

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

**Z.C. CASE NO. 24-14
PREHEARING STATEMENT**

**ZONING MAP AMENDMENT
FROM THE RA-2 ZONE TO THE RA-4 ZONE**

SQUARE 2672, LOT 718

EMORY UNITED METHODIST CHURCH

MARCH 28, 2025

Respectfully submitted by:

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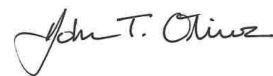
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CERTIFICATE OF COMPLIANCE
WITH SUBTITLE Z § 401 OF THE ZONING REGULATIONS

Pursuant to 11-Z DCMR § 401.4, the undersigned, on behalf of the Emory United Methodist Church (the “Applicant”), hereby certifies that the application and this supplemental filing comply with the provisions of 11-Z DCMR § 401.1 *et seq.* Further, and in accordance with Subtitle Z § 401.5, the application will not be modified less than thirty (30) days prior to the public hearing.

<u>Subtitle Z Subsection</u>	<u>Description</u>	<u>Page/Exhibit</u>
401.1(a)	Information requested by the Zoning Commission	Page 3
401.1(b)	List of witnesses prepared to testify on behalf of the Applicant	Page 3
401.1(c)	Written summary of all witness testimony	Exhibit A
401.1(d)	Additional information introduced by the Applicant	Page 3
401.1(e)	Reduced plan sheets	N/A
401.1(f)	List of maps, plans, and other documents readily available that may be offered into evidence	Exhibit B
401.1(g)	Estimated time required for presentation of the Applicant’s case	Page 3
401.3(a)	Names and addresses of owners of all property within 200 feet of the Property	Exhibit C
401.3(b)	Name and address of each person having a lease with the owner for all or part of any building located on the Property	N/A
401.8	Transportation memorandum prepared by traffic consultant	Page 4

Respectfully submitted,



John T. Oliver
Holland & Knight LLP

LIST OF EXHIBITS

- Exhibit A:** Outline of Witness Testimony and Resume of Expert Witness
- Exhibit B:** List of Maps, Plans, and Other Documents Readily Available
that may be Offered into Evidence
- Exhibit C:** List of Names and Addresses of All Owners of Property
Within 200 Feet of the Property
- Exhibit D:** Hearing Fee Calculator – Form 116

PREHEARING STATEMENT OF THE APPLICANT

I. Introduction

This Prehearing Statement and the accompanying documents (the “Prehearing Submission”) are submitted on behalf of the Emory United Methodist Church (the “Applicant”) in support of its application (the “Application”) to the District of Columbia Zoning Commission (the “Commission”) for a Zoning Map Amendment. The Application is a request to rezone Lot 718 in Square 2672 (collectively, the “Property”) from the current RA-2 zone to the RA-4 zone.

A. The Property

The Property consists of approximately 19,460 square feet of land area (0.44 acres), and is located within the Columbia Heights neighborhood in northwest Washington, DC. The Property is located within Square 2672, which is bounded to the north by Irving Street, NW, to the south by Columbia Road, NW, to the east by 14th Street, NW, and to the west by 15th Street, NW. The Property is more particularly bounded by a public alley to the north, Columbia Road, NW, to the south, and multifamily housing developments to the east and to the west.

The Property is within the jurisdictional boundaries of Advisory Neighborhood Commission (“ANC”) 1A. Additionally, the Property is located less than 1,000 feet from the Columbia Heights Metrorail Station and is within 0.25 miles of several WMATA bus routes, specifically the 52, 54, 59, D32, H2, and H4 routes.

The area surrounding the Property is comprised of multifamily residential uses, neighborhood-serving retail uses, and commercial uses. Specifically, the area northeast of the Property, and south of Irving Street, NW, and west of 14th Street, NW, consists of the Highland Park Apartments, retail uses, and commercial uses, whereas the area south and west of the Property consists of moderate-density and medium-density residential uses. Further, the DC USA retail development is located less than 1,000 feet from the Property, and includes multiple retail and commercial uses such as a Petco, DSW Designer Shoe Warehouse, IHOP, Chick-fil-A, Marshalls, Best Buy, Target, Lidl, Chase Bank, and Bank of America.

B. Request for Zoning Map Amendment

The Application is a request to rezone the Property from the RA-2 zone to the RA-4 zone. *See* Case Record, Exs. 1–3K. The purpose of the RA zones “is to permit flexibility of design by permitting all types of urban residential development if it conforms to the height, density, and area requirements of the zone and to permit the construction of those institutional and semi-public buildings that would be compatible with adjoining residential uses and that are excluded from the more restrictive residential zones.” 11-F DCMR §§ 101.3(a)–(b). More specifically, the RA-4 zone provides for areas developed with predominantly medium- to high-density residential uses. 11-F DCMR § 101.7.

Rezoning the Property to the RA-4 zone would not be inconsistent with the Comprehensive Plan, as doing so would permit additional residential density and would facilitate development

opportunities envisioned by the District. *See Statement in Support*, Ex. 3. Additionally, the Application furthers several policies under the Mid-City Planning Area Element, and under Citywide Elements, such as the Land Use, Housing, Transportation, Environmental Protection, and Economic Development Element. *See Comprehensive Plan Analysis*, Ex. 3E. The Application would also advance racial equity as the Application would result in housing and affordable housing near the prominent 14th Street corridor. *Id.* Finally, as required by 11-X DCMR § 500.3, the Application is not inconsistent with the Comprehensive Plan when evaluated through a racial equity lens. *Id.*

C. Setdown and Request for Public Hearing

The Office of Planning (“OP”) filed a report dated March 17, 2025, recommending that the Commission set down the Application for a public hearing. *See* Ex. 11 (the “OP Setdown Report”), pp. 1. The OP Setdown Report states that “the proposed map amendment would not be inconsistent with the Comprehensive Plan, including the Medium-Density Residential designation on the Future Land Use Map and the Neighborhood Conservation Area designation on the Generalized Policy Map.” *See* OP Setdown Report, pp. 1. More specifically, the OP Setdown Report states the proposed Application:

- “Would not be inconsistent with the policies of the [Comprehensive Plan]” OP Setdown Report at pp. 5.
- “Would not be inconsistent with the Citywide Elements of the Comprehensive Plan and would particularly further the policies of the Land Use, Transportation, Housing, and Economic Development Elements.” OP Setdown Report at pp. 5.
- “Would not be inconsistent with the Mid-City Area Element.” OP Setdown Report at pp. 7.
- “Would provide for more market rate and affordable units in the planning area, which would contribute to meeting both housing and affordable housing goals for the District.” OP Setdown Report at pp. 12.
- “Could result in an increase in the amount of housing in the District, including the amount of affordable housing for low-income households, all within walking distance of retail, service, and employment opportunities, as well as a Metrorail station and other transit options.” OP Setdown Report at pp. 14.

OP did not request that the Applicant provide additional information prior to the public hearing.

The Commission considered the Application for setdown at its public meeting on March 27, 2025, and voted unanimously (5-0-0) to schedule the Application for a public hearing.

As demonstrated by the Certification of Compliance, and as set forth below, this Prehearing Submission meets the filing requirements of 11-Z DCMR § 401 *et seq.* Accordingly, the Applicant requests that the Commission schedule a public hearing on the Application.

II. Supplemental Filing Requirements of Subtitle Z § 401

A. Additional Information Specified by the Commission

On March 27, 2025, the Commission held a public meeting to decide whether the Application should be set down. During its public meeting, the Commission did not ask the Applicant to submit additional information.

B. List of Witnesses Prepared to Testify

In accordance with 11-Z DCMR § 401.1(b), a list of individuals the Applicant intends to call as a witness is provided below:

1. Ms. Brandice Elliott*
Holland & Knight LLP, Director of Planning Services

* For its direct presentation, the Applicant will proffer Ms. Elliott as an expert witness in land use and zoning. The Commission has previously qualified Ms. Elliott as an expert.

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

In accordance with 11-Z DCMR § 401.1(c), an outline of all witness testimony and a copy of Ms. Elliott's professional resume is attached as **Exhibit A**.

D. Additional Information Introduced

In accordance with 11-Z DCMR § 401.1(d), the Applicant does not have any additional information, reports, or other materials it wishes to submit.

E. List of Maps, Plans and Other Documents Readily Available

In accordance with 11-Z DCMR § 401.1(f), a list of maps, plans, or other documents readily available to the general public that may be offered into evidence at the public hearing is attached as **Exhibit B**.

F. Estimation of Time Required for Presentation of the Applicant's Case

In accordance with 11-Z DCMR § 401.1(g), the estimated time for the presentation of the Applicant's case is 30 minutes, subject to the discretion of the presiding officer at the public hearing.

G. Names and Addresses of Owners of Property with 200 Feet of the Subject Property

In accordance with 11-Z DCMR §§ 401.3(a), 401.3(b), a list of the names and addresses of the owners of all of the property located within two hundred feet (200 ft.) of the Property and the names and addresses of each person having a lease with the owner for all or part of any building located on the Property is attached as **Exhibit C**.

H. Report by Traffic Consultant

In accordance with 11-Z DCMR § 401.8, any traffic report for the Application will be filed with the Commission at least thirty (30) days prior to the public hearing.

III. Conclusion

In accordance with Subtitle X, Chapter 5 and Subtitle Z, Chapter 4, this Prehearing Statement, along with the original application, satisfy the filing requirements for a contested Zoning Map amendment. Accordingly, the Applicant respectfully requests the Commission schedule a public hearing on the Application.

Respectfully submitted,

HOLLAND & KNIGHT LLP

s/ Kyrus L. Freeman
Kyrus L. Freeman
John T. Oliver