

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

**Harrison Wisconsin Owner, LLC  
4201 Garrison Street, NW  
Lot 810 and a Portion of Lot 809 in Square 1666**

**Application for a Consolidated Planned Unit Development and  
Related Zoning Map Amendment**

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**Z.C. CASE NO. 24-12  
APPLICANT'S PREHEARING STATEMENT  
April 16, 2025**

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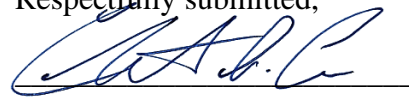
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CERTIFICATION OF COMPLIANCE WITH SUBTITLE Z § 401 OF THE ZONING REGULATIONS

Pursuant to Subtitle Z § 401.4 of the 2016 Zoning Regulations of the District of Columbia (the “Zoning Regulations”), the undersigned, on behalf Harrison Wisconsin Owner, LLC, certifies that this Prehearing Submission in support of Z.C. Case No. 24-12 complies with the provisions of Subtitle Z § 401.1 *et seq.*, as set forth below. In accordance with Subtitle Z § 401.5, the application will not be modified less than thirty (30) days prior to the public hearing.

| <b>Subtitle Z Subsection</b> | <b>Description</b>   | <b>Page / Exhibit</b>                                      |
|------------------------------|--|--|
| 401.1(a)                     | Additional information requested by the Zoning Commission and the Office of Planning                                     | <i>See</i> Section VI at pp. 6-8                           |
| 401.1(b)                     | List of those persons the applicant intends to call as witnesses   | <i>See</i> Section VII at pp. 8-9                          |
| 401.1(c)                     | Written summary of the testimony of all witnesses and resumes of expert witnesses  | Exhibit C  |
| 401.1(d)                     | Additional information introduced by the Applicant   | <i>See</i> Section IV and V at pp. 5-6                     |
| 401.1(e)                     | Reduced architectural plans  | N/A  |
| 401.1(f)                     | List of maps, plans, or other documents readily available that may be offered into evidence                              | Exhibit D  |
| 401.1(g)                     | Estimated time required for presentation of Applicant’s case   | <i>See</i> Section VII at p. 9                             |
| 401.3(a)                     | Names and addresses of the owners of all property located within 200 feet of the PUD site                                | Exhibit E  |
| 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 PUD site | N/A  |
| 401.8                        | Transportation memorandum prepared by Applicant’s traffic consultant   | To be submitted no later than 30 days prior to the hearing |

Respectfully submitted,



Christopher S. Cohen  
Holland & Knight LLP

LIST OF EXHIBITS

- Exhibit A: Preliminary Inclusionary Zoning Unit Location Plan and Set-Aside Calculations
- Exhibit B: Potable Water Calculations
- Exhibit C: Outlines of Testimony for Witnesses and Resumes of Expert Witnesses
- Exhibit D: List of Maps, Plans, or Other Documents Readily Available that may be Offered Into Evidence
- Exhibit E: List of Names and Addresses of all Owners of Property Located Within 200 Feet of the PUD Site (plus two sets of mailing labels submitted separately)
- Exhibit F: Hearing Fee Calculator Form 116

## **I. INTRODUCTION**

This Prehearing Statement and the accompanying documents (collectively, the “**Prehearing Submission**”) are submitted on behalf of Harrison Wisconsin Owner, LLC (the “**Applicant**”) in support of its application to the Zoning Commission for the District of Columbia (the “**Commission**”) for a consolidated planned unit development (the “**PUD**”) and related Zoning Map amendment (the “**Application**”). The Application pertains to the property comprising Lot 810 and a portion of Lot 809 in Square 1666 (together, the “**PUD Site**”), and the PUD-related map amendment applies to the R-2 zoned portion of the PUD Site. The PUD Site will ultimately be assigned an address of 4201 Garrison Street NW.

As evidenced by the Certificate of Compliance above and outlined in Section VII below, this Prehearing Submission satisfies the requirements of Subtitle Z § 401 of the District’s Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations (“**11 DCMR**” or the “**Zoning Regulations**”). Accordingly, the Applicant respectfully requests that the Office of Zoning schedule the Application for a public hearing at the earliest available date.

## **II. OVERVIEW OF APPLICANT’S PROPOSAL AND THE PUD SITE**

The Applicant requests the Zoning Commission’s review and approval of: (i) a consolidated PUD that establishes the development program, architectural design, and public benefits and project amenities associated with the proposed revitalization of the PUD Site; and (ii) a related Zoning Map amendment to rezone the R-2 portion of the PUD Site to the RA-3 zone.

As shown on the plans submitted with the original Application (*see* Ex. 3A1–3A5), the Applicant proposes to redevelop the PUD Site with a new residential building comprising approximately 124,508 square feet of gross floor area (“**GFA**”) and a building height of approximately 50 feet (the “**Project**”). The Project will deliver approximately 126 new residential units in a highly desirable, transit-accessible location with immediate proximity to the Wisconsin Avenue mixed-use corridor, which features a range of commercial and other non-residential uses. Importantly, by leveraging the District’s HANTA program,<sup>1</sup> the Project will reserve 33 percent of its residential units as affordable housing. This level of affordability represents a significant public benefit and far exceeds what would otherwise be required under matter-of-right development.

The entire PUD Site comprises approximately 40,357 square feet of land area within Square 1666. The square is generally bounded by Wisconsin Avenue, NW to the west, Harrison Street, NW to the north, 42nd Street, NW to the east, and Garrison Street, NW to the south. The PUD Site is currently significantly underutilized, as it is improved only with a surface parking lot and a 705-foot television tower. The Project will transform the Property into a new mixed-income residential development in a well-situated, walkable, and transit-rich location. In addition, the proposed configuration of the PUD Site boundary allows for the optimal siting of the Project and distributes density in a manner that ensures compatibility with the surrounding context.

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<sup>1</sup> HANTA – the High-Area Need Tax Abatement is a property tax abatement program developed by Mayor Bowser to spur development of new affordable housing units in areas of the District that have the highest dedicated affordable housing goals identified in the Mayor’s Housing Equity Report.

Details regarding the Project and the Application's compliance with the PUD evaluation criteria are set forth in the Applicant's Statement in Support. *See* Ex. 3. The information provided herein provides responses to the Commission's questions and comments and outlines recent updates to the Application. Where noted, the Applicant will supplement the record with additional information and materials no later than thirty (30) days prior to the public hearing, in accordance with Subtitle Z § 401.5 (the "**Supplemental Prehearing Submission**").

### **III. SETDOWN AND APPLICANT'S REQUEST FOR PUBLIC HEARING**

The Application was initially filed with the Zoning Commission on September 16, 2024. *See* Ex. 1–4. The Office of Planning ("OP") filed its report on November 4, 2024, recommending that the Commission set down the Application for a public hearing. *See* Public Record, Ex. 11 (the "Setdown Report"). In the Setdown Report, OP concluded that "[o]n balance, when viewed through a racial equity lens, the proposal would not be inconsistent with the Comprehensive Plan and the Wisconsin Avenue Development Framework Plan, and the filing generally meets the requirements of 11 DCMR Subtitle X, Chapter 3." *Id.* at 1. OP further noted that the Project "would provide positive changes to the housing options in this area" and that it does not anticipate any indirect displacement of residents or businesses. *Id.* at 16. OP also found that removal of the existing 705-foot television tower "constitutes a substantial benefit to both the neighborhood and the District of Columbia," noting that it "is visually incongruous with the surrounding neighborhood." *Id.* at 19.

The Commission considered the Application for setdown at its public meeting on November 14, 2024 (the "**Setdown Meeting**"). Following initial feedback on the Project, the Commission voted unanimously (5-0-0) to schedule the Application for a public hearing. During the Setdown Meeting, the Commission requested additional information related to: (i) the Applicant's affordable housing proffer; (ii) design compatibility; (iii) the character of the Project's open spaces; (iv) proposed landscaping and streetscape improvements; and (v) potential neighborhood transformation and demographic impacts.

### **IV. APPLICATION UPDATES**

#### **A. Updated Plans and IZ Plan**

The Applicant is working on updated architectural drawings and elevations, which will reflect refinements to the Project's design and modifications based on feedback from both the Commission and the community. The updated plans will also show minor adjustments to the residential floor layout, including an approximate unit count of 126. The Applicant has also prepared an initial plan showing the calculated square footage and distribution of the proffered Inclusionary Zoning ("IZ") units, which is included as Exhibit A (the "**IZ Plan**"). The Applicant will work with OP and the Department of Housing and Community Development ("DHCD") to solicit feedback on the IZ Plan and will update the record accordingly.

## **B. Traffic Analysis and DDOT Review**

Since filing the Application, the Applicant's transportation consultant, Jami Milanovich of Wells + Associates, initiated coordination with the District Department of Transportation ("DDOT") and submitted the scoping document. The Applicant is currently awaiting comments from DDOT on the scoping document and will prepare a transportation statement based on that feedback. The transportation statement will be submitted to DDOT no later than 45 days prior to the public hearing, and to the Commission no later than 30 days prior to the hearing date in accordance with Subtitle Z § 401.8.

## **C. Interagency Meeting on December 16, 2024**

On December 16, 2024, the Applicant participated in an interagency meeting coordinated by OP. Representatives from several District agencies attended, including DDOT, DC Water and Sewer Authority, the DC Fire and Emergency Medical Services Department, and the Department of Energy and Environment. The Applicant will continue to work with these agencies and respond to comments that were raised.

## **V. UPDATES ON COMMUNITY OUTREACH AND PUBLIC BENEFITS AND AMENITIES**

The Applicant has continued its engagement with Advisory Neighborhood Commission ("ANC") 3E and other community stakeholders, including the Harrison Condominium Homeowners' Association, to discuss the Project and shape a meaningful, community-responsive public benefits package. Most recently, the Applicant met with ANC 3E at its regularly scheduled public meeting on March 13, 2025. The Applicant will continue to work closely with the ANC and the community as the Application progresses toward public hearing.

As discussions with the ANC have progressed, the Applicant is working to prepare a Memorandum of Understanding ("MOU") that will memorialize the Applicant's commitments to the community associated with the PUD. An updated summary of the public benefits and amenities the Applicant is proffering as part of the PUD will be included with the Supplemental Prehearing Submission.

## **VI. RESPONSES TO COMMENTS FROM THE ZONING COMMISSION**

### **A. Affordable Housing Proffer**

During the Setdown Meeting, the Commission requested additional information regarding the specifics of the Applicant's affordable housing proffer. As described in the Applicant's Statement in Support, the Project will set aside 33% of the residential units as affordable housing. *See* Ex. 3 at p. 7 and 19. This commitment significantly exceeds what would be required under a matter-of-right development scenario, both under the PUD Site's existing R-2 zoning *and* the proposed RA-3 zoning.

The Applicant's 33% affordable housing proffer is best understood as comprising two components: IZ units and additional affordable units provided through the HANTA program. A portion of the affordable units will satisfy the District's IZ requirements for rental units. Specifically, 75% of the bonus density utilized will be set aside for households earning no more than 60% of the Median Family Income ("MFI"), and 10% of the Project's penthouse habitable space will be reserved for households earning no more than 50% of the MFI. *See* 11-C DCMR § 1003.1. The IZ component, which again, forms *part* of the overall 33% affordable housing commitment, amounts to approximately 12,894 square feet, or 10.4% of the Project's total GFA.

The balance of the units needed to meet the 33% affordability threshold will be delivered as non-IZ affordable dwelling units through the HANTA program, which focuses on the creation of affordable housing in high-needs areas within the District. Although the HANTA program permits units to be reserved for households earning up to 100% of the MFI for a 40-year control period, negotiations between the Applicant and DHCD resulted in a deeper affordability commitment. The Project's HANTA-designated units will be reserved for households earning no more than 80% of MFI. DHCD approved the Applicant's participation in the HANTA program in November, 2024. By leveraging the program, the Applicant is able to deliver more impactful affordability and advance the creation of an inclusive, mixed-income community at this well-located PUD Site.

As noted above, attached as Exhibit A is a preliminary IZ Plan showing the square footage allocation and distribution of the IZ units proposed for the Project. The Applicant will continue to work with OP and DHCD, and it will submit an updated IZ Plan, as necessary, as part of its Supplemental Prehearing Submission.

## **B. Design Compatibility**

The Commission requested additional detail on how the Project's design responds to its context and promotes compatibility with the surrounding neighborhood. A narrative outlining the design approach is included in the Applicant's Statement in Support. *See* Ex. 3 at pp. 6–7. The Project draws architectural inspiration from the lower-density residential fabric located immediately to the east, north, and south of the PUD Site. Brick has been selected as the primary façade material to reflect the neighborhood's traditional residential character and to convey a sense of durability and permanence. Thoughtfully detailed bays, balconies, and private entry stoops further reinforce the Project's residential scale and identity. In addition, the Project incorporates three landscaped courtyards within its moderately scaled residential massing, reflecting the open space patterns and setbacks that define the rhythm and scale of Upper Northwest.

Design compatibility is achieved not only through architectural detailing but also through thoughtful site planning and the distribution of density. As outlined in the Applicant's Statement in Support (Ex. 3), the proposed rezoning is intended solely to accommodate additional residential density. While RA-3 zoning permits a maximum FAR of 4.32, the Project strategically distributes density across the full PUD Site—foregoing a singular, bulky mass in favor of a thoughtfully articulated residential form that responds to surrounding context. Dividing the Project into four modest buildings further reduces its perceived bulk and mirrors the architectural cadence of nearby single-family homes. This approach yields an "apparent" FAR of just 3.06, better aligning with the surrounding character and supporting a smooth transition from the existing context. In doing



so, the Project introduces new housing while preserving the visual and spatial qualities that define Upper Northwest.

Through these design and planning strategies, the Project will significantly enhance the aesthetic character of the PUD Site while establishing visual continuity and a respectful transition to the existing community fabric. Updated plans will be submitted with the Supplemental Prehearing Submission, and additional details will be provided at that time.

### **C. Activation of Open Spaces and Landscaping**

The Applicant is actively exploring innovative strategies to activate and enrich the residential experience within the Project's open spaces and will provide additional details for the Commission's consideration in the forthcoming Supplemental Prehearing Submission.

### **D. Neighborhood Impact Analysis**

Finally, the Commission requested additional information on the anticipated impacts of the Project on the surrounding neighborhood, with particular interest in how the PUD could influence the demographic trends in Upper Northwest. This request was prompted, in part, by the Commission's recognition that the Project "has the potential to be a very important housing resource in Ward 3." Public Meeting Transcript of November 14, 2024, at 33:14–15. In response, the Applicant is preparing a focused evaluation of these potential demographic impacts and will provide its findings in the Supplemental Prehearing Submission.

## **VII. SUPPLEMENTAL FILING REQUIREMENTS**

The Applicant provides the following information in accordance with Subtitle Z § 401.1.

### **A. Additional Information Specified by the Zoning Commission at the Setdown Meeting**

In accordance with Subtitle Z § 401.1(a), the Applicant has provided the additional information requested by the Zoning Commission at the Setdown Meeting and will further elaborate on certain items in the forthcoming Supplemental Prehearing Submission.

### **B. List of Witnesses Prepared to Testify on Behalf of the Applicant**

Pursuant to Subtitle Z § 401.1(b), the Applicant intends to present the following individuals as witnesses during its direct presentation:

- James A. "Jad" Donohoe – Representative of the Applicant  
Senior Vice President, Donohoe Development Company
- \*Sarah Alexander – Project Architect  
Senior Principal, Torti Gallas Urban  
*To be proffered as an expert witness in architecture and urban design*

- \*Jami L. Milanovich – Traffic Consultant  
Principal, Wells + Associates  
*To be proffered as an expert witness in transportation and traffic engineering*
- \*Brandice N. Elliott  
Director of Planning Services, Holland & Knight LLP  
*To be proffered as an expert witness in land use and zoning*

The Applicant will also have \*Tim Bragan and \*Kyle Oliver/Soniel Charles, its expert witnesses in landscape architecture and civil engineering, respectively, available to respond to questions following its direct presentation and throughout the public hearing. Witnesses denoted with an asterisk (\*) have been previously qualified by the Commission in their respective fields.

### **C. Summary of Testimony of All Witnesses**

In accordance with Subtitle Z § 401.1(c) of the Zoning Regulations, outlines of testimony for all witnesses and resumes for all designated experts are attached hereto as Exhibit C.

### **D. Additional Information, Reports, or Other Materials**

In accordance with Subtitle Z § 401.1(d) of the Zoning Regulations, additional information that the Applicant wishes to introduce at the hearing has been provided herein.

### **E. List of Maps, Plans or Other Documents Readily Available**

In accordance with Subtitle Z § 401.1(f) of the Zoning Regulations, 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 D.

### **F. Estimated Time Required for Presentation of Applicant's Case**

In accordance with Subtitle Z § 401.1(g) of the Zoning Regulations, the Applicant estimates it will require approximately **45 – 60 minutes** to present its case, subject to the discretion of the presiding officer at the public hearing.

### **G. Names and Addresses of Owners of Property Located within 200 Feet**

In accordance with Subtitle Z § 401.3(a) of the Zoning Regulations, a list of the names and addresses of the owners of all property located within two hundred feet (200 ft.) of the PUD Site is attached hereto as Exhibit E. The Applicant will provide the Office of Zoning with two (2) sets of mailing labels under separate cover. There are no lessees for the Property. *See* Subtitle Z § 401.3(b).

## **H. Transportation Report**

In accordance with Subtitle Z §§ 401.7 and 401.8 of the Zoning Regulations, the report prepared by the Applicant's transportation expert will be filed with the Commission at least thirty (30) days prior to the public hearing, and said report will be provided to DDOT prior to or on the same day of filing with the Office of Zoning.

## **VIII. CONCLUSION**

This Prehearing Submission, together with the Applicant's original filing, meets the requirements for a consolidated PUD and related Zoning Map amendment, pursuant to Subtitle X, Chapter 3 and Subtitle Z of the Zoning Regulations. The Applicant has provided additional information requested by the Commission at the Setdown Meeting to facilitate a thorough review of the Project and will provide additional information as part of the Supplemental Prehearing Submission. Accordingly, the Applicant respectfully requests that the Office of Zoning schedule a public hearing on the Application.