

Holland & Knight

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202.955.3000 | F 202.955.5564
Holland & Knight LLP | www.hklaw.com

Norman M. Glasgow, Jr.
202-419-2460
norman.glasgowjr@hklaw.com

Leila Jackson Batties
202.457.7167
Leila.batties@hklaw.com

Christopher S. Cohen
202.469.5127
christopher.cohen@hklaw.com

June 15, 2022

VIA IZIS

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

**Re: Z.C. Case No. 15-20D – Applicant's Prehearing Submission
Modification to First-Stage Approval for Sursum Corda PUD &
Second-Stage Approval for North Parcel
Lot 254 in Square 620**

Dear Members of the Commission:

On behalf of TBSC Master Owner I LLC (the "Applicant"), and pursuant to 11-Z DCMR § 401 of the Zoning Regulations, we hereby submit the following prehearing materials in support of Z.C. Case No. 15-20D:

- A Prehearing Statement of the Applicant with supporting exhibits for the above-referenced application;
- A completed Hearing Fee Calculator Form (Tab F) to the Prehearing Statement), and a check made payable to the D.C. Treasurer in the amount of \$20,087.08.

We appreciate and look forward to the Commission's favorable consideration of this application.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: *Leila Batties*
Norman M. Glasgow, Jr., Esq.
Leila M. Jackson Batties, Esq.
Christopher S. Cohen, Esq.

Enclosures

cc: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that on June 15, 2022, a copy of the foregoing Prehearing Submission in support of Z.C. Application No. 15-20D, which requests (i) a modification to an approved first-stage planned unit development ("PUD") for Square 620 and (ii) second-stage PUD approval for the North Parcel of the PUD was served upon the following:

D.C. Office of Planning

VIA E-MAIL

Ms. Jennifer Steingasser

Mr. Joel Lawson

Ms. Maxine Brown-Roberts

jennifer.steingasser@dc.gov

joel.lawson@dc.gov

maxine.brownroberts@dc.gov

Advisory Neighborhood Commission 6E

VIA E-MAIL

c/o Commissioner Michael Eichler

6E@anc.dc.gov

6E01@anc.dc.gov

Commissioner Denise E. Blackson

VIA E-MAIL

Single-Member District Representative ANC 6E06

6E06@anc.dc.gov

District Department of Transportation

VIA E-MAIL

Mr. Jonathan D. Rogers

Mr. Aaron Zimmerman

jonathan.rogers2@dc.gov

aaron.zimmerman@dc.gov


Christopher S. Cohen
Holland & Knight LLP

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

Lot 254 in Square 620

**TBSC MASTER OWNER I LLC
SURSUM CORDA PUD
NORTH PARCEL**

**Application for a Modification to First-Stage Approval
and
Second-Stage Approval for North Parcel**

Prehearing Statement of the Applicant

June 15, 2022

Submitted by:

HOLLAND & KNIGHT LLP
800 17th Street, NW, Suite 1100
Washington, D.C. 20006
(202) 955-3000
Norman M. Glasgow, Jr., Esq.
Leila M. Jackson Batties, Esq.
Christopher S. Cohen, Esq.

Table of Contents

Certification of Compliance.....	ii
List of Exhibits.....	iii
I. INTRODUCTION	1
II. RESPONSES TO INFORMATION REQUESTED BY THE OFFICE OF PLANNING	1
III. RESPONSE TO FEEDBACK FROM THE ZONING COMMISSION	2
IV. SUPPLEMENTAL FILING REQUIREMENTS	2
A. ADDITIONAL INFORMATION SPECIFIED BY THE COMMISSION	2
B. LIST OF WITNESSES PREPARED TO TESTIFY ON BEHALF OF THE APPLICANT	2
C. SUMMARY OF TESTIMONY OF WITNESSES OR REPORTS AND AREA OF EXPERTISE	3
D. LIST OF MAPS, PLANS OR OTHER DOCUMENTS READILY AVAILABLE	3
E. ESTIMATED TIME REQUIRED FOR PRESENTATION OF APPLICANT'S CASE	3
F. NAMES AND ADDRESSES OF OWNERS OF PROPERTY WITH 200 FEET OF THE SUBJECT PROPERTY	3
G. REPORT BY TRAFFIC CONSULTANT	3
V. CONCLUSION.....	4

Certification of Compliance
with Subtitle Z § 401 of the Zoning Regulations

Pursuant to Subtitle Z § 401.4, the undersigned, on behalf of TBSC Master Owner I LLC, certifies that this Supplemental Filing in support of Zoning Commission Case No. 15-20D complies with the provisions of Subtitle Z § 401.1 of the 2016 Zoning Regulations of the District of Columbia, as set forth below. 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 / Tab</u>
401.1(a)	Information requested by the Zoning Commission and the Office of Planning	Submitted herewith
401.1(b)	List of witnesses prepared to testify on the Applicant's behalf	Page 2-3
401.1(c)	Written summary of testimony of all witnesses and resumes of expert witnesses	Tab C
401.1(d)	Additional information introduced by Applicant	Submitted herewith
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	Tab D
401.1(g)	Estimated time required for presentation of Applicant's case	Page 3
401.3(a)	Names and addresses of owners of all property within 200 feet of the PUD site	Tab E
401.3(b)	Names and addresses of each person having a lease with the owner for all or part of any building located on the property involved in the application	N/A
401.8	Transportation memorandum prepared by Applicant's traffic consultant	To be submitted no later than 30 days prior to the hearing

Respectfully submitted,



Christopher S. Cohen
Holland & Knight LLP

List of Exhibits

<u>Description</u>	<u>Tab</u>
Analysis of Consistency with the Comprehensive Plan and Small Area Plan with a Focus on Racial Equity	A
Sun Studies	B
Outlines of Testimony for Witnesses and Resumes of Expert Witnesses	C
List of maps, plans, or other documents readily available that may be offered into evidence	D
List of names and addresses of all owners of property within 200 feet of the PUD Site (plus two sets of mailing labels submitted separately)	E
Hearing Fee Calculator Form 116	F

I. INTRODUCTION

This Prehearing Statement and accompanying documents (the "**Prehearing Submission**") are submitted by TBSC Master Owner I LLC (the "**Applicant**") in support of its application to the Zoning Commission for the District of Columbia (the "**Commission**") for approval of:

- i. a modification to a first-stage planned unit development ("**PUD**") originally approved pursuant to Zoning Commission (Z.C.) Order No. 15-20, as modified by Z.C. Order Nos. 15-20A, 15-20B, and 15-20C; and
- ii. a second-stage PUD approval for Lot 254 in Square 620 (hereinafter the "**North Parcel**").

(the "**Application**"). As it relates to the modifications of the first-stage PUD, the Application seeks to reduce the land area for the North Parcel to account for the dedication of Lot 253 for the First Street right of way and the Application proposes updates the massing and square footages of the buildings on the North Parcel.

This Prehearing Submission is filed in accordance with Subtitle Z § 401 of the Zoning Regulations of the District of Columbia, 11 DCMR (September 2016), as amended (the "**Zoning Regulations**").

The subject application was filed with the Zoning Commission on March 14, 2022. The Office of Planning ("**OP**") filed a set down report in favor of the application on May 27, 2022. The Commission considered this case for set down during its public meeting on June 9, 2022, and voted (4-0-1) to schedule the case for public hearing. As demonstrated by the Certification of Compliance above and as set forth below, this Prehearing Submission satisfies the filing requirements Subtitle Z § 401.

II. RESPONSES TO INFORMATION REQUESTED BY THE OFFICE OF PLANNING

OP recommended that the Zoning Commission set down the Application, and recommended that the Applicant provide a racial equity analysis and sun studies to demonstrate availability of sun to the central courtyards. The requested racial equity analysis is attached as **Tab A**; and the sun studies are attached as **Tab B**.

OP also recommended that the Applicant consider adding ground floor walkup entrances along First Place. The Applicant will explore this option and other ways to potentially activate the streetscape, and provide relevant information no less than twenty (20) days prior to the public hearing in accordance with 11-Z DCMR § 401.5 (the "**20-Day Filing**").

Additionally, the set down report requested updates on the PUD Benefits and Amenities as follows:

- *Housing & Affordable Housing* -- An update on the number of IZ units to be provided on the North Parcel, their sizes, location, and income levels.

- *Housing & Affordable Housing* -- An update on the Tenant Relocation and Replacement Plan.
- *Housing & Affordable Housing* -- Update on the exact number of units to be provided on the South Parcel, the number of affordable and Sursum Corda Units and their income levels.
- *First Source Agreement* -- An update on the implementation of the First Source Agreement on the South Parcel and how it would be implemented in the development of the North Parcel.
- *Commemorative Works or Works of Art* -- Details of the commemorative art work for the PUD.
- *Environmental & Sustainable Benefits* -- Indicate if providing any car sharing spaces and charging stations.
- *Uses of Special Value to Neighborhood* -- In addition to the typical coffee shop and restaurants, consider day care center, culinary center or other services and uses that would serve the families in the newly created community.

The requested information on the PUD Benefits and Amenities will be filed with the Applicant's 20-Day Filing.

III. RESPONSE TO FEEDBACK FROM THE ZONING COMMISSION

While voting to set down the Application for the hearing, the Zoning Commission noted that the buildings looked more office than residential, and suggested the Applicant to include more balconies and other elements to enliven the buildings. The Zoning Commission also requested an update on the status of the former Sursum Corda residents, including the number of residents returning to the redeveloped site.

The Applicant will consider changes to the building façade as suggested by the Zoning Commission; and the Applicant will prepare an update on the status of the residents. These items will be filed with the Zoning Commission as part of the 20-Day Filing.

IV. SUPPLEMENTAL FILING REQUIREMENTS

A. Additional Information Specified by the Commission

As discussed in detail above and in accordance with Subtitle Z § 401.1(a), the Applicant has provided the additional information specified by the Commission at the time the matter was set down for public hearing.

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 is a list of persons the Applicant intends to call as witnesses:

1. Julia Telzak / Erin Reisinger
 - Representative of the Applicant
2. Susie Teal, AIA, LEED AP
Coofox Architects, DPC
 - The Applicant intends to proffer Ms. Teal as an expert witness in architecture and design.
3. Dan VanPelt, PE, PTOE
Gorove/Slade Associates, Inc.
 - The Applicant intends to proffer Mr. Van Pelt or Mr. Solomon as an expert witness in transportation planning and traffic engineering.
4. Rick Parisi, RLA, FASLA, CLARB
MPFP PLLC
 - The Applicant intends to proffer Mr. Parisi as an expert witness in landscape architecture.

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, and a complete and professional resume for any expert who may be called to testify at the public hearing are attached as **Tab C**.

D. 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 **Tab D**.

E. Estimated 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.

F. Names and Addresses of Owners of Property with 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 ft.) of the PUD Site is attached as **Tab E**.

G. 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.

V. CONCLUSION

This Prehearing Submission, along with the original application, meets the filing requirements for a first-stage PUD modification and second-stage PUD approval, as required by Subtitle X, Chapter 3 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
800 17th Street, NW, Suite 1100
Washington, D.C. 20006
(202) 955-3000

By: 
Norman M. Glasgow, Jr.

By: 
Leila M. Jackson Batties

By: 
Christopher S. Cohen

TAB A

Analysis of Consistency with the Comprehensive Plan and Small Area Plan With a focus on Racial Equity

1. Introduction

As set forth below, the Project is not inconsistent with the Comprehensive Plan, as recently adopted by the D.C. Council pursuant to D.C. Law L23-0217 (Comprehensive Plan Amendment Act of 2017) and D.C. Law 24-0020 (Comprehensive Plan Amendment Act of 2020), including the Generalized Policy Map (“GPM”) and Future Land Use Map (“FLUM”) (D.C. Resolution R24-0292), collectively referred to herein as the “Comp Plan”.¹

Pursuant to the Home Rule Charter, zoning shall not be inconsistent with the Comp Plan. D.C. Code §6-641.02. As stated in the Framework Element, “[i]n its decision-making, the [Commission] must make a finding of not inconsistent with the [Comp Plan]. To do so, the [Commission] must consider the many competing, and sometimes conflicting, policies of the [Comp Plan], along with the various uses, development standards and requirements of the zone districts. It is the responsibility of the [Commission] to consider and balance those policies relevant and material to the individual case ... and clearly explain its decision-making rationale.” 10A DCMR § 224.8. To approve the Project, the Commission must consider and balance potential Comp Plan consistencies and inconsistencies to make an overall determination as to whether the request is “not inconsistent” with the Comp Plan when read as a whole.

As detailed below, the Project is not inconsistent with the policies and goals of the Comp Plan when read as a whole. The following sections of this statement reflect the Applicant’s thorough evaluation of the Project’s overall consistency with the Comp Plan. Given the wide range of overlapping policy topics addressed in the Comp Plan, certain Citywide Elements may have little to no applicability to a zoning proposal. Such is the case for the Project. Notwithstanding, in conducting its Comp Plan evaluation, the Applicant has thoroughly reviewed the goals and policies of every Comp Plan element as they relate to the Project. For those Citywide Elements that are more directly applicable to the Project, a narrative is provided below explaining the basis for the Applicant’s determination that the Project is not inconsistent with that particular element. Finally, consistent with guidance provided by the D.C. Court of Appeals (the “Court”), the following evaluation includes a specific assessment of potential Comp Plan inconsistencies. As discussed below, to the extent the Project is inconsistent with individual Comp Plan policies, such inconsistencies are far outweighed by other Citywide and Mid-City Area policies relating to, among others, land use, housing, and environmental protection.

2. Racial Equity and the Comprehensive Plan

A primary focus of the recently adopted Comp Plan is **equity**. The importance of equity to District residents was made abundantly clear when the Office of Planning conducted its D.C.

¹ D.C. Law L23-0217 took effect on August 27, 2020, and included amendments to the Comprehensive Plan Framework Element. D.C. Law L24-0020 took effect on August 21, 2021, and included amendments to the Comprehensive Plan general, citywide, area elements, and the Generalized Policy Map and Future Land Use Map. The Generalized Policy Map and Future Land Use Map were formally approved on November 16, 2021, pursuant to Resolution No. R24-0292.

Values survey in Spring 2019. In addition to equity, District residents also expressed the importance of other high-level values such as accessibility, diversity, livability, opportunity, prosperity, resilience, and safety. When choosing equity, residents expressed concerns about rising costs and inequitable access to opportunities for housing, businesses, employment, and other necessities. Overall, livability, equity, and safety were considered the most important values. 10A DCMR § 107.17 – 107.22.

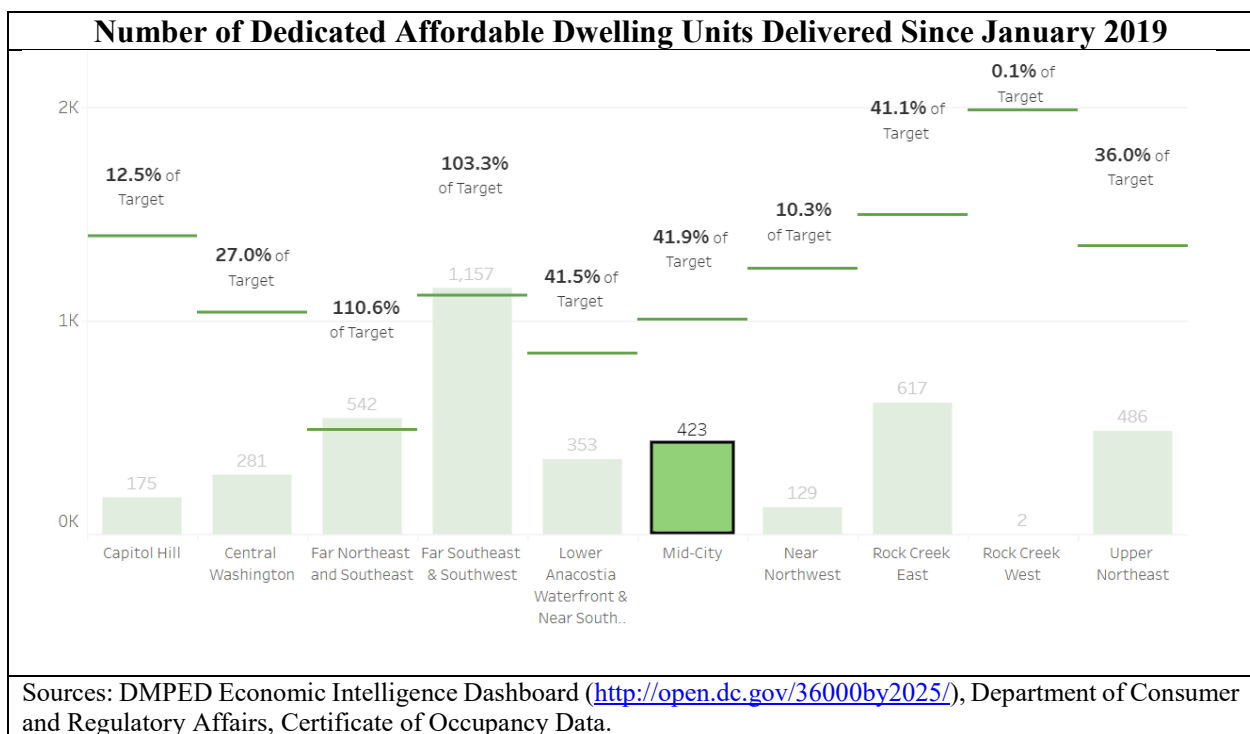
The Framework Element states that equity is both an outcome and a process. 10A DCMR § 213.6. It is achieved by targeted actions and investments to meet residents where they are, to create equitable opportunities. “As an outcome, the District achieves racial equity when race no longer determines one’s socioeconomic outcomes; when everyone has what they need to thrive, no matter where they live or their socioeconomic status; and when racial divides no longer exist between people of color and their white counterparts. As a process, we apply a racial equity lens when those most impacted by structural racism are meaningfully involved in the creation and implementation of the institutional policies and practices that impact their lives, particularly people of color.” 10A DCMR § 213.9

Equity is conveyed throughout the Comp Plan, particularly in the context of zoning, where certain priorities stand out, including affordable housing, displacement, and access to opportunity. As related to zoning actions, racial equity is not a separate consideration from the normal legal standard of review. Rather, the Comp Plan requires the normal legal standard of review to be applied through a racial equity lens. The scope of the racial equity review and the extent to which Comp Plan policies apply depend upon the nature of the proposed zoning action. In this case, a PUD provides a specific project in terms of size, bulk, design, number of dwellings, bedroom sizes, and neighborhood-serving uses. A PUD also includes a quantified set of public benefits that can be tailored to pressing citywide needs and specific needs of the surrounding community or neighborhood. Thus, the racial equity lens can be more targeted toward addressing specific needs/deficiencies. Guidance on an area’s specific needs/deficiencies is obtained from the relevant Comp Plan area element, in this case the Mid-City Area Element, from District policies and initiatives aimed at addressing critical citywide issues (such as housing), and directly from the community during the PUD process.

Of the issues affecting racial equity, access to safe and affordable housing is the most critical. Indeed, rising housing costs and displacement, and the impact this can have on community identity, are among the concerns of residents within the Mid-City Planning Area. Residents have expressed interest in maintaining diverse housing choices so that a mix of household types and incomes are accommodated, and that affordable housing for moderate-income families and for the District’s lowest-income residents should be part of the equation. 10A DCMR § 1906.3. According to 2014 – 2018 American Community Survey data for the planning area, approximately 38% of households within the Planning Area paying rent are housing burdened, and approximately 22.8% of households with a mortgage are housing burdened. Both of these figures are below the District-wide averages of 47% and 26%, respectively.

The Housing Element establishes a goal of 15% of all housing units within each Comp Plan planning area be dedicated affordable housing. 10A DCMR § 504.27. Figure 5.11 of the Housing Element states that approximately 14% of housing units in the Mid-City Area are affordable housing.

To address the District’s ongoing housing crisis, the Mayor has set a goal of producing 36,000 new housing units by 2025, of which 12,000 housing units would be affordable. The 2019 Housing Equity Report establishes specific housing goals for each Comp Plan Planning Area to ensure that the production of new housing, and in particular affordable housing, is equitably distributed throughout the city. According to the Housing Equity Report, the Mid-City Area contains approximately 8% of the District’s dedicated affordable housing supply. For the Mid-City Area, the Housing Equity Report sets an overall housing production goal of 4,210 new housing units, and an affordable housing goal of 1,010 units.² According to data published by the Deputy Mayor for Planning and Economic Development, in the three years since the Housing Equity Report was published the Planning Area has already achieved approximately 42% of the affordable housing goal. Specifically in regards to affordable housing, approximately 423 of the targeted 1,010 dedicated affordable dwelling units have already been delivered.



In addition to housing, residents of Mid-City have raised other priority concerns and/or interests regarding land use, access to amenities and services, equitable waterfront access, sustainability, and preservation of open space and cultural heritage. Residents support commercial revitalization along key corridors as well as growing retail amenities and options, accompanied by opportunities for redevelopment focused on infilling vacant parcels and preserving housing affordability.

The Planning Area is expected to grow from 8,000 households in 2005 to 16,400 households in 2025. Population will nearly double from about 15,700 residents today to about

² With approximately 620 affordable housing units already in the pipeline at the time the Housing Equity Report was published, the Mid-City Area is identified as having a shortage of 390 units to reach its affordable housing goal.

30,000 residents by 2025. It is expected to meet this goal through the production of new high-density housing and moderate-density housing "as communities like Sursum Corda/Northwest One are redeveloped." 10A DCMR § 1606.1.

Racial Equity as a Process

The Framework Element states that as the District grows and changes it must do so in a way that builds the capacity of vulnerable, marginalized, and low-income communities to fully and substantively participate in decision-making processes. 10A DCMR § 213.7. **To date, the Applicant has worked with the community through ANC 6E and the Sursum Corda Cooperative** as intended in the communication plan per condition B.2.e (ZC. Case No. 15-20). The community meetings started very early in the Applicant's formulation of the Project. It is a significant part of the Project to involve the Cooperative and to work with the ANC as the PUD advances its duly process including meetings on a weekly basis leading up to CofO to coordinate efforts for the return of members to the new property.

Racial Equity as an Outcome

The Framework Element states that "equity is achieved by targeted actions and investments to meet residents where they are, to create equitable opportunities" 10A DCMR 213.6. As stated above, under the recently adopted Comp Plan the Commission shall carry out its Comp Plan evaluation through a racial equity lens. The following table correlates the Project and proffered benefits with a number of equitable development indicators that were derived from language and policies contained in the Framework and Implementation Elements. As the table shows, the Project and proffered benefits will directly address a number of issues and priorities that Mid-City Area residents have specifically identified. Indeed, the positive outcomes of the Project will directly benefit Mid-City and more particularly, Sursum Corda residents since the Project's benefits and amenities proffer was directly informed by priorities set forth in their community, the Mid-City Area, and through direct engagement with ANC 6E and the Sursum Corda Cooperative.

Evaluation of Equitable Development Indicators		
Indicator	Measure	Outcome / Applicable Public Benefit
Displacement		
Physical	Displacement due to redevelopment.	- No physical displacement of residents. The inclusive nature of the overall development supports, rather than destabilizes, existing low-income minorities and other residents who live in the area. - On the contrary, through replacement housing, a total of 122 units will be reserved for the Sursum Corda Households as follows: 1 bedroom – 39 2 bedrooms – 48 3 bedrooms – 26 4 bedrooms – 9

		· The reserved units will preserve the racial composition of the neighborhood. · Weekly meetings with residents to coordinate efforts for the return of members to the new property.
Economic	· Displacement due to housing cost increases.	· Residents have been included throughout the Project and a total of 122 units will be reserved for current residents. · Affordable housing of the Project equals to 16% of base building residential GFA devoted to households with incomes not exceeding 80% MFI, provided that the overall blended affordability limits for the Affordable Units within the PUD shall not exceed 60% MFI. · The benefits of the Project will be enjoyed by, among others, residents of the Project's new housing, many of whom are likely to be African-American given the demographics of the District's affordable housing waiting list.
Cultural	· Loss of sense of belonging or shared identity in neighborhood.	· Plaza / open space and courtyards for informal gathering. · Construction of a promenade with seating and landscaping. · Outdoor seating that will facilitate impromptu interactions and informal gatherings. · Installation of a the commemorative element on an interior courtyard, or similar element that celebrates the history of Sursum Corda.
Housing	· Number of new market rate and dedicated affordable units (per 2019 Housing Equity Report).	· Through new housing and replacement housing, approx. 1,276 new market rate and affordable dwelling units (30% of Mid-City overall housing goal). These units will be distributed as follows: - o 561 units in the buildings located on the South Parcel and approx. - o 715 units (683 units and 32 penthouse units) in the buildings located on the North Parcel subject to this application. · 199 units will be devoted to affordable housing at 80% MFI (20% of Mid-City affordable housing goal).
Housing Burden	· Households that pay more than 30% of income (burdened), or 50% of income (severely burdened) on housing.	· 199 Affordable units dedicated to households with incomes not exceeding 80% MFI, provided that the overall blended affordability limits for the Affordable Units within the PUD shall not exceed 60% MFI. And distributed as follows:

		○ 118 units in the buildings located on the South Parcel. · 81 units in the buildings located on the North Parcel.
Family-sized Units	· Larger-sized dwelling units.	· 2 and 3 bedroom units will be available both in the north parcel and south parcel, the average size of a two-bedroom unit would be between 1,118 and 1,145 sf.; and the average size of a three-bedroom unit would be between 1,314 and 1,349 sf.
NORTH PARCEL	· Number of new market rate and dedicated affordable units (per 2019 Housing Equity Report).	· 715 new market rate and affordable dwelling units (683 units and 32 penthouse units), which is equal to 17 % of Mid-City overall housing goal. · 81 units will be devoted to affordable housing at 80% MFI (8% of Mid-City affordable housing goal).
Transportation		
Access to Transit	· 0.5 miles to Metrorail. · 0.25 miles to priority bus corridors and other modes of public transportation.	· Approx. 0.3 miles to Metrorail · Adjacent to DC Circulator and priority bus corridors. · Installation of a 19-dock Capital Bikeshare Station. · Installation of 199 long-term bicycle parking spaces, and 30 short-term bicycle parking spaces. · Installation of bicycle racks on Pierce Street NW. · Proximity to other Capital Bikeshare stations and several bike lanes.
Transportation Improvements / Pedestrian Safety	· Gaps in pedestrian network. · Lack of pedestrian facilities (crosswalks, lighting, seating, etc.).	· Reconstruction and improvement of adjacent streetscape and sidewalks. · Other transportation improvement benefits identified through DDOT CTR process and the TDM. · Extension of Pierce Street (Banner Lane NW). · Construction and dedication of First Place NW. · Construction of a promenade with seating and landscaping that will improve pedestrian flow between M Street NW and Banner Lane NW. · First Street NW ROW dedication. · Modification of traffic signal at North Capitol Street NW and L Street, NW, including striping and crosswalk improvements. · L Street NW ROW improvements.
Employment		

New Jobs		· Building maintenance / management jobs. · The Applicant filed a First Source Agreement with the Department of Employment Services to provide employment and training opportunities.
Access to Jobs		· Resident proximity to multiple modes of public transit. · Resident proximity to numerous other employment opportunities at nearby retail, service, and neighborhood-serving uses.
Education / Health / Wellness	Access to quality public services and community facilities. Access to safe, clean public gathering spaces, open spaces, and recreation. Healthy natural environment.	· Access to rooftop resident amenities including gathering spaces, seating areas, pools. · Construction of a publicly accessible pedestrian promenade with seating and landscaping in addition to the park provided on First Street NW and L Street NW. · Proximity to New York Avenue/Dunbar Recreation Center. · Proximity to Northwest One Neighborhood Library. · Proximity to Dunbar Aquatic Center. · Proximity to Dunbar High School, Perry School Community Services, Ferebee-Hope Elementary School and Walker-Jones Education Campus.
Environmental	· LEED rating. · Use of renewable energy sources. · Use of green building techniques. · Storm water management. · Placement of unwanted / high-impact land uses	· Confirmation of LEED Silver application submittal and Certification Review Report. · Green roofs. · Solar panels. · Improved storm water infrastructure. · Electric car charging stations and charging outlets for e-bikes.
Access to Amenities	· Availability of building amenities. · Proximity/availability of uses that meet day-to-day needs (grocery, retail, service, eating and drinking).	· High-quality resident amenities. · Approx. 12,301 GFA of neighborhood-serving retail, service, eating and drinking establishments. · Proximity to nearby retail, service, and neighborhood-serving uses. · Proximity to parks, open space, recreation and community centers. · Proximity to Dunbar High School, Perry School Community Services, Ferebee-Hope Elementary School and Walker-Jones Education Campus. · Proximity to Northwest One Neighborhood Library.

		· Proximity to Dunbar Aquatic Center. · Proximity to numerous cultural attractions (performing arts, art galleries, museums).
--	--	--

3. Future Land Use Map and Generalized Policy Map

GPM

The purpose of the GPM is to categorize how different parts of the District may change between 2005 and 2025. It highlights areas where more detailed policies are necessary, both within the Comp Plan and in follow-up plans, to manage this change. 10A DCMR § 225.1. The GPM is intended to “guide land use decision-making in conjunction with the Comp Plan text, the FLUM, and other Comp Plan maps. Boundaries on the map are to be interpreted in concert with these other sources as well as the context of each location. 10A DCMR § 225.2.

The PUD Site is located within the Central Washington Area shown on the GPM as a feature rather than a category of the GPM. The Comp Plan defines the Central Washington Area as an Element of about 6.8 square miles that include the “monumental core” of the city, with landmarks, the city’s traditional Downtown and other employment centers such as the Near Southwest and East End. It also includes Gallery Place, Penn Quarter, and emerging urban neighborhoods like Mount Vernon Triangle and North of Massachusetts Avenue (NoMA). 10A DCMR § 1600.1.

Only 1.6% of the Central Washington Area land use is residential, while nearly 80% of the is related government and institutional uses. Most of the residential development is located in the northern part of the Planning Area, near Dupont Circle, along the Massachusetts Avenue corridor, and in the Northwest One Urban Renewal Area. 10A DCMR § 1602.5.

As to building types, the Central Washington Area consists of mid- to high-rise apartments, with average densities exceeding 100 units per acre as a result of new construction developments in the area that area increasing the housing availability from single detached and mid-rise apartments to large multi-unit buildings.

- GPM Evaluation

The OP Set Down Report dated May 27, 22 mentions that at "the time of approval of the First Stage PUD the Generalized Policy Map designated the site as a Land Use Change Area, [however, the 2021] Generalized Policy Map identifies the site as being within the Central Washington Area".

The Project is not inconsistent with the PUD Site’s designations on the GPM as the Central Washington Area as it is compatible with the following priorities for the area contained in the Comp Plan:

- a) A mixed used living downtown: "Strengthening Central Washington as a creative, vibrant urban center will require more housing, retail, and arts and entertainment venues so that the area remains attractive, exciting, and economically productive".

And consistent with Policy CW-1.1.1: Promoting Mixed Use Development, Policy CW-1.1.3: Incentives for Non-Office Uses and Action CW-1.1.F: Residential Development Incentives.

The Project would have residents of varying incomes, a mixture of residential unit types and sizes, retail and services use, the development of a public park, recreational areas, open spaces and a promenade approved in ZC 15-20 and as follows:

- Approximately 1,131 dwelling units from the 199 currently existing units.
 - Approximately 49,420 square feet of non-residential uses including retail, commercial, service, or eating and drinking establishment uses.
 - The construction of Banner Lane, as a private street, and the green space on the east side of First Place.
 - The construction of a central promenade which would weave through the property from M Street on the north and culmination at the public park along L Street.
- b) The Central Washington area should also play a special role for DC's own citizens without regard to age, class or ethnic background: "This should be achieved by preserving the affordable housing units left, preserving (or replacing) emergency shelter space, creating new forms of affordable housing [and more importantly, by avoiding] the displacement of lower income residents". And consistent with Policy CW-1.1.4: New Housing Development in Central Washington, Policy CW-1.1.5: Central Washington Housing Diversity and Action CW-1.1.F: Residential Development Incentives.

The Project includes 199 affordable housing units on-site for and available to households with incomes not exceeding 80% MFI, provided that the overall blended affordability limits for the Affordable Units within the PUD shall not exceed 60% of MFI. The Project also reserves a total of 122³ residential units for the current Sursum Corda Households at their respective income eligibility level.

- c) Downtown's growth and success should continue to benefit residents of the District of Columbia: "through job placement, apprenticeships, and training programs are needed to ensure that District residents can take advantage of these opportunities". As it will enter into a First Source Agreement with the Department of Employment

³ The number of Reserved Units, the unit mix, and location of Reserved Units may be adjusted to reflect the actual number of Sursum Corda Households, changes in the composition of the Sursum Corda Households, the number of households that elect not to occupy a reserved unit, and/or HUD standards relating to the number of bedrooms required for each household, based upon an updated list of the Sursum Corda Households certified by the Sursum Corda Cooperative at the time of building permit.

Services. Thus, it is also consistent with Policy CW-1.2.5: Central Washington Economic Opportunity.

- d) Environmental Sustainability: By influencing multiple transportation choices and the development of “green buildings”. The Project will fulfill at least a LEED-Silver Certification, will install two car-sharing parking spaces and two electric car charging stations.

FLUM

The Project, including the requested map amendment to MU-9, is not inconsistent with the FLUM.

The FLUM shows the general character and distribution of recommended and planned uses across the city and, along with the GPM, is intended to provide generalized guidance on whether areas are designated for conservation, enhancement, or change. 10A DCMR §§ 200.5 and 224.4. The land use category descriptions on the FLUM describe the general character of development in each area, citing typical Floor Area Ratios ("FAR") as appropriate. However, the granting of density bonuses (for example, through Planned Unit Developments ("PUD") or Inclusionary Zoning) may result in density that exceeds the typical ranges cited. 10A DCMR § 228.1(c).

The Comp Plan does not require that each block “strictly correspond” with the general description of the associated land use designation on the FLUM. *See* Z.C. Order No. 08-15, Finding of Fact No. 74(a). Rather, similar to the GPM, the “[FLUM] is not a zoning map. Whereas zoning maps are parcel-specific, and establish detailed requirements and development standards for setbacks, height, use, parking, and other attributes, the [FLUM] is intended to be “soft-edged,” does not follow parcel boundaries, and its categories do not specify allowable uses or development standards. By definition, the [FLUM] is to be interpreted broadly and the land use categories identify desired objectives.” 10A DCMR § 228.1(a). Decisions on requests for rezoning shall be guided by the [FLUM] read in conjunction with the text of the Comp Plan (Citywide and Area Elements) as well as Small Area Plans pertaining to the area proposed for rezoning. *Id.* at § 2504.5.

As recently adopted by the D.C. Council, the FLUM designates the PUD Site as Mixed Use (High Density Residential / Medium Density Commercial).

A “Mixed Use” designation on the FLUM is not intended to be interpreted according to its separate land use categories. Rather, “Mixed Use” on the FLUM is a specific land use category unto itself. The Mixed Use designation is assigned to areas where the mixing of two or more land uses is encouraged, but is not mandatory, with the particular combination of uses desired in a given area depicted in the specific striped pattern on the FLUM. The general density and intensity of development within Mixed Use areas are determined by the specific mix of uses shown on the FLUM. If the desired outcome is to emphasize one use over another, the FLUM may note the dominant use by assigning it a higher density. The Area Elements may also provide detail on the mix of uses envisioned for a site. 10A DCMR § 227.21. In this case, the Mixed Use (High Density Residential / Medium Density Commercial) FLUM designation does not indicate a preference for a particular use on the PUD site. However, applicable Area Element policies clearly favor additional residential use on the PUD Site.

- FLUM Evaluation

The OP Set Down Report dated May 27, 22 mentions that "at the time of approval of the First Stage PUD the Future Land Use Map designated the area for moderate density residential and Parks, Recreation, [however,] the 2021 Future Land Use Map designates the site for high density residential and medium density commercial."

In addition, at the First Stage, the Zoning Commission found that the requested PUD and accompanying map amendment "from the R-4 (RF-1) zone to the C-3-C (MU-9) zone (permits high-density mixed-use development including office, retail, and housing, with a focus on employment and residential use) is not inconsistent with the Comprehensive Plan" (OP Set Down Report - ZC #15-20D). Therefore, the MU-9 zone is expressly referred to in the Framework Element as being consistent with the Medium Density Commercial land use category, which is used to define:

"...shopping and service areas that are somewhat greater in scale and intensity than the Moderate Density Commercial areas. Retail, office, and service businesses are the predominant uses, although residential uses are common. Areas with this designation generally draw from a citywide market area. Buildings are larger and/or taller than those in Moderate Density Commercial areas. Density typically ranges between a FAR of 4.0 and 6.0, with greater density possible when complying with Inclusionary Zoning or when approved through a Planned Unit Development."
Emphasis added. 10A DCMR § 227.12.

As stated above, while the PUD Site's FLUM designation does not expressly favor one use over another, the policy guidance provided in the Comp Plan elements consistently promotes the need for more housing to help address the District's housing needs. The MU-9 zone is consistent with this guidance as it generally favors residential use over commercial use by limiting non-residential density. Specifically, under a PUD the MU-9 zone permits an overall maximum density of 9.36, of which up to 7.8 FAR may be devoted to non-residential uses. As shown in the proposed plans, the Project will have an overall density of 6.0 FAR, which is below the maximum permitted density of 8.0 FAR for a PUD with inclusionary zoning in the C-3-C zone district under the 1958 Zoning Regulations. Under the current Zoning Regulations, a PUD with inclusionary zoning is permitted a maximum density of 9.36 FAR for a PUD. 11-X DCMR §§ 303.3 and 303.4.

In addition, the Project heavily favors residential use by devoting approximately 95% of the GFA to residential use (710,213 GFA of the total 747,990 GFA) being also consistent with 11-X DCMR § 301.3 (c): "If the development is to be located outside the Central Employment Area, at least eighty percent (80%) of the gross floor area of the development shall be used exclusively for dwelling units and uses accessory thereto".

With respect to height, the proposed 110-foot height of the Project is below the maximum permitted height of 130 feet for a PUD in the C-3-C zone district under the 1958 Zoning Regulations. The C-3-C zone district was converted to the MU-9 zone district with the adoption of the 2016 Zoning Regulations; and the maximum permitted building height under a PUD is the same. 11-X DCMR § 303.7.

The following table demonstrates how the height and density of the Project is consistent with the PUD Site's FLUM designation of Mixed Use (High Density Residential / Medium Density Commercial).

Project		
	Height	Density
MU-9	110 ft.	6.0 FAR

Framework Element Guidance		
	Height	Density
MU-9	N/A	6.5 FAR – 7.8 FAR (greater density possible w/ IZ or PUD)

ZR16 PUD			
	Height (MOR)	Height (PUD)	Density (PUD w/ IZ)
MU-9	90 (100 ft. w/ IZ)	130 ft.	9.36 FAR

4. The North of Massachusetts Avenue (NoMA) and Northwest One Policy Focus Area

The PUD is consistent with the with the policies set forth in NoMA and Northwest One policy area⁴: "to rebuild the Sursum Corda Cooperative as a mixed income community, providing one-for-one replacement of subsidized housing while adding market rate housing and new community anchors that help residents become more self-sufficient." CW-2.8. The Project will provide 1,276 of both affordable housing and market rate residential units, along with ground level retail, service and/or eating and drinking establishments. It also aligns with the Action CW-2.8.D: Northwest One New Community: to "Redevelop Northwest One as a mixed income community, including new market rate and subsidized housing, a new school and recreation center, a library and health clinic, and neighborhood-serving retail space".

The PUD refined design will also integrate a cascading massing that steps down in a spiraling fashion, which will help achieve a compatible transition to adjacent, lower-scale residential neighborhoods and bring additional daylight into the courtyard spaces, the buildings massing is also sculpted to bring daylight into street level public spaces. Thus the Project is in line with Action CW-1.1.C: Central Washington Urban Design Planning by "encouraging pedestrian movement, creating active street life, preserving historic resources, promoting green roofs and other sustainable design principles, and achieving high quality architectural design."

⁴ Given the multiple elements found in the Central Washington area, the Comp Plan identifies eight policy focus areas to provide a deeper level of direction and guidance. The Sursum Corda neighborhood is included in the NoMA and Northwest One policy area.

5. Mid-City East Small Area

The Project advances the following Mid-City East Area Element Policies:

- MC-2.7.1: Commercial Revitalization
- MC-2.7.2: Neighborhood Character
- MC-2.7.4: Increased Green Space
- MC-2.7.A: Mid-City East Small Area Plan
- MC-2.7.C: Mid-City East Small Livability Study
-

Regarding the Mid-City East Area Element Policy MC-2.7.A: "Today members of the cooperative are actively working on a higher density redevelopment plan for Sursum Corda that would increase the number of housing units on site, and create a mix of additional uses including retail or increase affordable units on the site as part of that development. The site is adjacent to higher density development across North Capitol Street to the east (NoMa) and in the Mount Vernon Triangle district to the west, making it reasonable to adjust the land use designation to allow for greater density and height at the site. This would enable co-op members to retain affordable units as part of the redevelopment effort." (Mid-City East Small Area Plan).

The Project is not inconsistent with the stated above and with the policies set forth in the Mid-City East Area Element Policies and the Small Area Plan as the PUD in the second stage will develop approximately 715 new market rate and affordable dwelling units (683 units and 32 penthouse units) and approximately 12,301 GFA of neighborhood non-residential uses including retail, service or eating and drinking establishments in the North Parcel. Consistent with the FLUM and recommendations of the SAP, the Project will bring greater residential and commercial revitalization. The Applicant will devote 16% of the Project's residential units to affordable housing, which exceeds the amount of affordable housing that would be required under the PUD Site's existing zoning. Finally, the housing within the Project, including the affordable housing will comprise a range of unit types.

The Project meets the following SAP recommendations for the redevelopment of Sursum Corda:

- The provision of 199 affordable units within the Project at varying levels and types of subsidies not to exceed 60% of AMI.
- The addition of market rate units that will represent at least 66% of the total units developed on site.
- Development on the Sursum Corda site should step down towards First Street NW towards Mt. Airy Baptist Church, and step up towards North Capitol Street NW.
- Extend the street grid, including L Street NW from First Street NW to North Capitol Street, NW and Pierce Street, NW between First Street NW and First Place NW.
- Include sustainable development components such as green/park spaces and other community amenities.

6. Land Use Element

The Land Use Element is the cornerstone of the Comp Plan. It establishes the basic policies guiding the physical form of the District, and provides direction on a range of development, preservation,

and land use compatibility issues. The element describes the range of considerations involved in accommodating an array of land uses within Washington, D.C. 10A DCMR § 300.1. Through its policies and actions, the Land Use Element addresses the numerous, challenging land use issues that are present in the District, including, among others:

- Providing adequate housing, particularly affordable housing;
- Conserving, creating, and maintaining inclusive neighborhoods, while allowing new growth that fosters equity, including racial equity, and accessibility;
- Directing growth and new development to achieve economic vitality and creating jobs while minimizing adverse impacts on residential areas and open spaces;
- Improving resilience; and
- Promoting transit-accessible, sustainable development.

10A DCMR § 300.2.

More than any other part of the Comp Plan, the Land Use Element lays out the policies through which growth and change occur. The Land Use Element integrates and balances competing policies of all the other District Elements. 10A DCMR § 300.3. The Implementation Element further recognizes the “overlapping nature” of the [Comp Plan] elements, stating that “an element may be tempered by one or more of the other elements,” and further states that “because the Land Use Element integrates the policies of all other District Elements, it should be given greater weight than the other elements.” 10A DCMR § 2504.6.

The policies and actions of the Land Use Element all aim to utilize land resources efficiently to achieve the following goals:

- Meet long-term neighborhood, District-wide, and regional needs;
- To address past and current inequalities disproportionately impacting communities of color;
- Sustain, restore, and improve the affordability and equity of all neighborhoods; and
- Provide for additional housing and employment opportunities.

10A DCMR § 302.1.

Land Use Element Evaluation

The Project is pedestrian oriented and includes high-quality architecture and public spaces, affordable and family-sized housing to allow District residents to remain in the neighborhood and share in the benefits of the Mid-City Area.

For the reasons discussed below, the Project will help achieve the above-described goals through its consistency with several Land Use Element policies. Upon evaluation of the Land Use Element policies and actions, the Applicant finds the Project to be not inconsistent with the Land Use Element overall, and specifically with the policies listed below.

The Project will promote the continued growth of the urban, mixed-use neighborhood that is developing along the Maine Avenue corridor (LU-1.2.4). The Project will deliver approximately

1,276 new dwelling units, of which approximately 16% will be dedicated affordable housing for households earning 60% MFI (50% MFI for any penthouse-generated IZ requirement). The mix of uses proposed within the Project (residential and neighborhood-serving retail) are appropriate for the PUD Site's location along the edge of the Central Employment Area ("CEA") and proximity to transit (LU-1.2.6, LU-1.4.4, LU-1.4.6). Consistent with the FLUM, the proposed MU-9 zone will facilitate the construction of new, multi-family housing, including affordable housing at 60% MFI (considered low income), in a transit- and amenity-rich area of the city (LU-1.4.C).

The Project balances District goals to increase housing supply, particularly affordable units, with parallel goals to advance sustainability, promote arts and culture, and protect neighborhood character. The approximately 1,276 new market rate and affordable housing units will greatly assist the achievement of housing goals for the Mid-City East Planning Area, and the Applicant's commitment to achieve LEED Silver will advance District environmental and energy policies. The Project will also install a commemorative element - a plaque, artwork, mural on an interior courtyard, or similar element to celebrate the history of Sursum Corda with neighborhood input (LU-2.3.12). The height and massing of the Project are consistent with the surrounding context, and the GPM and FLUM. Specifically, the 110-foot height of the proposed building is within the range of the buildings that surrounding the PUD Site. The Project advances the following Land Use Element policies:

LU-1.2: Strengthening the Core

- LU-1.2.4: Urban Mixed-Use Neighborhoods
- LU-1.2.6: CEA Edges

LU-1.4: Transit-Oriented and Corridor Development

- LU-1.4.4: Affordable Rental and For-Sale Multi-family Housing Near Metrorail Stations
- LU-1.4.6: Development Along Corridors
- LU-1.4.C: Metro Station and Inclusionary Zoning

LU-2.1: A District of Neighborhoods

- LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods

LU-2.3: Residential Land Use Compatibility

- LU-2.3.12: Arts and Culture Uses in Neighborhoods

7. Transportation Element

The Transportation Element provides policies and actions that are devoted to maintaining and improving the District's transportation system and enhancing the travel choices available to District residents, visitors, and workers. These transportation-related policies are integrally related to other Comp Plan policies that address land use, urban design, and environmental protection. The close interplay between these policy areas is necessary to improving safety, mobility, and accessibility in the District. 10A DCMR § 400.1.

The overarching goal for transportation in the District is to create a safe, sustainable, equitable, efficient, and multi-modal transportation system that meets the access and mobility

needs of District residents, workers, and visitors. 10A DCMR § 401.1. An important component to achieving this goal is to closely coordinate land use and transportation decisions. The balance between housing and jobs plays a clear role in travel patterns. Generally, when homes and jobs are located close to transit, quality of life is improved and the demands on transportation infrastructure are reduced. The Comp Plan recommends that future efforts take these factors into account to ensure that households with varying incomes and communities of color have equitable access to housing and jobs via safe and efficient transportation options.

Transportation Element Evaluation

The Project is not inconsistent with the Transportation Element. The Project will establish new transit-oriented development within close proximity to Metrorail and in proximity to other forms of public transportation and bicycle infrastructure (T-1.1.4, T-1-1-7). The Project includes various transit-oriented development-related improvements, including the construction of new mixed-uses in close proximity to the North Capitol corridor, bicycle storage areas, and public space improvements such as new paving, lighting, landscaping, and bicycle racks (T-2.4.1, T-2.4.2). The Project will also incorporate place making strategies through the construction of a pedestrian promenade through the center of the PUD site between M Street to L Street, NW (T-1.4.1).

The Project advances the pedestrian, cycling, safety, public space, and parking optimization objectives of the Transportation Element and is accompanied by a robust analysis and TDM measures. Thus the Project has been designed to integrate bicycle and pedestrian safety considerations. For example, the Project incorporates secure indoor bicycle parking, and exterior short-term bicycle parking to encourage residents, visitors, and employees of the Project to travel by bike. The Applicant will improve the public realm by making new landscape and lighting improvements to enhance the pedestrian experience and general safety of the surrounding area (T-2.3.1). Together, these physical improvements to the streetscape will improve bicycle and pedestrian safety in the area.

The Project will also comprise a strong TDM program that reduces the number of vehicle trips and miles traveled and increases the efficiency of the city's transportation systems (T-1.1.2, T-3.1.1). **As part of the TDM program the Applicant will include an annual Capital Bikeshare membership to each affordable dwelling unit resident for five years, and will unbundle the cost of parking from the cost of renting a residential unit, which will help discourage residents from buying or renting parking spaces (T-3.2.D).** The Project will also include a number of transportation mitigation measures and support facilities that will help address existing transportation issues in the area, and improve transportation safety and access (T-1.1.B).

The Project advances the following Transportation Element policies:

T-1.1 Land Use: Transportation Coordination

- T-1.1.2: Land Use Impact Assessment
- T-1.1.4: Transit-Oriented Development
- T-1.1.7: Equitable Transportation Access
- T-1.1.B: Transportation Improvements

T.1.4: Placemaking in Public space

- T-1.4.1: Street Design for Placemaking

T-2.4 Pedestrian Access, Facilities, and Safety

- T-2.4.1: Pedestrian Network
- T-2.4.2: Pedestrian Safety

T-3.1.1: TDM Programs

- T-3.1.1: TDM Programs
- **T-3.2.D: Unbundle Parking Cost**

8. Housing Element

The Housing Element describes the importance of housing to neighborhood quality in the District, and the importance of providing housing opportunities for all segments of the population throughout the city. 10A DCMR § 500.1. The District continues to face significant demand for more housing, and in particular affordable housing across a range of income levels. Other critical housing issues that the District is facing include furthering fair housing opportunities, especially in high-cost areas; fostering housing production to improve affordability; promoting more housing near transit; and maintaining healthy homes for residents. 10A DCMR § 500.2.

The overarching housing goal of the Housing Element is to develop and maintain new residential units to achieve a total of 36,000 new units by 2025, 12,000 of which are dedicated affordable, that provide a safe, decent, accessible, and affordable supply of housing for all current and future residents of the District. 10A DCMR § 501.1. To achieve this target, the District must maintain a high rate of housing production at all income levels, with a range of housing types, in all part of the District. While equity is conveyed throughout the Comp Plan, access and availability to quality affordable housing is arguably the most important issue when it comes to racial equity. The Comp Plan recognizes that without increased housing the imbalance between supply and demand will drive up housing prices in a way that continues to create challenges for many residents, particularly low-income residents. However, the District's housing crisis cannot be successfully addressed by solely focusing on housing supply and demand. Rather, issues relating to the equitable distribution of affordable housing and ensuring new affordable housing has equitable access to transit and amenities are other important factors that need consideration.

Housing Element Evaluation

The Project helps meet the housing needs of present and future District residents at locations consistent with District land use and housing policies and objectives. The Project will provide approximately 1,276 new residential units (561 units in the buildings located on the South Parcel, and approx. 715 units in the buildings located on the North Parcel subject to this application) within close proximity to transit, including affordable units reserved for households at the 60% MFI (50% MFI for any penthouse IZ requirement) that will remain for the life of the Project (H-2.1.6). The additional market rate and affordable housing will contribute to the District's housing goals set forth in the Housing Equity Report (H-1.1.1, H-1.1.3, H-1.2.1, H-1.2.7, H-1.2.11). Indeed, the approximately 715 new housing units in the North Parcel of the Project

represents approximately 17% of the 4,210 overall housing goal for the Mid-City Planning Area. Further, the Housing Equity Report sets an affordable housing goal of 1010 units for the Planning Area. The Project will devote 16% of residential GFA to affordable housing for households earning no more than 60% MFI. The affordable housing within the Project will help the District achieve the affordable housing production goal set by the Housing Equity Report for the Planning Area. (H-1.2.9, H-1.2.F).

The Project will address citywide housing needs by developing new housing on an underutilized property in a growing and changing mixed-use neighborhood that is developing in around along the North Capitol Corridor (H-1.1.4). The affordable housing will be designed and constructed according to the same high-quality architectural design standards used for the market-rate housing, and the interior amenities, including finishes and appliances, will be comparable to the market-rate materials, durable, and consistent with contemporary standards for new housing (H-1.1.5). The Project will also contain housing for larger households, including 3 bedroom units (H-1.1.9, H-1.3.1).

The Project substantially advances the following Housing Element policies:

H-1.1: Expanding Housing Supply

- H-1.1.1: Private Sector Support
- H-1.1.3: Balanced Growth
- H-1.1.4: Mixed-Use Development
- H-1.1.5: Housing Quality
- H-1.1.9: Housing for Families

H-1.2: Ensuring Housing Affordability

- H-1.2.1: Low- and Moderate-Income Housing Production as a Civic Priority
- H-1.2.7: Density Bonuses for Affordable Housing
- H-1.2.9: Advancing Diversity and Equity of Planning Areas
- H-1.2.11 Inclusive Mixed-Income Neighborhoods
- H-1.2.F: Establish Affordability Goals by Area Element

H-1.3: Diversity of Housing Types

- H-1.3.1: Housing for Larger Households

H-2.1: Preservation of Affordable Housing

- H-2.1.6: Long-Term Affordability Restrictions
-

9. Environmental Protection Element

The Environmental Protection Element addresses the protection, conservation, and management of Washington, DC's 's land, air, water, energy, and biological resources. This Element provides policies and actions for addressing important issues such as climate change, drinking water safety, the restoration of the tree canopy, energy conservation, air quality, watershed protection, pollution prevention, waste management, the remediation of contaminated sites, and environmental justice. The biological, chemical, and hydrologic integrity of the

environment are key indicators of the quality of life in the District. Furthermore, environmental sustainability is linked to resilience, population health, and community prosperity. Good environmental management and pollution prevention are essential to sustain all living things and to safeguard the welfare of future generations. 10A DCMR § 600.1.

As set forth in 10A DCMR § 600.2, some of the critical environmental issues facing Washington, DC that are addressed in the Environmental Protection Element include:

- Restoring the District's tree canopy and expanding green infrastructure (GI);
- Conserving water and energy;
- Encouraging green building techniques and facilitating compliance with green building mandates;
- Growing access to, and use of, clean, local energy;
- Reducing air pollution; and
- Increasing resilience to urban heat island effect.

The overarching goal for the Environmental Protection Element is to protect, restore, and enhance the natural and human-made environment in Washington, DC, taking steps to improve environmental quality and resilience, adapt to and mitigate climate change, prevent and reduce pollution, improve human health, increase access to clean and renewable energy, conserve the values and functions of Washington, DC's natural resources and ecosystems, and educate the public on ways to secure a sustainable future. 10A DCMR § 601.1.

Environmental Protection Element Evaluation

The Project is not inconsistent with the policies of the Environmental Protection Element. As part of the Project, the Applicant will reconstruct the streetscape surrounding to the PUD Site that will include new trees that will add tree canopy, provide shade, improve air quality, provide urban habitat, and add aesthetic value (E-1.1.2, E-2.1.2). The Project will also incorporate landscaping, including sustainable landscaping practices, which will enhance and beautify the public right-of-way, reduce storm water runoff, and strengthen the character of the public realm (E-2.1.3). This includes the installation of green roofs that will improve storm water management and climate resilience (E-4.1.2, E-4.1.3). Finally, the Project will be designed in accordance with LEED Silver standards (E-3.2.3, E-3.2.7, E-4.2.1).

The Project advances the following Environmental Protection Element policies:

E-1.1: Preparing for and Responding to Natural Hazards

- E-1.1.2: Urban Heat Island Mitigation

E-2.1: Conserving and Expanding Washington, DC's Urban Forests

- E-2.1.2: Tree Requirements in New Development
- E-2.1.3: Sustainable Landscaping Practices

E-3.2: Conserving Energy and Reducing GHG Emissions

- E-3.2.7: Energy-Efficient Building and Site Planning

E-4.1: Green Infrastructure

- E-4.1.2: Using Landscaping and Green Roofs to Reduce Runoff
- E-4.1.3: GI and Engineering

E-4.2: Promoting Green Building

- E-4.2.1: Support for Green Building

10. Economic Development Element

The Economic Development Element addresses the future of Washington, DC's economy and the creation of economic opportunity for current and future District residents. It includes strategies to sustain the District's major industries, diversify the economy, accommodate job growth, maintain small businesses and neighborhood commercial districts, and increase access to employment for District residents. 10A DCMR § 700.1. Some of the critical long-term economic development issues identified by the Comp Plan include: ensuring that prosperity is equitably shared across race and geography; increasing employment and training opportunities for those most in need; and expanding opportunities for small, local and minority businesses.

The economic development issues listed above were identified in the 2006 Comprehensive Plan, and predate the ongoing COVID-19 public health emergency. While the District's current economic position has been substantially affected by the COVID-19 pandemic, it is believed that economic trends will hold in the long-term, and that the policies contained within the current Economic Development Element will continue to effectively guide the District through periods of growth and recession. The District's economic strength has gotten significantly stronger in the past 15 years, and the city's economy has vastly diversified. However, the District's economic growth has not benefitted all residents equally. More work remains to ensure that all residents have access to retail, commercial facilities and job opportunities. The District is striving to ensure that all residents, particularly those from communities of color, are able to enjoy the benefits of economic growth in the District and the region. 10A DCMR § 700.4.

The overarching goal of the Economic Development Element is to drive inclusive economic expansion and resilience by growing the economy and reducing employment disparities across race, geography, and educational attainment status. 10A DCMR § 701.1. Overall, the Applicant finds the Project to be not inconsistent with the policies and actions of the Economic Development Element, and in particular those listed below.

Economic Development Element Evaluation

The Project will improve the Sursum Corda area with new multi-use buildings within close proximity to Metrorail, the waterfront, and several amenities with a new, mixed-use development that contains approximately 13,301 GFA of neighborhood-serving retail, service uses, eating and drinking establishments (ED-2.2.3, ED-2.2.5).

The Project advances the following Economic Development Element policies:

ED-2.2: The Retail Economy

- ED-2.2.3: Neighborhood Shopping
- ED-2.2.5: Business Mix

11. Urban Design Element

The Urban Design Element addresses the District's physical design and visual qualities. It describes ways in which different aspects of the District's landscape, especially its buildings, streets, and open spaces, work together to define impressions of the city and its neighborhoods. The defining urban design qualities of the District derive from the historic Plan of Washington, and the unique characteristics of the city's many neighborhoods. As the District continues to support growth to address housing and economic development needs, several important urban design challenges must be considered. These include strengthening neighborhood quality of life while accommodating growth and change, and providing compatible infill development and appropriate transitions between varying uses and densities. 10A DCMR § 900.1 & 900.2.

The overarching goal of the Urban Design Element is to enhance the beauty, equity, and livability of Washington, DC by reinforcing its historic design legacy and the identity of its neighborhoods and centers, integrating new construction with existing buildings and the natural environment, and improving the vitality, appearance, and functions of streets and public spaces. 10A DCMR § 901.1. Overall, the Applicant finds the Project to be not inconsistent with the policies and actions of the Urban Design Element, and in particular those listed below.

Urban Design Element Evaluation

The Project is not inconsistent with the policies of the Urban Design Element. The Project will help achieve the goals of the Urban Design Element through its massing and quality materials that respond to the surrounding context, provision of an open space, and through improvements to adjacent public space (UD-2.2.1, UD-2.2.2). The 110-foot height of the Project is compatible with existing residential buildings that immediately surround the PUD Site. (UD-2.2.5).

To further relate to the surroundings, the Applicant has further reduced the massing of the Project by recessing the ground floor – which results in additional open space at the ground level – and articulating the upper floors through variation in façade angles and materials. (UD-4.2.1, UD-4.2.4). Finally, the Applicant has designed the ground floor of the Project to be engaging to passersby and to support the programmed space that is contemplated along North Capitol and the proposed promenade. The use of high quality materials at the ground level will elevate the pedestrian experience and facilitate engagement, particularly the retail storefronts (UD-2.1.1, UD-4.2.2).

The Project advances the following Urban Design Element policies:

UD-2.1: Streets for People

- UD-2.1.1: Streetscapes That Prioritize the Human Experience

UD-2.2: Designing for Vibrant Neighborhoods

- UD-2.2.1: Neighborhood Character and Identity
- UD-2.2.2: Areas of Strong Architectural Character
- UD-2.2.5: Infill Development
- UD-2.2.7: Preservation of Neighborhood Open Space

UD-3.2: Designing the Active District

- UD-3.2.5: Safe and Active Public Spaces and Streets

UD-4.2: Designing Architecture for People

- UD-4.2.1: Scale and Massing of Large Buildings
- UD-4.2.2: Engaging Ground Floors
- UD-4.2.4: Creating Engaging Facades

12. Evaluation of Potential Comprehensive Plan Inconsistencies

The foregoing Comp Plan analysis thoroughly demonstrates the numerous ways in which the Project, including the proposed PUD-related map amendment to MU-9, aligns with the policies and goals of the Comp Plan, including the FLUM and GPM. However, as explained in multiple decisions by the Court, it is not sufficient to simply identify the policies that would be advanced when evaluating a proposal for consistency with the Comp Plan. Rather, because there is intentional overlap within and between the Comp Plan elements, a Comp Plan evaluation must recognize potential inconsistencies and explain why the inconsistencies are outweighed by other Comp Plan policies and/or competing considerations. The Court has provided the following specific guidance:

The Comp Plan is a “broad framework intended to guide the future land use planning decisions for the District.” *Wisconsin-Newark Neighborhood Coal. v. District of Columbia Zoning Comm’n*, 33 A.3d 382, 394 (D.C. 2011). Thus, “[e]ven if a proposal conflicts with one or more individual policies associated with the [Comp] Plan, this does not, in and of itself, preclude the Commission from concluding that the action would be consistent with the [Comp] Plan as a whole.” *Durant v. District of Columbia Zoning Comm’n*, 65 A.3d 1161, 1168 (D.C. 2013). The Comp Plan reflects numerous “occasionally competing policies and goals,” and, “[e]xcept where specifically provided, the [Comp] Plan is not binding.” *Id.* at 1167, 1168. Thus, “the Commission may balance competing priorities” in determining whether a proposal would be inconsistent with the Comp Plan as a whole. *D.C. Library Renaissance Project/West End Library Advisory Grp. v. District of Columbia Zoning Comm’n*, 73 A.3d 107, 126 (D.C. 2013). “If the Commission approves a [proposal] that is inconsistent with one or more policies reflected in the [Comp] Plan, the Commission must recognize these policies and explain [why] they are outweighed by other, competing considerations.” *Friends of McMillan Park v. District of Columbia Zoning Comm’n*, 149 A.3d 1027, 1035 (D.C. 2016).

The Implementation Element reflects similar guidance: “[r]ecognize the overlapping nature of the [Comp Plan] elements as they are interpreted and applied. An element may be tempered by one or more of the other elements.” 10A DCMR § 2504.6.

Consistent with the guidance provided in the Implementation Element and by the Court, the Applicant conducted a thorough Comp Plan evaluation using a racial equity lens and, as detailed throughout this statement, finds the proposal is not inconsistent with the Comp Plan when read as a whole. In conducting its evaluation, the Applicant was careful to identify any instances where the proposal may be viewed as being inconsistent with certain Comp Plan policies; the result being that while the Applicant did identify a few policies where the Project may be viewed as inconsistent, these potential inconsistencies are outweighed by the proposal’s consistency with the FLUM and numerous other competing Comp Plan policies relating to land use, housing, transit oriented development, and environmental sustainability.

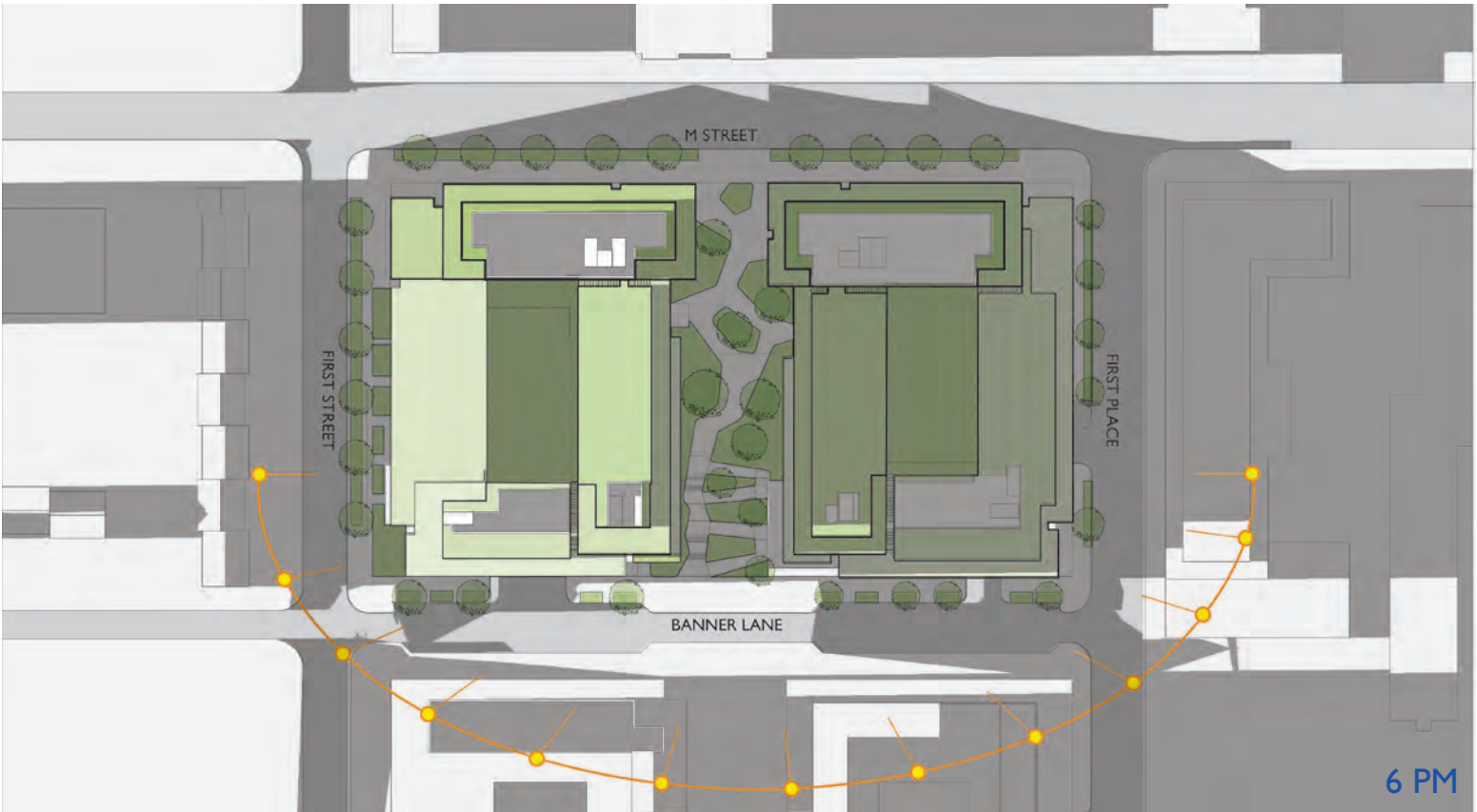
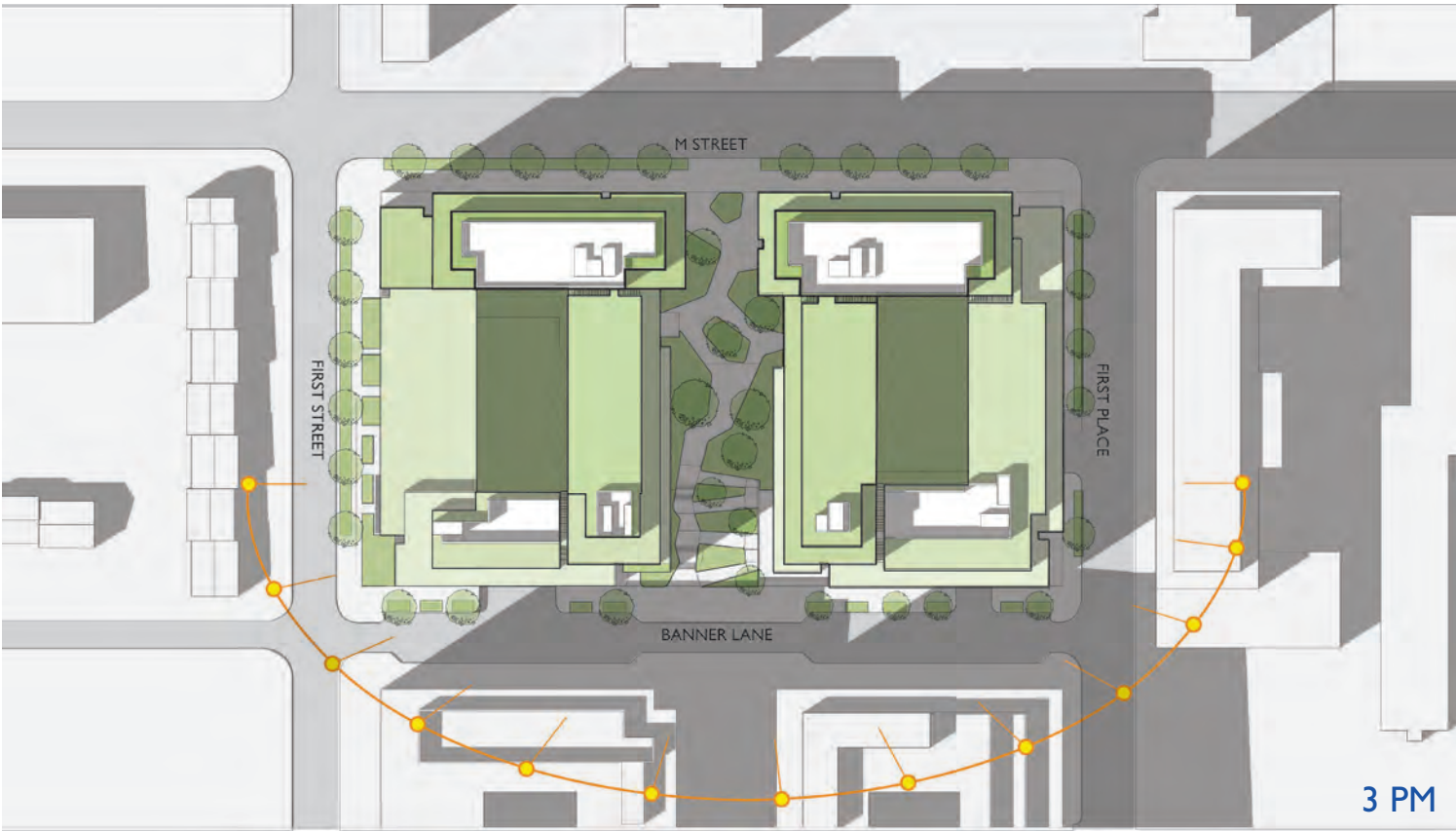
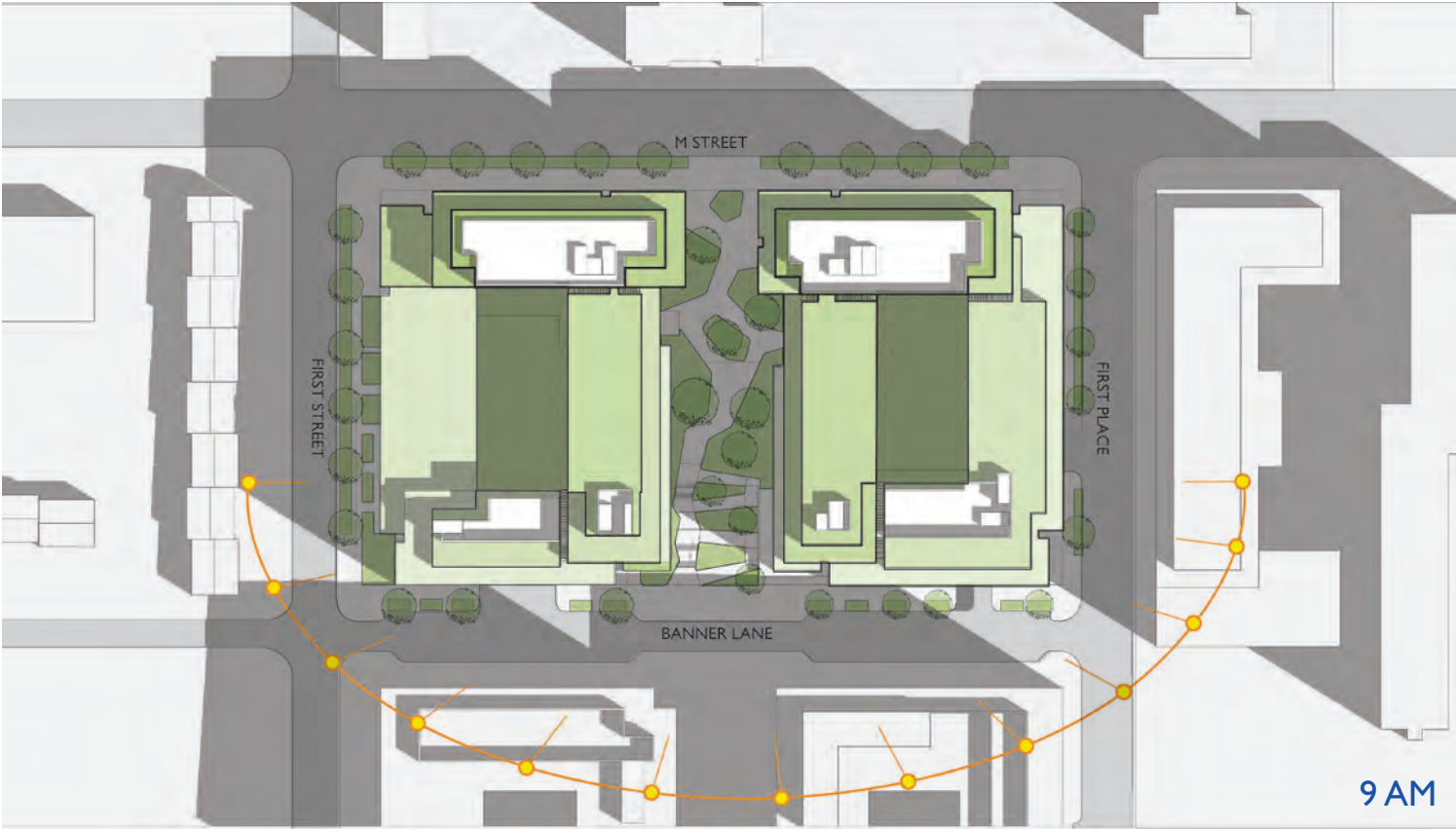
Given the PUD Site’s Comp Plan FLUM designation, location, and the critical need for higher density housing and mixed-use services in the District, the continued use of the buildings are no longer the best use for the site. Rather, redevelopment of the PUD Site in a manner that better utilizes available land area and capitalizes on the site’s proximity to transit and amenities to address citywide housing and sustainability goals far outweighs the continued use of the site for office purposes.

Potential Inconsistency	Outweighing Policy / Consideration
<i>ED-2.1.4: Diversified Office Options</i> <i>ED-2.1.5: Infill and Renovation</i> <i>ED-2.1.B: Support Low-Cost Office Space</i>	· Housing Equity Report overall and affordable housing goals for the Mid-City Planning Area. · Proposed amount of affordable housing. · Sustainability benefits (LEED Silver). · FLUM designation: Mixed Use (High-Density Residential / Medium-Density Commercial) · <u>Land Use Element policies:</u> <i>LU-1.2.4: Urban Mixed-Use Neighborhoods</i> <i>LU-1.4.4: Affordable Rental and For-Sale Multi-family Housing Near Metrorail Stations</i> · <u>Housing Element Policies</u> <i>H-1.2.1: Low- and Moderate-Income Housing Production as a Civic Priority</i> <i>H-1.2.9: Advancing Diversity and Equity of Planning Areas</i>

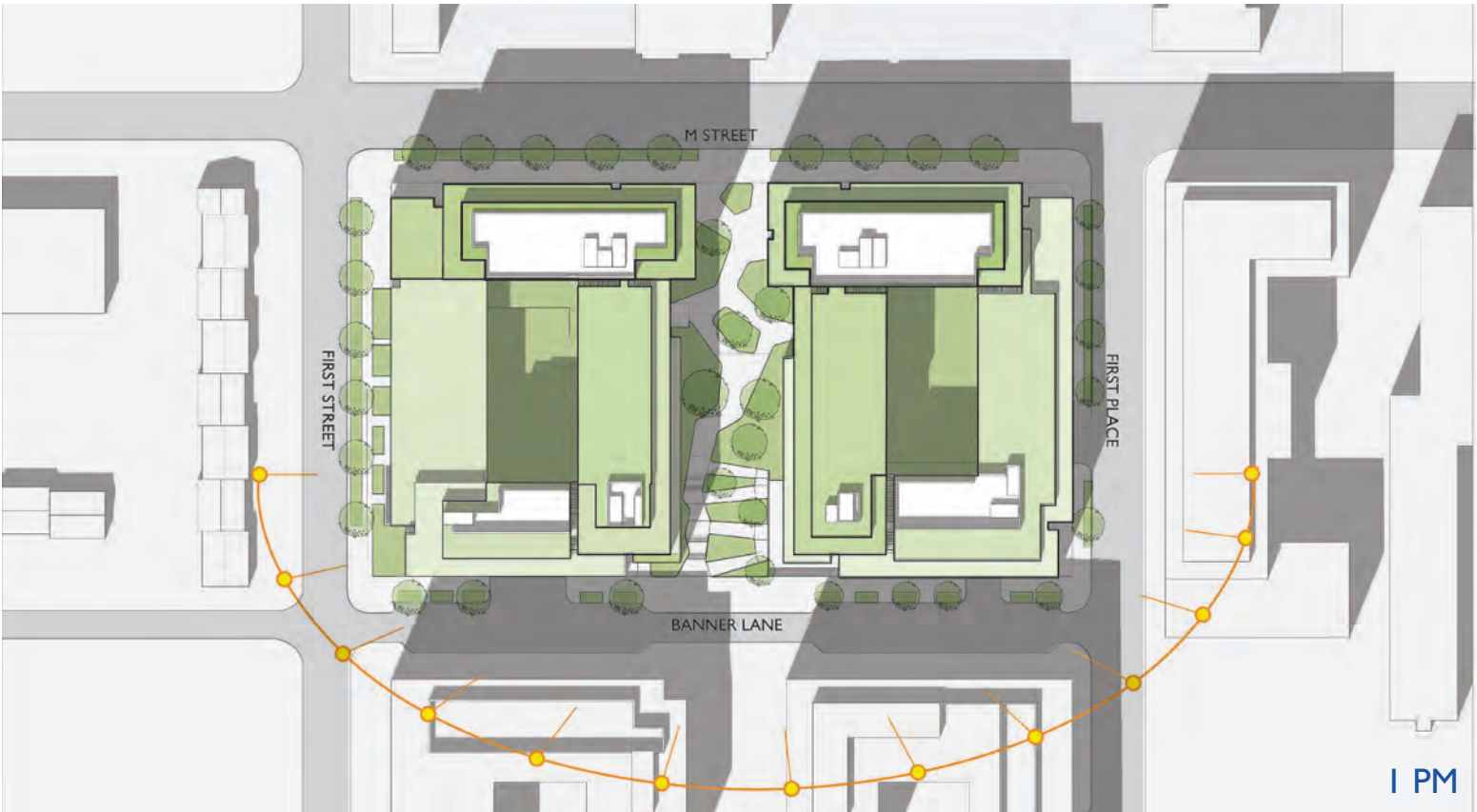
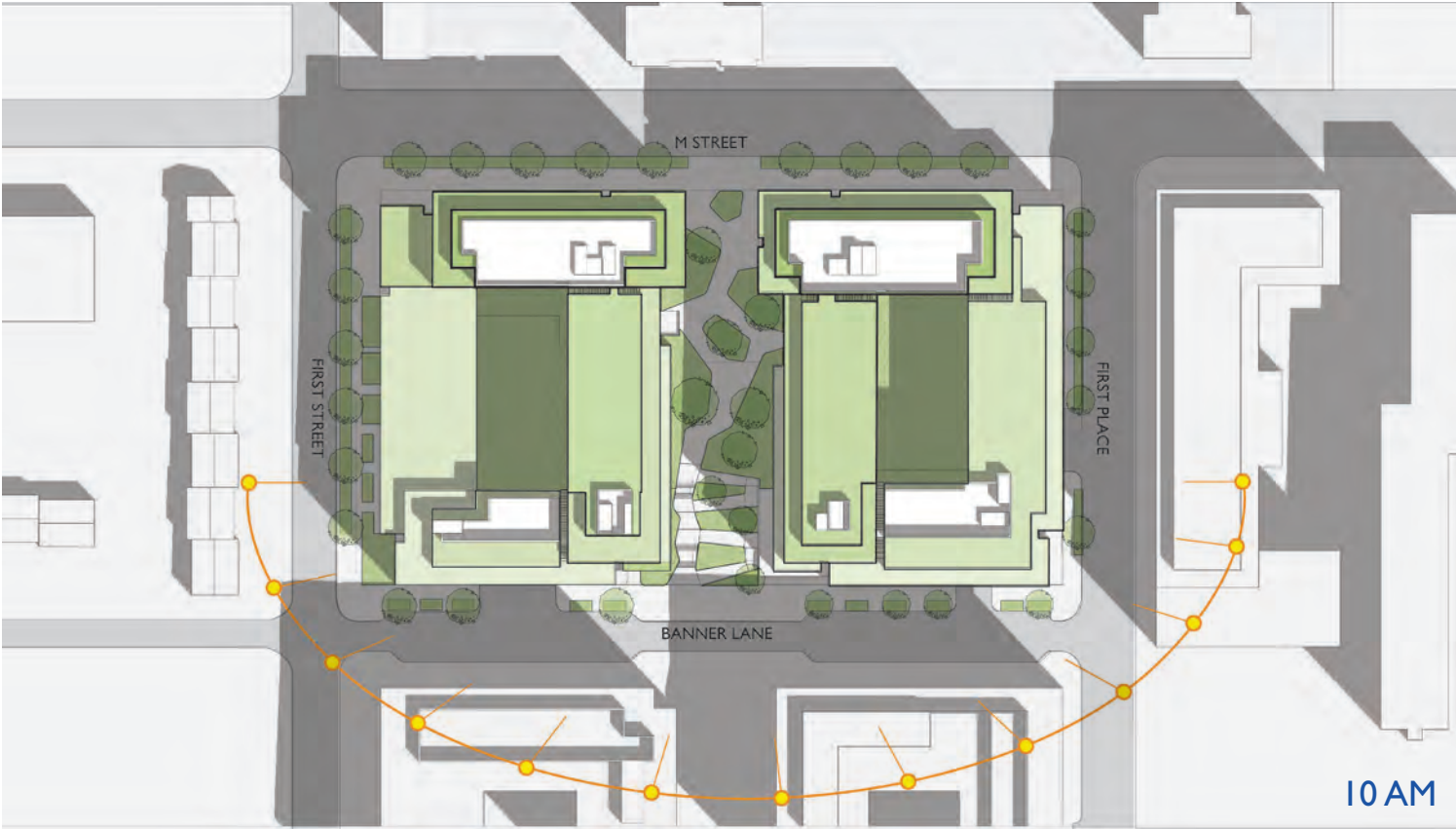
	· <u>Environmental Protection Element Policies</u> <i>E-3.2.3: Renewable Energy</i> <i>E-4.2.1: Support for Green Building</i> · <u>Mid-City Area Element Policies</u> <i>MC-1.1.1: Neighborhood Conservation</i> <i>MC-1.1.7: Preservation of Affordable Housing</i> <i>MC-2.7.1: Commercial Revitalization</i>
--	--

TAB B

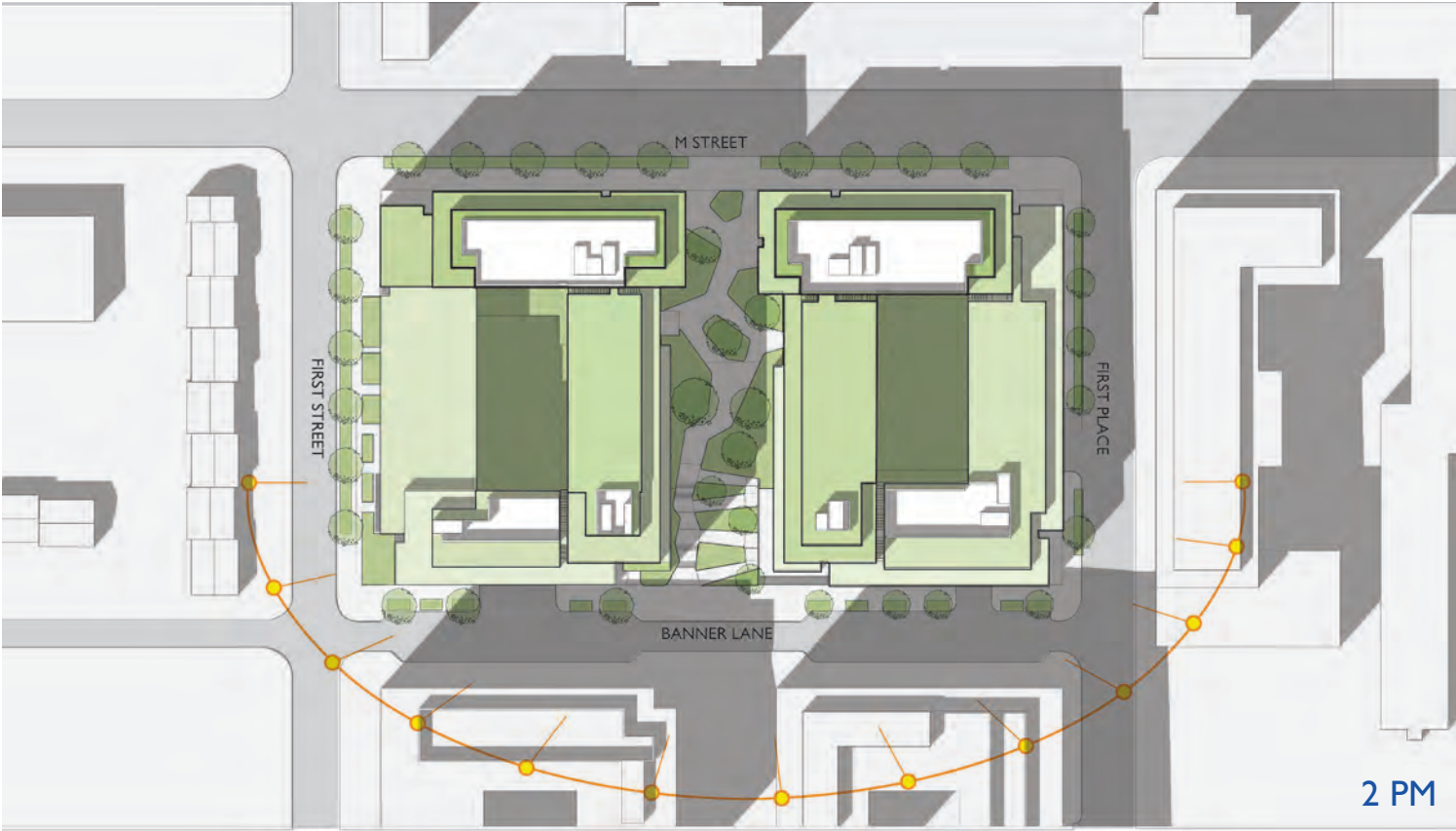
SUN STUDIES
FALL/SPRING EQUINOX



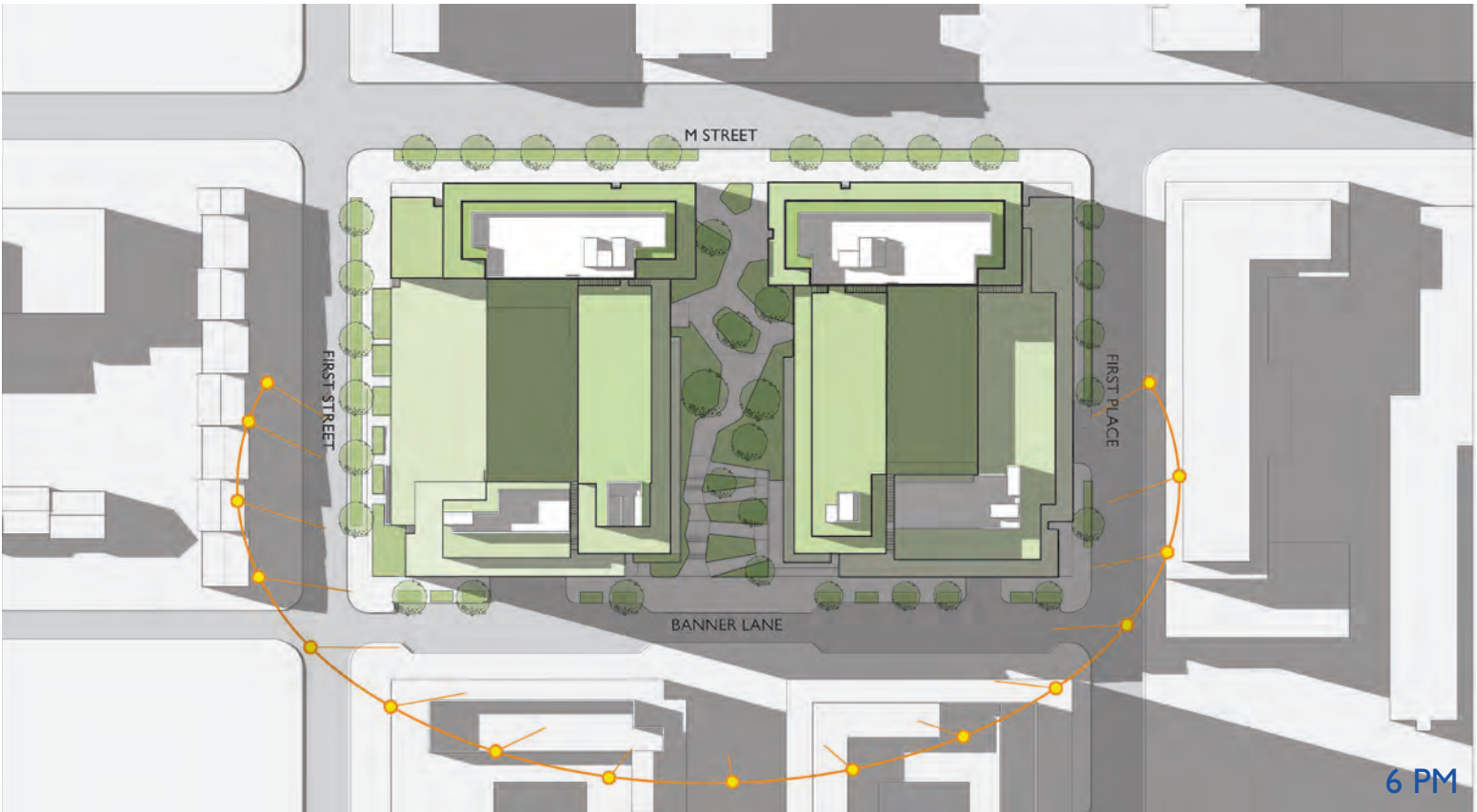
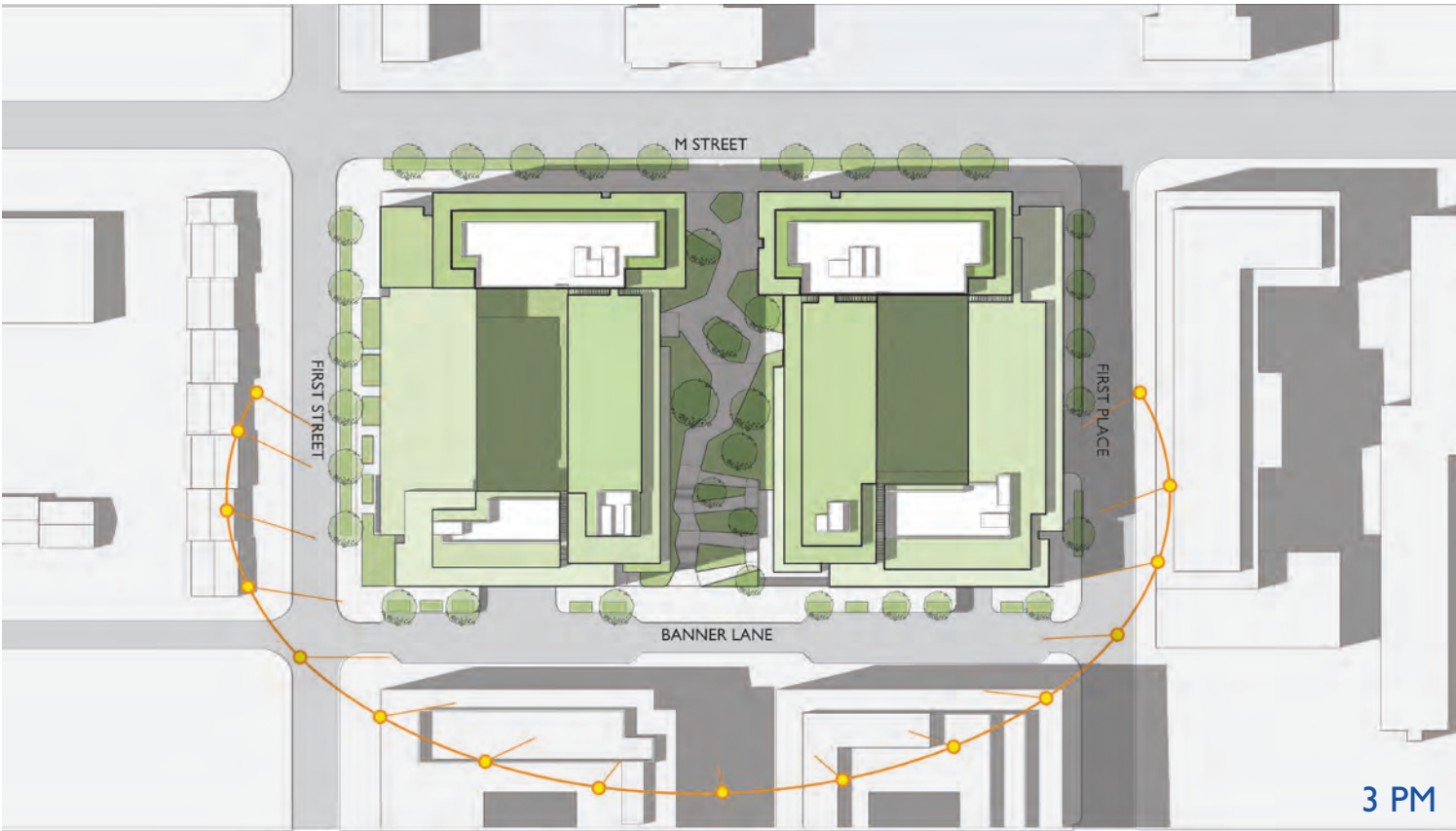
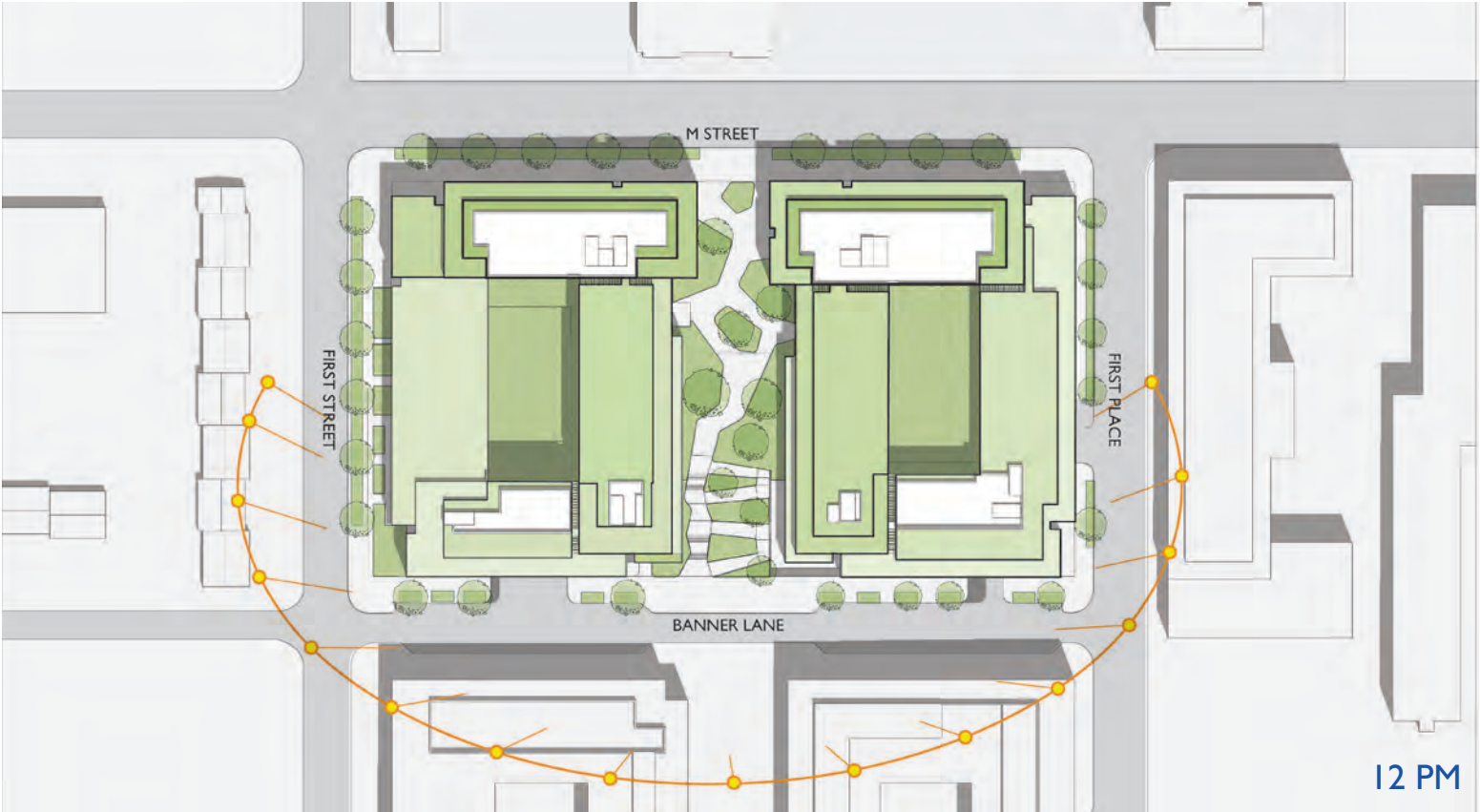
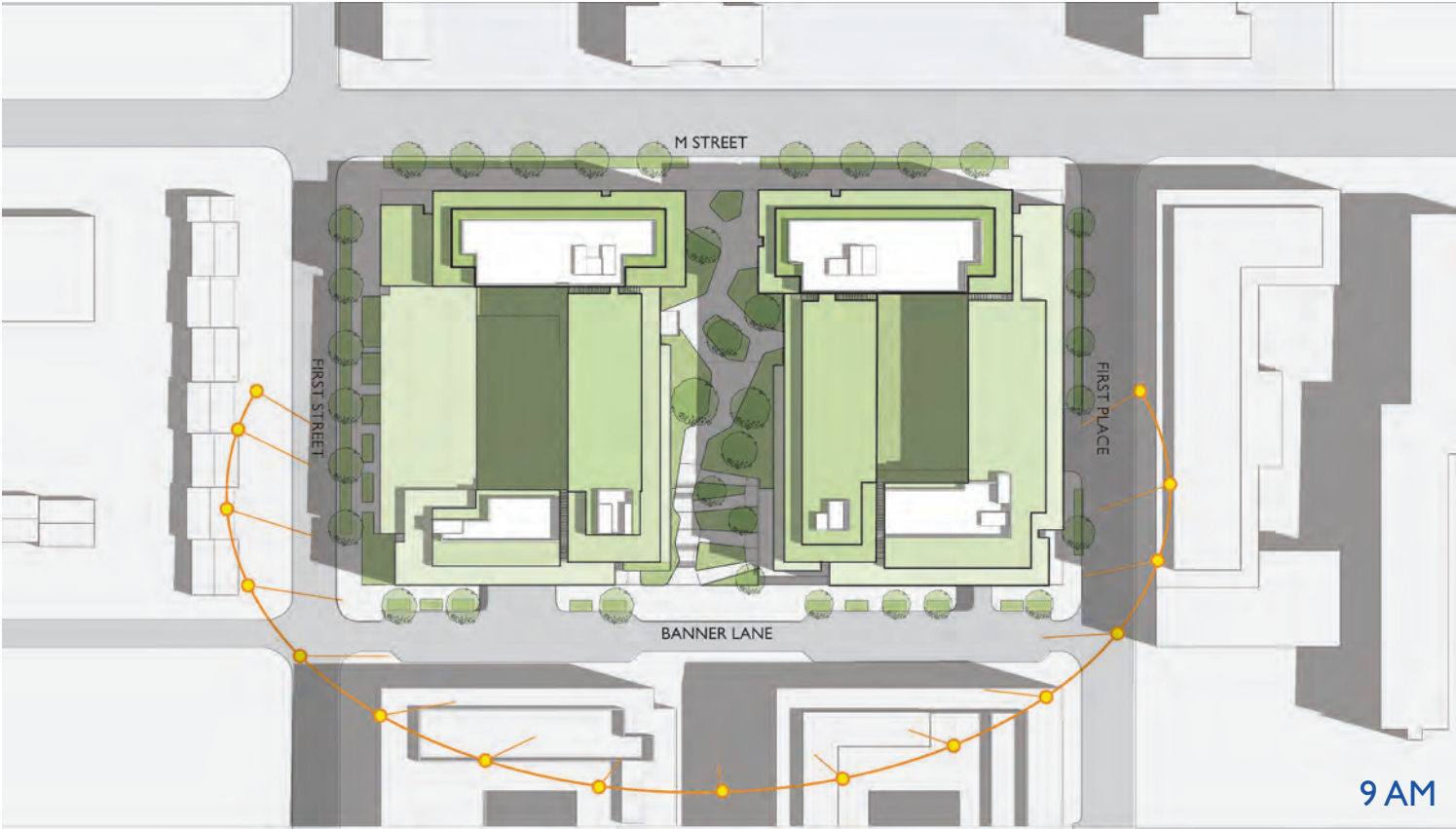
SUN STUDIES
FALL/SPRING EQUINOX



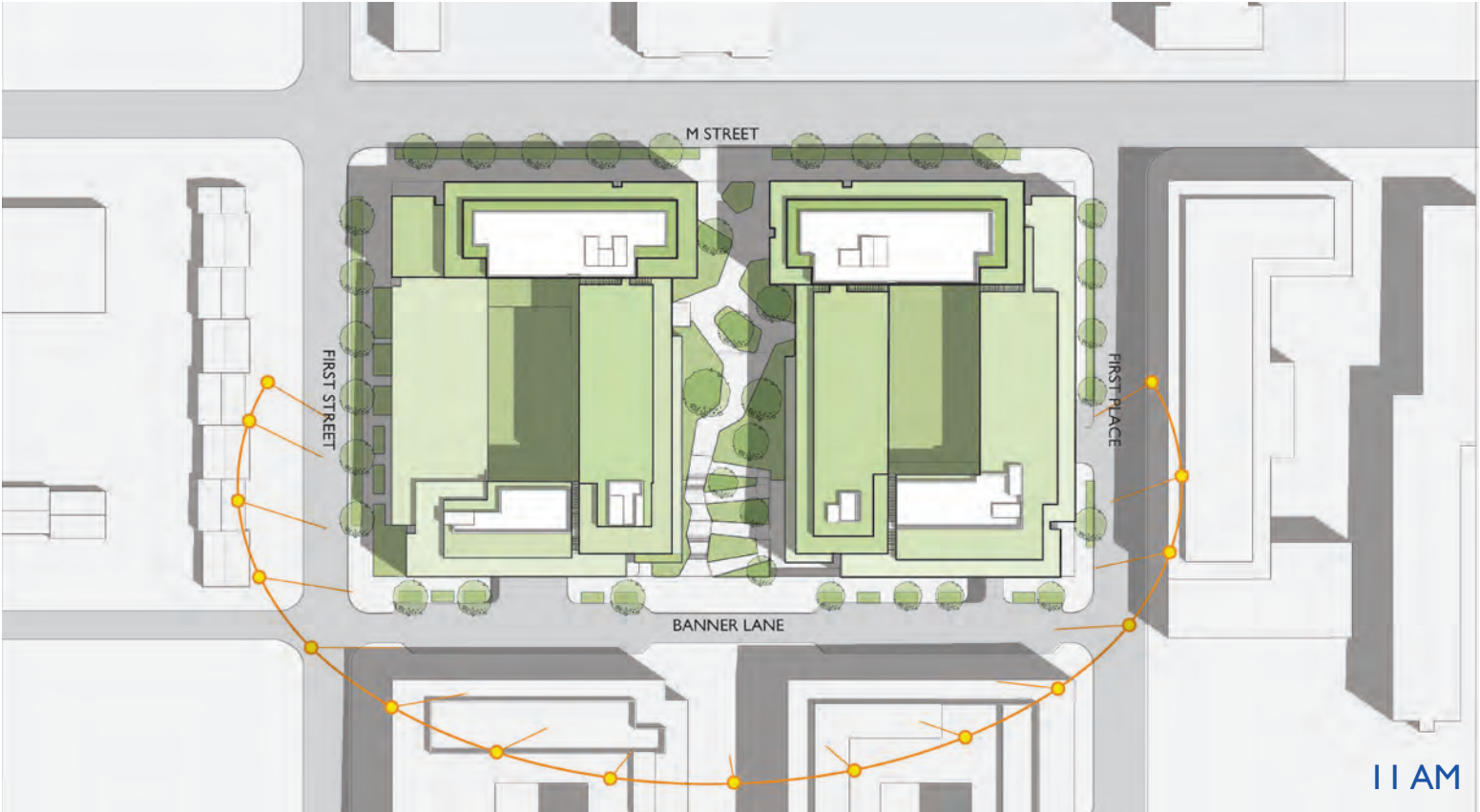
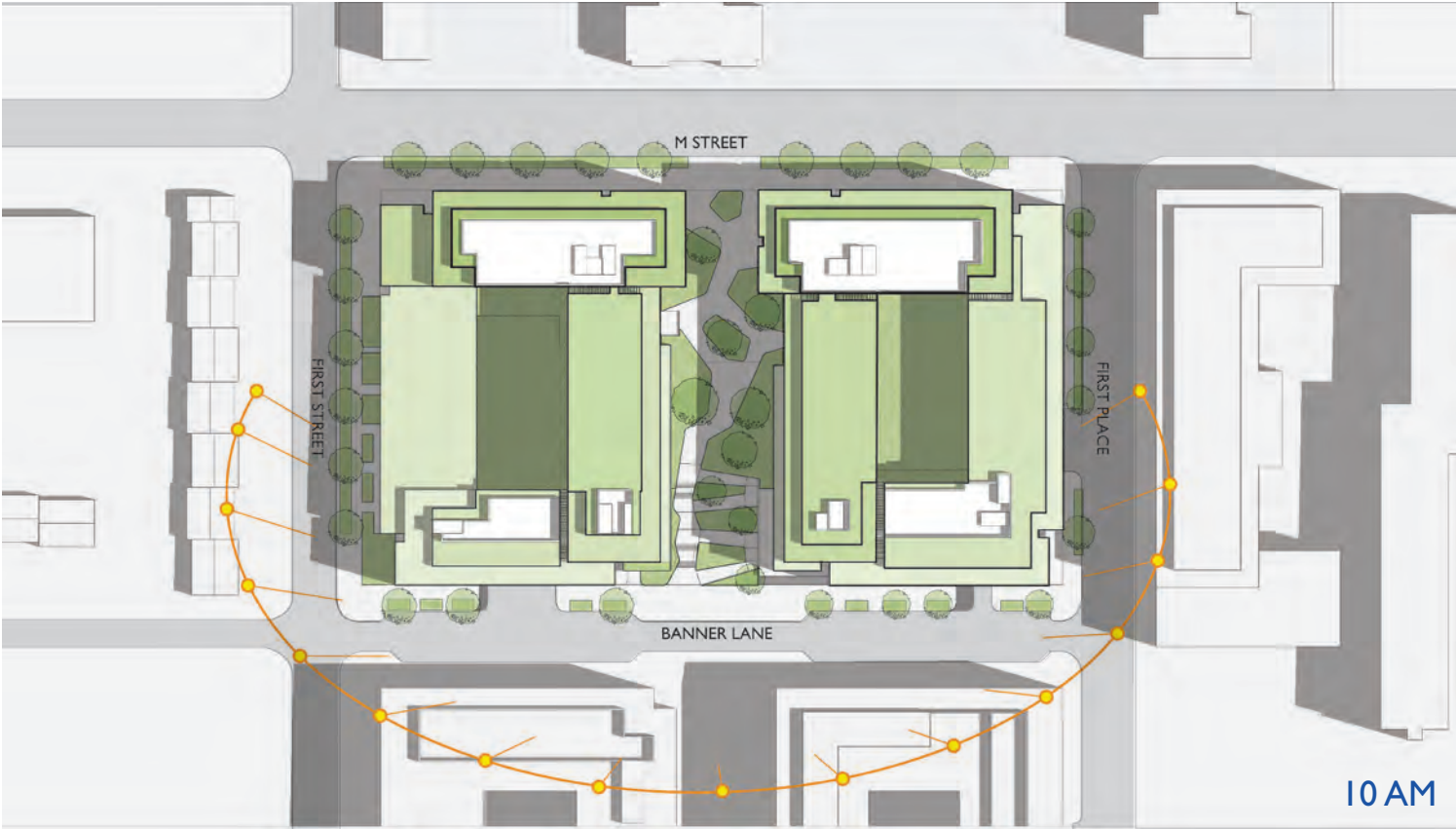
SUN STUDIES
FALL/SPRING EQUINOX



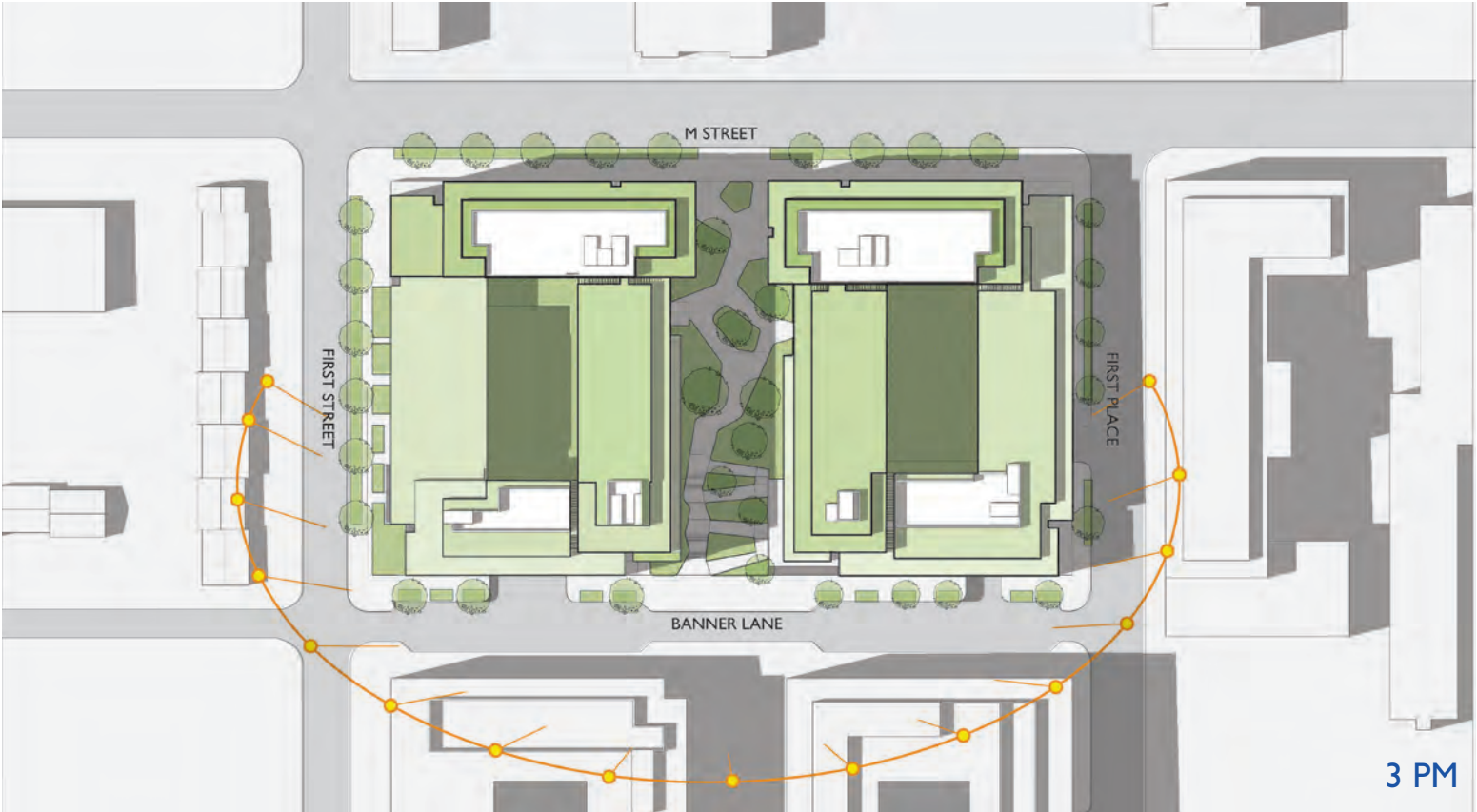
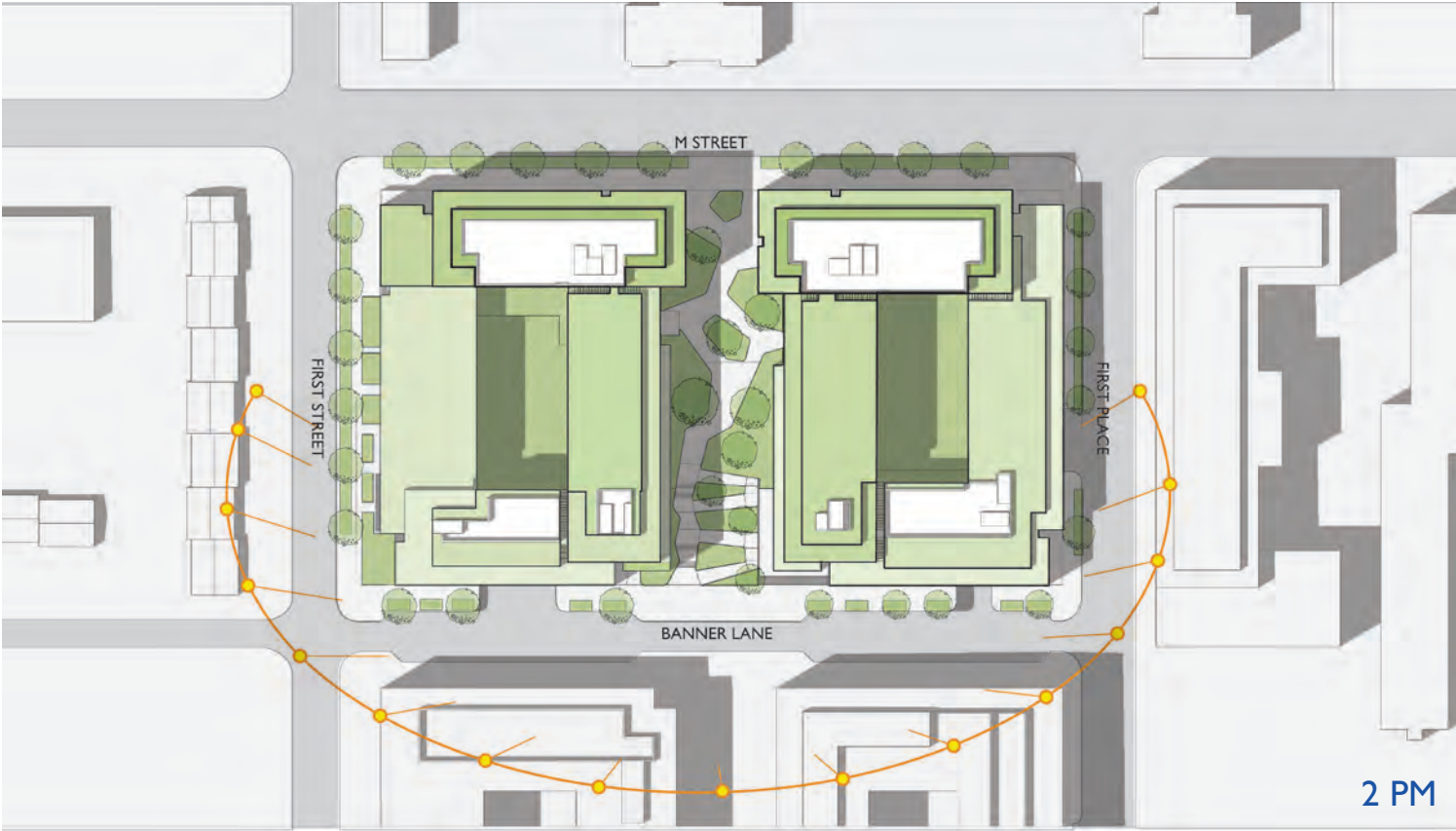
SUN STUDIES
SUMMER SOLSTICE



SUN STUDIES
SUMMER SOLSTICE



SUN STUDIES
SUMMER SOLSTICE



TAB C

**ZONING COMMISSION CASE NO. 15-20D
APPLICANT'S PREHEARING SUBMISSION**

**TAB C
Outlines of Testimony for Witnesses and
Resumes for Expert Witnesses**

Julia Telzak / Erin Reisinger
Representative of the Applicant

- I. Introduction
- II. Status of development of South Parcel
- III. Work with the Sursum Corda Cooperative

Susie Teal, AIA, LEED AP
Cookfox Architects, DPC
Proffered Expert Witness in Architecture and Design

- I. Proposed development program for North Parcel
- II. Design considerations
- III. Review of architectural plans

SUSAN J. TEAL, AIA, LEED AP



PARTNER

AIA, LEED AP

EDUCATION

University of Cincinnati, College of Design Architecture, Arts & Planning, Cincinnati, OH
Master of Architecture, 2004
Bachelor of Science in Architecture, 2002

Susie joined COOKFOX in 2012 and plays a vital role in the development and design of the firm's new projects. In addition to her contribution to proposals, she was the project architect for Phase Two of City Point, a three-part mixed-use development in Downtown Brooklyn. The project received the Award for Excellence in Design from the New York City Public Design Commission in 2013. Susie was also the project architect for 535 Carlton, an affordable building in the Pacific Park development in Brooklyn and is currently the project manager of 378 West End Avenue on the Upper West Side of Manhattan, as well as 1900 Crystal Drive in Arlington, VA and Sursum Corda in Washington, DC. Susie regularly shares her expertise in biophilic and sustainable design, housing and exterior wall design. She has presented at the AIA Conference on Architecture, Greenbuild, CitiesAlive, NYCxDesign, the Façades + Conference, and the Urban Green Council.

Prior to starting at COOKFOX, Susie spent 5 years at Skidmore Owings & Merrill working on a range of projects both domestic and international. She worked on multiple school projects, including the High School for Art & Design in New York City, and the Syracuse University Basketball Training Facility. She also worked on large-scale commercial and mixed-use projects in Asia and the Middle East.



Dan VanPelt, PE, PTOE /
Daniel Solomon, AICP, LEED AP ND
Gorove/Slade Associates, Inc.

Proffered Expert Witness in Transportation Planning and Traffic Engineering

- I. Overview of New Street Grid, Circulation, and Access
- II. Summary of Transportation Demand Management Plan
- III. Summary of Loading Management Plan

Daniel B. VanPelt, P.E., PTOE

Vice President and Principal

Mr. VanPelt's wide range of traffic and transportation project experience includes: traffic impact studies, site access and circulation planning, functional parking lot and garage design, parking demand analysis, corridor studies, campus master planning, major data collection efforts, loading dock design, intersection improvement design, signal design, signing and pavement marking design, and expert witness testimony. He has worked for public, private and institutional sector clients throughout the United States and has worked internationally on projects in the United Arab Emirates, China, Venezuela, Brazil and Mexico.

Education

Master of Science in Civil Engineering, *Washington University in St. Louis*
Bachelor of Science in Civil Engineering, *Washington University in St. Louis*
Bachelor of Science in Physics, *Bethany College*

Professional Registrations

Licensed Professional Engineer – Virginia #0402 037160, Pennsylvania #PE074759, Maryland #36413, District of Columbia #PE904669, and West Virginia #18288; Registered Professional Traffic Operations Engineer

Registered Professional Traffic Operations Engineer

Professional Associations

Institute of Transportation Engineers (ITE); Society for College and University Planning (SCUP); International Council of Shopping Centers (ICSC); American Society of Civil Engineers (ASCE); NAIOP Northern Virginia; and Lambda Alpha International Land Economics Honor Society

Publications

ITE webinar presenter for "Multi-Modal School Site Planning, Design and Transportation for Primary Grades K-8." 2010

"Lots to Learn; Don't let parking and traffic problems sink your entertainment business," *Casino Journal*, December 2003, p. 28.

Representative Experience

CAMPUSES AND MASTER PLANS

Mr. VanPelt has developed transportation master plans, demand management plans, construction management plans, circulation studies, and parking studies for a number of universities, schools and institutions including the American University Campus Plan, Washington, DC; Georgetown University Campus Plan, Washington, DC; Howard University Campus Plan, Washington, DC; Indiana University Campus Plan, Bloomington, IN; IUPUI Campus Plan, Indianapolis, IN; Calhoun Street East-Waterfront Area Plan, Charleston, SC; US Capitol Complex Master Plan, Washington, DC; The Capitol Visitor Center, Washington, DC; Cannon House Office Building Renewal, Washington, DC; Princeton University Campus Framework Plan, Princeton, NJ; Yale University Medical District, New Haven, CT; Hartford Strategic Framework, Hartford, CT; The National Cathedral Campus Plan, Washington, DC; The Bullis School, Potomac, MD; Alexandria Country Day School, Alexandria, VA; and The Phillips Collection, Washington, DC.

MIXED-USE AND COMMERCIAL DEVELOPMENTS

Mr. VanPelt has prepared traffic studies, parking analysis, site access planning, loading access design, site circulation planning and signal designs for projects including: Monument Ballpark, Washington, DC; Monaco I/II and Sanremo, Jersey City, NJ; Children's Museum and Air Rights Buildings at L'Enfant Plaza, Washington, DC; Shamrock Business Center, Painesville, OH; Auyare I/II and Hacienda Santa Cruz, Caracas, Venezuela; Oaklawn in

Leesburg, VA; Dubai International Finance Center, Dubai, UAE; 5th & K Streets NW, Washington, DC; and Journal Square Centre, Jersey City, NJ.

HOSPITALITY AND ENTERTAINMENT

Mr. VanPelt has worked on numerous hospitality and entertainment sites throughout North and South America. Projects include the St. Regis Mohawk Casino, Monticello, NY; Turning Stone Casino Resort, Verona, NY; Gaylord Texan, Grapevine, TX; Gaylord National Harbor, Prince George's County, MD; Mohegan Sun Casino Resort, Uncasville, CT; W Mexico City, Polanco, Mexico D.F.; Meskwaki Casino, Tama, IA; Marriott Orlando World Center, Orlando, FL; the Connecticut Convention Center, Hartford, CT; and Pikes Peak International Raceway, Colorado Springs, CO.

SHOPPING CENTERS AND MALLS

Mr. VanPelt has prepared traffic, parking, site access and site circulation studies for grocery stores, lifestyle centers, power centers, regional centers and urban retail including the Citadel Harris Teeter, Washington, DC; Mondawmin Mall Redevelopment, Baltimore, MD; DC USA Target and Best Buy, Washington, DC; Trotwood Town Center, Trotwood, OH; The Avenue Viera, Viera, FL; The Avenue Carriage Crossing, Collierville, TN; Woodbridge Center, Woodbridge, New Jersey; Kendall Town Center, Miami, FL; Summerlin Mall, Summerlin, NV; Chicago Premium Outlets, Aurora, IL; North Georgia Premium Outlets, Dawsonville, GA; Park Meadows Mall, Denver, CO; Owings Mills Mall, Owings Mills, MD; and Kittery Premium Outlets, Kittery, ME.

OFFICE AND RESIDENTIAL DEVELOPMENTS

Mr. VanPelt has worked on office and residential development projects involving site planning and access planning as well as the design of both traffic signals and parking garage facilities. Projects have included 1700 K Street NW, Washington, DC; City View Condos, Washington, DC; Westmoreland House at Huntington Metro, Alexandria, VA; Balmoral Residential, Prince William County, VA; Red Cedar, Loudoun County, VA.

PARKING STUDIES AND PARKING GARAGE DESIGN

Mr. VanPelt has performed parking needs studies and garage planning for projects such as the Dubai International Finance Center, Dubai, UAE; National Cathedral Bus Garage Design, Washington, DC; City View Condos, Hyattsville, MD; ER One Washington Hospital Center, Washington, DC; and Ronald Reagan National Airport, Arlington, VA.

TRAFFIC IMPACT STUDIES

Mr. VanPelt has conducted numerous traffic impact studies in support of rezoning, subdivision, site plan approvals and EIS applications for large and small residential, commercial, office retail and institutional developments. His work includes experience in Pennsylvania, Ohio, Virginia, Maryland, New Jersey, New York, Connecticut and the District of Columbia.

DATA COLLECTION STUDIES

Mr. VanPelt has conducted large-scale data collection efforts including traffic counts, pedestrian counts, vehicle classification counts, speed studies and origin-destination studies. Examples include managing a long-term data collection program for the New Jersey DOT in northern New Jersey and supervising data collection efforts at both the Lincoln and Holland Tunnels for the Port Authority of New York and New Jersey.

MEDICAL CAMPUS AND OFFICES

Mr. VanPelt has provided transportation master planning and traffic studies for a variety of medical facilities, including The Ohio State University Medical Center in Columbus, OH; Indiana University-Purdue University, Indianapolis/Clarian Medical Center in Indianapolis, IN; Sibley Hospital in Washington, DC; Reston Hospital in Reston, VA; and the ER-1 scalable prototype major emergency facility at Washington Hospital Center in Washington, DC.

Daniel Solomon, AICP, LEED AP ND

Project Manager, Transportation Planner

Mr. Solomon has significant transportation planning and engineering experience, including traffic impact studies, traffic simulation, field data collection and analysis, Transportation Demand Management (TDM), roadway signing and striping plans, bicycle planning and facilities design, parking studies, functional parking lot and garage design, and multi-modal planning efforts. Mr. Solomon has been involved with various types of projects including educational institutions, mixed-use developments, commercial and retail developments, office developments, and government facilities throughout the District of Columbia, Virginia, and Maryland. He takes great interest in the multi-modal component of urban projects that require innovative solutions to benefit all modes of transportation.

Daniel's project experience covers the full spectrum of land-use and includes:

Mixed-Use Development

1401 Pennsylvania Avenue SE Redevelopment, Washington, DC
301-331 N Street NE, Washington, DC
4001 South Capitol Street, Washington, DC
5 M Street SW, Washington, DC
680 Eye Street SW, Washington, DC
801 New Jersey Avenue NW, Washington, DC
965 Florida Avenue NW Development, Washington, DC
Bryant Street Development, Washington, DC
Hecht's Warehouse, Washington, DC
New City DC, Washington, DC
One M Street SE, Washington, DC
Stanton Square / Martha's Table PUD, Washington, DC
The Lady Bird PUD, Washington, DC
The Randall School Redevelopment, Washington, DC
The Wharf/SW Waterfront Redevelopment, Washington, DC
The Yards, Washington, DC
Union Market Transportation Impact Studies, Washington, DC
101 12th Street S, Arlington, VA
1900 Crystal Drive, Arlington, VA
2001 Richmond Highway, Arlington, VA
223 23rd Street/2300 Crystal Drive, Arlington, VA
2525 Crystal Drive, Arlington, VA
Northfax, City of Fairfax, VA
Tide Lock Development, Alexandria, VA
700 Quince Orchard Road Redevelopment, Gaithersburg, MD
Montgomery Village Shopping Center, Montgomery Village, MD

Multi-modal System Design / Planning

The Yards, Washington, DC
Union Station 2nd Century Master Plan, Washington, DC
DC2026 World Cup Bid Transportation Planning, Washington, DC



Education

Master of Science,
Environmental Studies, Tel Aviv
University, 2013

Bachelor of Arts, Environmental
Policy and Urban Planning,
York University, 2009

Professional Certifications

American Institute of Certified
Planners (AICP)

LEED NP Neighborhood
Development (ND)

Professional Associations

American Planning Association

Urban Land Institute (ULI)

ULI Regional Land Use
Leadership Institute Program
Committee

ULI Young Leaders Group
Education Committee

Young Professional Planners in
Washington DC

Experience

8 years total
6 years with Gorove Slade

Location

Washington, DC
Alexandria, VA

DDOT Livability Project Design, Washington, DC
DDOT Trip Generation Study, Washington, DC
DDOT K Street Transitway Study, Washington, DC
Sherman Avenue NW Streetscaping and Lane Reduction Study, Washington, DC
City of Alexandria Smart Mobility Framework, Alexandria, VA
City of Alexandria Cut-Through Mitigation Study, Alexandria, VA
Eisenhower East Small Area Plan Update, Alexandria, VA

Senior and Affordable Housing

801 Rhode Island Avenue NE, Washington, DC
Ingleside at Rock Creek, Washington, DC
Sunrise Senior Living, Washington, DC
Ward 4 Short-Term Family Housing, Washington, DC
Ward 5 Short-Term Family Housing, Washington, DC
Ward 6 Short-Term Family Housing, Washington, DC
Ward 7 Short-Term Family Housing, Washington, DC

Primary and Secondary Schools

DCPS Petworth Campus Transportation Plan, Washington, DC
Georgetown Day School, Washington, DC
KIPP DC Ferebee Hope, Washington, DC
KIPP DC Terrell School, Washington, DC
Latin-American Montessori Bilingual (LAMB) Public Charter School, Washington, DC
APS Career Center Site Expansion, Arlington, VA
APS Education Center Site Expansion, Arlington, VA
APS New Elementary School on Reed Site, Arlington, VA

Multi-Family Residential

10 Van Street SE, Washington, DC
1200 Varnum Street NE, Washington, DC
1315 Clifton Street Development, Washington, DC
15th & S Street NW, Washington, DC
1800 Columbia Road NW, Washington, DC
301 Florida NE, Washington, DC
57 N Street NW, Washington, DC
60 Eye Street SW, Washington, DC
Brookland Townhomes PUD, Washington, DC
Second and Fenwick, Silver Spring, MD
400 11th Street S, Arlington, VA

1401 Okie Street NE, Washington, DC
Bladensburg DaVita Dialysis BZA, Washington, DC
Department of Public Works Master Plan, Washington, DC
CVS Real Estate Projects, Washington, DC

Entertainment, Sports and Event Centers

Nationals Baseball Park Parking Study, Washington, DC
Kennedy Center for the Performing Arts, Washington, DC
RFK Stadium Campus Redevelopment, Washington, DC

Hotels

20 Massachusetts Avenue NW, Washington, DC
400 Florida Avenue NE, Washington, DC
The Yards Parcel L, Washington, DC

Commercial

Rick Parisi, RLA, FASLA, CLARB
MPFP PLLC
Proffered Expert Witness in Landscape Architecture

- I. Description of landscape plan
- II. Public Space improvements

Rick Parisi RLA, FASLA, CLARB
Managing Principal



EDUCATION

Bachelors of Science, Landscape
Architecture,
University of Florida

LICENSES

Registered Landscape Architect:
Florida, Connecticut, New York,
Virginia, Maryland, Texas

MEMBERSHIPS

- ASLA Fellow 2009, American Society of Landscape Architects
- Council of Landscape Architecture Registration Board

HONORS + AWARDS

- NYC PDC Excellence in Design Lighthouse Point - 2015
- Urban Land Institute Urban Open Space Award "The Yards" Southeast Federal Center - 2013
- Montgomery Award for Excellence in Planning and Design , Arborcrest - 2013
- ACEC Platinum Award Randall's Island Field Development - 2011
- American Society of Landscape Architects, New York Chapter Merit Award "The Yards" Southeast Federal Center - 2009
- New York Construction Merit Award Icahn Stadium - 2004

"The Yards" Southeast Federal
Center, Washington, DC

A 44 acre, 1 Billion dollar mixed use project including a 7 acre waterfront urban park. As part of a renewed focus on the Anacostia River for the city of Washington, D.C., MPFP is working with a multidisciplinary team to transform an area of industrial waterfront into a vibrant, world-class park that will serve the City's residents well into the future.

Robinson Terminal, Alexandria,
VA

This historically significant waterfront is slated for redevelopment, inclusive of town homes, condominiums, fine dining and retail space. Working alongside Shalom Baranes, MPFP lead the design of this waterfront park and its connective pedestrian passages. Both the architect and landscape architect were integral in securing permits and approvals, reliant on effective interagency coordination.

Sobro, New York, NY

Sobro is a long-term waterfront and shoreline restoration plan for a new mixed-use development nearby the Third Avenue bridge in Manhattan. MPFP was selected as the landscape architect to conceptualize and design the pedestrian and vehicular entrance adjacent to the shoreline, in addition to the building's outdoor plaza spaces, interior courtyard and amenities terraces.

Glen Isle, Glen Cove, NY

Transforming a 52-acre Brownfield into a vibrant waterfront community. A mixed-use project, including residences, offices, restaurants and museums unified by a necklace of public parks, plazas, cycling and pedestrian paths, connecting to the Garvies Point Preserve and downtown Glen Cove.

Georgetown Medstar Campus
Expansion, Washington, DC

MPFP was selected as the lead landscape architect in this Georgetown University expansion. The Georgetown Medstar Medical facility is replacing an at-grade parking facility with an underground parking garage. A 3-acre park dons this new parking facility and serves as a pedestrian connection to the overall University campus.

Battery Park City

Battery Park City World Financial Center provides New York City with its first waterfront plaza. The site provides an amenity not only for the City of New York but also for the inhabitants of the seven million square feet of commercial and office space presently under construction. The intention of the design is to provide an elegant, active, commercial, urban plaza overlooking one of the most dramatic views in the world, New York Harbor.

TAB D

ZONING COMMISSION CASE No. 15-20D
APPLICANT'S PREHEARING SUBMISSION

TAB D
List of Maps, Plans, or Other Documents
Readily Available which may be Offered into Evidence

1. Exhibits herein and included in the case record.
2. Zoning Regulations and Zoning Map of the District of Columbia.
3. District of Columbia Comprehensive Plan (the "Comp Plan").
4. Future Land Use Map and Generalized Policy Map of the District of Columbia from the Comp Plan.
5. Mid City East Small Area Plan.
6. Records of the District of Columbia Office of the Surveyor.
7. Orders of the D.C. Zoning Commission and Board of Zoning Adjustment.
8. Legislation approved by the D.C. Council and relevant committee reports, hearing transcripts, and other documentation.
9. Orders and Reports of District and Federal Agencies.
10. Metrobus and Metrorail Route Maps and related WMATA Materials.

TABLE

LIU, YANG
55 M ST NW # 101
WASHINGTON DC 20001-1371

FERNANDEZ, MILTON E
55 M ST NW # 204
WASHINGTON DC 20001-1366

AZEEZ, BRITTANY S
6422 THIRD ST
ALEXANDRIA VA 22312-1852

OLADEJO, OLAOLUWA
55 M ST NW # 102
WASHINGTON DC 20001-1371

FURNACE, SAUNTE N
55 M ST NW # 205
WASHINGTON DC 20001-1367

FEDERAL NATIONAL MORTGAGE
3232 NEWMARK DR
MIAMISBURG OH 45342-5421

NOOR, PARHOT
55 M ST NW # 103
WASHINGTON DC 20001-1371

MCRAE, GLORIA D
55 M ST NW # 206
WASHINGTON DC 20001-1367

POPSIDERO, THOMAS
3412 CHEVERLY AVE
CHEVERLY MD 20785-1239

SOUZA, KEVIN R
115 ANNES CT
ATHENS GA 30606-4901

VINCENT JANYAN LEE TRUST
PO BOX 3817
CROFTON MD 21114-3817

MUIR, ALEXANDER B
55 M ST NW # 403
WASHINGTON DC 20001-1370

TERRY, DENSON
55 M ST NW APT 105
WASHINGTON DC 20001-1371

GARNES, GWENDOLYN B
55 M ST NW # 301
WASHINGTON DC 20001-1367

GUTHRIE, BENJAMIN K
55 M ST NW # 404
WASHINGTON DC 20001-1370

ABDALLA REVOCABLE LIVING TRUSTEE
3671 HIGHWOOD DR SE
WASHINGTON DC 20020-2347

LEWIS, EDWARD R
225 SHERIDAN ST NW
WASHINGTON DC 20011-1452

MCCONNELL, EILEEN
1109 42ND ST NE
WASHINGTON DC 20019-1910

LITTLES, LAUREN C
55 M ST NW APT 107
WASHINGTON DC 20001-1366

WASHINGTON, CARLETON C
55 M ST NW # 303
WASHINGTON DC 20001-1367

CARTER, HENRY T
3601 RIVIERA ST
TEMPLE HILLS MD 20748-1705

SCOTT, MAUREEN A
55 M ST NW # 201
WASHINGTON DC 20001-1366

MOORE, TAYLOR
1111 COLUMBIA RD NW APT 203
WASHINGTON DC 20009-5346

HARVEY, HUGH H
55 M ST NW # 407
WASHINGTON DC 20001-1372

HUERTAS, AARON
55 M ST NW # 202
WASHINGTON DC 20001-1366

LEWIS, EDWARD R
225 SHERIDAN ST NW
WASHINGTON DC 20011-1452

STUART, DARCEL A
10207 CARRIAGE HOUSE CT
JACKSONVILLE FL 32221-8007

YOUNGER, GERALD S
6311 9TH ST NW
WASHINGTON DC 20011-1114

CHING HSU, CHRISTINA S
8916 HARNESS TRL
POTOMAC MD 20854-2500

THEWES, ANTHONY D
66 NEW YORK AVE NW # 102
WASHINGTON DC 20001-1224



CREWS, BERNICE
66 NEW YORK AVE NW # 103
WASHINGTON DC 20001-1224

BERSTEIN, RUSSELL
66 NEW YORK AVE NW UNIT 206
WASHINGTON DC 20001-1266

JACKSON, HENRY O
66 NEW YORK AVE NW # 402
WASHINGTON DC 20001-1216

GALLO'S INVESTMENTS LLC
3411 SUMMIT CT NE
WASHINGTON DC 20018-1619

ABATE, ANTHONY S
66 NEW YORK AVE NW APT 207
WASHINGTON DC 20001-1215

BRANNON, KIMBERLY
3276 THEODORE R HAGANS DR NE
WASHINGTON DC 20018-4319

WINTZ, DWAIN
66 NEW YORK AVE NW # 105
WASHINGTON DC 20001-1224

DIEKMAN, LAUREN
66 NEW YORK AVE NW # 301
WASHINGTON DC 20001-1215

WILLIAMS, NICOLE E
66 NEW YORK AVE NW # 404
WASHINGTON DC 20001-1221

LUPTAK, JOSEPH B
66 NEW YORK AVE NW # 106
WASHINGTON DC 20001-1210

STROMAN, DARLENE B
66 NEW YORK AVE NW # 302
WASHINGTON DC 20001-1215

MERCADO, SAMUEL A
66 NEW YORK AVE NW # 405
WASHINGTON DC 20001-1221

LUPTAK, JOSEPH B
412 RIDGE ST NW # A
WASHINGTON DC 20001-4642

CHIU, LISA
66 NEW YORK AVE NW # 303
WASHINGTON DC 20001-1215

CLELAND, SUZANNE
66 NEW YORK AVE NW # 406
WASHINGTON DC 20001-1221

MAYS, LAUREN
66 NEW YORK AVE NW # 201
WASHINGTON DC 20001-1210

NAU, JAMES R
17547 LAKE PARK RD
BOCA RATON FL 33487-1114

WILSON, RANDY T
9514 NORDIC DR
LANHAM MD 20706-3630

WILLIAMS, N J
66 NEW YORK AVE NW # 202
WASHINGTON DC 20001-1210

MAHJOUB, MADELEINE M
5915 IPSWICH RD
BETHESDA MD 20814-1809

WILLIAMS, MICHAEL D
5822 COLORADO AVE NW
WASHINGTON DC 20011-2857

PARKER, SHIRLEY S
66 NEW YORK AVE NW # 203
WASHINGTON DC 20001-1210

LAFLEUR, JOSEPH W
66 NEW YORK AVE NW APT 306
WASHINGTON DC 20001-1216

AZEEZ, ABDULLAWAL A
6422 THIRD ST
ALEXANDRIA VA 22312-1852

COHEN-SETTON, JEREMIE
66 NEW YORK AVE NW # 204
WASHINGTON DC 20001-1210

BOWMAN, KAREN R
66 NEW YORK AVE NW
WASHINGTON DC 20001-1266

LYLES, MARY V
76 NEW YORK AVE NW # 103
WASHINGTON DC 20001-1208

ABDUSHAHID, TALIB S
66 NEW YORK AVE NW # 205
WASHINGTON DC 20001-1215

WHEELER, VALERIE G
66 NEW YORK AVE NW # 401
WASHINGTON DC 20001-1216

HAMILTON, EDNA F
76 NEW YORK AVE NW # 201
WASHINGTON DC 20001-1208



RFB PROPERTIES LLC
3224 BANNEKER DR NE
WASHINGTON DC 20018-1658

HAYNES, CANDICE L
80 NEW YORK AVE NW # 203
WASHINGTON DC 20001-1239

STROMAN, CAROLYN A
3320 POPE ST SE
WASHINGTON DC 20020-2320

MCDONALD, PATRICK
76 NEW YORK AVE NW # 203
WASHINGTON DC 20001-1208

MILLARD, J L
10305 INWOOD AVE
WHEATON MD 20902-3859

PATEL, NEHA T
80 NEW YORK AVE NW # 405
WASHINGTON DC 20001-1241

CLARKE, SHONDRELL K
76 NEW YORK AVE NW # 301
WASHINGTON DC 20001-1209

RUANE, KELSEY
80 NEW YORK AVE NW APT 205
WASHINGTON DC 20001-1239

BROWN, GARY M
80 NEW YORK AVE NW # 101
WASHINGTON DC 20001-1247

SHOEMAKER, JOANNA L
76 NEW YORK AVE NW APT 302
WASHINGTON DC 20001-1209

KITRELL, SHERRI D
7029 WOOD THRUSH DR
LANHAM MD 20706-3818

HAWKINS, SHIRLEY A
80 NEW YORK AVE NW # 102
WASHINGTON DC 20001-1247

ALLEYNE, VELMA N
76 NEW YORK AVE NW # 303
WASHINGTON DC 20001-1209

SIDIBE, IMANE S
80 NEW YORK AVE NW # 302
WASHINGTON DC 20001-1240

JONES, RUBY D
80 NEW YORK AVE NW # 103
WASHINGTON DC 20001-1247

FRIMON-RICHARD, ALINE
3116 9TH ST N
ARLINGTON VA 22201-2025

SEWELL, RICARDO
80 NEW YORK AVE NW UNIT 303
WASHINGTON DC 20001-1268

PATRICK, QUENTIN R
80 NEW YORK AVE NW # 104
WASHINGTON DC 20001-1247

WHITE, TONYA L
76 NEW YORK AVE NW # 402
WASHINGTON DC 20001-1209

AIKEN, YOLANDA V
11504 CORALROOT CT
BOWIE MD 20721-2259

UNITED STATES OF AMERICA

SPURLOCK-BROWN, JOHN L
76 NEW YORK AVE NW
WASHINGTON DC 20001-1267

LULA MAE GARTELL TRUSTEE
80 NEW YORK AVE NW # 305
WASHINGTON DC 20001-1240

TYLER HOUSE ASSOCIATES 95 L.P.
832 GERMANTOWN PIKE STE 5
PLYMOUTH MEETING PA 19462-2442

SANCHEZ, JOEL
810 UNDERWOOD ST NW
WASHINGTON DC 20012-2608

DIXON, MARKITA A
80 NEW YORK AVE NW
WASHINGTON DC 20001-1268

UNITED STATES OF AMERICA

KELLEY, HARRIET
80 NEW YORK AVE NW # 202
WASHINGTON DC 20001-1239

ELLIOTT, CERISE
80 NEW YORK AVE NW UNIT 403
WASHINGTON DC 20001-1268

HARRIS, ETHEL L
1140 1ST ST NW
WASHINGTON DC 20001-1362



LEE, PREOLA G
1142 1ST ST NW
WASHINGTON DC 20001-1362

HAIRSTON, CYNTHIA
1162 1ST ST NW
WASHINGTON DC 20001-1362

TBSC OWNER I LLC
1140 VIRGINIA DR
FORT WASHINGTON PA 19034-3204

STIPKALA, ALEXA M
531 E DUNCAN AVE
ALEXANDRIA VA 22301-1255

GEBREMARIAM, YOKANNES
1164 1ST ST NW
WASHINGTON DC 20001-1362

TBSC OWNER I LLC
1140 VIRGINIA DR
FORT WASHINGTON PA 19034-3204

PATEL, YOGESH
910 15TH ST NW # 607
WASHINGTON DC 20005-2519

WEAVER, CHRISTOPHER
1166 1ST ST NW
WASHINGTON DC 20001-1362

TBSC MASTER OWNER I LLC
1140 VIRGINIA DR
FORT WASHINGTON PA 19034-3204

LYNCH, DEBBIE Y
1148 1ST ST NW
WASHINGTON DC 20001-1362

MUNLYN, ALVERTA H
1168 1ST ST NW
WASHINGTON DC 20001-1362

TBSC MASTER OWNER I LLC
1140 VIRGINIA DR
FORT WASHINGTON PA 19034-3204

WILSON, KEVIN
1150 1ST ST NW
WASHINGTON DC 20001-1362

ELLISON, NAOMI J
101 PIERCE ST NW
WASHINGTON DC 20001-1310

TBSC OWNER I LLC
1140 VIRGINIA DR
FORT WASHINGTON PA 19034-3204

MATT, BRIAN D
1152 1ST ST NW
WASHINGTON DC 20001-1362

DISTRICT OF COLUMBIA
801 N CAPITOL ST NE # 800
WASHINGTON DC 20002-4232

WILLIAMS, DELORES S
1154 1ST ST NW
WASHINGTON DC 20001-1362

DISTRICT OF COLUMBIA
801 N CAPITOL ST NE # 800
WASHINGTON DC 20002-4232

JORGE A RUIZ DIAZ
1156 1ST ST NW
WASHINGTON DC 20001-1362

DISTRICT OF COLUMBIA
2000 14TH ST NW 8TH FLOOR
WASHINGTON DC 20009-4487

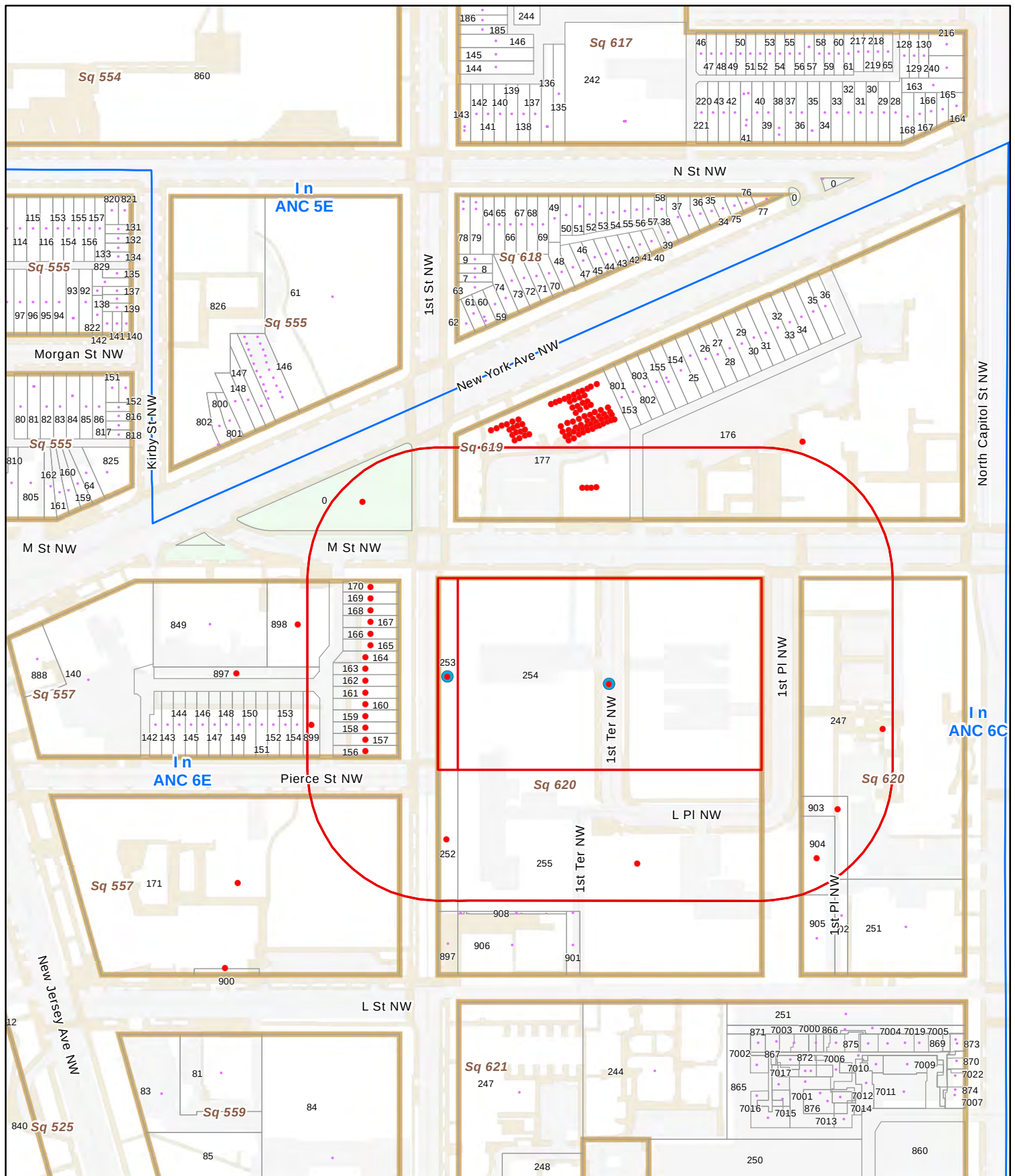
PEYTCHEV, ALEXANDER
1158 1ST ST NW
WASHINGTON DC 20001-1362

DISTRICT OF COLUMBIA
2000 14TH ST NW 8TH FLOOR
WASHINGTON DC 20009-4487

WILLIAMS, NATHANIEL J
1160 1ST ST NW
WASHINGTON DC 20001-1362

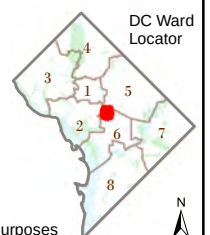
UNITED STATES OF AMERICA
1140 N CAPITOL ST NW
WASHINGTON DC 20002-7583





Subject Property ID's: **Square 0620 Lot 0253, 0254**

- Subject Properties
- Radius
- Ownership Lots
- DC Squares
- ANC Boundary



TAB F



BEFORE THE ZONING COMMISSION
OF THE DISTRICT OF COLUMBIA



FORM 116 – HEARING FEE CALCULATOR

Pursuant to Subtitle Z, Chapter 16, the following hearing fees shall be paid when the Zoning Commission schedules a public hearing on a petition or application. In the case of a petition or application combining two (2) or more actions on this form, the fee charged shall be the greatest of all the fees computed separately. Please show ALL computations.

A department, office, or agency of the Government of the District of Columbia is not required to pay a hearing fee where the property is owned by the agency and the property is to be occupied for a government building or use.

MAP AMENDMENT

Pursuant to Subtitle Z § 1601.1, if the Commission schedules a public hearing on a petition or application for an amendment to the Zoning Map, prior to advertisement of the hearing, the petitioner/applicant shall pay a hearing fee in accordance with the following schedule:

Petition or Application for Rezoning to any:	Unit	Fee	Quantity	Total
R-1 through R-3, R-6 through R-17, or R-19 through R-21 zone	43,560 sq. ft. or part of that area	\$ 650		
RF-1 through RF-3 zone and RA-1 or RA-6	43,560 sq. ft. or part of that area	\$1,625		
RA-2, RA-7, RA-8, or RC-1	43,560 sq. ft. or part of that area	\$3,250		
RA-3 through RA-5, RA-9, RA-10, D-1-R, SEFC-2, SEFC-3, or CG-1 zone	43,560 sq. ft. or part of that area	\$6,500		
MU-1, MU-2, MU-10 through MU-16, MU-22, MU-23, MU-29, D-2, SEFC-1, SEFC-4, CG-4 through CG-7, and ARTS-4 zone	10,000 sq. ft. or part of that area	\$2,600		
MU-3 through MU-6, MU-17 through MU-19, MU-24 through MU-27, NC-1 through NC-5, NC-7, NC-9 through NC-11, NC-14, NC-16, NC-17, D-4-R, CG-2, ARTS-1, ARTS-2, RC-2 and RC-3 zone	10,000 sq. ft. or part of that area	\$1,625		
MU-7 through MU-9, MU-20, MU-21, MU-28, NC-6, NC-8, NC-12, NC-13, NC-15, D-3 through D-5, D-5-R, D-6, D-6-R, D-7, D-8, CG-3, and ARTS-3 zone	10,000 sq. ft. or part of that area	\$3,250		
PDR-1 through PDR-7 zone	20,000 sq. ft. or part of that area	\$2,600		
TOTAL				

- Notes:
- The maximum hearing fee for rezoning to any Residence District (R, RF, RA, D-1-R, SEFC-2, SEFC-3 or CG-1) is \$65,000.
 - For an application that proposes rezoning to more than one (1) zone district or is in the alternative, the fee shall be the total of the amounts for the area devoted to each proposed district or alternative computed separately.
 - A "part of an acre" or "part of that area" should be rounded to the next whole number.

TEXT AMENDMENT

Pursuant to § Subtitle Z § 1601.3, if the Commission schedules a public hearing on a petition for an amendment to the text of the Zoning Regulations, prior to the advertisement of the hearing, the petitioner shall pay a hearing fee in accordance with the following schedule:

Petition	Fee	Quantity	Total
Each section proposed to be added, deleted, or amended (Maximum of \$1,300)	\$325.00		
TOTAL			

FORM 116 – HEARING FEE CALCULATOR – Side 2

PLANNED UNIT DEVELOPMENT (PUD) OR AIR SPACE DEVELOPMENT

Pursuant to Subtitle Z § 1601.4 if the Commission schedules a public hearing on an application for approval of a planned unit development or air space development, prior to the advertisement of the hearing, the applicant shall pay a hearing fee in accordance with the following schedule:

Application	Fee	Quantity	Total
For each 100 sq. ft. of gross floor area (GFA), or part thereof, included in the application devoted to dwelling units, and the immediate area needed to serve that dwelling unit (Maximum of \$65,000.)	\$7.00		
For each 100 sq. ft. of GFA, or part thereof, included in the application devoted to any use other than a dwelling unit and the immediate area needed to serve that dwelling unit	\$13.00		
TOTAL			

- Notes:**
- There is no charge for the hearing on the second-stage of a two-stage PUD application
 - A "part thereof" should be rounded to the next whole number.

MODIFICATION TO AN APPROVED PUD OR AIR SPACE DEVELOPMENT

Pursuant to Subtitle Z § 1601.6, if the Commission schedules a public hearing on an application for a modification to an approved planned unit development, air space development, or any other review of a specific site or building plan, prior to the advertisement of the hearing, the applicant shall pay a hearing fee in accordance with the following schedule:

Request for Modification	Fee	Total
Modification to a previously approved case original hearing fee = \$77,258.00 See ZC Case No. 15-20, Ex. 19	26% of original hearing fee or \$1,300, whichever is greater	20,087.08
TOTAL		20,087.08

APPLICATION/ FEE OF PETITION

Pursuant to Subtitle Z § 1601.5, in the case of a petition or application combining two (2) or more actions on this form, the fee charged shall be the greatest of all the fees computed separately. Below, please list the total fee for each action requested and enter the fee of the greatest fee calculated.

Type of Petition/Application	Total
Map Amendment	
Text Amendment	
PUD/Air Space Development	
Modification to an approved PUD or Air Space Development	20,087.08
GREATEST OF CALCULATED FEES	20,087.08

CERTIFICATION

I/We certify that the information on this form is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application/petition is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both.
(D.C. Official Code § 22-2405)

Name: Christopher S. Cohen **Signature:** /s/ Christopher S. Cohen **Date:** 6-14-2022



If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete a Form 155 - Request for Reasonable Accommodation.

District of Columbia Office of Zoning
441 4th Street, N.W., Ste. 200-S, Washington, D.C. 20001
(202) 727-6311 * (202) 727-6072 fax * www.dcoz.dc.gov * dcoz@dc.gov