

Testimony of Phyllis Klein

RE: BZA Case #17831 1400-1418 U Street & 1913-1944 14th Street, NW / Ward 2 / Greater U Street Historic District

November 5, 2008

Ms. Ruthanne G. Miller, Chair
and the Board of Zoning Adjustment
441 4th Floor, Suite 220S
Washington DC 20001

RE: BZA Case #17831

1400-1418 U Street & 1913-1944 14th Street, NW / Ward 2 / Greater U Street Historic District

Dear Ms. Miller and Members of the Board,

Thank you for the opportunity to appear before you today. We greatly appreciate the change in the hearing date from Election Day to today, so that we were able to attend.

On behalf of the community, businesses and residences, I'd like to say that we welcome the Utopia project to 14th and U Streets, NW and appreciate the responsiveness of developer Robert Moore to our suggestions and concerns. We welcome change and believe it's productive to manage change and play an active part in guiding the process. For almost a year now, we've worked to try to mitigate potential problems and to shape the project for optimal results. We're very happy to be at this juncture and wish to address the few basic issues that remain.

This is a complex site and we appreciate the developer's choice to bring his project here to this prominent corner in our historic district. In our view, the project has come a long way, and needs only a few additional, basic tweaks to limit the adverse impact on the surrounding community and to ensure the success of the new mixed-use development. These changes can be most effectively addressed by your variance review and action.

Because the plans can't explain the complete situation on the block or show the unique dynamics and conditions that exist here, I'd like to inform the board by sharing supplemental information. Our concerns match up with the Comprehensive Plan, which states that "development on the corridor should be designed to minimize impacts on adjacent residential areas, adaptively reuse important historic structures, and preserve long-time neighborhood institutions..." (2113.3). The Plan's NNW Policy also addresses the public realm, which includes the historic alley system here, to "address public safety, urban design and public space issues to foster a safe, attractive environment conducive to the arts and arts-related businesses. (2113.6). With this in mind, our aim is to guarantee that the functionality of the block is preserved and to ensure that the new development does not adversely affect neighboring properties or pose detrimental effects to the health, safety, convenience, or general welfare of persons living, working, or visiting in the area. The new development will share the interior block of historic alleyways. Along the alleyways are historic buildings, some of which are situated within the alley system. Some of the buildings are readapted as homes and businesses. There are many residential buildings and businesses on the block as well as a historic storage center, which is still in use. Attached is Exhibit 1, which describes the historic alleyways and the demands on the interior block with our rationale for supporting the following measures as supported by the community:

BOARD OF ZONING ADJUSTMENT
District of Columbia

There are several issues I'd like to address:

CASE NO. 17831
EXHIBIT NO. 47

1. Rear Yard: §774

The proposed building is situated on a corner "lot," with 168 ft. frontage on U Street and 526 ft. frontage on 14th Street. Currently, rear yards exist at the all of the parcels that make up this site. However, the new project will eliminate the rear yard in the CR portion of the project.

Board of Zoning Adjustment
District of Columbia
CASE NO.17831
EXHIBIT NO.47

The first application named 14th Street as the front of the project, necessitating the rear yard along Treto Way. The variance request was for 100 percent, even though the plan for the C-3-A portion of the site already satisfied the set back requirement with the 18'8" landscaped strip along Treto Way, NW as shown on the submitted plans. Currently, there is a mature tree-line along Treto Way, where it meets the C-3-A portion of the site, which defines the boundary between the commercial and residential zone. This 18'18" strip of tree-planted area shown on the plan will, in essence, replace the existing tree-line, which will be removed during construction. The 18'8" landscaped strip with trees will recreate the screening effect for the residential Treto Way (where there are semi-attached alley residences that face onto the project, and the rear of 1413 T Street Condominiums).

In the scenario created in the first BZA application, the CR portion required a rear yard variance because part of the building comes to the property line. Also, the historic townhouse on U Street required a technical variance.

However, after the community took issue with the request for 100% rear yard variance – recognizing the need at the historic townhouse, but questioning the need for the remainder of the CR area (to allow ample area for turning trucks and moving vans) and the C-3-A portion (since the C-3-A portion had already satisfied the requirement), the applicant changed the 'front' of the building to U Street, changing the rear yard from Treto Way to the southern portion of the site.

Despite the applicant's switch of the 'front' of the building, the 18'8" landscaped strip should be a mandatory part of the plan. And, the issue of a setback for adequate turning and loading access also remains.

2. Loading: §201.1

The applicant first applied for a variance to the Loading Requirements. However, despite the fact that there are no changes to the plan (aside from the addition of a green roof and terraces), in the revised application the applicant no longer asks for the variance, stating that the requirements do not apply because the property is historic.

This rationale is questionable because only a modest portion of the property is historically significant (and the rear yard for the historic buildings will be built over per the plan, eliminating the parking/loading area that presently exists). The great massing of the building is new construction and therefore adequate loading should be required.

The current loading area is operating at capacity and requires delivery vehicles and trash trucks to park and/or idle in the public space. The addition of approximately 20,000 of new retail and 230 apartments will increase the demand for loading, yet the plan reduces the loading area. The design of the loading area requires trucks to pull down into the residential end of Treto Way, NW and back up into the loading bays. The noise and exhaust from this scenario would have a detrimental effect on the residences at the southern end of Treto Way, NW. Furthermore, because of the 'canyon effect' from the height of the new development, the sounds and back up signals from the delivery vehicles and trash trucks will resonate throughout the adjoining residential neighborhood. Likewise, the 'canyon effect' will prevent exhaust from dissipating, trapping the exhaust at the residential end of the alley.

A redesign for adequate loading areas and access without constant truck traffic pulling down near the residences and backing up to the loading bays is needed so that the community is not adversely affected. Providing area so that trucks, moving vans and trash collection vehicles can turn into the loading area without constant backing up is suggested and one way to achieve this is to set the CR portion of the building back from the alley to allow ample turning radius.

3. Use of an existing curb-cut on 14th Street, NW: §1903.2

Constructing a garage entrance for a 148-car underground garage at the rear of the proposed development requires ingress/egress to/from 15' Historic Waverly and traversing two additional alleyways, which are already operating at capacity for existing businesses and residences. Customers, employees and residents

must walk and drive through these alleys to access the businesses, loading areas, entrances, parking lots, homes, recreational areas and trash receptacles. Adding the 148-car garage and additional delivery demand at the rear would severely affect the neighboring residential and business properties and cause hazards to the safety, convenience and welfare of persons living working and visiting the area.

The alternative proposal to bring 148 cars through the 15' access alley to enter a through a garage door at the intersection of Paloma and Treto Way would create a detriment to the adjacent residential buildings. The convergence of commercial and residential traffic would cause blockage of the public space; the raising and lowering of the garage door would create noise; the idling of cars to enter would create air pollution; and one through the garage doors, the cars must wind in front of the residences on the uncovered ramp before descending the into the garage creating additional noise and emissions at the residential end of Treto Way, NW. The effects of this alternative would be a detriment to the community.

An independent traffic study by Gorove/Slade Associates supports the 14th Street curb-cut for the entrance to the 148-car underground garage. MPD also supports the 14th Street curb cut. MPD also supports the 14th Street, NW curb cut.

4. Lastly, the rooftop penthouse of the C-3-A zone, which is closest to the historic residential neighborhood, is proposed as a pool, amenity space, and a large outdoor recreational area. The zoning regulations would require the penthouse to be mechanical only, but this requirement hasn't been applied. The use of the roof top for a pool and amenity space for large social gatherings, parties, etc. could infringe on the peace, order and quiet of the residential block.



Phyllis Klein

EXHIBIT #1

Description of the site and historic, cultural and architectural significance:

The interior of Square 205 is located within the Greater U Street Historic District and is bounded by the 1900 block of 15th Street on the west, the 1900 block of 14th Street on the east, the 1400 block of U Street on the north, and the 1400 block of T Street on the south. (Diagrams and maps are attached.) The interior block contains a unique "H" pattern, 19th Century alley system that accesses the rear of the historic buildings that front 15th, 14th, U and T Streets. Unique to the interior block are historic alley buildings, used as carriage and/or smoke houses in the 1800's. These buildings are adaptively reused today as offices, residences, and artist studios (a use that has been documented for many years in the city records). The alley system for the block is listed in the *District of Columbia Inventory of Historic Sites Street Address Index*, updated to September 10, 2007, as

Waverly Terrace, NW

All addresses.....Greater U Street HD

Of course, like other alleys, these serve as access to parking, trash, delivery, utilities, repair, loading docks, rear yards, cross streets. Their uniqueness lies in the fact that they not only function as alleys, but also to define a historic place. With entrance on U and T Streets, *Waverly* (renamed *Historic Waverly* by Act of Council in 2000) is the narrow access once used by horse-drawn carts and carriages to access the interior block. The intersecting interior alleys (once known as Waverly Terrace, Waverly Terrace East and Waverly Terrace West; renamed as Paloma Way and Treto Way in the same 2000 Act of Council) widen to 30' and are used for varied and high volume uses, especially that of Extra Space Storage (Fidelity Storage Building, 1420 U Street, NW), which has existed on the block since the 1800's and still functions today as a busy storage center. The thirty-foot width is narrowed by delivery and storage trucks, which must use the loading docks and the public space. Typically, even the wider alleyways are narrowed to one lane; and sometimes blocked because of the varied uses and access needs. The existing restaurants also require numerous and frequent deliveries and trash hauling access via the 15' entrance alley. There are also several sizable parking lots in the interior used by business customers and employees. Also distinctive is the fact that there are historic buildings in the interior block (**residential** and offices) that rely on the alley system for their sole ingress/egress. Clear passage for public use and for fire and safety vehicles remain a priority and, sometimes, a challenge.

Pedestrians also use the interior to travel from T to U Street and vice versa, to walk from their homes or workplaces to access parking lots or the street sidewalks. As previously mentioned, for inhabitants of the interior buildings, there is no frontage access to U or T Streets, except through the alleys. The green spaces within the interior block, are also used by neighborhood children. (Photographs are attached.)

With regard to cultural significance, the presence of visual artists in the block existed long before the historic designation and the ArtsOverlay Zoning. In fact, internationally known Sam Gilliam still works from his studio at the historic Marden Building at 1428 U Street, NW and Alex Mayer, long time DC resident and artist, and recipient of past DC Commission for Arts and Humanities grants, lives and works from what was originally an 1890's smokehouse building on Treto Way. In the 1940's, Mr. Mayer's current location was the studio of William H. Calfee, who was chair of the American University art department from 1945 to 1954 and a central figure in the development of post-war art in the Washington area. Calfee and the other Washington modernists played an important role in mid-century Washington art and through their work at the Phillips Gallery Art School, Studio House, American University, and Jefferson Place Gallery established a contemporary dialogue for art in Washington, D.C. The alley also served as past studio locations of artists Rockne Krebs, Lisa Scheer, Bill Scott and George Hemphill.

The northeast corner of the square is defined by intersection of 14th and U Streets, NW, historically significant as the once lively heart of Black Broadway. This easterly portion of Square 205 was also the epicenter of the 1968 riots, which resulted in the destruction of many historic buildings there.

After many years of citizen lobbying, these alleys and the infrastructure recently underwent a major renovation because the original, century plus old bricks, laid directly on the dirt, were severely sunken from the heavy traffic, making for uneven surfaces and potholes. The drainage was horrible, with the streets filling with water during rainstorms to the point that cars and pedestrians could not pass. With freezing temperatures, the conditions were treacherous. In the early stages of planning and in consideration of the historic nature of the location and the materials, Steve Raiche, then with DC Department of Historic Preservation, met with residents and DDOT to discuss the possibility of excavating the original bricks, and reinstalling them once re-grading work and infrastructural repairs were made. However, because so many of the original pavers were damaged in the excavation process, the plan to try to save them was abandoned. Nonetheless, care was taken to select materials that were in keeping with the character of the original pavers.

A Description of the threat facing the historic block:

Where the destroyed buildings once stood at the northeastern portion of the square, there are now parking lots and/or non-contributing buildings that are part of the proposed site of a major development, which proposes ten stories, 250 apartments, 20,000 sf of new retail, and two levels of underground parking for 140 cars. It is this massive addition to the historic block, and the transportation demands that it requires, that endanger the function and character of the 19th Century alley system and the historic buildings that line these passageways.

The current volume of large commercial vehicles and the precarious maneuvering around the historic buildings and loading vehicles already pose a threat of physical damage to the historic buildings here (see attached photographs). Additionally, safe and efficient functioning of the alleys is a current issue for business owners and residents on the block. The developer has submitted plans (see attachment) with the scenario of bringing all of the traffic - residential (250 apartments), retail (existing plus 20,000 sf new retail us), trash collection for the commercial and retail, delivery trucks and moving vans - for the project through the 15' Waverly and two additional legs of the alley system. This threat is immediate because the plans are under consideration for approval now by the Historic Preservation Office, which has advised the developer of their policy to disapprove curb cuts. However, after meeting with concerned citizens, HPO did acknowledge that this is an issue which needed to be explored through consultation with the Department of Transportation and the matter is currently under review and study.

The alternative ingress/egress solution for the underground parking garage entry would be to utilize an existing curb cut on 14th Street for residential and retail traffic, which would alleviate the burden on the historic alleys, where the new commercial traffic would also be introduced. The 14th Street curb cut scenario is endorsed by the affected businesses, neighbors, ANC (2B) and the Dupont Circle Citizens Association. However, both HPO and DDOT have emphasized that this alternative is discouraged by their policies, even though zoning provisions provide for a special exception.

Because of the conditions and constraints in the alley system and the negative impact of bringing at least 140 more cars to the site through the alley system, and after consulting with officials experienced in transportation, transportation safety and emergency preparedness, neighbors, ANC2B, and DCCA asked the developer to explore the possibility of bringing residential and retail traffic for the project from 14th Street. The existing curb cut at 1912-1914 14th Street, NW has been in use for decades and currently serves as access to a commercial parking lot with a capacity for approximately 70 vehicles.

In early meetings with a senior DDOT official, Assistant MPD Chief Patrick Burke, and DC Fire Battalion Chief Callahan all suggested that bringing new residential/retail vehicular traffic into the site from 14th Street was a logical solution to facilitate traffic safety and emergency access.

The negative impact that bringing all of the traffic through the alleys is of great concern for the safety, function and well-being of the historic neighborhood because 15' Waverly is the only access to the interior block and it cannot be widened and the use of the additional 20,000 of new retail has yet to be determined.

Suggestions on what actions are necessary to alleviate the threat:

To alleviate the threat to the interior of Square 205, the historic buildings and alley system there, all city agencies responsible for the stewardship, review and approval of projects that impact our historic neighborhoods need to recognize their responsibility to mitigate the negative impact that the proposed development will bring; and furthermore, exercise their authority to allow special exceptions, as in this case, to bring about a reasonable, workable solution.

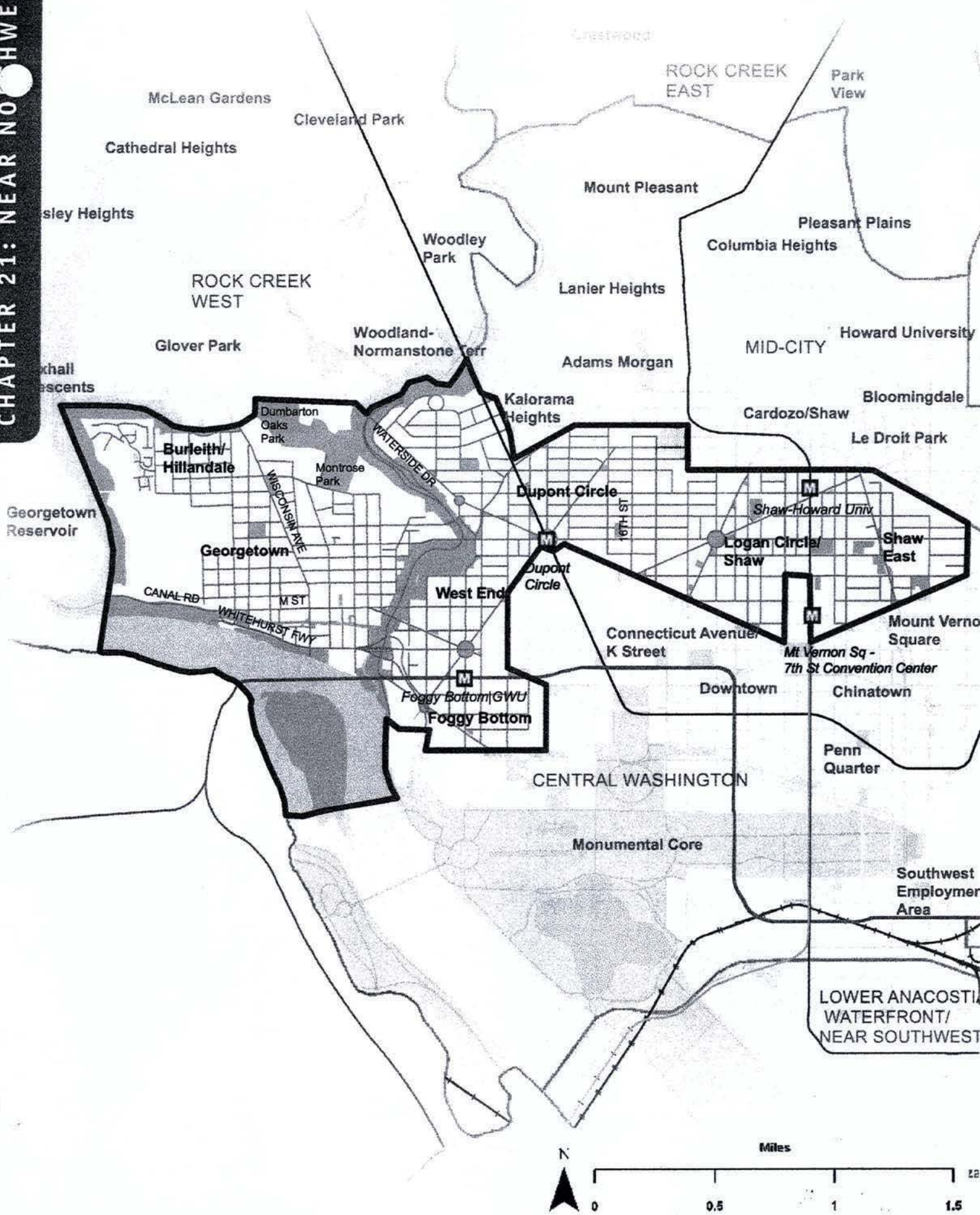
To alleviate the threat, approve the scenario showing the garage entry from 14th Street, NW:

Garage entry from 14th Street will help to preserve the historic alleys (listed in the District of Columbia Inventory of Historic Site Street Address Index, updated to September 10, 2007) and protect the historic buildings along the alleys and to maintain some semblance of order, function and safety for all users of the alleys. This scenario would allow the alleys to better accommodate service for the existing and future businesses. Bringing the residential and retail traffic from 14th Street would also aid in the preservation and protection of the character of the surrounding residential neighborhood, including alley residences and long-time artist studios, which contribute to the arts use as called for in the Comprehensive Plan and the Arts Overlay. The 14th Street entry would also enhance the convenience, safety and general welfare of the existing residents and businesses and better accommodates the proposed new residents and retail customers, especially those of busy retail destinations. This scenario would also mean reduced dangers for pedestrians and drivers on T and U Streets at the Historic Waverly.

Benefits of utilizing the curb cut entry from 14th Street:

This alley system is a historic resource, which still functions reasonably well in our contemporary age and, as an integral and vital connector shared as both residential and commercial users, needs to be protected. Cooperative efforts by all parties in protecting not only historic resources, but by ensuring high quality development that is respectful of nearby historic resources, while promoting overall public safety for the neighborhood, its residents, its visitors, and those just passing through is essential for the success of this project. This case highlights how our historical assets exist in unexpected places, and can be easily overlooked or taken for granted. Both the effected stakeholders and the developer wish to strike a balance by utilizing a curb cut from 14th Street for the proposed underground parking garage. This exception to the curb cut rule would contribute to the success of new development, reduce the adverse effects to the neighboring properties, including detriments to the health, safety, convenience, and general welfare of persons living, working, or visiting in the area.

SEE ATTACHED PHOTOGRAPHS



1400 Block T / U Streets & Paloma Way, NW • 1900 Block of 14th / 15th Streets, Historic Waverly & Treto Way, NW • NORTH ↑



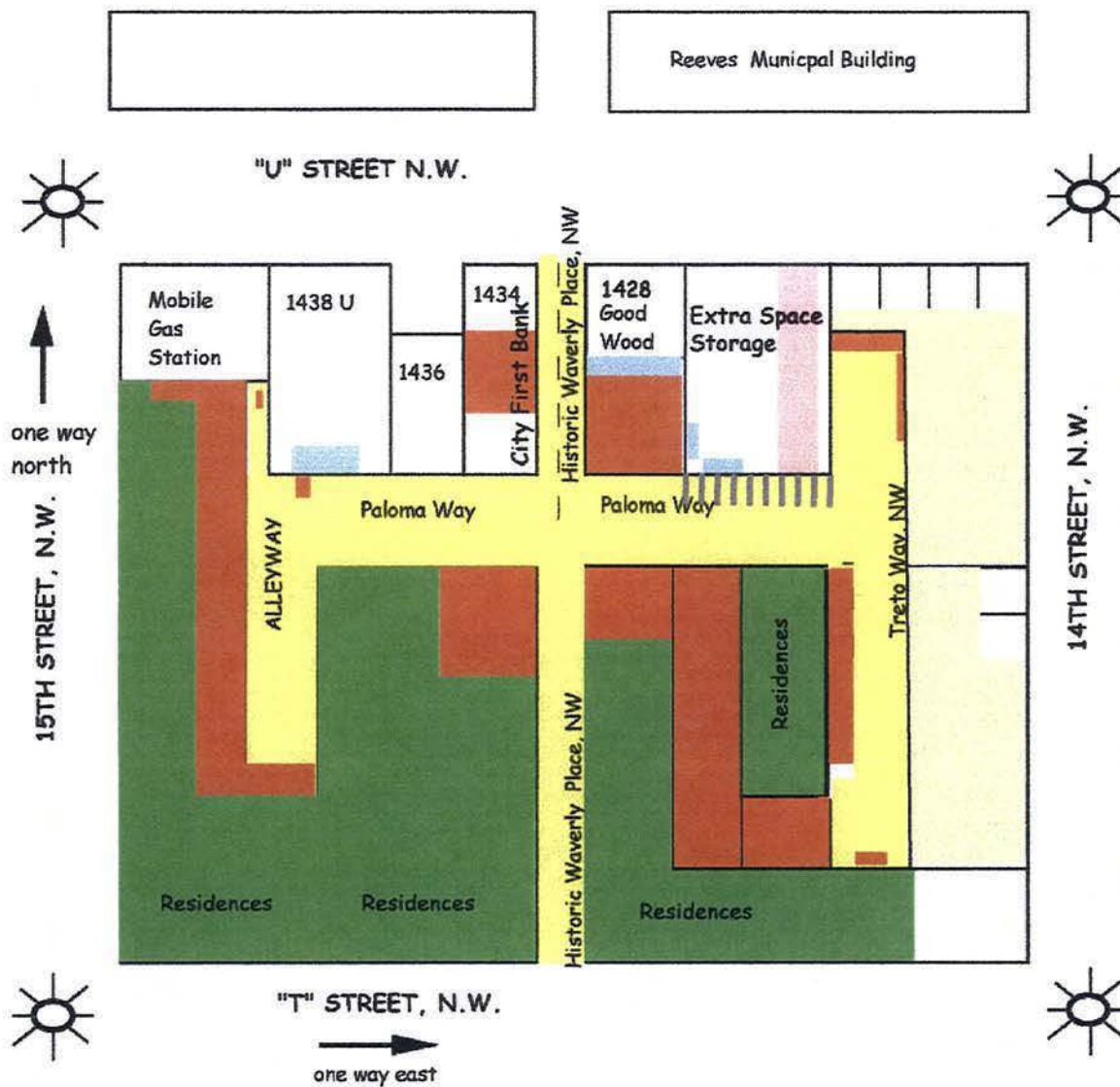
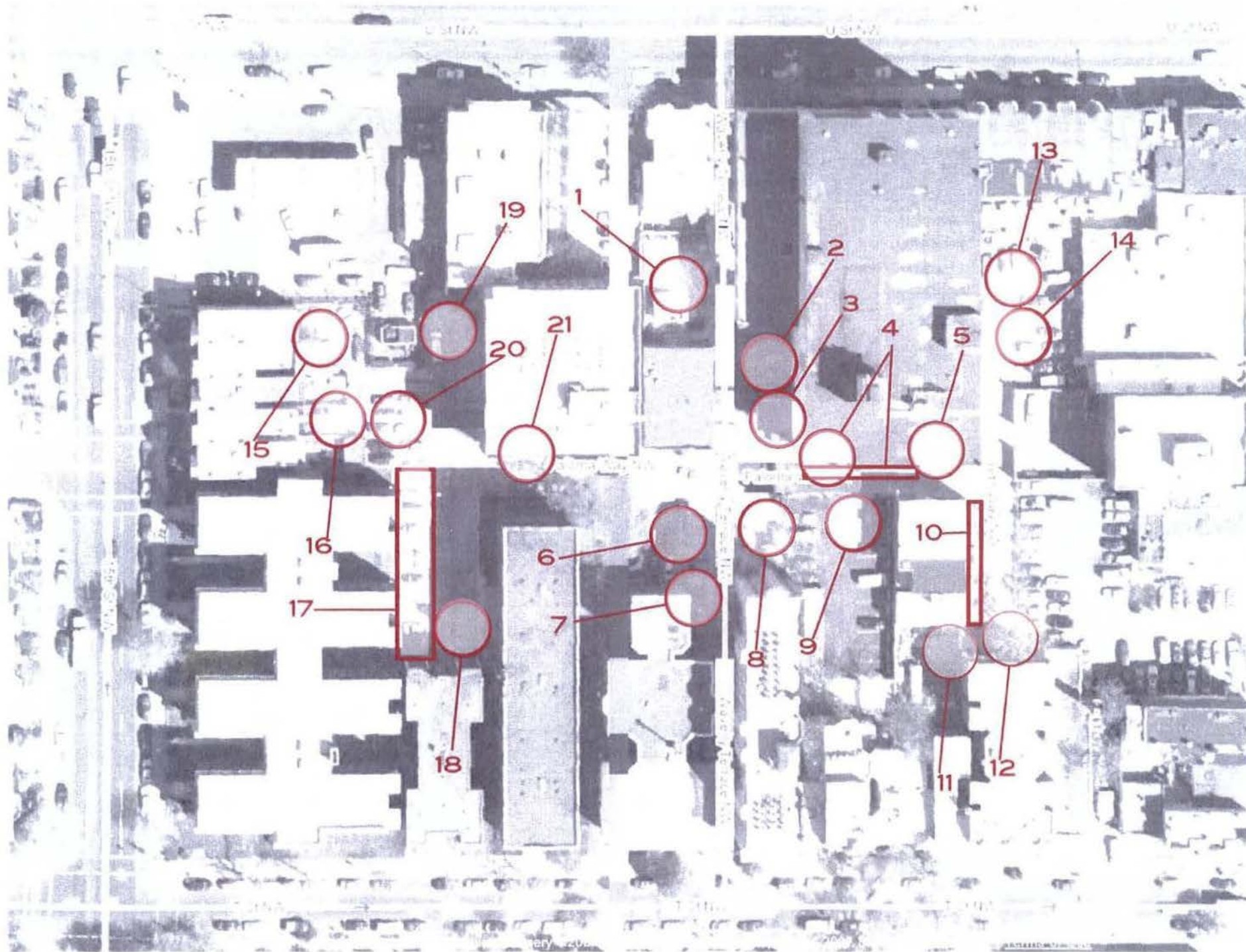


DIAGRAM TO
 HISTORIC WAVERLY PLACE (ALLEY), NW
 1900 Block TRETO WAY, NW
 1400 Block PALOMA WAY, NW
 REAR 1900 Block 14th STREET, NW
 REAR 1400 Block U STREET, NW
 REAR 1400 Block T STREET, NW
 REAR 1900 Block 15th STREET, NW

Not to Scale

- PARKING LOTS, PARKING SPACES, & DUMPSTER AREAS ACCESSED FROM ALLEYS
- INTERIOR DRIVE-THROUGH EXIT ONTO PALOMA WAY
- LOADING DOCKS
- PROPOSED DEVELOPMENT



KEY • INTERIOR BLOCK DIAGRAM

- 1** PARKING LOT FOR CITY FIRST BANK CUSTOMERS & DELIVERIES
- 2** LOADING DOCK AND PARKING SPACES FOR GILLIAM STUDIO, GOODWOOD, ACCESSED FROM HISTORIC WAVERLY
- 3** PARKING, DUMPSTER, & LOADING DOCK FOR EXTRA SPACE STORAGE ON HISTORIC WAVERLY
- 4** LOADING DOCK AND LOADING/STANDING AREA FOR EXTRA SPACE STORAGE ON PALOMA WAY
- 5** INTERIOR DRIVE THRU EXIT FOR EXTRA SPACE STORAGE, ONTO PALOMA WAY
- 6** PARKING AREA REAR OF 1433 T STREET USED BY M.A. WINTER BUILDING, ACCESSED FROM PALOMA WAY
- 7** FENCED AREA FOR DUMPSTER FOR 1433 T STREET NW, ACCESSED FROM HISTORIC WAVERLY
- 8** FENCED AREA FOR PARKING & DUMPSTER 1425 T STREET NW, ACCESSED FROM PALOMA WAY
- 9** PARKING LOT, REAR OF 1421 T STREET NW, USED BY 1421 CONDO RESIDENTS & CITY FIRST BANK EMPLOYEES +
GARBAGE STORAGE FOR CITY FIRST BANK ACCESSED FROM PALOMA WAY
- 10** ENTRANCES / PARKING TRETO WAY
- 11** REAR YARD ACCESS FROM TRETO WAY
- 12** DUMPSTERS FOR 1413 T STREET NW CONDOS ACCESSED FROM TRETO
- 13** PARKING & DUMPSTERS FOR 1400 BLK U STREET RESTAURANTS
- 14** PARKING & DUMPSTERS FOR 1900 BLK 14TH STREET NW RESTAURANTS & RETAIL
- 15** PARKING, 1900 15TH STREET ROWHOUSES
- 16** PARKING, 1900 15TH STREET ROWHOUSES
- 17** PARKING, 1900 15TH STREET COOP
- 18** SERVICE AREA FOR COOP & APARTMENTS
- 19** DUMPSTER, LOADING AREA 1436 U STREET NW
- 20** PARKING, M.A. WINTER BUILDING
- 21** LOADING DOCK FOR M.A. WINTER BUILDING



Historic Waverly



Paloma Way at Historic Waverly

1900 block Treto Way, NW





Interior Square 205
Historic Alley System

1.

Interior Square 205 - Historic alley buildings:

1. Offices adjacent to Historic Waverly
2. Corner damage
3. Residence on Treto Way



2.



3.



Interior Square 205

Historic Alley System

Historic Waverly



Paloma Way at
Historic Waverly

Interior Square 205

Historic Alley System

Existing Conditions





Interior Square 205

Historic Alley System

Loading/parking/delivery access





PALOMA WAY, REAR
OF EXTRA SPACE
STORAGE W/DRIVE
THROUGH FROM
INTERIOR OF
BUILDING

PALOMA WAY, REAR OF EXTRA SPACE STORAGE
W/LOADING DOCK & VIEW OF INTERSECTION
OF HISTORIC WAVERLY.



PALOMA WAY AT INTERSECTION
OF HISTORIC WAVERLY W/VIEW OF
EXTRA SPACE STORAGE PARKING &
LOADING & DAMAGED STOP SIGN.



1

- 1 Utility work Paloma Way, NW.
2. Utility work Historic Waverly, NW.
3. Utility work Paloma from Treto Way, NW.



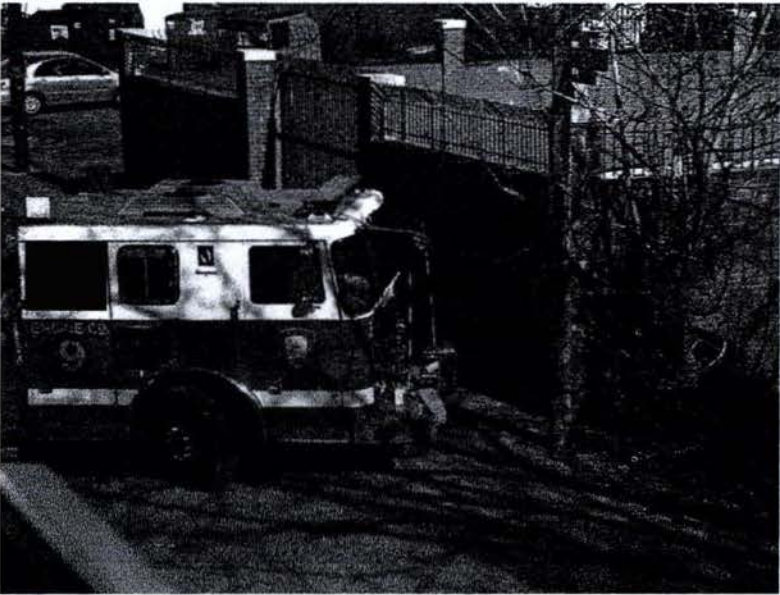
2



3



1900 block Treto Way, NW



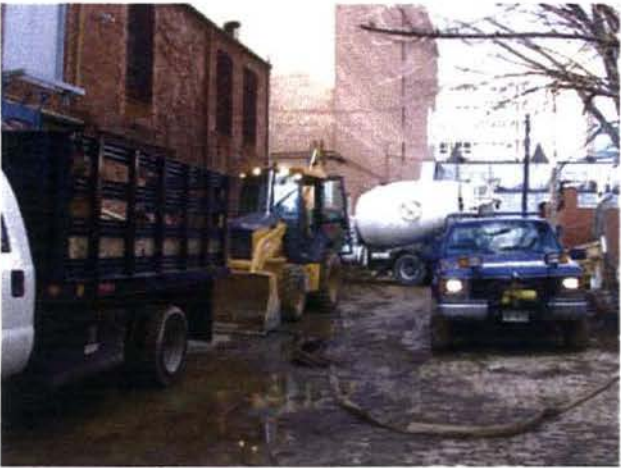


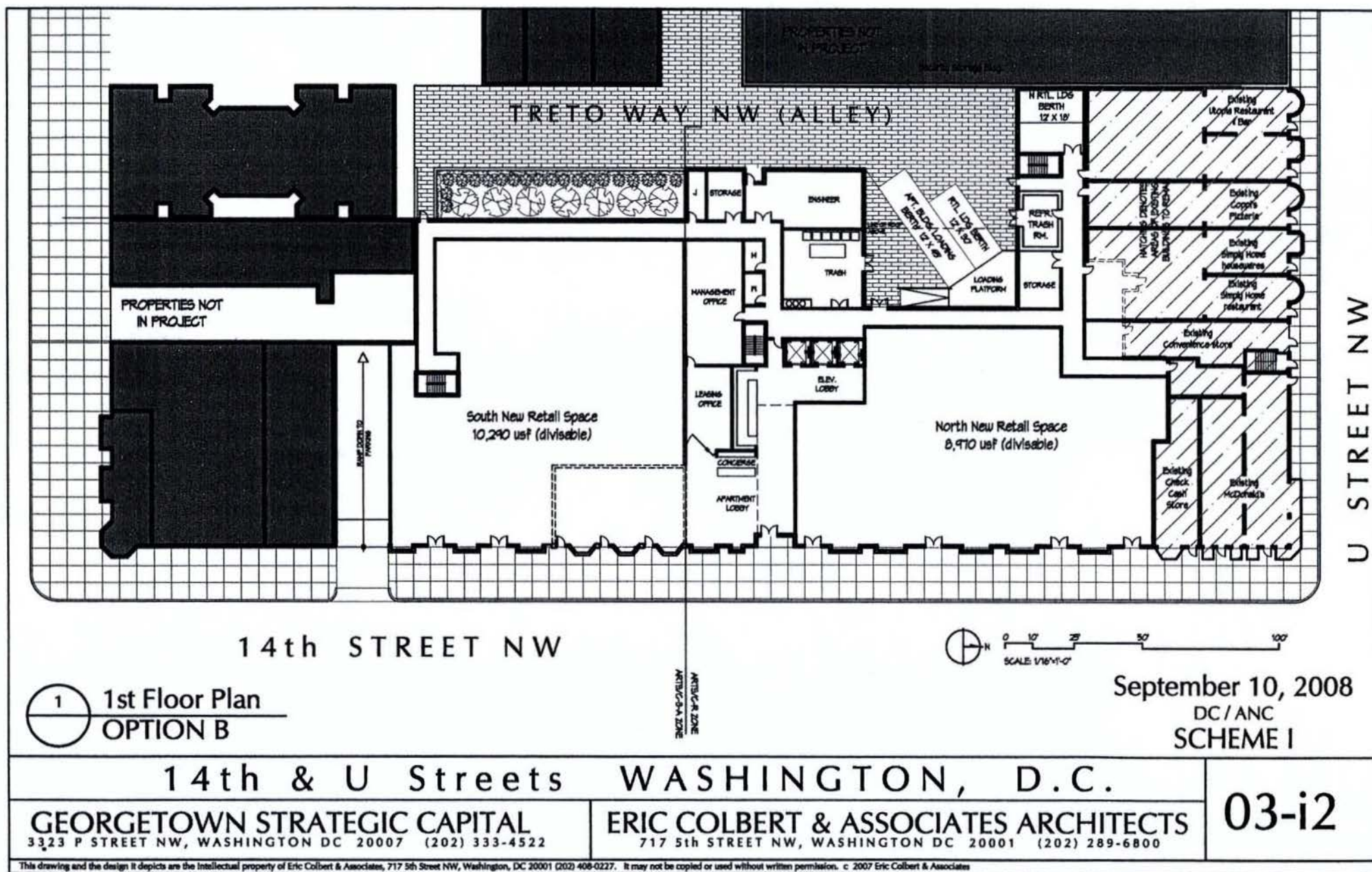
Carriage house, interior block, at Historic Waverly and Paloma Way. (Readapted for offices.)

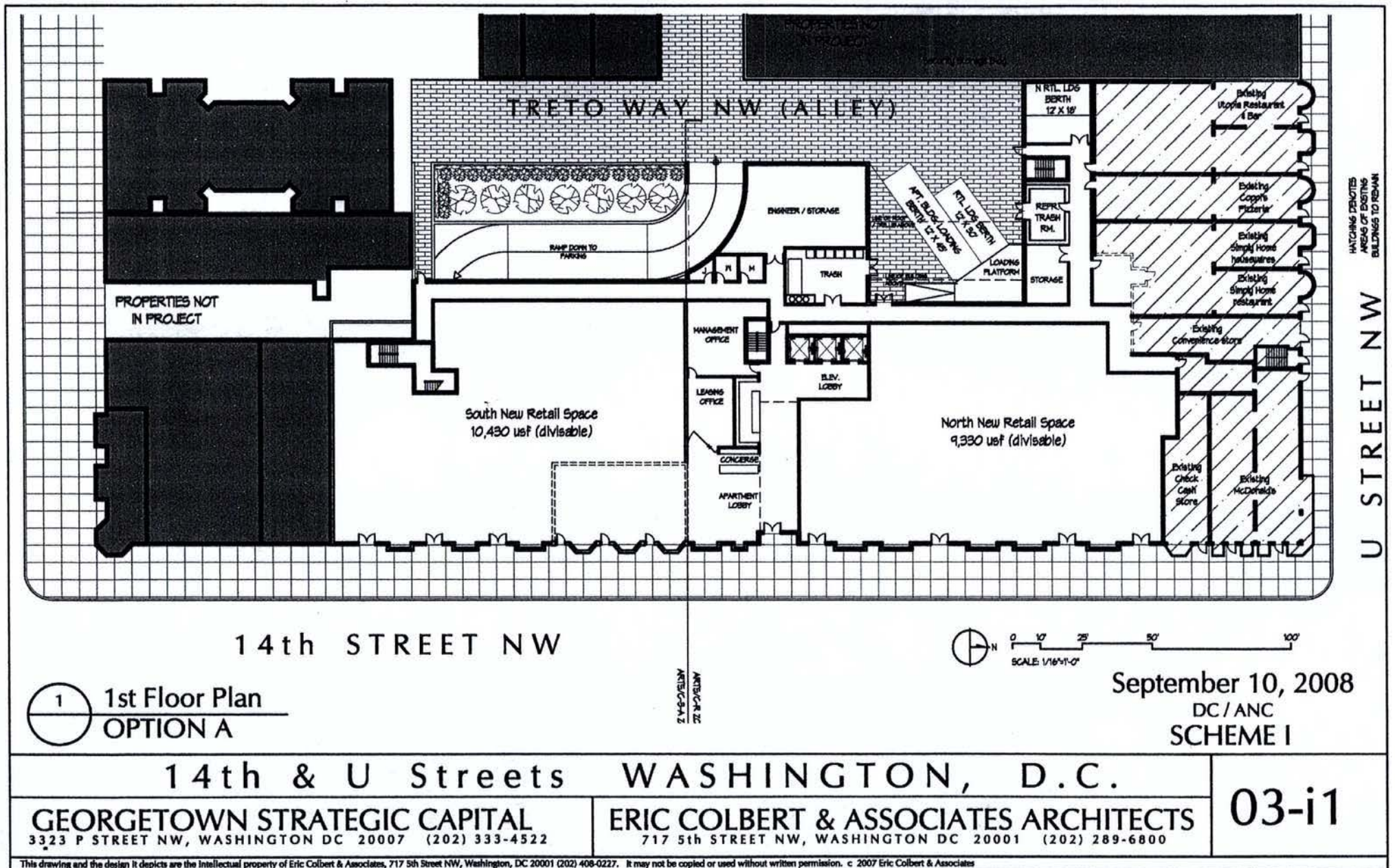
Interior Square 205

Historic Alley System prior to renovation









**HISTORIC PRESERVATION REVIEW BOARD
STAFF REPORT AND RECOMMENDATION**

Property Address:	13 th & U Streets, NW	X	Agenda
Landmark/District:	Greater U Street Historic District		Consent Calendar
Meeting Date:	September 29, 2000	X	Concept Review
H.P.A. Number:	00-461		Alteration
Staff Reviewer:	Steve Callcott	X	New Construction
			Demolition
			Subdivision

The applicants, architect Maurice Walters (Torti Gallas CHK) and developer Larry Clarke (Donatelli & Klein) return to the Board for continuing conceptual design review for the construction of a mixed-use apartment and commercial building on the northeast corner of 13th and U Streets, N.W. The vacant site is located diagonally across the intersection from the U Street Metro stop. The application also proposes a subdivision to combine the existing lots into a single lot.

As the Board will remember, the new building would have two components. Fronting U Street in the middle of the block would be a seven-story apartment building above a ground floor of retail. The plan would be E-shaped, with three wings projecting out to U Street with courtyards in between. The upper two floors would be set back significantly from the perimeter walls in order to minimize their visibility from the street. In its overall massing, materials, fenestration and façade organization, the building would be evocative of some of the landmark buildings in the neighborhood, such as the Whitelaw Hotel, the True Reformers Building, and the Bowen YMCA, while being clearly contemporary in its detailing. On the corner of 13th and U Streets would be a four-story block of new construction, with a prominent retail entrance fronting on U Street, accessed through a courtyard. The residential entrance would be located on 13th Street, and would be elevated to match the rowhouses on this street frontage. The facades of this component would be clad in red brick, and organized by full-height piers enframing banks of windows with spandrel panels.

While generally supportive of the conceptual design, the Board directed the applicants to continue working on reducing the height -- ideally to a maximum of 70 rather than the proposed 80 feet -- as well as to give further study to the treatment of the rear elevation, penthouses, storefronts, and overall detailing. Over the past few months, the applicants have worked closely with the staff and the community, and have significantly refined the design since being presented to the Board in June. Extremely helpful in this process has been the development of computer-generated three-dimension renderings of the building so that its aesthetic character and impact on the historic district can be better understood and evaluated.

While the applicants have not reduced the height of the building to 70 feet as recommended by the Board, they have made substantial changes to the design in order to

improve its compatibility with the historic district, and to lessen the impact that its height may have on the district. As the Board will remember, the upper two floors of the building were already substantially set back from the parapet wall, at a ratio of roughly one foot of setback for each foot of height. This alone dramatically reduces the visual prominence of these upper floors, making them not visible from many vantage points immediately around the building. However, since the last presentation, the upper floors have been redesigned to make them more recessive in appearance and to read more like an attic story. The architect has established the necessary verticality for these floors, relating them to the overall façade treatment, while also making them secondary in appearance. Simultaneously, the cornice and parapet at the 65 foot height have been substantially strengthened and wrapped around the full perimeter of the building, giving a stronger sense of this as the top of the building. As requested by the Board, a setback has been established for the upper floors on the rear of the building, and the height and footprint of the penthouses have been substantially reduced so that they will no longer be visible. The cumulative result of these changes is that the building more effectively conveys the appearance of a 65 foot high building with a recessed attic. The computer-generated views provide a better understanding of the appearance and impact that this building will have than was discernable from the model and drawings presented at the last meeting. While it is not being suggested that the upper floors will recede away completely from public view, the staff believes the revised design for the building will neither overwhelm nor be incompatible with the character of the Greater U Street Historic District.

While the majority of discussion at the last presentation was on the height issue, other concerns were expressed by the Board and staff which have also been addressed and successfully resolved in the revised design. Included in these are a revised storefront plan that establishes greater variety and visual interest for the building at the street level, and refinements to the tower element at the 13th & U corner. Standards for signage have been explored; the signage program now calls for a prominent vertical sign at the corner that would be reminiscent of the old theater signs that were once a signature feature of the U Street corridor. The applicants are also exploring a public art program for the exterior of the building, possibly including decorative panels inset into the facades that would include references to the musical heritage of the historic district. While work remains to be done on the final detailing and materials selection, the staff believes the revised conceptual design represents a well-developed, historically appropriate response to this site.

The staff recommends that the Review Board approve the revised conceptual design and subdivision as consistent with the purposes of the preservation law, and delegate final approval to staff.

**HISTORIC PRESERVATION REVIEW BOARD
STAFF REPORT AND RECOMMENDATION**

Property Address:	13 th & U Streets, NW	X	Agenda
Landmark/District:	Greater U Street Historic District		Consent Calendar
		X	Concept Review
Meeting Date:	June 22, 2000		Alteration
H.P.A. Number:	00-461	X	New Construction
Staff Reviewer:	Steve Callcott		Demolition
			Subdivision

The applicants, architect Maurice Walters (Torti Gallas CHK) and developer Larry Clarke (Donatelli & Klein) seek conceptual design review for the construction of a mixed-use apartment and commercial building on the northeast corner of 13th and U Streets, N.W. The site is diagonally across the intersection from the U Street Metro stop, and is currently vacant.

The proposal calls for construction of a single building comprised of two distinct elements. Fronting U Street in the middle of the block would be an eight-story building, with retail use on the first floor, and seven stories of apartments above. The building's plan is loosely based on the Roosevelt Apartments on 16th Street, in that it would be E-shaped, with three wings projecting out to U Street with courtyards in between. While rising to 80 feet at its highest point, the building would have a strong cornice line at 60 feet, and a significant one-for-one setback (that is, the seventh and eighth floors would rise an additional 20 feet, but would be set back approximately 20 feet from the perimeter walls). The exterior of the building would be clad in tan brick and precast stone, with traditional punched windows in the wings, and more contemporary metal and glass bays within the courtyards. In its overall massing, materials, fenestration and façade organization, the building would be evocative of a 1920s apartment, without specifically copying architectural details from the period.

On the corner of 13th and U Streets would be a four-story block of new construction, rising approximately 40 feet, with an open pergola for a roof deck rising another 10 feet. The building would have its retail entrance fronting on U Street, accessed through an open courtyard. The residential entrance would be located on 13th Street, and would be elevated to match the rowhouses on this street frontage. The facades of this building would be clad in red brick, and organized by full-height piers enframing banks of windows with spandrel panels. While this treatment is often associated with industrial buildings, it is also found within the U Street district, most notably on the Prince Hall Masonic Temple.

The staff is persuaded that the apparent height of the structure will read as a 60-foot building due to the substantial setback of the upper two floors. While not invisible, the top two floors recede significantly from view when recessed 20 feet from the outer perimeter of the building. By breaking down the mass of the building into an E-shape,

the architect has also prevented the building from being overwhelming in size, or too horizontal in emphasis. The height and width of the wings that project out onto U Street are comparable in size to the True Reformer Building (located in the next block) and the other taller landmark buildings that punctuate this generally low-scaled historic district. The staff believes the project is consistent with the HPRB's Design Guidelines for new construction which states, "While a new building does not necessarily need to be exactly the same height as its neighbors to be compatible, it should be designed to respect existing building heights." [The applicants have prepared a model to illustrate these points and to show the building's relationship with its surrounding context.]

The one aspect of the project that remains in need of further study is the rear elevation. While located on the back, fronting a public alley, the height of this building and its frontage on the public ball field on V Street ensure that this elevation will be almost as prominent as any of the other three elevations. Because of this, the structure really needs to be designed as a freestanding building, with equal emphasis and treatment on all four sides. The staff is particularly uncomfortable with the lack of a substantial setback on this elevation, wherein the rear façade rises a sheer 80 feet. The staff's conclusion that an 80 foot height is compatible with this historic district was arrived at on the other three elevations only because of the substantial, one-for-one setbacks on the top floors above 60 feet, ensuring that those upper floors recede substantially from public view. Without the setback on the rear elevation, the building rises straight up to a height that is unprecedented among the historic buildings in this neighborhood.

The staff has shared this concern with the applicants, who are continuing to study alternatives for the rear elevation to provide a substantial setback.

The staff recommends that the Review Board approve the overall conceptual direction of the project – including the E-shaped plan, overall massing on the front and two side elevations, façade organization, proposed use of materials, and treatment of the corner building – but direct the applicants to continue studying the height, massing, setbacks, and façade organization on the rear of the building.

November 4, 2008

Ms. Ruthanne G. Miller, Chair
Board of Zoning Adjustment
441 4th Floor, Suite 220S
Washington DC 20001

RE: BZA Case #17831

1400-1418 U Street & 1913-1944 14th Street, NW / Ward 2 / Greater U Street Historic District

Dear Ms. Miller and Members of the Board,

As those most affected by the new development, we are writing with hopes that the Board will act to ensure that the new development does not adversely affect neighboring properties or pose detrimental effects to the health, safety, convenience, or general welfare of persons living, working, or visiting in the area.

We ask you to please support the following measures so that the new development will work well in the context of the existing conditions on our block. In order to avoid detrimental impacts on the environment, social and economic health of the business operations and residential interests, we offer the following:

1. Keeping a strip of landscaping 18'8" deep and the length of the C-3-A area along Treto Way in order to maintain the tree-lined boundary between commercial and residential zone, and to preserve screening by making the 18'8" setback x 92'1" strip of landscaped area, now shown on the plan, a required plan element. §774
2. Allow a variance (or a special exception) for the use of an existing curb cut on 14th Street, NW for 148-car underground garage entrance to ensure pedestrian and vehicular safety in the interior block where there are unique conditions, including a 15' alleyway as the only ingress/egress, businesses and residences with no street access, multiple and varied uses, atypical traffic patterns, high pedestrian use, recreational spaces, etc. §1903.2
3. Provisions/redesign for adequate loading facilities and access to the loading facilities (allowing ample turning radius). The current configuration requires delivery trucks, moving vans and trash trucks to pull down Treto Way along side the residences and back up to the loading area. §636
4. We are also concerned about the impact of the roof top amenities space and pool on the adjacent residential areas.

We authorize Phyllis Klein to testify on our behalf.

Sincerely,



Paula Schumann
1417-B T Street Rear, NW (on Treto Way)



Sean Turner
1421 T Street, NW



Sam Gilliam
1428 U Street, NW



SHAWN BENNETT
1421 T St. Condo Assoc. President

Ms. Ruthanne G. Miller, Chair
Board of Zoning Adjustment
441 4th Floor, Suite 220S
Washington DC 20001

Dear Ms. Miller:

Regarding BZA Case #17831: 1400-1418 U Street & 1913-1944 14th Street, NW / Ward 2 / Greater U Street Historic District, the MPD is familiar with this situation and is supportive for the applicant's request (BZA Case 17831, 14th & U Streets, NW) for variance and/or Special Exception to ARTS Prohibition of Driveways that Provide Access from a Pedestrian Street to Required Parking Spaces or Loading Berths (§1903.2)

Customers, employees and residents must walk and drive through these alleys to access the businesses, loading areas, entrances, parking lots, homes, and trash receptacles. Adding the 148-car garage and additional delivery demand at the rear would adversely impact the neighboring residential and business properties and cause hazards to the safety, convenience and welfare of persons living working and visiting the area.

The alternate plan, which MPD supports, would adequately accommodate the 148-car garage entry by using the existing curb cut, which operates as the entrance to a long-standing, 80-car surface parking lot. Pedestrians safely cross this curb cut everyday. Due to the unique conditions on this block, the 14th Street entrance is safer for pedestrians and drivers than the access from the public alley. In contrast to the alley access, the 14th Street entrance will not adversely affect neighboring properties or be detrimental to the health, safety, convenience, or general welfare of persons living, working, or visiting the area.

Thank you for your consideration. If you have additional questions, I can be reached via cell phone at 202 437-7984.

Sincerely,

Assistant Chief Patrick A. Burke
DC Metropolitan Police Department

Cc: Councilmember Jack Evans
Councilmember Phil Mendelson
ANC2B Chair Ramon Estrada

CURRENT DESIGN

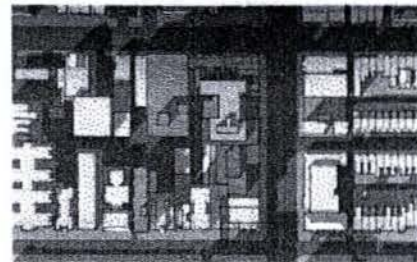
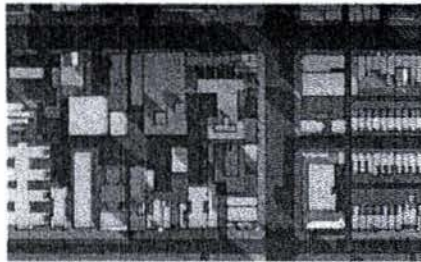
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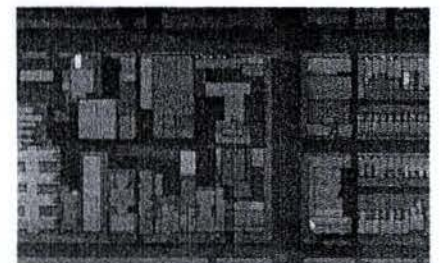
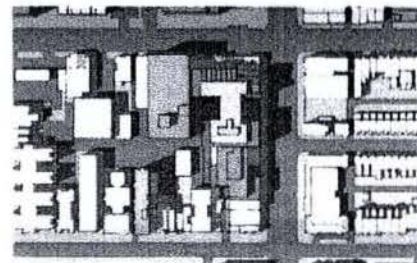
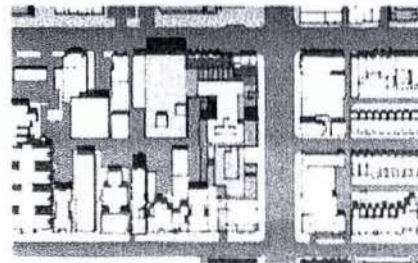
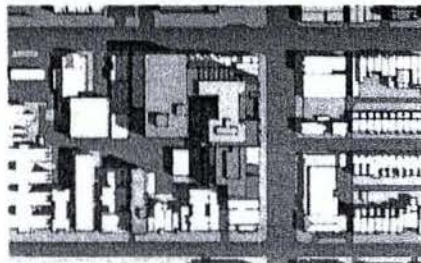
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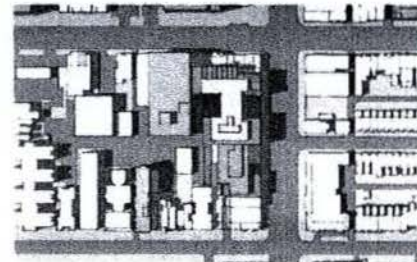
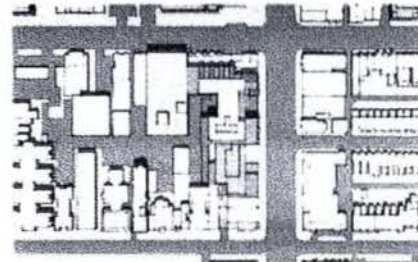
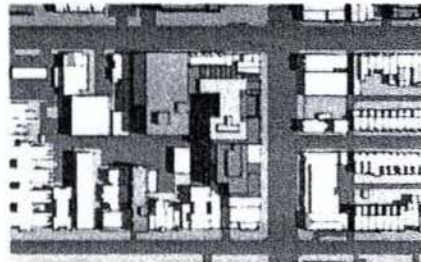
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