FAR) |
| TOTAL | | 6,398.3 square feet (1.236 FAR) |

Again, the great bulk of this "added" FAR results from enclosing the parking area; none of it results from "adding" another apartment unit on the seventh floor. Realistically, the FAR added for human occupancy within the primary use, apartments, is minimal, approximately 0.3.

As to lot occupancy, the adjacent lot to the north, as well as that of the Gospel Mission to the east across the alley, occupy most of the land on which they exist.

The above presents reasons that each variance sought poses one or more "practical difficulties."

***No Detriment to Public Good or Impairment of the Zone Plan:***

The proposed project would create a housing use in an area in which District policies and the zone plan call for housing. It would be built well below the height limit allowed in the area, but less than that prevailing in nearby properties such as Avalon Bay, with twelve stories in its 110 feet of height.

Retail and other preferred uses are in abundant and growing supply nearby, so there is no need for retail or other preferred uses within the subject site. Indeed, one can see a fundamental conflict between the purposes of a Residential zone and the preferred uses otherwise sought and note the pains the Regulations take to declare that their provisions do not apply to "apartment houses" (see §§ 1701.6 and 1702.1(c)).

Section 1707 of the "DD" provisions is dedicated to "Historic Preservation." It is in this section that the second, but identical, FAR limit of 6.0 is imposed on projects within Square 485. The applicant notes that the board specifically authorized to evaluate massing of projects in historic districts has provided its conceptual approval to this project. This is an independent, official, third party declaration of "no detriment" as it relates to the provisions of Section 1707 and other portions of the relief sought.

**Special Exception:**

The project contemplates a seventh floor that would be treated as occupied space. If not approved for human occupancy, it then becomes a utilitarian roof structure of the same overall form and roof coverage. But, roof structure rules require them to set back from all sides of the building 1:1. Such setbacks from the north face of the project are not feasible given the shape and area of the property. Effectively, the only place to locate the fire stairs and elevator core is along the middle of the north face of the building.

The penthouse satisfies all other requirements of §§ 411. The applicant could not relocate the roof structure in a manner complying with the setback rules at the uppermost level without untenable changes to the overall integrity of the project plan.

The main rooftop of will provide area for required cooling units, none of which will exceed four feet above the surface of the roof on which they sit. Every effort will be made to have no such unit on top of the roof of the "seventh floor" and any so placed will themselves be set as far back as possible for its edges.

The profile of the north side of the building, while having a portion flush with its edge, is less high than a matter or right building would be, if built. Thus, adjacent properties will already be receiving more light "over the top" of the building than they would have otherwise obtained.

Accordingly, applicant feels the Special Exception – if needed at all – may be granted without detriment to the public good and that it has shown the difficulties that would apply if strict compliance were forced upon the project.

**Witnesses**:

- Pamela Bundy, Managing Member, Chinatown East LLC
- Eric Colbert, AIA – Project Architect (expert in architecture, resume attached in submission to BZA)
- Lindsley Williams – Zoning Consultant (expert in planning and zoning, resume attached in submission to BZA)

**Outline of Testimony:**

Pamela Bundy

- Bundy Development and its Projects
- Acquisition of this Lot
- Community Outreach Related to This Project
- Suggestions Made and Incorporated into Project (Additional Parking, Rooftop Garden)
- Plan for Ownership and Management (Condominium)
- Practical Difficulties (Economics)

Eric Colbert

- Architectural Overview
- Chinatown Design Guidelines and Recommendations Made and Incorporated (Chinese design elements: lattice, mullions, medallions, fixtures, handrail, and entrance; streetscape (sidewalk brick pattern and plantings); brick color and material)
- Construction Costs (function of building height and stories)
- Historic Preservation (height and stories, location of parking entrance, respect Gospel Mission massing)
- Architectural Elements of Zoning Case

Lindsley Williams

- Move Prehearing and Subsequent Exhibits "into evidence"
- Variance Tests and Issues (see, also, Prehearing Outline)
- Special Exception Tests and Issues (If Needed)

Attachments (Expertise of Mr. Colbert and Mr. Williams, provided to BZA)

ERIC COLBERT & ASSOCIATES PC 717 5TH STREET NORTHWEST WASHINGTON DC 20001 TELEPHONE (202) 289-6800

# ERIC COLBERT & ASSOCIATES, P.C.

## COMPANY PROFILE

After graduating from Cornell University with a professional degree in Architecture in 1975, Eric Colbert moved to Washington, D.C. to accept a position with the noted architectural firm Arthur Cotton Moore Associates. His work there included production of design and construction documents for numerous apartment and office building projects throughout the metropolitan area, including the historic Old Post Office Pavilion on Pennsylvania Avenue. Mr. Colbert was registered as an architect in 1978 and worked as a consultant until 1981, when he founded Eric Colbert & Associates. The firm has extensive experience with all building types, including apartment and office buildings, retail establishments, restaurants, hotels, and single family homes, and has built an impressive reputation in all aspects of historic preservation and new construction.

Eric Colbert & Associates maintains excellent working relationships with all divisions of the D.C. Department of Consumer and Regulatory Affairs, as well as building departments throughout other local jurisdictions. Challenging projects requiring approval from the D.C. Board of Zoning Adjustment, the United States Commission on Fine Arts, the D.C. Historic Preservation Review Board, and Advisory Neighborhood Commissions are their specialty. Mr. Colbert and his staff are licensed to practice architecture in the District of Columbia, Maryland and Virginia and are active in local professional associations including The Real Estate Group, Commercial Real Estate Women, The District of Columbia Building Industry Association, and The American Institute of Architects. In addition to being NCARB certified, Mr. Colbert is a member of the Mayor's Building Code Advisory Committee.

The firm's residential achievements include the design of new single family homes set in both rural and urban settings, new apartment building construction, renovation of small and large scale historic residential properties, and a wide range of affordable income housing. With a reputation for being design oriented, the firm's accomplishments have been recognized on a national level as "innovative" (*Architecture,* Leap of Faith, March 1997). Locally Eric Colbert & Associates has been praised as representing "the design attitudes of 1998" (*TheInTowner*, Design Excellence Along 16th Street, May 1998). Noted *Washington Post* architecture critic, Benjamin Forgey, has reviewed the firm's work on several occasions, most recently recognizing "a maturing vision" in its work. He described the firm's award-winning renovation of 1520 16th Street, N.W. (Church Place Condominiums) as offering "a spirited answer to Washington's age-old contextual question-how do you design new pieces to fit into the splendid quilt of the city's existing architecture?" Highlights of the firm's commercial projects include historic structure renovations, new office building construction, as well as a variety of retail and restaurant commissions.

The outstanding reputation Eric Colbert & Associates now holds in the design, development, and preservation communities has resulted from a company-wide commitment to ensuring a successful, well-designed product regardless of project size, type, or location. Consistent quality efforts of new construction and renovation have proven highly beneficial to the firm, allowing it to maintain long-term associations while also attracting a new and challenging clientele.

***Lindsley Williams*** is an experienced land use planner and has extensive knowledge of the comprehensive planning processes (with both Federal and "municipal" components), and the zoning regulations of the District of Columbia. He has appeared as an expert witness in before the Zoning Commission of the District of Columbia, and has provided assistance to clients with matters pending before the Board of Zoning Adjustment. Mr. Williams has also testified as an expert in the Superior Court of the District of Columbia and been deposed as an expert in zoning matters before that Court.

He also has extensive knowledge of the permitting process of the District of Columbia, and its relationship to the locally prevailing building code (BOCA), and the designation of historic areas and properties, and their relationship to both the permitting process and relevant aspects of zoning procedures where historic designations play a role.

For eight years, concurrent with his full-time Federal employment as a Commissioned Officer of the U.S. Public Health Service, Mr. Williams served on the Zoning Commission of the District of Columbia including serving as its Chairperson and Vice Chairperson. By virtue of that position, Mr. Williams also served, as did other Commission members, as one of the members of the Board of Zoning Adjustment.

While serving on the Commission itself, Mr. Williams participated in a wide variety of matters appropriate to its jurisdiction, which in the District of Columbia includes the approval (or disapproval) of rezonings and Planned Unit Developments -- matters most often decided in other jurisdictions by a local elective body such as a City or County Council. During his tenure, the Zoning Commission considered and decided an average of two cases per month. These included significant, and hotly debated, development proposals and complex reforms of the Zoning Regulations themselves in areas of policy (e.g., rules applicable within given zones, map changes) and technical matters (e.g., standards for parking and loading).

While serving as one of the "rotating" members of the Board of Zoning Adjustment, Mr. Williams considered typical requests for variances and special exceptions, along with appeals of decisions reached by the Zoning Administrator. Under District rules, the Board of Zoning Adjustment is the body that reviews and approves "campus plans" on which approval of individual development projects of local institutions of higher learning rest. He also suggested ways by which the Board could streamline its processes, which were adopted.

Mr. Williams is widely regarded in matters of land use, planning and zoning. After retiring from his career of active-duty as a PHS officer (August 1966 - September 1996), and in addition to providing planning advice to various clients, Mr. Williams served as Co-Chairperson of a Task Force designed to produce the legislative materials needed by which the Council of the District of Columbia could proceed to adopt reforms identified by the Business Regulatory Reform Commission (BRRC). This effort involved bringing together more than a dozen land use professionals (mainly attorneys), analyzing each of the nearly 100 recommendations, and preparing a written report for the Council and its committee on Consumer and Regulatory Affairs. That report, along with the underlying recommendations of the BRRC, formed the basis for statutory changes that were effected within six months of the

start of the Task Force -- a remarkably short time in the District of Columbia where final approval of statutory changes includes normal review by the Mayor, but also additional reviews by the District of Columbia Financial Responsibility and Management Assistance Authority (commonly called the "Control Board") and further layover before the United States Congress.

Mr. Williams served as one of two key individuals in the contract awarded by the "Control Board" to the law firm of Holland & Knight, LLP, which reviewed regulations and procedures affecting building and land use in the District of Columbia. Mr. Williams not only identified the processes but also the key organizing principles of the database in which findings were captured and then analyzed. This led to that firm's recommending, with input from Mr. Williams and others, a wide-ranging number of changes streamlining procedures and reducing requirements.

Mr. Williams served as Director for Land Use within the Office of the Deputy Mayor for Planning and Economic Development, Government of the District of Columbia. Mr. Williams provided guidance to staff of the Office of Planning at a time when it had no director, and helped the Director assume his duties once appointed. In the course of this, he provided advice on planning and zoning issues that formed the nucleus of the positions enunciated by municipal officials.

Mr. Williams is currently affiliated with the law firm of Holland & Knight LLP as a land use, planning, and zoning consultant. This relationship, which became effective March 1, 2002, followed a period of part-time employment by that firm (April 2000-Feburary 2002). He currently provides professional services to that firm's clients through their organization, while providing independent advice to others from time to time.

Mr. Williams is a member of the Economic Development Committee of the District of Columbia Building Industry Association. Mr. Williams has also served or as a member of the Board of several voluntary organizations, including Property Owners' Association of Deep Creek Lake (Garrett County, Maryland), and Cleveland Park Historic Society.

Mr. Williams received a Bachelor of Arts in Sociology with honors from Haverford College and a Masters in Regional Planning from the University of North Carolina at Chapel Hill.