

**Z.C. CASE NO. 10-26B
3321 GEORGIA, LLC
PUD MODIFICATION @ SQUARE 3040**

**PREHEARING STATEMENT
OF THE APPLICANT
IN SUPPORT OF AN APPLICATION
TO MODIFY AN APPROVED PLANNED UNIT DEVELOPMENT
APPROVED PURSUANT TO ZONING COMMISSION
CASE/ORDER NO. 10-26**

May 1, 2014

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DEVELOPMENT TEAM

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Architect of Record:	Grimm & Parker Architects 11720 Beltsville Dr. Suite 600 Calverton, MD 20705
Civil Engineer:	CAS Engineering 108 W. Ridgeville Blvd. Suite 101 Mount Airy, MD 21771
Traffic Consultant:	Gorove/Slade 1140 Connecticut Avenue, N.W. Suite 600 Washington, DC 20036
Land Use Counsel:	Holland & Knight LLP 800 17 th Street, N.W. Suite 1100 Washington, D.C. 20006

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LIST OF EXHIBITS

Exhibit	Description
A	Replacement Sheets from Approved Architectural Plans and Elevations, dated March 21, 2011
B	Building Section Sheet for Revised Building Architectural Plans and Elevations
C	List of the Applicant's Witnesses and Estimated Time Required For Presentation of Applicant's Case
D	Outline of Testimony of representative of 3321 Georgia, LLC
E	Outline of Testimony and Resume of Logan C. Schutz, AIA and Mel Thompson, AIA, on behalf of Grimm & Parker Architects
F	Outline of Testimony and Resume of David Landsman, PE, on behalf of CAS Engineering
G	Outline of Testimony and Resume of Erwin N. Andres, on behalf of Gorove/Slade
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

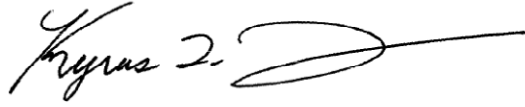
The Applicants hereby certifies that this application, one original and twenty copies of which were filed with the Zoning Commission on May 1, 2014 complies with the provisions of Section 3013 of the Zoning Regulations as set forth below, that the application is complete.

<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 C
3013.1(c)	Outline of Testimony of Applicant's Witnesses and Resumes	Exhibit D-H
	Representative 3321 Georgia Avenue, LLC	Exhibit D
	Logan C. Schutz AIA Mel Thompson AIA Grimm & Parker Architects	Exhibit E
	David C. Landsman, PE CAS Engineering	Exhibit F
	Erwin N. Andres Gorove/Slade	Exhibit G
	Steven E. Sher Holland & Knight LLP	Exhibit H
3013.1(e)	Reduced Plan Sheets	Exhibit B
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 C
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

A handwritten signature in black ink, appearing to read "Kyrus L. Freeman", with a long horizontal flourish extending to the right.

By: _____
Kyrus L. Freeman

I. INTRODUCTION

This Prehearing Statement and the attached documents are submitted by 3321 Georgia LLC, (the "Applicant"), the owner of record of Lot 130 in Square 3040 (the "Subject Property") in support of its application to the Zoning Commission of the District of Columbia (the "Zoning Commission") for modifications to an approved Planned Unit Development ("PUD") for the Subject Property.

The Zoning Commission approved a PUD and rezoning of the Subject Property from the GA/C-2-A District to the GA/C-2-B District pursuant to Order No. 10-26, as extended pursuant to Order No. 10-26A. The approved PUD includes approximately 118,160 square feet of gross floor area with approximately 82,801 square feet of gross floor area was devoted to residential and residential amenity uses, containing up to 123 residential units, approximately 7,190 square feet of new retail uses, and approximately 23,031 square feet devoted to loading and other circulation spaces. The approved PUD has a maximum density of 5.37 FAR and a maximum building height of 90 feet (not including roof structures). The approved project included 49 off-street parking spaces located in a below-grade garage.

The Applicant seeks Zoning Commission approval of modifications to the Approved Plans. Specifically, the Applicant requests approval to provide approximately 125,446 square feet of gross floor area, with 94,317 square feet devoted to residential and residential amenity uses, 4,170 square feet devoted to new retail uses, 5,138 square feet devoted to the existing post office, and 21,821 square feet devoted to loading and circulation uses. The project will provide 126 residential units (plus or minus 10%), 22 on-site parking spaces in a single garage level, a maximum overall density of 5.70 FAR, which is less than the maximum permitted FAR in the GA/C-2-B District, and will have a maximum building height of 89 feet, 8 inches (not including

roof structures). The Applicant also proposes to make minor refinements to the roof plan by eliminating the rooftop trees and deleting the paver banks on the roof terrace floor. The Applicant proposes to modify the façade, as the upper floors will be expanded to cantilever out approximately nine feet over the post office building, which is to be retained. In all other significant respects, the design of the proposed building will be substantially consistent with the prior approval and the conditions set forth in Z.C. Order No. 10-26. The scope of the modifications requested in this application is consistent with the scope of modifications approved by the Zoning Commission in other recent cases.

The Applicant originally filed a PUD Statement and supporting documents with the Zoning Commission on March 27, 2014 (the "Modified PUD Submission"). The Modified PUD Submission sets forth in detail the proposed development, project design, requested areas of zoning and design flexibility, and a discussion of how the project meets the applicable review and approval requirements.

The Office of Planning, by report dated April 18, 2014, recommended that the Zoning Commission schedule a public hearing on the application. At the public meeting on April 28, 2014, the Zoning Commission voted to set down the application for a public hearing. This Prehearing Submission supplements the Modified PUD Submission and includes the information requested by the Office of Planning and the Zoning Commission.

II. ISSUES/CONCERNS RAISED BY THE ZONING COMMISSION AND THE OFFICE OF PLANNING

At its public meeting of April 28, 2014, the Zoning Commission voted to schedule a public hearing for the application. During the Zoning Commission's deliberations, the Zoning Commissioners requested additional information regarding various components of the project's

design. The Office of Planning indicated that it would work with the Applicant to address any concerns raised by the Zoning Commission and other agencies during the review process.

A chart indicating the Applicant's response to the Office of Planning and the Zoning Commission's specific comments follows:

	Office of Planning Comment	Action
1.	Provide consistent drawing numbers between the original application and the subject application.	No less than 20 days prior to the public hearing on this application, the Applicant will submit drawings with page numbers that are consistent with the original application to the greatest extent possible.
2.	Correct drawings from original application that did not fully print.	As requested, replacement Sheets A-1.7, A-1.8, A-3.0, L-2.1 and C-1.05 from the Approved Architectural Plans and Elevations, dated March 21, 2011, are attached hereto as <u>Exhibit A</u> .
3.	Work with the Department of Parks and Recreation ("DPR") on the need for possible revisions to the approved amenity for the Park View Kids Zone building.	Since the original approval of the PUD, DPR budgeted \$400,000 for the renovation of the Park View field house, making the approved amenity to renovate the field house irrelevant. Thus, the Applicant is working with ANC 1A to provide an appropriate substitute amenity and will submit information regarding the substitute amenity no less than 20 days prior to the public hearing on this application.
	Zoning Commission Comment	Action
1.	Provide a section showing how the proposed building cantilevers over the existing post office building.	As requested by the Zoning Commission, a section showing how the proposed building cantilevers over the existing post office building is attached hereto as <u>Exhibit B</u> .
2.	Provide information regarding the potential occurrence of spillover parking on adjacent residential streets, and information regarding Residential Parking Permits ("RPP") restrictions in the area and for the project.	The Applicant has retained Gorove/Slade to prepare an updated Transportation Impact Study ("TIS") for the proposed modifications. The Applicant will submit the TIS to DDOT no less than 45 days prior to the public hearing, and to the Zoning Commission no less than 20 days prior to the public hearing. The TIS will include (i) an assessment of parking demand for the project; (ii) an assessment of available

		on- and off-street parking in the surrounding neighborhood; and (iii) a list of transportation demand management and mitigation measures to ensure that the project and the requested parking reduction will not have any adverse or unmitigated impacts on adjacent streets.
3.	Provide additional information regarding the amenity that will substitute the approved amenity for the Park View Kids Zone building.	As described above, the Applicant is working with ANC 1A to provide an appropriate substitute amenity and will submit information regarding the substitute amenity no less than 20 days prior to the public hearing on this application.
4.	Enhance the building's sustainability features.	The Applicant is studying a variety of additional sustainability features for the building and will provide a detailed explanation of the building's sustainability features to the Zoning Commission no less than 20 days prior to the public hearing.

II. 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 C.

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

In accordance with Sec. 3013.1(c) of the Zoning Regulations, the summaries of the testimony of those persons who may be called to testify at the public hearing are attached as Exhibit D through Exhibit H.

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 sixty (60) minutes.

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

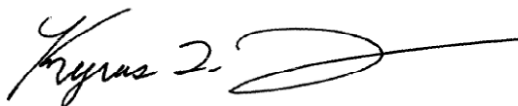
In accordance with Section 3013.6 of the Zoning Regulations, a list of the names and addresses of the owners of all property located within two hundred feet (200') of the Subject Property is attached as Exhibit J.

IV. CONCLUSION

For the foregoing reasons, the Applicant submits that the proposed modifications to the approved PUD meet the standards of Chapter 24 of the Zoning Regulations and the standards for approval. Accordingly, the Applicant requests that the Zoning Commission approve the application.

Respectfully submitted:

HOLLAND & KNIGHT LLP

A handwritten signature in black ink, appearing to read "Kyrus L. Freeman", with a long horizontal flourish extending to the right.

By: _____

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