



**BEFORE THE ZONING COMMISSION OR
BOARD OF ZONING ADJUSTMENT FOR THE DISTRICT OF COLUMBIA**



FORM 150 – MOTION FORM

THIS FORM IS FOR PARTIES ONLY. IF YOU ARE NOT A PARTY PLEASE FILE A
FORM 153 – REQUEST TO ACCEPT AN UNTIMELY FILING OR TO REOPEN THE RECORD.

Before completing this form, please review the instructions on the reverse side. Print or type all information unless otherwise indicated. All information must be completely filled out.

CASE NO.: 16-07

Motion of: Applicant Petitioner Appellant Party Intervenor Other _____

PLEASE TAKE NOTICE, that the undersigned will bring a motion to:

Accept the Applicant's Comprehensive Transportation Report (Ex. 24B) less than 30 days prior to the hearing on this case. See 11 DCMR Sub. Z §§ 401.7 and 401.8.

Points and Authorities:

On a separate sheet of 8 1/2" x 11" paper, state each and every reason why the Zoning Commission (ZC) or Board of Zoning Adjustment (BZA) should grant your motion, including relevant references to the Zoning Regulations or Map and where appropriate a concise statement of material facts. If you are requesting the record be reopened, the document(s) that you are requesting the record to be reopened for must be submitted separately from this form. No substantive information should be included on this form (see instructions).

Consent:

Did movant obtain consent for the motion from all affected parties?

- Yes, consent was obtained by all parties Consent was obtained by some, but not all parties
 No attempt was made Despite diligent efforts consent could not be obtained

Further Explanation: _____

CERTIFICATE OF SERVICE

I hereby certify that on this

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 day of

October

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I served a copy of the foregoing Motion to each Applicant, Petitioner, Appellant, Party, and/or Intervenor, and the Office of Planning

in the above-referenced ZC or BZA case via: Mailed letter Hand delivery E-Mail Other _____

Signature:

Print Name: Kyrus L. Freeman

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October 24, 2016

VIA IZIS

Zoning Commission for the
District of Columbia
441 4th Street, N.W., Suite 210S
Washington, D.C. 20001

Re: Z.C. Case No. 16-07 - Applicant's Motion to Accept Comprehensive Transportation Study

Dear Members of the Commission:

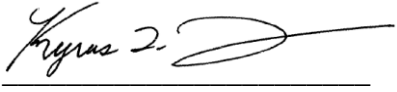
On behalf of W-G 9th & O, LLC (the "Applicant"), we hereby submit Form 150 requesting that the Commission accept the Applicant's Comprehensive Transportation Report ("CTR") less than 30 days prior to the public hearing on this case, as required by Subtitle Z §§ 401.7 and 401.8 of the 2016 Zoning Regulations ("ZR 16"). The CTR was filed with the Zoning Commission on October 4, 2016, which was 20 days prior to the public hearing.

The PUD was setdown on June 13, 2016, and thus vested under the 1958 Zoning Regulations. However, the Applicant understands that the Office of Zoning applies the process requirements of ZR 16 to vested projects, and Subtitle Z §§ 401.7 and 401.8 require the submission of transportation studies to DDOT and the Zoning Commission no less than 30 days prior to the public hearing.

The Applicant filed the CTR with DDOT on September 9, 2016, which was **45** days prior to the public hearing and which gave DDOT sufficient time to thoroughly review the application. As stated in DDOT's report (Ex. 27), due to the project's anticipated level of trip generation, a comprehensive vehicle traffic analysis was not required, since impacts to the surrounding vehicle network are expected to be minimal. However, the Applicant conducted a vehicle parking occupancy study and evaluated the bicycle, pedestrian, and transit network surrounding the site, which "met DDOT's parameters and is consistent with the scale of the action." See DDOT Report, p. 3. Moreover, Advisory Neighborhood Commission ("ANC") 6E, which voted to support the project, had ample time to review the CTR and DDOT Reports, which were filed in the case record prior to submission of the ANC resolution. Thus, the Applicant's request for the Commission to waive the requirements of 11 DCMR Subtitle Z §§ 401.7 and 401.8 will result in no adverse impacts.

Thank you for your attention to this matter. We look forward to making a full presentation at the public hearing on October 24, 2016.

Very truly yours,

By: 

Kyrus L. Freeman
Jessica R. Bloomfield
800 17th Street, N.W. #1100
Washington, DC 20006
(202) 955-3000

cc: Advisory Neighborhood Commission 6E (with enclosures, via U.S. Mail)
Stephen Cochran, D.C. Office of Planning (with enclosures, via Hand Delivery)
Evelyn Israel, DDOT (with enclosures, via Hand Delivery)