

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

**Z.C. CASE NO. 22-12**

**MID-ATLANTIC NEIGHBORHOOD DEVELOPMENT CORPORATION**

**ZONING MAP AMENDMENT FROM THE  
MU-3A TO THE MU-7A ZONE**

**SQUARE 2819, LOTS 810, 811, 812, AND 813**

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**APPLICANT'S PREHEARING STATEMENT**

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**September 20, 2022**

Respectfully submitted by:

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

Pursuant to 11-Z DCMR § 401.4, the undersigned, on behalf of Mid-Atlantic Neighborhood Development Corporation (the “Applicant”), hereby certifies that the application in Z.C. Case No. 22-12 complies with the provisions of Subtitle Z § 401.1 *et seq.* of the 2016 Zoning Regulations of the District of Columbia, as set forth below:

<b><u>Subtitle Z Subsection</u></b>	<b><u>Description</u></b>	<b><u>Page / Tab</u></b>
401.1(a)	Information requested by the Zoning Commission and the Office of Planning	N/A ( <i>see p. 2</i> )
401.1(b)	List of witnesses prepared to testify on behalf of the Applicant	Page 2
401.1(c)	Written summary of testimony of all witnesses	<b>TAB A</b>
401.1(d)	Additional information introduced by the Applicant	N/A
401.1(e)	Reduced plan sheets	N/A
401.1(f)	List of maps, plans, or other documents readily available that may be offered into evidence	<b>TAB B</b>
401.1(g)	Estimated time required for presentation of the Applicant’s case	Page 3
401.3(a)	Names and addresses of owners of all property within 200 feet of the Property	<b>TAB C</b>
401.3(b)	Name and address of each person having a lease with the owner for all or part of any building located on the Property	<b>TAB D</b>
401.8	Transportation memorandum prepared by traffic consultant	N/A

### **List of Exhibits**

- Tab A: Outlines of Witness Testimony
- Tab B: List of Maps, Plans, or Other Documents Readily Available that may be Offered into Evidence
- Tab C: Updated<sup>1</sup> list of Names and Addresses of All Owners of Property Within 200 Feet of the Property
- Tab D: Name and address of each person having a lease with the owner for all or part of any building located on the Property
- Tab E: Hearing Fee Calculator Form 116

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<sup>1</sup> An updated list is provided in light of the fact that the subject application was amended to include additional properties, specifically Lots 810, 811, and 812 in Square 2819. *See* Ex. 12-14A.

## I. INTRODUCTION

This Prehearing Statement and accompanying documents are submitted on behalf of Mid-Atlantic Neighborhood Development Corporation (the “Applicant”), the entity authorized by the various owners of the subject property, in support of its application to the Zoning Commission for the District of Columbia (the “Commission”) for a Zoning Map amendment to rezone Lots 810, 811, 812 and 813 in Square 2819 (collectively, the “Property”) from the Mixed-Use (MU)-3A zone to the MU-7A zone (the “Application”).

### A. Background

The Property is located in the 16th Street Heights neighborhood in the northwest quadrant of the District and consists of approximately 19,623 square feet of land area. The Property is generally bounded by 14th Street to the west, Arkansas Avenue to the east, and multifamily buildings to the north and to the south. Below are brief descriptions of the individual lots in Square 2819 that comprise the Property:

- Lots 810 and 811: Located at premises 4413-4415 14<sup>th</sup> Street, NW, and currently improved with a one-story commercial building (grocery and delicatessen use).
- Lot 813: Located at premises 4411 14<sup>th</sup> Street, NW, and presently improved with a one-story brick building known as the "Xi Omega Center" and an associated surface parking lot.
- Lot 812: Located at premises 4424 Arkansas Avenue, NW, and is currently improved with a one-story warehouse building.

The Application was initially filed with the Commission on March 15, 2022. *See* Ex. 1-3J. Following the original submission, the Application was subsequently amended to include Lots 810-812. *See* Ex. 12-14A. As detailed in the Applicant's *Statement in Support*, the proposed map amendment will result in positive outcomes for the Property and the city at-large. A rezoning of the Property to MU-7A would permit an increase in allowable residential density, and provide opportunities to redevelop the Property in a manner that would further many policies of the Comprehensive Plan. *See* Ex. 3.

### B. OP Setdown Report

By report dated August 29, 2022, the D.C. Office of Planning (“OP”) recommended that the Commission setdown the Application for public hearing. *See* Ex. 15. OP concluded that the map amendment proposal "would not be inconsistent with the Comprehensive Plan and would be appropriate for IZ Plus" and that it "would particularly further the policies of the Land Use, Transportation, and Housing Citywide Elements." *Id.* at pp. 1, 10. OP also found that “the requested MU-7A zone coupled with IZ Plus, is consistent with the density as guided by the Future Land Use Map and Comprehensive Plan policies that call for more levels of housing affordability to be accommodated in Neighborhood Conservation areas with access to opportunities, services, and amenities.” *Id.* at p. 8.

### **C. Hearing Action**

The Commission considered the case for setdown at its public meeting on September 8, 2022, and, in doing so, voted to schedule the case for a public hearing (4-0-1). The Commission did not request any additional information from the Applicant at that time.

## **II. COMMUNITY OUTREACH**

The Property lies within the boundaries of Advisory Neighborhood Commission (“ANC”) 4C. As discussed in the *Applicant's Statement in Support*, the Applicant has worked closely with ANC 4C regarding the subject request to rezone the Property to the MU-7A zone. ANC 4C voted in unanimous support of the original Application at its public meeting on February 9, 2022. *See* Ex. 3K.

Because the Application has been recently amended to include Lots 810-812 in Square 2819, the Applicant intends to present the updated proposal to the ANC at a public meeting in the near future. The Applicant will provide an update on ANC 4C's review of the Application in a supplemental filing that will be provided to the Commission no less than twenty (20) days prior to public hearing, in accordance with Subtitle Z § 401.5.

## **III. SUPPLEMENTAL FILING REQUIREMENTS OF SUBTITLE Z § 401**

### **A. Additional Information Specified by the Commission**

No additional information, reports, or other materials were requested by the Commission when the Application was set down for a public hearing. *See* Subtitle Z § 401.1(a).

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

In accordance with Subtitle Z § 401.1(b) of the Zoning Regulations, the following list identifies those persons the Applicant intends to call as witnesses:

- Ms. Alfreda Edwards  
*Alpha Kappa Alpha Sorority, Xi Omega Chapter*

### **C. 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 testimony for all witnesses who may be called to testify at the public hearing are attached as Tab A.

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

In accordance with 11-Z DCMR § 401.1(f) of the Zoning Regulations, a list of maps, plans, or other documents readily available to the general public and that may be offered into evidence at the public hearing is attached as Tab B.

**E. Estimated Time Required for Presentation of Applicant’s Case**

In accordance with 11-Z DCMR § 401.1(g) of the Zoning Regulations, the estimated time for the presentation of the Applicant’s case is **10 minutes**, subject to the decision of the presiding officer at the public hearing.

**F. Names and Addresses of Owners of Property with 200 Feet of the Subject Property**

In accordance with 11-Z DCMR § 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 ft.) of the Property is attached as Tab C.

**G. Names and Addresses of Each Person Having a Lease**

In accordance with 11-Z DCMR § 401.3(b) of the Zoning Regulations, a list of the names and addresses of each person having a lease with the owner for all or party of any building located on the Property is attached as Tab D.

**H. Report by Traffic Consultant**

In accordance with Subtitle Z § 401.8 of the Zoning Regulations, any traffic report for the Application will be filed with the Commission at least thirty (30) days prior to the public hearing.

**IV. CONCLUSION**

In light of the foregoing, the Applicant submits that this Prehearing Statement, along with the original application, satisfy 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. In light of the foregoing, the Applicant respectfully requests the Commission schedule a hearing on the Application.

Respectfully submitted,

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