BEFORE THE ZONING COMMISSION
FOR THE DISTRICT OF COLUMBIA

LOGAN PHASE II, LLC

1200 R Street, N.W.
Residential Development

ZONING COMMISSION CASE NO. 04-13

PRE-HEARING STATEMENT IN SUPPORT OF
AN APPLICATION FOR CONSOLIDATED REVIEW OF
A PLANNED UNIT DEVELOPMENT
AND MAP AMENDMENT
1200 R Street, N.W.
Square 277
Lots 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 45

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Mary Carolyn Brown
Counsel for the Applicant
September 22, 2004

ZONING COMMISSION
District of Columbia
CASE NO. 04-13
EXHIBIT NO. 17

ZONING COMMISSION
District of Columbia
CASE NO.04-13
EXHIBIT NO.17

PREFACE

Logan Phase II, LLC, submits this prehearing statement and the attached documents to the Zoning Commission of the District of Columbia in support of its previously submitted application for a new residential building and related map amendment at 1200 R Street, N.W., Washington, D.C., in Ward 2 of the city. The site is located in Square 277, the city block bounded by Vermont Avenue and 12th Street on the east, 13th Street on the west, R Street, N.W. on the north and Q Street on the south. The site is owned by the Metropolitan Baptist Church, Elery Dunn and Marie B. Carter, and Yvonne Rosenberg, who together with Logan Phase II, LLC, the contract purchaser, are the Applicant for this project. The Applicant seeks consolidated review and approval of a Planned Unit Development ("PUD") and a related zoning map amendment in order to implement this redevelopment proposal.

Consisting of approximately 23,251 square feet of land area, the PUD site includes all of Lots 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 45 in Square 277. The site is presently zoned R-4. The Applicant is seeking consolidated review and approval for the entire PUD site, and an amendment to the zoning map to rezone the entire site to the R-5-B District.

The Applicant proposes to build a residential development comprised of 63 units, including three affordable housing units, a community room, and 89 parking spaces, 20 of which will be sold to community residents. This existing

rowhouse located on Lot 45 will be renovated as part of the PUD and will contain three of the units and two parking spaces.

The Applicant originally filed a PUD Application Statement and supporting documents on March 20, 2004. The PUD Application was revised and supplemented on August 26, 2004, in response to comments from the Zoning Commission at its July 12, 2004, meeting and from the Office of Planning. The Application and supplemental materials set forth in detail the proposed development, project design, public benefits and project amenities, and consistency with the Comprehensive Plan and the Ward 2 Plan. This Prehearing Statement further supplements those previous submissions and responds to additional comments from the Zoning Commission raised at its September 13, 2004, meeting.

As set forth below, this Prehearing Statement, in conjunction with the Applicant's previous submissions, meets the filing requirement for a PUD and map amendment application under chapters 24 and 30 of the District of Columbia Zoning Regulations.

DEVELOPMENT TEAM

Applicant/Developer:	Logan Phase II, LLC c/o Bogdan Builders, Inc. 5272 River Road, Suite 400 Bethesda, Maryland 20816
Owners:	Metropolitan Baptist Church 1225 R Street, N.W. Washington, D.C. 20009
	Elery Dunn and Marie B. Carter 1204 R Street, N.W. Washington, D.C. 20009
	Yvonne Rosenberg 1224 R Street, N.W. Washington, D.C. 20009
Architect:	Eric Colbert & Associates 717 5th Street, N.W. Washington, D.C. 20009
Civil Engineer:	VIKA, Inc. 8180 Greensboro Drive, Suite 200 McLean, Virginia 22102
Land Use Counsel:	Holland & Knight LLP 2099 Pennsylvania Avenue, N.W., Suite 100 Washington, D.C. 20006

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CERTIFICATION OF COMPLIANCE WITH SECTION 3013 OF THE ZONING REGULATIONS

The Applicant hereby certifies that this application, twenty copies of which were filed with the Zoning Commission on May 27, 2003, complies with the provisions of Section 3013 of the Zoning Regulations as set forth below, that the application is complete.

Subsection	Description	Page
3013.1(a)	Information Requested by Commission	Prehearing Stmt
3013.1(b)	List of Witnesses	Exhibit C
3013.1(c)	Summary of Testimony of Applicant's Witnesses and Reports for Record: • Christopher Bogdan, Bogdan Builders, Inc. • Eric Colbert, Eric Colbert & Associates • Representative of Metropolitan Baptist Church • Steven E. Sher, Holland & Knight LLP, Land Planner	Exhibit C
3013.1(d)	Additional Information	Herein or with previous submissions
3013.1(e)	Reduced Plans	To be submitted 20 days in advance of hg
3013.1(f)	List of Maps, Plans or other Documents Readily Available Which Will Be Offered Into Evidence	Exhibit D
3013.1(g)	Estimated Time Required for Presentation of Applicant's Case	Exhibit C (1 hour)
3013.6(a)	List of Names and Addresses of All Property Owners Within 200 Feet of the Subject Property	Exhibit E
3013.6(b)	List of Names and Addresses of Each Person having a Lease with the Owner for All or Part of Any Building Located on the Property Involved in the Application	Exhibit F

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: 

LIST OF EXHIBITS

Description	Exhibit
Copy of Applicant's August 26, 2004, Letter to the Commission Discussing the Project Benefits and Amenities	A
Letter from Eric Colbert and Associates dated September 14, 2004	B
List of Witnesses, Outlines of Testimony and Estimated Time Required for Presentation of Applicant's Case	C
List of Maps, Plans or Other Documents Readily Available That Will Be Offered into Evidence	D
List of Names and Addresses of All Owners of Property Within 200 Feet of the Subject Property	E
List of Names and Addresses of All Persons Having a Lease with the Owners of the Subject Property	F

I.
INTRODUCTION

This prehearing statement and attached documents (the "Prehearing Statement") support the application of Logan Phase II, LLC (the "Applicant") to the Zoning Commission of the District of Columbia for preliminary and consolidated review and approval of a Planned Unit Development ("PUD") and related map amendment. The application is filed on behalf of the owners of the property, all of whom have authorized Loan Phase II, LLC to file the application and Prehearing Statement. The Applicant proposes to rezone the property from the R-4 to the R-5-B District and to construct a residential building with below-grade parking. The properties that are the subject of the application are Lots 14-23 and 45 in Square 277.

The Applicant originally filed a PUD Application Statement and supporting documents on March 20, 2004. The PUD Application was revised and supplemented on August 26, 2004, in response to comments from the Zoning Commission at its July 12, 2004, meeting and from the Office of Planning. A copy of the Applicant's August 26, 2004, submission is attached as Exhibit A for the convenience of the Commission. The Application and supplemental materials set forth in detail the proposed development, project design, public benefits and project amenities, and consistency with the Comprehensive Plan and the Ward 2 Plan. This Prehearing Statement further

supplements those previous submissions and responds to additional comments the Zoning Commission raised at its September 13, 2004, meeting.

II.
ISSUES AND QUESTIONS RAISED BY THE ZONING COMMISSION

A. Project Design

While the Commission complimented the project architects on the progress made in the design development, the Commission requested further study of the entrance pediment. The architects are presently refining this element of the design and will submit supplemental drawings to the Commission no later than twenty days prior to the hearing date.

The Commission also requested information on the height of the HVAC units on the roof of the building. As documented by the letter from Eric Colbert and Associates attached as Exhibit B, the units are less than four feet in height and thus will not project above the parapet height of the building, and are not subject to the setback and enclosure requirements of section 411 of the Zoning Regulations.

B. Parking Spaces for Sale to Community Members

The Commission further requested clarification on the sale and management of the parking spaces offered to community members who will not reside in the building. The Applicant will create separate condominium units for each parking space that will be individually taxed and then offered for sale to residents living within 200 feet of the project. As part of the sales

agreement, the owners of the spaces must demonstrate compliance with the residency requirement. The parking space owners will also be subject to a management agreement, which will establish a management fee and set forth conditions for use of the spaces, including the separate pedestrian entrance and exit to be used exclusively by non-resident parking space owners. Owners of the community spaces will be required to demonstrate annually their compliance with the residency requirement, and any resale or sublet of the spaces will be restricted to residents within 200 feet of the project, for so long as the project exists.

As discussed more fully in the previous submissions to the Commission, the provision of community parking spaces was one of the most critical components of the project for the Advisory Neighborhood Commission and other neighborhood organizations. Thus, this aspect of the project constitutes an important public benefit and is also a significant amenity of the project.

III.
CONCLUSION

For the reasons stated above and based on the previous submissions to the Commission, Logan Phase II, LLC, on behalf of the property owners, submits that the PUD meets the standards of Chapter 24 of the Zoning Regulations and is consistent with the purposes and intent of the Zoning Regulations and Zoning Map. Furthermore, the project is consistent with the land use objectives of the District of Columbia, will revitalize the economic,

residential and social fabric of the community and, therefore, satisfies the requirements for PUD approval. Finally, the project provides significant public benefits and amenities and furthers the goals and policies of the District of Columbia. Accordingly, Logan Phase II, LLC, requests that the Zoning Commission approve the PUD application and related map amendment.

Respectfully submitted:

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By: Mary Carolyn Brown
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