

March 12, 2021

VIA IZIS

Anthony Hood, Chairman
D.C. Zoning Commission
441 4th Street, N.W., Suite 200-S
Washington, DC 20001

Re: Case No. 20-22: Prehearing Submission – Zoning Map Amendment – Square 5860, Lots 1039-1041 (the “Property”)

Dear Chairman Hood and Members of the Commission:

On behalf of CQ Metro Land, LLC (“**Applicant**”), we hereby supplement the above-referenced application for a Zoning Map Amendment (“**Application**”) with additional information enclosed, pursuant to Subtitle Z, Section 401.5.

I. Application Summary

The Applicant requests a Zoning Map Amendment of the Property, which is currently unzoned, to the Northern Howard Road (“**NHR**”) Zone. The Map Amendment would facilitate development on currently unzoned property, where the current lack of zoning would prohibit any active use of the Property. In the NHR Zone District, the following development standards apply: a maximum floor area ratio (“**FAR**”) of 9.0; a maximum height of 130 feet; and a maximum lot occupancy of 100%. 11-K DCMR §§ 1001.2; 1001.4; 1001.7. The proposed Map Amendment will create in the short-term/interim-phase, an opportunity for community engaging uses on land that is currently vacant and underutilized, and in the long-term/full development-phase, an opportunity for office, retail, and residential use in high densities immediately adjacent to a major Metrorail station.

The standard by which the Zoning Commission evaluates a proposed Map Amendment is whether the amendment is not inconsistent with the Comprehensive Plan (“**Comprehensive Plan**”) and with other adopted public policies and active programs related to the property. 11-X DCMR § 500.3.

II. Consistency with the Comprehensive Plan

As detailed significantly in the Applicant’s initial Statement (Exhibit 3 in the Record) and in the Office of Planning (“**OP**”) set down report (Exhibit 10), the Map Amendment is not inconsistent with the Comprehensive Plan. The Application is not inconsistent with the Property’s designation on the Future Land Use Map (“**FLUM**”) or the Generalized Policy Map (“**GPM**”).

The Property is designated as Mixed-Use: High Density Residential, High Density Commercial, Institutional; Parks, Recreation, and Open Space; and, Mixed-Use: High Density Residential, Medium Density Commercial, and Institutional on the FLUM. The High Density Residential, High Density Commercial designation is wholly consistent with the NHR Zone. As specifically noted in the OP set down report, while the remaining portions of the Property's FLUM designation alone do not fully support the NHR Zone, viewing the FLUM for the Property together as a whole, within the context of the Framework Element, the rezoning would not be inconsistent. Further, the fact that the Property is in the Central Employment Area, which is intended to include higher density mixed land uses, also highlights the consistency between rezoning the Property to NHR and the FLUM. On the GPM, the Property is designated as a "Land Use Change Area," with which a rezoning to the NHR Zone is directly consistent.

In addition to consistency with the Maps of the Comprehensive Plan, as detailed in our previous filings, the specific requirements of the NHR Zone further many policies of the Comprehensive Plan. First, the NHR Zone requires an enhanced Inclusionary Zoning ("IZ") element to any development, with a 12% set aside requirement at 50% and 60% Median Family Income ("MFI") and a requirement for three-bedroom units, which furthers several elements regarding housing and equity from the Comprehensive Plan. Additionally, the NHR Zone requires enhanced green and sustainability requirements, furthering resiliency and environmental policies of the Comprehensive Plan. Finally, the NHR Zone requires approval by the Commission through the Design Review process of any new buildings, which will further the planning and urban design elements of the Comprehensive Plan. Therefore, the Map Amendment in full is not inconsistent with the Comprehensive Plan.

III. Community Outreach

The Property is located on Howard Road SE in Ward 8, within the jurisdiction of Advisory Neighborhood Commission ("ANC") 8A. ANC 8C is the adjacent ANC, immediately to the south of Howard Road. The Applicant presented at ANC 8A's Meeting on November 10, 2020, and ANC 8C's Meeting on November 4, 2020, and at each meeting, ANC 8A and 8C, respectively, voted to support the Application, as reflected in Exhibits 11 and 12 in the record.

IV. Expert Witness and Additional Outline of Testimony

As noted in the Applicant's request for a public hearing at Exhibit 14 in the Record, the Applicant requests 15 minutes at the public hearing to present its case. Tom Skinner will testify on behalf of the Applicant, and the outline of his testimony is in the record at Exhibit 14A. The Applicant would also like to proffer Neil Kittredge, Director of Planning and Urban Design at Beyer Blinder Belle, as an expert in urban planning. Mr. Kittredge's resume is attached as Exhibit A and the outline of his testimony is attached as Exhibit B.

V. Conclusion

Please contact John at (202) 721-1108 or Meghan at (202) 721-1138 if you have any questions regarding the above. We look forward to the Commission's consideration of this matter at public hearing and we appreciate your time.

Very truly yours,

/s/

John T. Epting
Meghan Hottel-Cox

Certificate of Service

The undersigned hereby certifies that copies of the foregoing document will be sent by electronic mail to the following addresses on March 12, 2021.

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/s/
Meghan Hottel-Cox