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April 19, 2013

VIA HAND DELIVERY
D.C. Zoning Commission
441 4th Street, N.W., Suite 210
Washington, DC 20001

Re: ZC Case No. 08-07 - Prehearing Statement of Four Points LLC and Curtis Properties, Inc. To The District of Columbia Zoning Commission In Support of Applications For Preliminary Review of a Planned Unit Development and a Related Map Amendment

Dear Members of the Commission:

On behalf of Four Points LLC and Curtis Properties, Inc., as Applicant in the above-referenced case, we hereby submit one original and twenty copies of the following prehearing materials in support of Z.C. Case No. 08-07:

- A completed Hearing Fee Calculator (Form 116) form, and checks made payable to the D.C. Treasurer in the amount of \$172,599.00 and \$7,381.80 as payment for the required hearing fee; and
- A Prehearing Statement of the Applicant and supporting exhibits in response to the Office of Planning's and the Zoning Commission's comments regarding the application.

We look forward to the Zoning Commission's favorable consideration of this application.

Sincerely,



Kyrus L. Freeman

Attachments

cc: Advisory Neighborhood Commission 8A (w/attachments, via U.S. Mail)
Maxine Brown-Roberts, D.C. Office of Planning (w/attachments, via Hand)

ZONING COMMISSION
District of Columbia

CASE NO. UE-07

ZONING COMMISSION
District of Columbia

CASE NO. 08-07

EXHIBIT NO.22

**BEFORE THE ZONING COMMISSION
OF THE DISTRICT OF COLUMBIA**

FORM 116 – HEARING FEE CALCULATOR

Pursuant to §3041 of DCMR Title 11, the following hearing fees shall be paid when the Zoning Commission schedules a public hearing on a petition or application. In the case of a petition or application combining two (2) or more actions on this form, the fee charged shall be the greatest of all the fees computed separately. Please show ALL computations.

A department, office, or agency of the Government of the District of Columbia is not required to pay a hearing fee where the property is owned by the agency and the property is to be occupied for a government building or use.

PLEASE COMPLETE, SIGN, AND RETURN THIS FORM WITH PAYMENT TO THE OFFICE OF ZONING.

MAP AMENDMENT

Pursuant to §3041.1 of DCMR Title 11, if the Commission schedules a public hearing on a petition or application for an amendment to the Zoning Map, prior to advertisement of the hearing, the petitioner/applicant shall pay a hearing fee in accordance with the following schedule:

Petition or Application for Rezoning to any:	Fee	Unit	Total
R-1, R-2, or R-3 District, for each acre (43,560 ft. ²) or part of an acre	\$650.00		
R-4 or R-5-A District, for each acre (43,560 ft. ²) or part of an acre	\$1,625.00		
R-5-B District, for each acre (43,560 ft. ²) or part of an acre	\$3,250.00		
R-5-C, R-5-D, or R-5-E District, for each acre (43,560 ft. ²) or part of an acre	\$6,500.00		
SP, W, or CR District, for each 20,000 ft. ² or part of that area	\$2,600.00		
C-1 or C-2 District, for each 10,000 ft. ² or part of that area	\$1,625.00		
C-3, C-4, or C-5 District, for each 10,000 ft. ² or part of that area	\$3,250.00	32	\$104,000.00
C-M or M District, for each 20,000 ft. ² or part of that area	\$2,600.00		
TOTAL			

Notes:

- For any overlay district, the fee shall be computed in accordance with the requirement for the underlying zone.
- The maximum hearing fee for rezoning to any Residence District (R-1, R-2, R-3, R-4, or R-5) is \$65,000.
- For an application that proposes rezoning to more than one (1) zone district or is in the alternative, the fee shall be the total of the amounts for the area devoted to each proposed district or alternative computed separately.
- A "part of an acre" or "part of that area" should be rounded to the next whole number.

TEXT AMENDMENT

Pursuant to §3041.3 of DCMR Title 11, if the Commission schedules a public hearing on a petition for an amendment to the text of the Zoning Regulations, prior to the advertisement of the hearing, the petitioner shall pay a hearing fee in accordance with the following schedule:

Petition	Fee	Unit	Total
Each section proposed to be added, deleted, or amended	\$325.00		
TOTAL			N/A

Note:

- The maximum hearing fee for a text amendment to the Zoning Regulations is \$1,300.

PLANNED UNIT DEVELOPMENT (PUD), AIR SPACE DEVELOPMENT, OR ANY OTHER REVIEW OF A SPECIFIC SITE PLAN OR BUILDING PLAN

Pursuant to §3041.4 of DCMR Title 11, if the Commission schedules a public hearing on an application for approval of a planned unit development, air space development, or any other action where review of a specific site plan or building plan is required, prior to the advertisement of the hearing, the applicant shall pay a hearing fee in accordance with the following schedule:

Application	Fee	Unit	Total
For each 100 ft. ² of gross floor area (GFA), or part thereof, included in the application devoted to dwelling units, and the immediate area needed to serve that dwelling unit (Maximum of \$65,000.)	\$7.00	627840/100=6278.40	\$43,948.80
For each 100 ft. ² of GFA, or part thereof, included in the application devoted to any use other than a dwelling unit and the immediate area needed to serve that dwelling unit	\$13.00	1046400/100=10464	\$136,032.00
TOTAL			\$179,980.80

Note:

- There is no charge for the hearing on the second stage of a two-stage PUD application
- A "part thereof" should be rounded to the next whole number.

**ZONING COMMISSION
District of Columbia**

PLEASE CONTINUE TO SIDE TWO OF THIS FORM

EXHIBIT NO. _____

FORM 116 – HEARING FEE CALCULATOR – Side 2

MODIFICATION TO AN APPROVED PUD, AIR SPACE DEVELOPMENT, OR ANY OTHER REVIEW OF A SPECIFIC SITE PLAN OR BUILDING PLAN

Pursuant to §3041.6 of DCMR Title 11, if the Commission schedules a public hearing on an application for a modification to an approved planned unit development, air space development, or any other review of a specific site or building plan, prior to the advertisement of the hearing, the applicant shall pay a hearing fee in accordance with the following schedule:

Request for Modification	Fee	Total
Modification to a previously approved case	26% of original hearing fee or \$1,300, whichever is greater	
TOTAL		N/A

APPLICATION/ FEE OF PETITION

Pursuant to §3041.4 of DCMR Title 11, in the case of a petition or application combining two (2) or more actions on this form, the fee charged shall be the greatest of all the fees computed separately. Below, please list the total fee for each action requested and enter the fee of the greatest fee calculated.

Type of Petition/Application	Fee	Total
Map Amendment		\$104,000.00
Text Amendment		
PUD, air space development, or any other review of a specific site plan or building plan		\$179,980.80
Modification to an approved PUD, air space development, or any other review of a specific site or building plan		
GREATEST OF CALCULATED FEES		\$179,980.80

FEE OF CAMPUS PLAN/FURTHER PROCESSING OF CAMPUS PLAN

Pursuant to §3180 of DCMR Title 11, if the Commission schedules a public hearing on an application for a campus plan or further processing of a campus plan, prior to the advertisement of the hearing, the applicant shall pay a hearing fee in accordance with the following schedule:

Application	Fee	Unit	Total
Processing of a new or revised campus plan for a college or university use	\$6,500		
Review of a specific building or use within an approved campus plan	\$3,250		
TOTAL			N/A

CERTIFICATION

I/We certify that the information on this form is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application/petition is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both.

(D.C. Official Code § 22-2405)

Name: Kyrus L. Freeman, Esq. Signature:  Date: 4/18/13

OFFICIAL USE ONLY: Office of Zoning Determination

Based upon review of the petitioner's/applicant's supplemental filing and the information contained on this form:

- the calculated fee is accepted as submitted
- the calculated fee requires adjustment (requires new Form 116 – Hearing Fee Calculator Form)

Signature:  Date: 



If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete a Form 155 - Request for Reasonable Accommodation.