

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

**Z.C. CASE NO. 20-23
PREHEARING STATEMENT**

**ZONING MAP AMENDMENT
FROM PDR-2 ZONE TO THE MU-10 ZONE**

**(SQUARE 3623 Lots 1 and 2, and PARCELS 131/94, 131/146,
131/147, 131/155, 131/161, 131/162, and 131/217)**

**LDP ACQUISITIONS, LLC AND
525 RHODE ISLAND AVENUE LP**

January 20, 2021

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CERTIFICATION OF COMPLIANCE
WITH SUBTITLE Z § 401 OF THE ZONING REGULATIONS

Pursuant to 11-Z DCMR § 401.4, the undersigned, on behalf of LDP Acquisitions, LLC and 525 Rhode Island Avenue LP (“Applicant”), hereby certifies that the application in Z.C. Case No. 20-23 complies with the provisions of Subtitle Z § 401.1 of the 2016 Zoning Regulations of the District of Columbia (“ZR16”), as set forth below:

<u>Subtitle Z Subsection</u>	<u>Description</u>	<u>Page/Exhibit</u>
401.1(a)	Information requested by the Zoning Commission and the Office of Planning	None
401.1(b)	List of witnesses prepared to testify on the Applicant's behalf	Page 7
401.1(c)	Outline of expert witness testimony and resumes of experts Katie Wagner Gorove / Slade & Associates <i>Proffered as an expert in transportation planning and engineering</i> Shane L. Dettman Holland & Knight LLP <i>Proffered as an expert in land use and zoning</i>	Exhibit A
401.1(d)	Additional information introduced by the Applicant	None
401.1(e)	Reduced plan sheets	None
401.1(f)	List of maps, plans, or other documents readily available that may be offered into evidence	Exhibit B
401.1(g)	Estimated time required for presentation of Applicant's case	Page 7
401.3(a)	Names and addresses of owners of all property within 200 feet of the Properties	Exhibit D
401.3(b)	Names and addresses of each person having a lease with the owner for all or part of any building located on the property involved in the application	Exhibit E

401.8

Transportation memorandum prepared by
traffic consultant

Exhibit C



Leila M. Jackson Batties

LIST OF EXHIBITS

<u>Description</u>	<u>Exhibit</u>
Witness testimony outlines and expert witnesses resumes	A
List of maps, plans, or other documents readily available that may be offered into evidence	B
Transportation memorandum prepared by traffic consultant	C
List of names and addresses of property owners within 200 feet of the Property	D
Names and addresses of each person having a lease with the owner for all or part of any building located on the property involved in the application	E

I. INTRODUCTION

This Prehearing Statement and accompanying documents are submitted on behalf of LDP Acquisitions, LLC (d/b/a Jair Lynch Real Estate Partners) and 525 Rhode Island Avenue LP (an affiliate of The Wilkes Company) (collectively the "Applicant") in support of its application to the Zoning Commission for the District of Columbia (the "Commission") for a Zoning Map amendment from the PDR-2 zone to the MU-10 zone for the properties recorded as Lots 1 and 2 in Square 3623 and Parcels 131/94, 131/146, 131/147, 131/155, 131/161, 131/162, and 131/217 (collectively, the "Property") (the "Application").

The Property currently contains a collection of underutilized lots that contain a variety of industrial, warehouse, retail, surface parking, and other uses associated with the Greater Mount Calvary Holy Church ("GMCHC") community programs, including a food bank, clothing center, family life community center, and various health and well-being services. After several years of internal planning with its membership and coordination with neighboring property owners, including 525 Rhode Island Avenue LP, GMCHC is hoping to finally be able to capitalize on the development momentum that has now come to Rhode Island Avenue.

The Application was filed with the Zoning Commission on September 30, 2020 (Exhibit 2). By report dated January 4, 2021, the Office of Planning ("OP") recommended that the Commission setdown the application to rezone the Property from the PDR-2 zone to the MU-10 zone (Exhibit 10). OP found that the proposal would not be inconsistent with the District Elements of the Comprehensive Plan, including the Future Land Use Map ("FLUM") and the Generalized Policy Map ("GPM"), as supplemented by the Rhode Island Avenue "Diamond of the District" Small Area Action Plan (adopted by the D.C. Council on May 3, 2011 pursuant to PR 19-0019). OP did not request any additional information from the Applicant in its report. The Commission considered the case for setdown at its public meeting on January 14, 2021, and, in doing so, unanimously voted 5-0-0 to schedule the case for a public hearing. The Commission did not request any additional information from the Applicant.

II. COMMUNITY OUTREACH

The Property is within the boundaries of Advisory Neighborhood Commission ("ANC") 5E and the Eckington Civic Association ("ECA"). Prior to filing the Application, the Applicant met with representatives from ANC 5E, to discuss the Property and the proposed Zoning Map

amendment. Similarly, the Applicant met with the ECA. A listing of the Applicant's meetings with ANC 5E and the ECA is included in the case record at Exhibit 3G. On June 1, 2020, the ECA voted in support of the proposed rezoning of the Property. A copy of the ECA's letter in support is included in the case record at Exhibit 3I. On June 16, 2020, ANC 5E voted in support of the proposed rezoning of the Property. A copy of ANC 5E's letter in support is included in the case record at Exhibit 3H. The Applicant will continue to coordinate with ANC 5E and the ECA throughout the Zoning Map amendment process.

III. ADDITIONAL REQUIREMENTS OF SUBTITLE Z § 401 OF THE ZONING REGULATIONS

A. List of witnesses prepared to testify on behalf of the Applicant

In accordance with Subtitle Z § 401.1(b) of the Zoning Regulation, the Applicant will offer the following persons as expert witnesses:

1. Katie Wagner, Director of Planning and Engineering, Gorove/Slade & Associates
Proffered as an expert in transportation planning and engineering
2. Shane Dettman, Director of Planning Services, Holland & Knight
Proffered as an expert in urban planning, zoning, and land use

B. Summary of testimony of witnesses or reports and area of expertise

In accordance with Subtitle Z § 401.1(c), testimony outlines and resumes for the expert witnesses listed above are attached as Exhibit A.

C. List of maps, plans or other documents that may be offered into evidence

In accordance with Subtitle Z § 401.1(f), a list of the maps, plans, or other documents that are readily available to the general public and that may be offered into evidence at the public hearing is attached as Exhibit B.

D. Estimate of time required for presentation of Applicant's case

In accordance with Subtitle Z § 401.1(g), the estimated time for the presentation of the Applicant's case is **30 minutes**, subject to the decision of the presiding officer at the public hearing.

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

In accordance with Subtitle Z § 401.3(a), a list of the names and addresses of the owners of all of the property located within two hundred feet (200') of the Property is attached as **Exhibit D**.

F. Report by traffic consultant

In accordance with Subtitle Z § 401.8, a copy of the transportation memorandum prepared by the traffic consultant is attached as **Exhibit C**.

IV. CONCLUSION

This Prehearing Statement along with the original application meets the filing requirements for a contested case Zoning Map amendment application, as required by Subtitle X, Chapter 4 and Subtitle Z of the Zoning Regulations. For the foregoing reasons, the Applicant respectfully requests that the Zoning Commission schedule a hearing on the Application.

Respectfully submitted,
HOLLAND & KNIGHT LLP



Leila M. Jackson Batties