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Mary Carolyn Brown
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August 3, 2010

VIA HAND DELIVERY

Zoning Commission for the
District of Columbia
441 4th Street, N.W.
Suite 210-S
Washington, DC 20001

**Re: Zoning Commission Application No. 10-17 of National Restaurant Association
Prehearing Submission in Support of Application for a Zoning Map Amendment
(Square 160, Lot 809)**

Dear Members of the Commission:

On behalf of the National Restaurant Association (the "Applicant"), and in compliance with section 3013.1(a) of the Zoning Regulations, we submit this letter prior to the hearing in the above-reference case in support of the proposed zoning map amendment from the DC/SP-2 District to the DC/C-4 District for Lot 809 in Square 160 (the "Property"). This pre-hearing letter incorporates by reference, and supplements, the information provided to the Zoning Commission in the Statement of the Applicant dated June 15, 2010. Also submitted with this letter is Form 116 (Hearing Fee Calculator) and a check in the amount of \$5,000.00.

A. The Character of the Surrounding Area.

At its public meeting on July 26, 2010, where this matter for was set for a public hearing, the Commission asked for additional information on the existing property and the character of the surrounding area. The existing National Restaurant Association Building was constructed in 1964 pursuant to BZA Order No. 7236, which authorized a special exception that was necessary at the time in order to construct an office building for non-profit associations and certain professional practices. Constructed to a height of approximately 90 feet in height and eight stories, the building contains approximately 93,572 square feet of space, which equates to a floor area ratio of approximately 5.5.

As shown in the photographs attached as Exhibit A, the National Restaurant Association ("NRA") site is bordered by several high-density commercial office buildings constructed to heights of between 90 and 130 feet. Square 160 is a triangular block and is presently improved with a total of five buildings. Immediately west of the NRA Building, along Rhode Island

ZONING COMMISSION
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CASE NO. 10-17

EXHIBIT NO. 13

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Avenue, is a contemporary red-brick office building rising to a height of 130 feet. Continuing west along Rhode Island Avenue is another large office building, 12-stories tall and 130 feet in height, which also has frontage on M Street. The last two buildings in the block are small-scale structures housing Caruso's Florist and the I Am Temple, and are located in the C-4 District just west of the alley on M Street.

Across Rhode Island Avenue to the north are the YMCA, St. Matthew's Cathedral and St. Matthew's Court, rising to a height of 114 feet. To the east across 17th Street are an eight-story building occupied by the Human Rights Campaign and the Sumner School redevelopment, which has an overall height of 100 feet. To the south across M Street are several other large-scale office buildings, which have a maximum height of 130 feet.

The proposed map amendment to the DC/C-4 District is not only consistent with the Comprehensive Plan Map, but is also in character with the buildings of the surrounding area. The map amendment will allow construction on Lot 809 to complement and match the high-density commercial nature of buildings in the immediate vicinity. On the other hand, the existing DC/SP-2 zoning, which only permits 3.5 FAR of commercial use, is inconsistent with the site's high-density commercial designation on the Comprehensive Plan Map.

B. NRA Modernization and Expansion Plans

At its July 26th meeting, the Zoning Commission also requested additional information the owner's proposed plans for the site. As discussed by the Office of Planning ("OP"), the Applicant shared potential development plans that contemplated two alternatives: (i) either complete renovation of the existing building, the addition of three floors and expansion of the building footprint; or (ii) replacement of the existing building with a new office structure. Since its initial meeting with OP, the Applicant has completed its financial analysis of the two options and has determined that the renovation/addition option is not economically viable. Consequently, the Applicant intends to proceed with a new building. The applicant is presently preparing massing studies to show the potential building envelope in the context of its surroundings. The Applicant will supplement the record with those studies no later than twenty days in advance of the hearing.

C. Compliance with Supplemental Filing Requirements of Section 3013.1

In compliance with section 3013.1 of the Commission's Rules of Practice and Procedure, the following additional information is attached this letter:

Exhibit B: List of Witnesses and Outlines of Testimony (§§ 3103.1(b) and (c))

Exhibit C: Names and Addresses of Owners of Property to be Rezoned (§ 3013.3)

Exhibit D: Names and Addresses of Property Owners within 200 Feet (§ 3013.6)

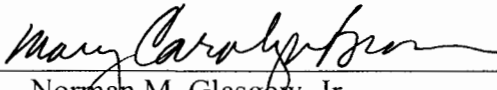
The Applicant estimates that it will require approximately 30 minutes to present its case to the Commission. See 11 DCMR § 3013.1(g). Pursuant to section 3013.7, the Applicant hereby certifies that it has complied with all the requirements of section 3013.

D. Conclusion

Because the requested map amendment is consistent with the Comprehensive Plan, the Property's designation on the Future Land Use Map, and the purposes of the Zoning Regulations and Zoning Map as set forth in D.C. Code § 6-641.02, the Applicant respectfully requests that the Commission approve the application.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: 
Norman M. Glasgow, Jr.
Mary Carolyn Brown

cc: Jennifer Steingasser, OP
Arlova Jackson, OP
Advisory Neighborhood Commission 2B



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	\$500.00		
R-4 or R-5-A District, for each acre (43,560 ft. ²) or part of an acre	\$1,250.00		
R-5-B District, for each acre (43,560 ft. ²) or part of an acre	\$2,500.00		
R-5-C, R-5-D, or R-5-E District, for each acre (43,560 ft. ²) or part of an acre	\$5,000.00		
SP, W, or CR District, for each 20,000 ft. ² or part of that area	\$2,000.00		
C-1 or C-2 District, for each 10,000 ft. ² or part of that area	\$1,250.00		\$5,000.00
C-3, C-4, or C-5 District, for each 10,000 ft. ² or part of that area	\$2,500.00	2	
C-M or M District, for each 20,000 ft. ² or part of that area	\$2,000.00		
TOTAL			\$5,000.00

- 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 \$50,000
 - 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

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	\$250.00		
TOTAL			

- Note:
- The maximum hearing fee for a text amendment to the Zoning Regulations is \$1,000

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) included in the application devoted to dwelling units, and the immediate area needed to serve that dwelling unit	\$5.00		
For each 100 ft. ² of GFA included in the application devoted to any use other than a dwelling unit and the immediate area needed to serve that dwelling unit	\$10.00		
TOTAL			

- Note:
- There is no charge for the hearing on the second stage of a two-stage PUD application

PLEASE CONTINUE TO SIDE TWO OF THIS FORM

Exhibit No. _____

Case 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	Unit	Total
Modification to a previously approved case	\$1,000.00		
TOTAL			

FEE OF PETITION/APPLICATION

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	Total
Map Amendment	\$5,000.00
Text Amendment	
PUD, air space development, or any other review of a specific site plan or building plan	
Modification to an approved PUD, air space development, or any other review of a specific site or building plan	
GREATEST OF CALCULATED FEES	\$5,000.00

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: Mary Carolyn Brown

Signature: Mary Carolyn Brown

Date: 8-3-2010

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.

District of Columbia Office of Zoning

441 4th Street, N.W. Ste. 200-S, Washington, D.C. 20001

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