

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

**Z.C. CASE NO. 19-25
PREHEARING SUBMISSION**

**ZONING MAP AMENDMENT
FROM THE NC-16 AND MU-4 ZONES
TO THE NC-17 ZONE**

**1101-1125 H STREET, NE
SQUARE 982, LOTS 57, 65, 68, 70, 823**

December 13, 2019

HOLLAND & KNIGHT LLP
800 17th Street, NW, # 1100
Washington, D.C. 20006
(202) 955-3000
Norman M. Glasgow, Jr.
Jessica R. Bloomfield

TABLE OF CONTENTS

TABLE OF CONTENTS1

CERTIFICATION OF COMPLIANCE.....2

LIST OF EXHIBITS.....3

I. INTRODUCTION.....4

II. SETDOWN5

III. COMMUNITY SUPPORT5

IV. CONCLUSION6

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 information listed below were filed with the Zoning Commission on December 13, 2019, 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>Description</u>	<u>Page/Exhibit</u>
401.1(a)	Information requested by the Zoning Commission and the Office of Planning	None
401.1(b)	Updated list of witnesses prepared to testify on the Applicant's behalf	Exhibit A
401.1(c)	Summary of witness testimony and resume of expert witnesses	Exhibit B (supplements Exhibit 3J)
401.1(d)	Additional information introduced by the Applicant	None
401.1(e)	Reduced plan sheets	None
401.1(f)	List of maps, plans, or other documents readily available that may be offered into evidence	Submitted at Exhibit 3H
401.1(g)	Estimated time required for presentation of Applicant's case	Exhibit A
401.3(a)	Names and addresses of owners of all property within 200 feet of the Properties	Exhibit C
401.8	Report by Traffic Consultant	To be filed prior to public hearing

By: 
Jessica Bloomfield

LIST OF EXHIBITS

<u>Description</u>	<u>Exhibit</u>
Updated List of Witnesses and Estimated Time Required For Presentation of Applicant's Case	A
Supplemental Outline of Witness Testimony and Resume For Expert Witnesses	B
List of Names and Addresses of All Owners of Property Within 200 feet of the Subject Properties	C
Hearing Fee Calculator Form	D

I. INTRODUCTION

This Prehearing Submission and accompanying documents are submitted on behalf of Airdome LLC (the “Applicant”) in support of its application to the Zoning Commission for the District of Columbia (the “Zoning Commission”) for a Zoning Map amendment for property located at 1101-1125 H Street, NE (Square 982, Lots 57, 65, 68, 70 and 823) (collectively, the “Subject Properties”) from the NC-16 and MU-4 zones to the NC-17 zone. The application was submitted in accordance with Subtitle X, Chapter 5 and Subtitle Z of the District of Columbia Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations (“DCMR”) for a Zoning Map amendment as a contested case. This Prehearing Submission provides the information required pursuant to 11-Z DCMR § 401.

The Applicant’s original filing included a detailed description of the how the proposed Zoning Map amendment is not inconsistent with the Comprehensive Plan, including the Future Land Use Map (“FLUM”) and Generalized Policy Map (“GPM”), and also explained how the Zoning Map amendment would bring the Subject Properties into greater conformance with the existing designation on the FLUM as mixed-use Medium Density Commercial and Medium Density Residential. The application provided an analysis as to how the Zoning Map amendment is not inconsistent with the written elements of the Comprehensive Plan, including its stated purposes, guiding principles, city-wide elements, and Capitol Hill area element, and how the proposal is also not inconsistent with the H Street NE Strategic Development Plan, which is the Small Area Plan applicable to the Site (the “H Street Plan”). Finally, the application explained how the Zoning Map amendment would not create any adverse impacts on surrounding properties, and would instead facilitate the redevelopment and productive use of property located on the mixed-use and transit-rich H Street, NE corridor.

Since filing the application the Applicant has engaged with a transportation consultant and will be meeting with DDOT to prepare a scope for a limited transportation study that will evaluate the impact of the Zoning Map amendment. The Applicant will file the resultant transportation report no less than thirty days prior to the public hearing on this case, consistent with Subtitle Z § 401.8.

II. SETDOWN

By report dated November 25, 2019 (Exhibit 11), the Office of Planning recommended that the Commission setdown the application to rezone the Subject Properties to the NC-17 zone. OP found that the “proposal would not be inconsistent with the Future Land Use Map (FLUM), General Policy Map and text of [the] Comprehensive Plan.” OP did not request any additional information from the Applicant in its report.

The Zoning Commission considered the case for setdown at its December 9, 2019, public meeting, and in doing so voted to schedule the case for a hearing. The Commission did not request any additional information from the Applicant.

III. COMMUNITY SUPPORT

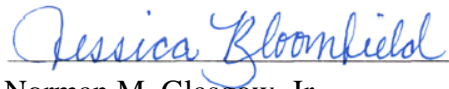
The Applicant is pleased to have support on the application from the affected Advisory Neighborhood Commission (“ANC”) 6A. By letter dated September 28, 2019, ANC 6A stated that at its regularly scheduled and properly noticed meeting on September 12, 2019, at which a quorum of commissioners and the public was present, ANC 6A voted unanimously (7-0-0) to support the Zoning Map amendment application. A copy of the ANC’s support letter is included as Exhibit 4 in the case record.

IV. CONCLUSION

This Prehearing Submission along with the original application meets the filing requirements for a contested case Zoning Map amendment application, as required by Subtitle X, Chapter 5 and Subtitle Z of the Zoning Regulations. For the foregoing reasons, the Applicant respectfully requests that the Zoning Commission schedule a hearing on the application.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: 
Norman M. Glasgow, Jr.
Jessica R. Bloomfield