

**BEFORE THE DISTRICT OF COLUMBIA
ZONING COMMISSION**

**PREHEARING STATEMENT
IN SUPPORT OF APPLICATION FOR
CONSOLIDATED PUD & RELATED
MAP AMENDMENT**

**THE STRAND RESIDENCES
Z.C. Case No. 17-10**

August 1, 2017

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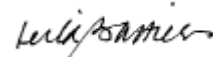
CERTIFICATION OF COMPLIANCE
WITH SUBTITLE Z § 401 OF THE ZONING REGULATIONS

The undersigned hereby certifies that, in accordance with Subtitle Z § 401 of the Zoning Regulations, ten (10) copies of the architectural drawings and two (2) copies of all of the other below information were filed with the Zoning Commission on August 1, 2017; and, in accordance with Subtitle Z §401.5, the application shall not be modified less than twenty (20) days prior to the public hearing.

<u>Subtitle Z Subsection</u> <u>Page/Exhibit</u>	<u>Description</u>	
401.1(a)	Information requested by the Zoning Commission and the Office of Planning and	Pgs. 2-6
401.1(b)	List of witnesses prepared to testify on the Applicant's behalf	Pg. 7 Exhibit B
401.1(c)	Summary of testimony of witnesses or reports and area of expertise	Pg. 7 Exhibits C-E
401.1(e)	Reduced plans	Exhibit A
401.1(f)	List of maps, plans, or other documents readily available that may be offered into evidence	Pg. 7 Exhibit F
401.1(g)	Estimated time required for presentation of Applicant's case	Pg. 7
401.3(a)	Names and addresses of owners of all Property within 200 feet of the subject property	Pg. 8 Exhibit G
401.8	Report by Traffic Consultant	Pg. 8

Respectfully submitted,

HOLLAND & KNIGHT LLP



Leila M. Jackson Batties

LIST OF EXHIBITS

<u>Description</u>	<u>Exhibit</u>
Revised Architectural Drawings	A
List of witnesses prepared to testify on behalf of Applicant	B
Draft outline of testimony of Warren Williams	C
Draft outline of testimony and resume of Sean Pichon PGN Architects	D
Draft outline of testimony and resume of Erwin Andres Gorove/Slade Associates, Inc.	E
List of maps, plans or other documents readily available that may be offered into testimony	F
Names and addresses of owners of property within 200' of the subject property	G

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I. INTRODUCTION

This prehearing statement is submitted by The Warrenton Group (the “Applicant”) on behalf of the owners of the properties located 5119-5123 and 5127 Nannie Helen Burroughs Avenue, NE and 612 Division Avenue, NE (Square 5196, Lots 19, 37, 805 and 814) (collectively, the “Property”) in support of its application for the consolidated review and approval of a planned unit development (“PUD”) and related Zoning Map amendment to rezone the Property from the MU-3 Zone to the MU-5-A Zone. The application for the PUD and related map amendment was originally filed with the Zoning Commission on May 8, 2017. On June 26, 2017, the Zoning Commission voted unanimously to setdown the application for public hearing. With the filing of this prehearing statement and the accompanying exhibits, the Applicant respectfully requests that this case be scheduled for the next available hearing of the Zoning Commission.

This prehearing statement supplements the original application statement, and addresses the comments raised by the Zoning Commission at its setdown meeting and the comments raised by the Office of Planning (“OP”) in its setdown report dated June 16, 2017. This prehearing statement also includes additional information from the Applicant, including items required under Subtitle Z § 401 of the Zoning Regulations.

A. Project Overview

The Applicant proposes to redevelop the Property with a mixed-use PUD that includes approximately 86 residential units, comprised of 1-bedroom and 2-bedroom units, all of which will be reserved for households with incomes not exceeding 60% of the median family income (“MFI”) and ground floor commercial /non-residential uses. Of the 86 units, 28 will be replacement units for the Lincoln Heights and Richardson

Dwellings properties controlled by DCHA, in accordance with the New Communities Initiative Plan.

The height of the proposed new building will be approximately 68 feet; the maximum density will be approximately 4.59 floor area ratio (“FAR”); and the maximum non-residential density will be approximately 0.2 FAR. In addition, the PUD includes a ground level parking garage with 17 spaces and two surface parking spaces, accessible via a public access easement from Division Avenue.

II. SUPPLEMENTAL INFORMATION ON THE APPLICATION

A. Information Requested by the Zoning Commission

At its meeting on June 26, 2017, the Zoning Commission voted unanimously to set down the Application for public hearing. In its discussion of the Application, the Zoning Commission accepted all of the OP’s comments and had additional questions and comments about the overall design of the PUD and sustainable design elements for the project. Following are the Applicant's responses to the Zoning Commission’s questions and comments.

Building Design

The Zoning Commission and OP had several comments on the building design. In its setdown report, OP recommended the following changes to strengthen the building design:

- Express a two-story base to tie in and scale more sympathetically with the Strand;
- Expand the brick colored treatment on the portion of the façade adjacent to the Strand Theater with an extra bay to make it read like a separate building, and break down the scale of the façade;

- On the main façade, use windows that are operable and have a more residential character;
- Explore setting back a portion of the top floor to help scale the building, express a top, and add visual interest;
- Explore alternative materials or ways of organizing the brick colored panels to focus on creating a façade that scales the building and has a more substantial appearance.

The Zoning Commission accepted all of OP's recommendations related to the project design. The Zoning Commission also suggested the addition of balconies to the building in order for it to have a more residential character.

A full set of revised architectural drawings is attached as Exhibit A. Specifically, the Applicant has revised the design to include a two-story brick base that relates to the height of the adjacent Strand Theater. The simplified façades also include one material above the two-story brick base and a darker field color with a lighter bay color. In addition, the second floor bands that transition from brick to panel are strengthened.

The Applicant has also increased the number of bays on the building from two to three. One of the bays includes an attached balcony making it wider and taller, becoming the anchor feature of the building's corner. The remaining two bays are now narrower and shorter by one floor. Along the side elevation, shallow recesses with balconies are added to continue the theme of the front façade. Furthermore, the side and rear elevations include balconies as requested by the Zoning Commission. All of the revisions to the design help strengthen the residential character of the building.

Finally, the Applicant has updated the building's signage to pull it out in front of the bays. This will allow for an increase in storefront glazing.

Sustainable Design

The Zoning Commission suggested that the Applicant continue to work with OP on achieving LEED Gold certification; and that the Applicant consider the installation of solar panels on the building.

The PUD will meet the requirements of the *Enterprise Green Communities* standard for residential buildings. It will employ environmentally sustainable strategies as called for in the Green Communities standard such as high efficiency mechanical systems, lighting, and windows; low flow plumbing systems; and energy star appliances; low emitting and recycled construction materials; and an extensive green roof and courtyard.

The Enterprise Green Communities program has credits unique and distinct from LEED such as Preservation and Access to Open Space, Access to Public Transportation, Improving Connectivity to the Community, Local Economic Development and Community Wealth Creation, and Active Design, all of which the Project will achieve.

The Applicant will follow the Commission's recommendation and consider the provision of solar panels on the green roof and will provide a response to the Zoning Commission in the filing due not less than 20 days prior to the public hearing

B. Information Requested by the Office of Planning

In its setdown report, in addition to the comments on the project design, OP requested that the Applicant address the following prior to the public hearing:

Provide an improved plan set, including streetscape plans and on-street perspectives. The streetscape plans and on street perspectives will be filed with the

Zoning Commission not less than 20 days prior to the public hearing on the Application.

Provide consistent data regarding the overall gross floor area (“GFA”) and affordable GFA. The overall GFA for the PUD is 78,216 square feet; the amount of residential GFA (all at 60% MFI) is 64,090 square feet; and the GFA for the replacement units is 22,359 square feet.

Provision of a comprehensive transportation review (“CTR”) and transportation demand management (TDM) measures. In accordance with Subtitle Z § 401.8 of the Zoning Regulations the Applicant will submit its CTR no later than 30 days prior to the date of the public hearing and will serve a copy of the report on the affected ANC, OP, and the District Department of Transportation (“DDOT”).

Flexibility for number of units. In its setdown report, OP states that the Applicant should provide additional information and note that the number of affordable units should remain consistent with the setdown proposal. In response, the Applicant hereby amends its request for flexibility to read as follows:

To be able to provide a range in the number of residential units - 86 units, plus or minus 10%, so long as all of the residential units are reserved for households with incomes not exceeding 60% of the AMI and at least 28 units are reserved as replacement units for the Lincoln Heights/Richardson Dwellings communities controlled by the DC Housing Authority. The mix of units for the replacement units shall be as reflected on the Plans.

Flexibility for exterior materials. In its setdown report, OP states that it has concern about the PUD’s elements of design and thus the Applicant should provide additional information regarding its request for flexibility of exterior materials. In response, the Applicant has refined the design of the PUD in accordance with the comments from the Commission and OP further amends its request for flexibility to read as follows:

To vary the final selection of the color of the exterior materials, within the color ranges reflected in the approved architectural drawings, without making changes to the exterior materials; and to make minor refinements to exterior details, locations and dimensions, including: window mullions and spandrels, window frames, doorways, glass types, belt courses, sills, bases, cornices, railings, canopies and trim; and any other changes necessary to comply with all applicable District of Columbia laws and regulations or that are otherwise necessary to obtain a final building permit.

Additionally, the OP setback report noted the following:

Signage. OP supports the simple design of the signage proposed, but states that the Applicant would need to clarify the extent of changes that may be proposed.

The signage for the building will be in the locations and at the dimensions shown on Sheet A-33 of the architectural drawings. The Applicant seeks flexibility to vary the font, message, logo and color of the proposed signage, provided that the maximum overall dimensions and signage materials do not change from those shown on the approved Plans.

C. Community Outreach

On June 8, 2017, Advisory Neighborhood Commission (“ANC”) 7C voted 6-0-1 in support of the application. A copy of their letter in support is marked as Exhibit 16 of the application record. Also, Commissioner Patricia Malloy, the Single Member District Representative for ANC 7C-01, which includes the PUD site, submitted a letter in support of the application. The letter is marked as Exhibit 17 of the application record.

**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, a list of witnesses who may testify at the public hearing on behalf of the Applicant is attached as

Exhibit B. The Applicant will offer the following persons as expert witnesses:

1. Sean Pichon, PGN Architects
2. Erwin Andres, Gorove/Slade Associates

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

In accordance with Subtitle Z § 401.1(c) of the Zoning Regulations, outlines of the testimony of all witnesses or of the written report and the area of expertise of any expert who may be called to testify at the public hearing are attached as **Exhibits C through E.**

C. 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 F.**

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

In accordance with Subtitle Z § 401.1(g) of the Zoning Regulations, the estimated time for the presentation of the Applicant's case is 45 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) of the Zoning Regulations, 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 G**.

F. Report by Traffic Consultant

As stated above and on accordance with Subtitle Z § 401.8 of the Zoning Regulations, the traffic report for the PUD will be filed with the Zoning Commission at least 30 days prior to the public hearing.

IV. CONCLUSION

In accordance with Subtitle Z § 401.8 of the Zoning Regulations, this prehearing statement is submitted by The Warrenton Group, in order to provide additional information in support of its Z.C. Case No. 17-10. We respectfully request that the application be scheduled for hearing and remain hopeful of the Zoning Commission's favorable consideration of the Application.

Respectfully submitted,

HOLLAND & KNIGHT LLP



By: _____

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