

October 15, 2018



Meridith H. Moldenhauer

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VIA IZIS

Anthony Hood, Chairperson
Zoning Commission
441 4th Street, NW, Suite 200S
Washington, DC 20010

Re: ZC 18-07 - Petitioner's 20-Day Supplemental Statement for Zoning Map Amendment (Rulemaking) of Lean Development LLC

Dear Chairman Hood and Members of the Commission:

On behalf of Lean Development LLC (the "Petitioner"), please find enclosed the Petitioner's Supplemental Statement in the above-referenced petition set down for a public hearing as a rulemaking case.

The Petitioner is requesting the rezoning of portions of Lots 156-158 in Square 750 from the PDR-1 to the MU-4 zone, and rezoning Lot 128 and portions of Lots 156-158 in Square 750 from the PDR-1 District to the MU-5A District.

The satisfaction of the standards in Subtitle X § 500 and Subtitle Z § 304 are set forth in the original application materials filed in the record at ZC Exhibits 3-3E and the satisfaction of the standards in Subtitle X § 501.1 are set forth in the prehearing statement materials filed in the record at ZC Exhibit 14.

Thank you for your attention to this matter.

Sincerely,

COZEN O'CONNOR

A handwritten signature in blue ink, appearing to read "mmold", written over a horizontal line.

Meridith H. Moldenhauer
1200 19th Street NW
Washington, DC 20036

Certificate of Service

I hereby certify that on this 15th day of October, 2018, a copy of this Supplemental Statement was served, via email, as follows:

District of Columbia Office of Planning
1100 4th Street SW, Suite E650
Washington, DC 20024
c/o Stephen Cochran
stephen.cochran@dc.gov

Advisory Neighborhood Commission 6C
c/o Karen J. Wirt, Chairperson
6C02@anc.dc.gov

Advisory Neighborhood Commission 6C06
c/o Heather Edelman, SMD Commissioner
6C06@anc.dc.gov



By: Meredith Moldenhauer

**BEFORE THE DISTRICT OF COLUMBIA
ZONING COMMISSION**

**PETITION OF
LEAN DEVELOPMENT LLC**

**ZC 18-07
LOTS 128 and 156-158, SQ. 750**

PETITIONER’S 20-DAY SUPPLEMENTAL STATEMENT¹

I. INTRODUCTION AND COMMUNITY OUTREACH EFFORTS

This Prehearing Statement is submitted on behalf of Lean Development LLC (the “Petitioner”), the representative of the owner of Lots 128 and 156-158 in Square 750 (the “Site Area”). The statement and exhibits herein further the Petitioner’s previous arguments in support of its request to rezone portions of Lots 156-158 in Square 750 (“Northern Portion” of the Site Area) from the PDR-1 to the MU-4 zone, and rezone Lot 128 and portions of Lots 156-158 in Square 750 (“Southern Portion” of the Site Area) from the PDR-1 District to the MU-5A District (the “Request”).

The Supplemental Statement serves to update the Zoning Commission (“ZC”) on the Petitioner’s progress in working with the ANC and community.

On October 3, 2018 the Petitioner presented the Request to the ANC 6C’s Planning, Zoning, and Economic Development Committee (“PZE”). The PZE voiced concerns regarding the Request and ultimately voted to recommend opposition to the full ANC by a vote of 4-1.

After the PZE meeting, the Petitioner obtained 18 letters in support from nearby neighbors. *See ZC Exhibits 24-41*. On October 10, 2018, the Petitioner presented the Request to the full ANC. One neighbor testified in support of the case, and another neighbor expressed her concerns which related to safety in the alley and construction management issues. The full ANC took a vote and

¹ The filing requirements of Subtitle Z § 501.1 were satisfied with the filing of the prehearing statement and associated exhibits. *See ZC Exhibit 14*. In addition, please find the witness testimony outline and resume for witnesses that may be proffered as experts here at [Exhibit A](#).

asked the Petitioner to conduct further outreach with the community, culminating in a community meeting and a summary of terms for a Memorandum of Understanding between the Petitioner and the neighbors before the ANC's resolution letter will be entered into the record.

Since the full ANC meeting, the Petitioner has worked diligently to organize a community meeting to be held during the week of October 22nd. The results of that meeting will serve as the basis for the terms.

II. CONCLUSION

For all of the reasons stated above and in the previous filings, the Petitioner submits that the proposed rezoning of the Site Area from the PDR-1 District to the MU-4 and MU-5A Districts meets all of the requirements for an amendment to the Zoning Map, and sufficiently addresses concerns of the community relating to the Request. Accordingly, the Petitioner respectfully asks the Commission to grant the Request.

Respectfully Submitted,

COZEN O'CONNOR



Meridith H. Moldenhauer
1200 19th Street NW
Washington, DC 20036

EXHIBIT A

OUTLINE OF TESTIMONY

**STEPHEN VARGA
PLANNING SERVICES DIRECTOR
COZEN O'CONNOR**

- I. Description of the Site Area and surrounding area
- II. Zoning history of the Site Area
- III. Existing and proposed zoning
- IV. Proposed map amendment
- V. Consistency with the Comprehensive Plan

STEPHEN VARGA, AICP, LEED GREEN ASSOCIATE

Mr. Varga has experience in zoning and land use, sustainability best practice, comprehensive planning, as well as geographic information systems. He is currently Planning Services Director in Cozen O'Connor's Washington, DC office. In this role, he provides qualified expert witness land use and planning testimony before the Board of Zoning Adjustment and Zoning Commission, evaluates development proposals for zoning conformance and entitlement potential, drafts and submits text and map amendments as part of the District's 'Open Call' Comprehensive Plan update, and monitors and researches local government land use policies.



Prior to joining Cozen O'Connor, he served as director of planning services at Griffin, Murphy, Moldenhauer and Wiggins LLP after serving for nearly 10 years as an urban planner within the District of Columbia government.

From 2008-2010, he worked at the District of Columbia Office of Planning, an agency which guides development in the District while implementing preservation, revitalization, and strategic goals. As a development review specialist, he was responsible for reviewing zoning applications and presented agency recommendations at public meetings. Additionally, he served as core team member of Zoning Regulations Review project, a multi-year effort to comprehensively revise and modernize the zoning regulations of the District. He produced zoning recommendation reports and zoning regulation text, particularly for mixed use, transit-oriented development, and sustainability subject areas. This work would eventually become adopted as "ZR16," the new zoning regulations of the District, in effect since September 6, 2016.

From 2011-2016, he served at the District of Columbia Office of Zoning (DCOZ), an agency which provides administrative, professional, and technical assistance to the Zoning Commission and the Board of Zoning Adjustment in support of their oversight and adjudication of zoning matters in the District of Columbia. Upon joining DCOZ, he worked as a zoning specialist, and eventually senior zoning specialist, where he was responsible for communicating complex technical and regulatory information to a wide range of stakeholders, including applicants, BZA, Advisory Neighborhood Commissions, and the public. In addition to carrying out his explanatory duties, he analyzed and managed hundreds of zoning applications per year, ensuring each complied with applicable procedures and requirements. He also improved the BZA application processes for applicants, and clarified rights and responsibilities for stakeholders, resulting in more-timely and efficient hearings. Additionally, he adapted BZA zoning processes in the Interactive Zoning Information System to conform with ZR16.

Mr. Varga holds a Master's Degree in City & Regional Planning from the Ohio State University. He graduated with a Bachelor of Arts Degree from the Ohio State University.

He has been a member of the American Planning Association since 2003. He earned his American Institute of Certified Planners ("AICP") designation in 2007, and his LEED Green Associate designation in 2010.

SASSAN GHARAI, ARCHITECT



SASSAN GHARAI
PRESIDENT

Sas founded SGA in 1996 as SGA Architects. In 2004 he changed the name to SGA Companies to better reflect the development aspect of the company. He has lived in the Washington, DC area for the last 30 years, and has worked on over 400 projects of various sizes in the region over that time. Sas has a BA and an MA in Architecture from Catholic University, and is a registered architect since 1993. He is currently registered in DC, MD, and VA. Sas enjoys many aspects of his work, particularly creating initial concept drawings by hand.