

BEFORE THE  
ZONING COMMISSION  
FOR THE DISTRICT OF COLUMBIA

PARCEL 2  
MCMILLAN RESERVOIR SLOW SAND FILTRATION SITE  
(SQUARE 3128, LOT 800)  
NORTHWEST WASHINGTON, D.C.

Z.C. CASE NO. 13-14A

PREHEARING STATEMENT OF THE APPLICANT  
FOR A  
SECOND-STAGE  
PLANNED UNIT DEVELOPMENT

SEPTEMBER 17, 2015

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## **DEVELOPMENT TEAM**

**Applicant:** JAIR LYNCH Development Partners, on behalf of  
Vision McMillan Partners and the District  
of Columbia

**Developer:** JAIR LYNCH Development Partners  
1508 U Street, NW  
Washington, DC 20009

**Second-Stage PUD Architect  
for Parcel 2 Building:** MV+A  
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Washington, DC 20005

**Traffic Consultant:** Gorove/Slade Associates, Inc.  
1140 Connecticut Avenue, N.W.  
Suite 700  
Washington, D.C. 20036

**Land Use Counsel:** Holland & Knight LLP  
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## LIST OF EXHIBITS

| Exhibit | Description  |
|---------|--|
| A       | Responses to Zoning Commission and Office of Planning comments.  |
| B       | Pages from approved Master Plan / First-Stage PUD showing Three-Quarter Street span                              |
| C       | Updated Architectural Plans and Drawings   |
| D       | List of the Applicant's Witnesses and Estimated Time Required For Presentation of Applicant's Case               |
| E       | Outline of Testimony of Anne Corbett on behalf of Vision McMillan Partners                                       |
| F       | Outline of Testimony of Jair Lynch on behalf of JAIR LYNCH Development Partners, LLC                             |
| G       | Outline of Testimony and Resumes of Jim Voelzke and Brian Szymanski on behalf of MV+A Architects                 |
| H       | Outline of Testimony and Resume of Robert Schiesel and Daniel VanPelt on behalf of Gorove/Slade Associates, Inc. |
| I       | Outline of Testimony and Resume of Shane L. Dettman on behalf of Holland & Knight LLP.                           |
| J       | List of Maps, Plans or Other Documents Readily Available To The Public, Which May Be Offered Into Evidence       |
| K       | List of Names and Addresses of All Property Owners Within 200 Feet of the Subject Property                       |

**CERTIFICATION OF COMPLIANCE**  
**WITH SECTION 3013 OF THE ZONING REGULATIONS**

The Applicant hereby certifies that this application, one original and ten copies of which were filed with the Zoning Commission on September 17, 2015, complies with the provisions of Section 3013 of the Zoning Regulations as set forth below, that the application is complete.

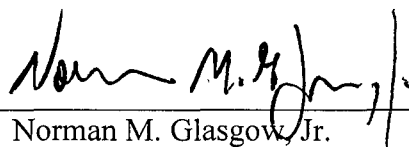
| <b><u>Subsection</u></b> | <b><u>Description</u></b>  | <b><u>Page</u></b> |
|--------------------------|--|--------------------|
| 3013.1(a)                | Information Requested by Zoning Commission and Office of Planning  | Exhibits A & B     |
| 3013.1(b)                | List of Witnesses  | Exhibit D          |
| 3013.1(c)                | Outline of Testimony of Applicant's Witnesses and Resumes of Experts                                     | Exhibits E-I       |
|                          | Anne Corbett<br>Vision McMillan Partners   | Exhibit E          |
|                          | Jair Lynch<br>JAIR LYNCH Development Partners, LLC   | Exhibit F          |
|                          | Jim Voelzke and Brian Szymanski<br>MV+A Architects   | Exhibit G          |
|                          | Robert Schiesel and Daniel VanPelt<br>Gorove/Slade Associates, Inc.                                      | Exhibit H          |
|                          | Shane L. Dettman<br>Holland & Knight LLP   | Exhibit I          |
| 3013.1(e)                | Updated Architectural Plans and Drawings (Reduced)   | Exhibit C          |
| 3013.1(f)                | List of Maps, Plans or other Documents Readily Available To the Public That May Be Offered Into Evidence | Exhibit J          |

- |           |  |           |
|-----------|--|-----------|
| 3013.1(g) | Estimated Time Required for Presentation<br>of Applicant's Case                                  | Exhibit D |
| 3013.6(a) | List of Names and Addresses of All<br>Property Owners Within 200 Feet of<br>The Subject Property | Exhibit K |

The undersigned HEREBY CERTIFIES that all of the requirements of Section 3013 of the Zoning Regulations have been complied with. In accordance with Section 3013.8, this application will not be modified less than twenty days prior to the public hearing.

Respectfully Submitted,

HOLLAND & KNIGHT LLP

By:   
Norman M. Glasgow, Jr.

## I. INTRODUCTION

The Prehearing Statement and the attached documents are submitted by JAIR LYNCH Development Partners, on behalf of Vision McMillan Partners and the District of Columbia through Office of the Deputy Mayor for Planning and Economic Development, the owner of the property described below (collectively the "Applicant"), in support of its application to the Zoning Commission of the District of Columbia for a second-stage Planned Unit Development ("Second-Stage PUD") for development of a mixed-use, multi-family apartment building in accordance with the Zoning Commission's approval in Zoning Commission Case No. 13-14 ("Order No. 13-14").

The subject property includes the land known as Parcel 2 ("Parcel 2" or the "Property") of the planned redevelopment of the former McMillan Reservoir Slow Sand Filtration Site (the "PUD Site"). The redevelopment project divides the PUD Site, which is currently known as Square 3128 Lot 800, into seven distinct parcels. The PUD Site contains approximately 1,075,356 square feet of land area (24.69 acres), and is bounded by Michigan Avenue, NW to the north, Channing Street, NW to the south, North Capitol; Street, NW to the east, and First Street, NW to the west. Parcel 2 is located along the western edge of the PUD Site bounded by First Street to the west, with North Service Court and Half Street, both private streets, to the north and east, respectively. The land known as Parcel 5 of the PUD Site abuts the Property to the south. Parcel 2 encompasses approximately 66,654 square feet (sf) of land area, including easements and the area of Three Quarter Street, also a private street, which bisects the Property from north to south. Excluding easements and Three Quarter Street results in an effective land area of approximately 48,178 square feet.

By Order No. 13-14, the Zoning Commission approved a First-Stage PUD (the "First-Stage PUD"), Consolidated PUD (the "Consolidated PUD"), and a zoning map amendment for redevelopment of the PUD Site as a large, mixed-use development consisting of office, retail and

service, apartment house, attached one-family dwelling, community center, and open space uses. The Zoning Commission approved a map amendment to zone the PUD Site C-3-C and CR. The C-3-C Zone District was approved for the northern portion of the PUD Site (Parcel 1) for a depth of 277 feet as measured from the middle of the curb along Michigan Avenue, NW. The CR Zone District was approved for the remainder of the PUD Site, including Parcel 2. The overall redevelopment of the PUD Site was approved to contain a combined gross floor area of approximately 2,070,753 square feet, and an actual overall floor area ratio (FAR) of 1.92 (2.36 FAR excluding easements and private rights-of-way). The portions of the PUD site included in the Consolidated PUD include Parcels 1, 4, 5, 6, & 7. The First-Stage PUD includes Parcels 2 and 3.

The Applicant originally filed its application statement and supporting documents with the Commission on June 8, 2015 (the "Initial PUD Submission"). The Initial PUD Submission sets forth in detail the proposed development, project design, initial requested areas of zoning and design flexibility, and a discussion of how the project meets the applicable review and approval requirements.

The Office of Planning, by report dated July 17, 2015, recommended that the Commission schedule a public hearing on the application. At the public meeting on July 27, 2015, the Commission voted to set down the application as a contested case. This Prehearing Submission includes the information requested by the Commission and the Office of Planning within a narrative and set of revised architectural drawings attached hereto as Exhibits A – C.

## **II. ISSUES/CONCERNS RAISED BY THE COMMISSION AND THE OFFICE OF PLANNING**

At its public meeting of July 27, 2015, the Commission voted to schedule a public hearing for the application. During the Commission's deliberations, the Commissioners requested



additional information regarding the proposed building span, or bridge, over Three-Quarter Street, including renderings from multiple vantage points where the span is visible throughout the PUD Site. In addition, the Commission commented unfavorably on the requested flexibility for roof structure setback which as set forth below the Applicant has withdrawn.

The Office of Planning also requested additional information related to the design and materials of the Three-Quarter Street span, including views from Parcel 1 and the North Service Court, and also strongly recommended that the Applicant utilize a mechanical system that would allow the height of the penthouse enclosure to be as low as possible. The Office of Planning also requested additional information related to the required service delivery space, and that a transportation-related discussion and analysis be provide prior to the public hearing, specifically as it relates to parking, loading, and the design of elements to promote effective and safe vehicular and pedestrian access, and transportation management measures.

A chart containing the Applicant's responses to the comments provided by the Commission and the Office of Planning is attached as Exhibit A. In addition, the Applicant has prepared a revised set of architectural plans and drawings which are included as Exhibit C of this Prehearing Statement, and includes the additional renderings requested of the Three-Quarter Street bridge.

### **III. ADDITIONAL REQUIREMENTS OF SEC. 3013 OF THE ZONING REGULATIONS**

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

In accordance with Sec. 3013.1(b) of the Zoning Regulations, a list of potential witnesses prepared to testify at the public hearing on behalf of the Applicant is attached as Exhibit D.

**B. Summary of Testimony of Witnesses or Reports and Area of Expertise**

In accordance with Sec. 3013.1(c) of the Zoning Regulations, outlines of the testimony of those persons who may be called to testify at the public hearing, and resumes for those witnesses that may be proffered as experts in their respective professions, are attached as Exhibits E – I.

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

In accordance with Section 3013.1(f) of the Zoning Regulations, and attached hereto as Exhibit J, the Applicant provided a list of maps, plans, and other documents that are readily available to the general public and which may be offered into evidence at the public hearing.

**D. Estimate of Time Required for Presentation of Applicant's Case**

In accordance with Section 3013.1(g) of the Zoning Regulations, the estimated time for the presentation of the Applicant's case is forty (40) minutes.

**E. Names and Addresses of Owners of Property Within 200 Feet of Property**

In accordance with Section 3013.6 of the Zoning Regulations, a list of the names and addresses of the owners of all property located within two hundred feet (200') of the Subject Property is attached as Exhibit H.

**IV. CONCLUSION**

For the foregoing reasons, the Applicant submits that the proposed Second-Stage PUD meets the standards of Chapter 24 of the Zoning Regulations and the standards for approval. Accordingly, the Applicant requests that the Commission approve the application.

Respectfully submitted:

HOLLAND & KNIGHT LLP

By: \_\_\_\_\_

Norman M. Glasgow, Jr., Esq.