### Exhibit H

## DRAFT OUTLINE OF TESTIMONY OF STEVEN E. SHER, LAND USE PLANNER HOLLAND & KNIGHT LLP

- I. Site Location and Description
- II. Description of Surrounding Area
- III.. Comprehensive Plan
  - A. Land use designation
  - B. Consistency with Comprehensive Plan
- IV. Zoning
  - A. Map amendment from M to C-3-C
  - B. Compatability with use, height, bulk of surrounding area
- V. PUD Evaluation Standards
  - A. Flexibility requested
  - B. PUD benefits and amenities

# Holland & Knight



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Related Practices: Real Estate | Land Use: Mid-Atlantic | Land Use and Government

**Steven E. Sher**, Director of Zoning and Land Use Services, has 40 years' experience as the leading consultant in the zoning regulations and development processes in the District of Columbia. For more than 25 years, he has advised developers and property owners on the interpretation and application of development regulations and approval processes in the city. He has appeared as an expert witness in zoning and planning before the District of Columbia Zoning Commission, Board of Zoning Adjustment, Historic Preservation Review Board and the mayor's agent for the historic preservation act. He has represented clients in matters before the Office of Planning, the Zoning Administrator, the National Capital Planning Commission, the Commission of Fine Arts, and other district and federal agencies.

Mr. Sher played a leading role in the following major cases: the Verizon Center, the new Washington Convention Center, the residential/retail/hotel complex at 2200 M Street for the Ritz Carlton, the redevelopment of the old Hecht's block at 7th and F Streets, the Station Place office development adjacent to Union Station (now the headquarters for the SEC), the International Monetary Fund's Headquarters II office building at 1900 Pennsylvania Avenue, the new headquarters for the U.S. Department of Transportation at the Southeast Federal Center, the redevelopment of the Capper/Carrollsburg public housing projects in Southeast using a HOPE VI grant, the redevelopment of the Waterside Mall site into the Waterfront Station mixed-use project, and the Arts Place mixed-use development on South Dakota Avenue, NE, at the Fort Totten Metro.

For more than 14 years, Mr. Sher was employed in the various zoning and planning offices of the District of Columbia. As one of the chief technical staff persons for the Zoning Commission, he played a significant role in drafting major revisions to the zoning regulations, including the waterfront and mixed-use (CR) districts, the regulations concerning community-based residential facilities, the planned unit development regulations and the regulations governing parking and loading.

Mr. Sher served as the executive director of the Zoning Secretariat for eight years. As such, he was the chief executive/operating/administrative officer for the Zoning Commission and the Board of Zoning Adjustment of the District of Columbia. Mr. Sher supervised the handling of over 1,600 cases before the Board of Zoning Adjustment and numerous rezoning, planned unit development and text amendment cases before the Zoning Commission. Matters he assisted the Zoning Commission in resolving include the rezoning of the Dupont Circle area, the Hotel-Residential Incentive District, implementation of the Foreign Missions Act and major development cases such as McLean Gardens and Techworld. Mr. Sher represented the Zoning Commission and the BZA before Congress, the

Council of the District of Columbia, the mayor and other public agencies.

Mr. Sher served on the Mayor's Commission on Downtown Housing, the Comprehensive Plan Assessment Task Force, the Comprehensive Plan Revision Task Force and the Zoning Review Task Force. He has been a guest lecturer at seminars at various universities and professional organizations on planning and zoning issues.

### **Memberships**

- Lambda Alpha International Honorary Land Economics Society
- \* American Planning Association
- District of Columbia Building Industries Association
- \* Greater Washington Board of Trade

#### **Education**

- Brooklyn College, B.A., Urban Studies
- Cornell University, M.R.P.

The Lawyers resident in all offices, unless otherwise indicated in an individual attorney biography, are not certified by the Texas Board of Legal Specialization. Attorney Advertising.

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