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January 31, 2012

VIA HAND DELIVERY

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18308
EXHIBIT NO. 26

Meridith Moldenhauer, Chairperson
D.C. Board of Zoning Adjustment
441 4th Street, N.W.
Second Floor
Washington, D.C. 20001

Re: Board of Zoning Adjustment ("BZA") Case No. 18308 by Bozzuto Development Company – Application for Variance Relief for 460 New York Avenue, N.W. (Square 515N, Lot 828), Washington, D.C. (the "Property") – Fourteen Day Pre-Hearing Submission

Dear Chairperson Moldenhauer and Members of the Board:

On behalf of the Bozzuto Development Company (the "**Applicant**"), the applicant in Case No. 18308, we hereby submit this fourteen day pre-hearing submission. This Application requests (i) a modification to the previous variance approval under BZA Order Nos. 17723 and 17723-A (the "**Orders**"), and (ii) variance relief from 11 DCMR Section 2116.12 in order to construct a partially-above grade mechanical parking system as part of the project located at the Property.[1]

I. Pre-Hearing Statement

Attached as Tab 1, please find the Applicant's pre-hearing statement describing the updates to the plans submitted by this submission and justifying the relief requested by this Application.

II. Updated Plans

Attached as Tab 2, please find the Applicant's updated plans for the proposed project.

[1] As described in the Applicant's January 20, 2012 letter, the Applicant has withdrawn its request for special exception relief under 11 DCMR § 411.11 from the strict requirements of 11 DCMR § 770.6(b), requiring the roof structure to be set back from the exterior walls of the project one foot for every foot of height. Such relief is no longer necessary.

Board of Zoning Adjustment
District of Columbia
CASE NO.18308
EXHIBIT NO.26

III. Expert Witness Resume and Outlines of Witness Testimony

Attached as Tab 3 please find the expert resume of Sean Stadler of WDG Architecture, the project architect, who the Applicant wishes to present as an expert in the field of architecture. Attached as Tab 4 please find the outlines of testimony for Duncan Slidell of the Applicant and Sean Stadler.

We look forward to presenting our application to the Board on February 14, 2012. If you have any questions, please do not hesitate to contact Maureen at (202) 721-1101 or Jeff at (202) 721-1132. Thank you for your attention to this application.

Sincerely yours,

Maureen E. Dwyer/gcu

Maureen E. Dwyer

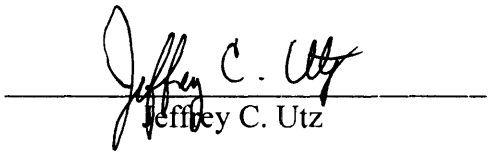
Jeffrey C. Utz

Jeffrey C. Utz

cc: Duncan Slidell
Sean Stadler

Certificate of Service

I certify that on January 31, 2012, I delivered a copy of the foregoing document via hand delivery or first class mail to the addresses listed below.



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BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA

Application of
Bozzuto Development Group

BZA Application No: 18308
Hearing Date: February 14, 2012
ANC: 6C

PRE-HEARING STATEMENT OF THE APPLICANT

I.

Nature of Relief Sought

On behalf of the Bozzuto Development Company (the "**Applicant**"), this is the fourteen day pre-hearing statement for BZA Application No. 18308 requesting (i) a modification to the previous variance approval under BZA Order Nos. 17723 and 17723-A (the "**Orders**", attached as Exhibit A), and (ii) variance relief from 11 DCMR § 2116.12[1] in order to construct a partially-above grade mechanical parking system as part of the residential project located at 460 New York Avenue, N.W. (Lot 828, Square 515N) ("**Property**"), in the District of Columbia. Previously, the Orders granted the approval (and extension) of variance relief pursuant to 11 DCMR § 3103.2 from the loading (§ 2201.1), parking (§ 2101.1), and lot occupancy (§ 772.1 and 2001.3) requirements of the Zoning Regulations. For the sake of clarity, this pre-hearing statement is intended to replace the statement attached as Tab 2 to the Applicant's Application packet filed on September 26, 2011.

II.

Jurisdiction of the Board

The Board of Zoning Adjustment ("**BZA**") has jurisdiction to grant the relief requested pursuant to 11 DCMR §§ 3129.1, et. seq. and 3103.2 of the Zoning Regulations.

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[1] This new Section of the Regulations became effective on September 30, 2011, after the date of filing of the application on September 26, 2011.

III.

Description of Environs

A. Description of the Property

The Property is located in the Mount Vernon Triangle area of the City, on the south side of New York Avenue between 4th, 5th, and L Streets, N.W., as shown on the plat attached as Exhibit B. The Property occupies the western triangular point of Square 515N that is formed by the convergence of New York Avenue and L Street, N.W. It measures approximately 6,451 square feet in land area. The Property is currently improved with an abandoned three-story warehouse building that occupies the entirety of the Property's lot ("**Building**").

The Property is not located in the Mount Vernon Square Historic District nor is the Building currently designated as a historic landmark listed in the D.C. Inventory of Historic Places or the National Registry of Historic Places. However, the Applicant has been advised by the Staff of the Historic Preservation Office ("**HPO**"): (i) that there is interest in the Building within the historic preservation community, and (ii) to preserve the Building and incorporate it into the Project. Accordingly, as with the prior variance case, the Applicant essentially proposes a voluntary act of preservation as they retain and restore the facades of the Building and incorporate them into a new residential development on the Property. The HPO Staff has been supportive of the Applicant's approach. Since the Building is nonconforming, however, the development requires variance relief from the BZA.

As shown on the portion of the Zoning Map attached as Exhibit C, the Property is located in the Downtown Development District ("**DD**")/C-2-C Zone (and Housing Priority Area A), which permits multi-family residential uses as a matter-of-right. The maximum height is 130 feet based on the width of New York Avenue (130 feet). There is no maximum FAR in the

DD/C-2-C Zone District and Housing Priority Area A if a project is devoted entirely to residential uses. The maximum lot occupancy for commercial uses in the DD/C-2-C Zone District is 100% while the maximum lot occupancy for residential uses is 80%.

B. Description of the Surrounding Area

The Property is surrounded by an area characterized by recent redevelopment. This project will add to such revitalization. Immediately to the east of the Property, Steuart Development is constructing a 130 foot tall project. The recent City Vista project and associated Safeway and ground level retail are located to the south of the Property. To the west of the Property is the reservation formed by the intersection of New York Avenue and L Street, N.W. To the north of the Property, across New York Avenue, the landmark Yale Steam Laundry property has been redeveloped with a condominium project that includes two 130 foot tower elements.

The land to the north (the Yale Steam Laundry site), west, and south of the Property are also zoned DD/C-2-C. The properties to the north and northeast of the Property are zoned DD/R-5-B. The land to the far southeast of the Property is zoned C-3-C.

The 2006 Comprehensive Plan Generalized Land Use Map places the Property, as well as the remainder of Square 515N, all of Square 515, and several blocks to the south and southeast of the Property in the High-Density Commercial and High-Density Residential land use categories.

IV.
Description of the Project

As shown on the plans attached as Tab 2 to the package (the "**Plans**"), the Applicant proposes to construct a smaller project ("**Project**") on the Property than that previously approved

by the Board under Order Nos. 17723 and 17723-A. Such downsizing resulted from the removal of one floor from the initially-approved plan[2]. As in the prior-approved project, the Applicant is retaining the existing building and using it as a base for the addition (the "**Addition**"). The entirety of the building will be 129 feet, two (2) inches tall[3], rather than 130 feet tall, as initially approved. The entire Project will have an FAR of 10.3, rather than 13.0 FAR, as initially approved. The Project will contain 63 residential units (rather than 84 residential units, as initially approved) in approximately 66,537 square feet of gross floor area ("**GFA**"), consisting of the existing approximately 19,358 square feet in the three-story existing structure and the approximately 47,179 square feet of residential GFA that will be created by the additional eight (8) floors. The first floor of the warehouse will be converted into common and service areas for the residential building, along with some of the mechanical parking bays as shown on Page A2.2 of Tab 2 to the pre-hearing submission. As before, the typical floor plan will contain seven (7) residential units. The second and third floors will be the top floors of the renovated "historic" building and contain seven (14) residential units in total. The fourth through tenth floors will contain 49 new apartments in total. The eleventh floor will contain resident amenity space and building infrastructure and support space. Since the Building is being treated as a "historic" building by the Applicant, care has been taken to minimize the negative impact on the structure as much as possible, while maximizing the quality and efficiency of the development on the Property.

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[2] Note that the September 26, 2011 filing indicated an eleven (11) story project. However, Applicant "added back" a floor since it fused the roof structure into an amenity space on the twelfth floor of the project. So, the project now has twelve (12) stories rather than eleven (11).

[3] Note that the September 26, 2011 filing indicated a building height of 108 feet, ten (10) inches. Such height was increased due to the addition of the amenity/roof structure space as the twelfth floor.

The Project will include approximately 34 parking spaces (including two (2) handicapped accessible spaces and one (1) van space) in a stacked mechanical parking system. As shown on A3.3 of the Plans (Tab 2 of the submission), two (2) levels of parking spaces will be excavated, one (1) level will be located at grade, and two (2) levels will be located above grade[4]. The mechanical lift system's details are shown on Exhibit D. The mechanical spaces will be integrated into the interior area of the project. The parking spaces will be covered with a lighted semi-translucent glass that will provide unique shadowing effect from the mechanical system features, yet seal such space off from the elements. The design approach of the structured parking areas, which will minimize the effect of such space on the streetscape is shown on Pages 4.1 and 4.2 of the Plans.

Given the difficulties associated with the construction on the site (as detailed below) and the installation of the parking mechanisms, the Applicant requests flexibility to make internal alterations to the structure, if necessary.

V.
Description Relief Requested

In order to accomplish the desired redevelopment, which is detailed in the Plans, the Applicant requires modification to the previously approved variance relief from the loading, parking, and lot occupancy requirements and additional variance relief from the parking location requirements under 11 DCMR § 2116.12.

A. Description of Previous Variance Approval as it Relates to Modification

A brief overview of the previously-approved variances and their relation to the proposed modification are as follows:

[4] Under the previous approval, the Applicant proposed to excavate a parking garage which included 72 parking spaces of which only sixteen (16) spaces were located on private property with the remainder in public space.

- Loading Requirement – Applicant was granted relief from 11 DCMR § 2201.1 which requires one (1) loading berth of at least 30 feet deep, one (1) loading platform of at least 200 square feet, and one (1) loading space of at least twenty (20) feet deep, for a residential building containing 50 or more residential units. Since the Applicant is retaining the three (3) street-facing facades of the existing Building (the fourth is the east party wall), the Project will still not be able to offer any loading facilities on the Property. This relief has not changed due to the modification. However, the number of residential units has been reduced from approximately 84 to approximately 63, which reduces the extent of the variance previously approved.

- Parking Requirement – Applicant was granted relief from 11 DCMR § 2101.1 which requires one (1) parking space for each four (4) residential units. The Project will require sixteen (16) parking spaces (a decrease from the 21 parking spaces previously required). The Project will provide 34 parking spaces in a mechanical stacked system. Since such mechanical system does not meet the technical requirements for parking spaces in the District under Chapter 21, the Applicant still requires the variance from the parking requirements. Previously, the Applicant proposed 72 parking spaces, with all but sixteen (16) of them being non-legal due to their location in the vault space. Therefore, the Applicant is still providing a greater number of parking spaces than those required by the Zoning Regulations, but these spaces will still not be legal parking spaces.

- Lot Occupancy Requirement – Applicant was granted relief from 11 DCMR § 772.1 which requires that buildings containing residential uses occupy a

maximum of 80% of a lot and from 11 DCMR § 2201.3 which states that enlargements or additions may be made to structures if the structure conforms to percentage lot occupancy requirements. As before, the Project occupies its entire lot. However, the Project does so for a lesser amount of the building, since two residential unit floors have been removed from the Project and the roof structure has been consolidated into the project for a smaller lot occupancy on such floor. Therefore, the extent of this variance request is actually less due to the modification.

B. Variance from § 2116.12

11 DCMR § 2116.12 requires that parking spaces provided within a structure are located at least twenty (20) feet from all lot lines that abut public streets, unless the ceilings of all parking levels are at or below the grade of the adjacent public sidewalk at all points along the building frontage. Due to the small and atypical shape of the Property, the existence of the Building, extensive public street frontage, and difficulties related to the excavation of a full subgrade parking garage, the Project will include mechanical parking systems that will maintain parking within twenty (20) feet of the Property's boundary lines along New York Avenue and L Street. Therefore, the Applicant requests a variance from the parking location requirements of § 2116.12. In its report on the application, DDOT supports both the reduction in parking and the elimination of vault parking. In such report, DDOT cited its preference to see parking occur on-site, rather than within a vault in public space.

VI.
Satisfaction of Standards Relief for Modification

Under 11 DCMR § 3129, a modification to plans approved by the BZA may be approved if such modification will not alter the Board's findings and conclusions upon which the Board's approval was based. Such is the case here since the standards for the previously-approved variance relief remain satisfied.

In order to obtain area variance relief an applicant must demonstrate that: (i) the property is affected by an exceptional or extraordinary situation or condition, (ii) the strict application of the Zoning Regulations will result in a practical difficulty to the applicant, and (iii) the granting of the variance will not cause substantial detriment to the public good nor substantially impair the intent, purpose or integrity of the Zone Plan. Palmer v. D.C. Bd. of Zoning Adj., 287 A.2d 535, 541 (D.C. 1972).

A. The Property is Affected by Exceptional Conditions

The Property still meets the "exceptional conditions" element of the variance test. In order to retain the existing Building emblematic of the history of the Property and the surrounding neighborhood, the Applicant must work within the constraints of the Building, including its relationship to the lot and the as-built condition. The existing Building occupies the entirety of the lot and also significantly limits parking in the Project. The Property also has an unusual and atypical lot configuration due to the confluence of New York Avenue and L Street, which create a small and triangular lot shape that pinches the Property into a narrow point.

In addition, the Property has an atypical extent of street frontage with streets bordering on all but one side. Such characteristics make it difficult to construct a building that is fully-compliant with the Zoning Regulations' loading requirements since driveways and loading

facilities would alter a substantial part of the Building, adversely impact street and pedestrian operations in this location, and run afoul of the Mount Vernon Triangle Overlay area requirements.

B. Strict Application of the Zoning Regulations Would Result in a Practical Difficulty

As with the original approval, incorporating the warehouse into the Project requires working within the parameters of the existing Building. Combined with the odd configuration of the lot, these existing parameters create many practical difficulties. The result is that is it difficult to provide fully-compliant loading and parking at the Property. The provision of fully-compliant loading would still require demolishing a larger than necessary portion of the existing façade, while devoting scare space on the first level to loading facilities. Similarly, providing fully compliant parking would absorb an unnecessary amount of the limited space on the first (and other) levels of the project and also require excavation that would render the project financially infeasible. Due to the historic building located on the lot, a similar mechanical parking garage was utilized at the Grand Parc at 910 15th Street, N.W[5]. Given the shape and small size of the Property and Building, it is also difficult to construct an efficient floor plate that is built to a compliant lot occupancy.

C. Relief Can Be Granted Without Substantial Detriment to the Public Good and Without Impairing the Intent, Purpose, and Integrity of the Zone Plan

The variances from the loading, parking space, and lot occupancy requirements still do not cause substantial detriment to the public good and or impair the intent, purpose, and integrity of the Zone Plan. There is still no adverse impact from these variances. The Project still furthers

[5] The Grand Parc project redeveloped the United Mine Workers building, a historic landmark, so it did not require parking relief. If it was not so historically designated, it would have required similar relief to that requested by the modified parking variance of the instant Application.

the goals and policies of the Zoning Regulations related to the reuse of existing structures and historic sites, since the renovation of existing historic buildings is highly-desired in the Regulations and Comprehensive Plan. In addition, the DD District was created to foster exactly this type of development. That is, the DD District was in part created to stimulate residential development on the Property and its vicinity and create an active and lively urban core.

It should also be noted that the amount of relief requested for these three variances is still negligible and the relief has arguably been reduced for each variance as a result of the modification.

VII.
The Application Meets the Requirements for Variance Relief Under § 3103.2 of the Zoning Regulations for the Additional Area of Above-Grade Parking Location Relief

The Project meets the three-part test for variance relief for the variance requested from § 2116.12, as set forth below.

A. The Property is Affected by an Exceptional Situation or Condition

The Court of Appeals held in Clerics of Saint Viator v. District of Columbia Board of Zoning Adjustment, 320 A.2d. 291 (D.C. 1974), that the exceptional situation or condition standard goes to the property, not just the land; and that "... property generally includes the permanent structures existing on the land." Id. at 293–94 (citation omitted).

Further, it is not necessary that the uniqueness arise from a single situation or condition on the Property. Rather, it may arise from a "confluence of factors." Gilmartin v. D.C. Board of Zoning Adjustment, 579 A.2d 1164, 1167 (D.C. 1990). For example, in French v. Board of Zoning Adjustment, 658 A.2d 1023, 1035 (D.C. 1995), the Court of Appeals upheld the granting of a variance from 11 DCMR § 217.1 based on the Board's findings that several circumstances

existed which, when considered together, made the property unique. In French, the circumstances cited by the Board were the site's "irregular shape, steeply sloping grade, the large size and physical configuration of the existing building, and its previous history of chancery use." Id. The Board determined "it is not reasonable to consider the building for single-family purposes due to its size, configuration, and history, and that the variance will ensure the preservation of and continued use of the existing structure." Id.

In Capitol Hill Restoration Society v. District of Columbia Board of Zoning Adjustment, 534 A.2d 939 (D.C. 1987), the Court also held that in order to demonstrate such an exceptional situation or condition, "the property owner must present proof that 'the circumstances which create the hardship *uniquely* affect the *petitioner's property*....'" Id. at 941–42 (quoting Taylor v. D.C. Bd. of Zoning Adj., 308 A.2d 230, 234 (D.C. 1973)) (emphasis in original). However, it is not necessary that the Property be unreservedly unique. Rather, applicants must prove that a property is affected by a condition that is unique to the property and not related to general conditions in the neighborhood. In Gilmartin, the Court of Appeals rejected the idea that a property was not unique because the asserted exceptional condition was common to other types of properties in other zoning districts. Gilmartin, 579 A.2d. at 1167. The Court explained:

> the rationale behind the uniqueness test is that difficulties that are common to or affect an entire neighborhood, or a substantial portion thereof, are properly addressed by seeking amendment of the regulation themselves from the Zoning Commission. If such problems were addressed through individual variances, the effect would be a *de facto* amendment of the zoning regulations by the BZA because requests by other owners similarly situated would have to be granted.... [...] The test follows from its rationale. To support a variance it is fundamental that the difficulties or hardships [be] due to unique circumstances peculiar to the applicant's property and not to the general conditions in the neighborhood.

Id. at 1169 (internal quotations and citations omitted; alterations in original).

The Property meets the "exceptional conditions" element of the variance test as the Board previously found in the prior variance case. The unique exceptional condition at the property arises from a confluence of factors rather than a single situation or condition. In addition, the exceptional conditions at the property are not related to general conditions in the neighborhood.

Retaining an existing building emblematic of the history of the Property and the surrounding neighborhood creates many exceptional conditions on the site. In order to adaptively reuse the existing structure, the Applicant must work within the constraints of the Building, including its relationship to the lot and the as-built façade. This has an impact on the ability to excavate a compliant parking garage as well as to meet the loading and occupancy requirements.

The Property also has a unique and atypical lot configuration. As stated, the confluence of New York Avenue and L Street, N.W., creates a triangular lot shape that pinches the Property into a narrow point. Such an asymmetrical pattern (which ultimately creates an oddly-shaped Building) is uncommon in the District particularly for a building and lot of this small size and type. The result is that is it practically difficult to meet the parking requirements on site in a traditional parking arrangement.

In addition, the lot has an atypical degree of street frontage which creates complications to construct driveway and ramping structures that allow an underground parking garage to be fully-compliant with the Zoning Regulations. A significant portion of ground floor space would be utilized by ramping and other infrastructure.

B. Strict Application of the Zoning Regulations Would Result in a Practical Difficulty

In determining whether the requested relief should be granted, the appropriate test is whether the strict application of the Zoning Regulations will result in "practical difficulty." In reviewing the standard for practical difficulty, the D.C. Court of Appeals stated in Palmer v. Board of Zoning Adjustment, 287 A.2d 535 (D.C. App. 1972), that "[g]enerally it must be shown that compliance with the area restriction would be unnecessarily burdensome." Id. at 542 (citation omitted). "The nature and extent of the burden which will warrant an area variance is best left to the facts and circumstances of each particular case." Id. (citation omitted). In area variances, applicants are not required to show "undue hardship" (of use variance tests) but must satisfy only "the lower 'practical difficulty' standards." Tyler v. D.C. Bd. of Zoning Adj., 606 A.2d 1362, 1365 (D.C. 1992) (citing Gilmartin v. Bd. of Zoning Adj., 579 A.2d 1164, 1167 (D.C. 1990)). Finally, it is well settled that the BZA may consider "... a wide range of factors in determining whether there is an 'unnecessary burden' or 'practical difficulty.' Increased expense and inconvenience to applicants for a variance are among the proper factors for BZA's consideration." Gilmartin, 579 A.2d at 1171 (citing Barbour v. D.C. Bd. of Zoning Adj., 358 A.2d 326, 327 (D.C. 1976)); see also Tyler v. D.C. Bd. of Zoning Adj., 606 A.2d 1362, 1367 (D.C. 1992). Other factors to be considered by the BZA include: "the severity of the variance(s) requested"; "the weight of the burden of strict compliance"; and "the effect the proposed variance(s) would have on the overall zone plan" Id. at 1171.

Thus, to demonstrate practical difficulty, the applicant must show that strict compliance with the regulations is burdensome, not impossible. The Applicant, as previously discussed, meets this standard as the Board has previously found. In summary, the practical difficulty

inherent in strictly complying with § 2116.12 results from the unique and exceptional circumstances related to the "historic" Building and the lot size and configuration.

The Project requires that the construction take place within the confines of the existing Building. It would not be possible to provide an all-underground parking facility without demolishing or damaging a portion of the existing façade, which the Applicant intends to restore and integrate into the design. Demolishing such portion of the existing three level façade would leave a permanent "scar" on the design of the Project and would likely threaten the structural stability of the Building. As a result, the Applicant would face a great deal of difficulty and expense excavating a compliant subgrade garage, or even the parking garage that was previously approved (to utilize the vault space). Therefore, strict compliance with § 2116.12 would be unduly burdensome. In fact, the "weight of the burden of strict compliance" created through such an excavation at the Property would be so expensive that it would render the project financially infeasible.

The cost to develop the Project is already significant given the unusual nature of the Property, including the retention of the existing Building and the small unusually-shaped lot. To increase the costs of the Project by requiring that all parking be located underground at this site, would further increase the risk of undertaking the Project. Further, due to market demands, it is also not possible to develop a condominium project without some level of parking. Therefore, if the variance request is not approved it is likely that the site would be undevelopable by the Applicant and will likely "lay fallow" for a period of time, particularly since the Steuart Development site to the east is now almost fully-developed.

Further, an entirely underground parking garage would require additional excavation beyond that initially proposed under BZA Case No. 17723. The development team moved many infrastructure systems from the roof structure to the basement level of the project, such as the emergency generator. Similarly, the development team further developed elements of the project that required locating them in the basement level, such as the stormwater management system, fire pump room, main electrical room, sump pump, elevator control room and the data/telecom room. As a result of such usage of the B1 level, providing a compliant parking garage became even more difficult since an even greater excavation would be required to provide a full parking garage. The B1 level would be mostly comprised of ramps leading to deeper levels, along with the infrastructure areas described above.

Compliance with the requirement that parking spaces are provided on the property is also made unduly burdensome by the dimensions and constraints of the lot. Since the lot is small and oddly-shaped, there is little ability to provide all parking spaces on the Property, particularly in all-subgrade space on the Property. After exhaustive studies a below grade garages was determined to be infeasible. The lot shape and size leads to garage designs that are greatly inefficient, even with the use of vault space, and largely comprised of ramping, aisles and supports for the building above. Since the Property is so constrained, the ramp required to access below grade parking levels occupied almost the entire site leaving very little area to provide parking spaces. The automated parking structure allows for the Applicant to eliminate the ramp that would be needed for traditional underground parking while providing the ideal amount of parking spaces for the Project.

There is also not sufficient area on the lot to provide the mechanical parking in the interior of the lot, more than 20 feet from the street-facing lot lines of the Property. Page A2.2a

of the Plans (attached as Tab 2 to the package) shows the small amount of the Property remaining after such setbacks are taken into account. After such setbacks, only 34.3% or 2,204 square feet of the first level would be "parkable". It is not feasible to require mechanical parking within such narrow and constrained area.

Adaptive redevelopment of the existing Building requires working within the parameters of the existing Building. These parameters create a large set of clear practical difficulties that arise from the unique and exceptional conditions of the Property. Combined with the small size and odd configuration of the lot, the constraints of the existing Building create the practical difficulties necessary to justify the variance.

C. Relief Can Be Granted Without Substantial Detriment to the Public Good and Without Impairing the Intent, Purpose, and Integrity of the Zone Plan

A variance from the parking location requirements of Section 2116.12 can be granted without substantial detriment to the public good and without impairing the intent, purpose, and integrity of the Zone Plan. There will be no adverse impact from this variance.

The variance request and the new mechanical parking system that it would allow will not negatively impact the Zone Plan of the District. The Applicant designed the exterior-facing areas of the above-grade parking to integrate into the project design. The Applicant is proposing a glass and light enclosure for each building opening on the first two levels that would hide the parking mechanisms and vehicles from public view. Therefore, pedestrians walking by the Project will not see or hear vehicles, or their tires, horns, or motors. Similarly, pedestrians will not be exposed to exhaust from such vehicles, since these parking mechanisms will be entirely enclosed. Since such spaces will be secured, they will not pose safety threats for the residents of the Project or passers-by. Since the vehicles are turned off prior to being "sorted" within the

parking system, there will be no offensive headlight pollution into any adjacent properties or any adjacent traffic right-of-way. The design of the first and second levels of the project is shown on Pages 4.1, 4.2, and 4.3 of Tab 2 of the application packet. Page 4.3 in particular shows in more detail the street-level experience. As can be seen on Page 4.3 of Tab 2, the translucent glass over the building openings in the areas of the parking mechanisms acts to shield those structures and the vehicles from view, while providing an attractive façade. In addition, this page shows a project that incorporated a similar above-grade mechanical parking approach designed by the project architect, WDG Architects. No negative effects were created on the streetscape as a result of such project.

Due to the focus on design for these parking structures, there will not be a negative effect on the aesthetics of the streetscape. On the contrary, the uniqueness of the parking systems and the integration of glass and light will all for an enhancement of the streetscape. As a result, the existence of these above-grade spaces will not create a "dead zone" in the streetscape. Instead, the design will be incorporated into the residential project and appear to be a cohesive part of the building.

In reality, the Project will maximize the parking capacity of the Project and will exceed the sixteen (16) parking space requirement in the Project (with an additional sixteen (18) parking spaces). A full parking garage to provide all parking spaces either 20 feet away from the right-of-way facing lot lines or subgrade would require excavating a several level garage – a very expensive and inefficient task that might make the Project financially infeasible. Thus, the relief from the location limitations for parking at the Project is in harmony with the "intent and purpose" of the parking regulations as applied to commercial buildings in the DD/C-2-C Zone District.

Further, the District of Columbia Department of Transportation ("**DDOT**") submitted a report indicating support for the parking proposal of this application. In that report, DDOT supported the elimination of the vault parking and noted that "It is DDOT preference to see parking occur on-site, rather than within a vault in public space."

The Applicant has worked with ANC 6C to address issues related to the proposed Project and has received ANC 6C's unanimous support. The Applicant also met with the Mount Vernon Square Neighborhood Association ("**MVSNA**") and MVSNA approved a motion in support of the application.

Therefore, for all the reasons stated above, the approval of the variance will not impair the intent, purpose and integrity of the Zone Plan, but will actually create positive benefits to the public good.

VIII.

Comprehensive Plan

The 2006 Comprehensive Plan's Generalized Land Use Map designates the Property for High-Density Commercial and High-Density Residential use. High-rise residential uses are the predominant use in the High-Density Residential land use category. High-rise commercial buildings are the predominant uses in the High-Density Commercial land use category. The High-Density Commercial land use designation is the business and retail heart of the District and metropolitan area, and includes a mix of employment, retail, office, cultural and entertainment centers. Accordingly, the Project is still consistent with this land use designation.

Further, the Project fosters the goals and policies stated in the Central Washington Element of the Comprehensive Plan, particularly Policy CW-1.1.1 which advocates creating vibrant neighborhoods and Policy CW-1.1.3 which promotes incentives for non-office

development such as the proposed residential project. In addition, CW-1.1.4 encourages "the development of new high-density housing in Central Washington, particularly in the area north of Massachusetts Avenue and east of Mount Vernon Square." The Property is in this target area. CW-1.1.4 continues:

> [...] A strong Downtown residential community can create pedestrian traffic, meet local housing needs, support local businesses in the evenings and on weekends, and increase neighborhood safety and security.

Going further, Policy CW-2.4.4 advocates developing Mount Vernon Triangle as a "high density residential neighborhood." Clearly, the Project brings the desired residential building to the Mount Vernon Triangle area as described in the Comprehensive Plan. Regarding the restoration of the "historic" façades of the Building and their incorporation into the Project, Policy CW-1.2.2 promotes the preservation of Central Washington's historic resources, buildings, and districts and the renovation and new construction sensitive to the character of the historic buildings. Under that section, adaptive reuse such as the Project is to be encouraged.

IX.

Conclusion

For all of the above reasons, the Applicant is entitled to the modification to the approved plans and the above-described variance relief.

Respectfully submitted,

Maureen E. Dwyer

Jeffrey C. Utz

January 31, 2012

WDG Architecture, PLLC
1025 Connecticut Ave., NW
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Washington, D.C. 20036

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Sean M Stadler, AIA, LEED©AP

Personal Qualifications

Sean M. Stadler, AIA, LEED©AP, currently serves as Design Principal and is an Associate Principal of the firm WDG Architecture. He focuses on elevating the firm's stature in design, with particular emphasis on enhancing the civic realm in redeveloping communities. Sean has championed the pursuit of complex, high-profile urban projects, bolstering WDG's reputation for designing distinctive, high-rise structures with New-Urbanist sensitivity. Mr. Stadler's diverse experience includes commercial, residential, educational, sporting and medical facilities. He holds senior responsibilities for strategic planning; design oversight; project management; marketing; recruiting and hiring, and has helped to develop the firm's mentoring program.

While practicing architecture with David Schwarz Architectural Services, he was a lead designer for the American Airlines Center in Dallas, Texas and the Frisco Ballpark in Frisco, Texas. During his tenure at GSI Architects Inc, in Cleveland, Ohio, notable projects included the Applied Industrial Technologies Corporate Headquarters in Cleveland, Ohio. Mr. Stadler has traveled extensively throughout the U.S., Canada, Central and South America and Europe. As a result, he has been exposed to and given the opportunity to further study many urban and architectural design concepts.

Sean holds a Bachelor of Science and Bachelor of Architecture from Kent State University. An active member of the design community, Mr. Stadler has been a panel speaker, moderator, and presenter at events such as the AIA National Convention; he has served as an awards juror for programs such as the AIA Institute Honors and Awards; and he has frequently served as a design critic for both Kent State and the Catholic University of America's Architecture Schools. Sean is currently serving on the AIA | DC Board of Directors, the AIA National Young Architects Forum (YAF) Advisory Committee as the Past Chair, and is serving on Kent State University's College of Architecture and Environmental Design's Professional Advisory Board. Sean has also chaired the AIA National Young Architects Forum (YAF) Advisory Committee, the AIA National Intern/Associate Committee (NAC) and served as the AIA Cleveland Chapter's Associate Director. Mr. Stadler was honored in Cleveland with an AIA Presidents Award for his service to the profession, was selected as one of *Building Design + Construction* magazine's winners of the 2009 "40 Under 40" competition and is a recipient of the 2011 AIA Young Architects award where the jury noted *"he is a unique individual of outstanding talent and clear commitment."*

Education

Kent State University Kent, Ohio

School of Architecture and Environmental Design
Bachelor of Architecture, 1995
Bachelor of Science, 1994

CICP International Study Program – Spring Semester, 1993
Centro Linguistico Dante Aleghieri, Florence, Italy
Charles Cecil Drawing Studio, Florence, Italy
SCI-ARCH, Vico Morcote, Switzerland

Registration

State of Ohio – Certificate No. 12911
District of Columbia – Lic. No. ARC101042
State of Maryland – Lic. No. 15024
Commonwealth of Virginia – Lic. No. 0401 014087
NCARB Certified

Memberships

American Institute of Architects, 1995 – Present
National Council of Architecture Registration Boards, 1995 – Present
DC Real Estate Group, 2006 – present
National Building Museum, 2000-2008
Urban Land Institute - Young Leaders, 2002-2005
Phillips Collection - Collectors Circle, 2003-2006
Smithsonian Institute, 2000 – Present

Professional Involvement

American Institute of Architects - National

Council of Emerging Professionals, 2011
Center for Civic Leadership Committee, 2011
YAF Advisory Committee, Past Chair, 2011
YAF Advisory Committee, Chair, 2010
YAF Advisory Committee, Vice Chair, 2009
YAF Advisory Committee, Programs Advisor, 2007-2008
Intern/Associates Committee, Chair, 1999
Intern/Associates Committee, 1998
IDP Coordinating Committee, 1998 – 2000

American Institute of Architects – District of Columbia Chapter

Board of Directors – Director at Large, 2011–Present
Design Excellence Committee, 2010 –2011
Convention Host Chapter Party Committee, 2011

American Institute of Architects - Cleveland Chapter

Board of Directors - Associate Director, 1997-1999
A.I.A. Ohio Convention Committee, 1997
Urban Design Committee, 1995-1997
Cleveland Architectural Interns – Founder /Co-Director, 1997 - 1999
Look Up to Cleveland – A.I.A. Liaison, 1997 -1999

Professional Involvement
continued

Kent State University College of Architecture and Environmental Design
Professional Advisory Board, 2010 - Present

Publications

Richard Fleischman - Spaces Shared, McGraw Hill, 1996
AIArchitect, July 1998
Concepts to Assist Neighborhood Decision Makers, October, 1996
Next in Line – PM Network, August, 2008
40 under 40 – Building Design and Construction, January, 2009

Podcasts/Interviews

Interview: GMA Radio, May 2007
Podcast: YAF 150 at 150□: CR George Dove, FAIA and Theodore E. Kurz, FAIA, 2007 □□□
AIA PodNet Architects Working Together: A Cross-Generational Conversation, 2007

Speaking Engagements

The Catholic University Visiting Lecturer, 2010

AIA Conv., AIA Partnership Summit, 2010

AIA Grassroots, *Designing an Effective Program For Mentors,* 2010

AIA Grassroots Leadership and Legislative Conference: Panel Speaker, 2009
Grooming Our Future Leaders

AIA Grassroots Leadership and Legislative Conference: Moderator, 2009
Mentoring Matters

AIA DC, 2007-2008
IDP Mentor Training Workshop

Crew DC - Networking Round Table, 2008
Recent Mixed Use Projects in the DC Area

AIA Grassroots Leadership and Legislative Conference, 2008
Leadership in Today's Multi-Generational Workplace

2008 AIA National Convention: Moderator, 2008
The Need To Negotiate – Taking Your Career to the Next Level

AIA Design | DC, Presenter, 2008
Mentoring Essentials for IDP Supervisors | Emerging Architects

IDP Coordinating Conference: Panel Speaker, 1999

AIA National Convention: Moderator, 1999
Outstanding Firm Award

Honors & Awards

National AIA Young Architects Award, 2011
TOTO - Universal Design research Mission, 2010
AIA Institute Honors and Awards for Collaborative Achievement, Juror, 2010
AIA Institute Honors and Awards, Associates Award Juror, 2009
Building Design + Construction "40 Under 40", 2009
Emerging Professional Grant Juror, 2008-2010
AIAS Chair Affair Design Completion Juror, 2005
AIA Institute Honors and Awards, Kemper Award, Juror, 1999
AIA President Award – Cleveland Chapter, 1998
AIA Outstanding Firm Award Juror, 1998 – 1999
Look Up To Cleveland Outstanding Leadership Award, 1997-1999
Kent State University - Visiting Design Juror
The Catholic University of America - Visiting Design Juror
Kent State University - G210 Gallery Exhibits for Student Work
Kent State University - Work recognized for NAAB Accreditation
Ohio Edison Energy Design Competition - Third Place, 1994
Howard Brandston Lighting Competition - Second Place, 1994

Professional Experience

WDG Architecture, PLLC - *Associate Principal* 11/01 – Present
1025 Connecticut Ave., N. W., Suite 300, Washington D.C. 20036

Mr. Stadler currently serves as Design Principal and is an Associate Principal of the firm with more than 16 years of architectural experience. A focus of his has been creating an environment that incubates design talent, thereby elevating the firm's recognition in the design community. Sean is accomplishing this through his leadership in the design of complex mixed-use projects and his tenacious oversight of the firm's design process. His involvement throughout a project includes challenging the project team to achieve innovative design, no matter the constraints.

David M. Schwarz/ Architectural Services Inc. - *Senior Design Architect* 3/99 – 10/01
1707 L Street, N. W., Suite 400, Washington D.C. 20036

Sean's responsibilities were to lead the design team from Schematic Design through Construction, and direct them on all matters of aesthetic importance. Directly responsible for design-related issues, his coordination of all disciplines insured the integrity of the design throughout the entire design and construction process. His role as design representative in owner, project, coordination and construction meetings was key in successfully seeing a design come to fruition. Sean also served as the intern advisor for the office.

GSI Architects, Inc. - *Senior Designer* 5/95 – 2/99
1240 Huron Road, Cleveland, Ohio

Became one of the early core group that charted the □firm's direction from a design □firm of 20 □individuals to a team of 100□+, providing architecture, interiors, management, and engineering services. Responsibilities included marketing as well as Schematic Design, Design Development, Construction Documents and Construction Administration. Served as the Project Designer and directed the project team on design intent, including coordinating all disciplines for various projects ranging in size and scope. Directly responsible for setting new standards for presentation, publications, and marketing techniques. Implemented and managed design model shop.

Kurz Architects - *Intern Architect* 5/94 -- 5/95
12307 Larchmere Blvd., Cleveland, Ohio

Responsibilities included Design Development and Construction Documents entailing extensive field survey, code research, materials and specifications research.

Richard Fleischman Architects, Inc. - Intern Architect / Designer: 12/92 – 1/94
1025 Huron Road, Cleveland, Ohio

Primary responsibilities included all phases of design including construction of models and production of drawings for presentations and publications.

Project Experience

WDG Architecture, PLLC Washington, DC

Square 37 – Washington, DC
Square 50 – Washington, DC
United State Coast Guard Headquarters – Washington, DC
Northwest One Site 1B – Washington, DC
Park Morton Master Plan – Washington, DC
New York Avenue Apartment Buildings, Washington, DC
Potomac Promenade Condominiums – National Harbor, MD
Fleet Street Condos - National Harbor, MD
National Harbor Aloft hotel – National Harbor, MD
St. George Condominiums – National Harbor, MD
1325 South Capitol Apartment Building – Washington, DC
Northgate Student Housing – College Park, MD
Park Potomac Office Buildings E, D, F – Potomac, MD
1021 Clarendon Condominiums – Arlington, VA
Silver Spring Gateway Condominiums – Silver Spring, MD
The Mercer at Reston Condominiums - Reston, VA
Potomac Place Condominiums – Washington, DC
701 South Eden Street Apartment Building – Baltimore, MD
1400 Lancaster Street Condominiums – Baltimore, MD
Ripley Street Condominiums – Silver Spring, MD
Potomac Yard Apartment Building – Arlington, VA
2700 Boston Street Condominiums - Baltimore, MD
Rockville Metro II Office Building – Rockville, MD
Various Master Planning Projects – DC, VA, MD

David M. Schwarz/ Architectural Services Inc. Washington, DC

American Airlines Center Arena – Dallas Texas
Star City Master Plan
Frisco Ballpark – Texas Rangers Minor League – Frisco Texas

Gilberti Spittler International Cleveland, Ohio

Beachwood High School Auditorium – Beachwood, Ohio
Allen Theater – Cleveland, Ohio
The Republic – Columbus, Indiana
The Patriot-News – Harrisburg, Pennsylvania
Thomson Newspapers – Various Projects
Dayton Daily News – Dayton, Ohio
Bearings, Inc. – Cleveland, Ohio
Cleveland Browns Stadium Proposal – Cleveland, Ohio
Manco, Inc. – Avon, Ohio
The City of Independence – Independence, Ohio
The City of Brooklyn – Brooklyn, Ohio
Flexalloy – Cleveland, Ohio
Gould Electronics – Eastlake, Ohio
The Plain Dealer Headquarters – Cleveland, Ohio
University Hospitals – Westlake, Ohio
Liberty Building – Cleveland, Ohio

Project Experience
continued

Duke Realty – Independence, Ohio
The Ohio Turnpike Commission – Ohio
Cuyahoga County Coroner – Cleveland, Ohio
University Hospital – Westlake, Ohio
Thomson Newspapers – Various Projects
The Star Ledger – Various Projects
Journo Do Commercio – Brasil
Torre Paulista Tower – Sao Paulo, Brasil

Kurz Architects Cleveland, Ohio

Eldred Theater – Case Western Reserve University – Cleveland, Ohio
Bryan Residence – Shaker Heights, Ohio

Richard Fleischman Architects, Inc. Cleveland, Ohio

Ohio Aerospace Institute – Cleveland, Ohio
Parker Hannifin – Executive Suite, Wellness Center – Cleveland, Ohio
Gateway Underground Service Area – Cleveland, Ohio
Auburn Career Center – Concord Township, Ohio
Breezy Bluff Development – Bratenahl, Ohio
The Cleveland Playhouse – Cleveland, Ohio
Cleveland Convention Center – Cleveland, Ohio

OUTLINE OF TESTIMONY OF REPRESENTATIVE OF THE APPLICANT,
DUNCAN SLIDELL,
BOZZUTO DEVELOPMENT COMPANY

I. Introduction of Applicant

II. History of Site

III. Site Location and Description

  A. Overview of Site, Surrounding Area, and Land Use

IV. Overview of Relief Requested

V. Goals and Objectives of Application

  A. Entirely Residential Use

  B. "Historic" Renovation

VI. Community Dialogue Process

VII. Conclusion

OUTLINE OF TESTIMONY OF SEAN STADLER,
PROJECT ARCHITECT,
WDG ARCHITECTS

I. Introduction

A. Project Architect, WDG Architects

II. Description of Project

A. Design as Proposed

III. Review of Relief

A. Areas of Modified Relief Requested

B. Details of Mechanical Parking System

C. Site Configuration and Construction Constraints

D. Design Considerations

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment

Application No. 17723 of Bozzuto Development Company, pursuant to 11 DCMR §§ 3103.2 for a variance from the parking requirements under subsection 2101.1, a variance from the loading requirements under subsection 2201.1 and variances from the lot occupancy and nonconforming structure requirements under subsections 772 and 2001.3, respectively,[1] to allow the construction of a residential building in the DD/C-2-C District at premises 460 New York Avenue, N.W. (Square 515N, Lot 828).

HEARING DATE: February 26, 2008
DECISION DATE: February 26, 2008 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 6C and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6C, which is automatically a party to this application. ANC 6C submitted a report expressing no opposition to the application. The Office of Planning (OP) submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for a variance pursuant to 11 DCMR § 3103.2. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

[1] Applicant originally sought special exception relief from the penthouse requirements under subsection 400.7, but withdrew this request at the hearing. Applicant submitted into the record at that time an alternative roof plan (Drawing A1.1a) for which no relief is required.

Based upon the record before the Board and having given great weight to the ANC and Office of Planning reports filed in this case, the Board concludes that the Applicant has met the burden of proving under 11 DCMR §§ 3103.2, *(2101, 2201, 772, and 2001)* that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that the application be **GRANTED, SUBJECT** to the following **CONDITION:**

Pursuant to 11 DCMR 3125.8, the Applicant shall carry out construction only in accordance with the plans approved by the Board, except that Applicant shall have the following **flexibility:**

1. Applicant may provide between a minimum of 54 and a maximum of 72 parking spaces.

2. Applicant may reduce the number of units from 81 to a lesser amount.

3. Applicant may modify the architectural embellishment reflected on the approved roof plan, Alternate Roof Plan (Drawing A1.1a), to be consistent with approval of the Historic Preservation Review Board.

The above flexibility is granted to the extent that any modifications do not increase any of the areas of relief granted by the Board nor create any new areas of relief.

VOTE: 4-0-1 (Ruthanne G. Miller, Shane L. Dettman, Mary Oates Walker and Marc D. Loud to approve; No Zoning Commission Member participating)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT
Each concurring member approved the issuance of this order.

ATTESTED BY: _____
JERRILY R. KRESS, FAIA
Director, Office of Zoning

FINAL DATE OF ORDER: MAR 2 8 2008

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE §§ 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT.

DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment

BZA APPLICATION NO. 17723

As Director of the Office of Zoning, I hereby certify and attest that on **MARCH 28, 2008**, a copy of the order entered on that date in this matter was mailed first class, postage prepaid or delivered via inter-agency mail, to each party who appeared and participated in the public hearing concerning the matter and to each public agency listed below:

Maureen Dwyer, Esq.
Pillsbury Winthrop Shaw Pittman, LLP
2300 N Street, N.W., 6th Floor
Washington, D.C. 20037

Dime, LLC, Kressin South New York Avenue, LLC,
and Bandit, LLC
c/o Demers Real Estate
1664 Columbia Road, N.W.
Washington, D.C. 20009

Chairperson
Advisory Neighborhood Commission 6C
P.O. Box 77876
Washington, D.C. 20013

Single Member District Commissioner 6C02
Advisory Neighborhood Commission 6C
P.O. Box 77876
Washington, D.C. 20013

Matthew LeGrant, Zoning Administrator
Dept. of Consumer and Regulatory Affairs
Building and Land Regulation Administration
941 North Capitol Street, N.E., Suite 2000
Washington, D.C. 20002

Tommy Wells, City Councilmember
Ward Six
1350 Pennsylvania Avenue, N.W., Suite 408
Washington, D.C. 20004

Jill Stern, Esquire
General Counsel
Department of Consumer and Regulatory Affairs
941 North Capitol Street, N.E., Suite 9400
Washington, D.C. 20002

ATTESTED BY: _____
JERRILY R. KRESS, FAIA
Director, Office of Zoning

TWR

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment

Application No. 17723-A of Bozzuto Development Company, pursuant to 11 DCMR § 3103.2, for a variance from the parking requirements under subsection 2101.1, a variance from the loading requirements under subsection 2201.1, and variances from the lot occupancy and nonconforming structure requirements under subsections 772 and 2001.3, respectively, to allow the construction of a residential building in the DD/C-2-C District, at premises 460 New York Avenue, N.W. (Square 515N, Lot 828).

HEARING DATE (Orig. Application): February 26, 2008
DECISION DATE (Orig. Application): February 26, 2008 (Bench Decision)
FINAL ORDER ISSUANCE DATE (Orig. Application): March 28, 2008
DECISION ON MOTION TO EXTEND ORDER: March 2, 2010

ORDER ON MOTION TO EXTEND THE VALIDITY OF BZA ORDER NO. 17723

The Underlying BZA Order

On February 26, 2008, the Board of Zoning Adjustment (the Board or BZA) approved the Applicant's request for variance relief from the requirements of parking, loading, and lot occupancy and nonconforming structure, to allow the construction of a residential building in the DD/C-2-C District. Thus, pursuant to 11 DCMR § 3103.2, the Board granted variances from the parking requirements under § 2101.1, from the loading requirements under § 2201.1, and from the requirements of lot occupancy and nonconforming structure under §§ 772 and 2001.3, to allow the construction of a residential building in the DD/C-2-C District, at premises 460 New York Avenue, N.W. (Square 515N, Lot 828). The Order was issued March 28, 2008. (BZA Order 17723)

Under the Order, and pursuant to § 3130.1 of the Zoning Regulations, the Order was valid for two years from the time it was issued – until March 28, 2010.

Section 3130.1[1] states:

> No order [of the Board] authorizing the erection or alteration of a structure shall be valid for a period longer than two (2) years, or one (1) year for an Electronic Equipment Facility(EEF), unless within such period, the plans for the erection or alteration are filed for the purposes of securing a building permit, except as permitted in § 3130.6.

(11 DCMR § 3130.1)

Motion to Extend

On January 29, 2010, the Board received a letter from the Applicant, which requested, pursuant to 11 DCMR §3130.6,[2] a two-year extension in the authority granted in the underlying BZA Order, which was due to expire March 28, 2010. (Exhibit 38). The Board received additional, supplemental material from the Applicant in support of the request for a time extension, pursuant to §3130.6. (Exhibit 41).

The Applicant is requesting a two-year extension in the authority granted in the underlying BZA Order because, due to the deterioration of the real estate market in Washington, D.C., the Applicant has been unable to obtain the necessary financing commitment to begin the building renovation and construction, despite attempts to obtain financing for the project. The Applicant also cited the decrease of residential leasing activity in the Downtown area which has resulted in a negative absorption rate, leading to a residential market that has become too soft for the introduction of new space. Despite the lack of financing, the Applicant has still funded work on plans and construction drawings necessary to apply for a building permit from the Department of Consumer and Regulatory Affairs for the Project. (Exhibit 38).

Several responses to the Applicant's motion were filed, one from the Office of Planning (OP) and the other from the affected Advisory Neighborhood Commission (ANC). The Office of Planning (OP) issued a report in support of the time extension, and requested that the Applicant submit documentation of, or a notarized description of, its unsuccessful attempts to secure financing. (Exhibit 40). The Applicant responded by filing the documentation OP requested, including two signed and notarized affidavits. (Exhibit 41).

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[1] Section 3130.1 was amended by the addition of the phrase "except as permitted in § 3130.6" by the Zoning Commission in Z.C. Case No. 09-01. The amendment became effective on June 5, 2009.
[2] Section 3130.6 was adopted by the Zoning Commission in Z.C. Case No. 09-01 and became effective on June 5, 2009.

The project is within the boundaries of ANC 6C. ANC 6C filed a report in support of the motion and project. (Exhibit 39).[3]

According to the Applicant, the reasons for its request to the Board to extend the time of the Order are because of its inability to secure financing in an unstable economic market and market conditions in the District. The extension would allow the Applicant the additional time in which to secure the permits and financing. Accordingly, the Applicant requested that, pursuant to § 3130.6 of the Regulations, the Board extend the validity of its prior Order for an additional two years, thereby allowing the Applicant additional time to secure financing and apply for a building permit.

Criteria for Evaluating Motion to Extend

The Zoning Commission adopted 11 DCMR § 3130.6 in Zoning Commission Case No. 09-01. The Section became effective on June 5, 2009.

Section 3130.6 of the Zoning Regulations states in full:

> 3130.6 The Board may grant one extension of the time periods in §§ 3130.1 for good cause shown upon the filing of a written request by the applicant before the expiration of the approval; provided, that the Board determines that the following requirements are met:
>
> (a) The extension request is served on all parties to the application by the applicant, and all parties are allowed thirty (30) days to respond;
>
> (b) There is no substantial change in any of the material facts upon which the Board based its original approval of the application that would undermine the Board's justification for approving the original application; and

[3] The ANC's report sought to have the Applicant address two issues, having asked that the developer: (1) put into place a maintenance plan for upkeep of the property during the two-year period; and (2) explore ways to make the structure a contributing use to the community during the extension of time. (Exhibit 39). In response the Applicant attached a Site Maintenance Plan (Exhibit 41, Attachment C) so as "to ameliorate the effects of the Property's vacancy prior to the beginning of construction under the Order" and indicated its willingness to "meet with [the ANC] and surrounding neighbors to explore the feasibility of potential interim uses for the Property prior to the construction of the project...." (Exhibit 41).

(c) The applicant demonstrates that there is good cause for such extension, with substantial evidence of one or more of the following criteria:

(1) An inability to obtain sufficient project financing due to economic and market conditions beyond the applicant's reasonable control;

(2) An inability to secure all required governmental agency approvals by the expiration date of the Board's order because of delays that are beyond the applicant's reasonable control; or

(3) The existence of pending litigation or such other condition, circumstance, or factor beyond the applicant's reasonable control.

(11 DCMR § 3130.6)

The Board finds that the Applicant has met the criteria set forth in this provision. The filing of the motion on January 29, 2010, prior to the expiration date, tolled the effect of the order. The request was served on all the parties to the application and those parties were given 30 days in which to respond under § 3130.6(a). The Applicant's inability to secure the necessary permits and financing and the poor economic conditions in the District constitute the "good cause" required under § 3130.6(c)(1).

As required by § 3130.6(b), there is no substantial change in any of the material facts upon which the Board based its original approval. In requesting this extension of the Order, the Applicant's plans for development of the site would be unchanged from those approved by the Board in its Order dated March 28, 2008 (Exhibit No. 34 in the record). There have been no changes to the zone district classification applicable to the property or to the Comprehensive Plan affecting this site since the issuance of the Board's Order.

Neither the ANC nor any party to the application objected to an extension of the Order. The Board concludes that the extension of that relief is appropriate under the current circumstances.

Accordingly, pursuant to § 3130.6 of the Regulations, the Board hereby extends the validity of the underlying Order, for a period not to exceed two years from the current expiration date, thereby establishing a new expiration date of March 28, 2012.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this request for extension of time be **GRANTED** until March 28, 2012.

VOTE: 3-0-2 (Meridith H. Moldenhauer, Nicole C. Sorg, Marc D. Loud to approve; no other Board members participating, nor voting)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT
A majority of the Board members approved the issuance of this order.

ATTESTED BY: Jamison L. Weinbaum
JAMISON L. WEINBAUM
Director, Office of Zoning

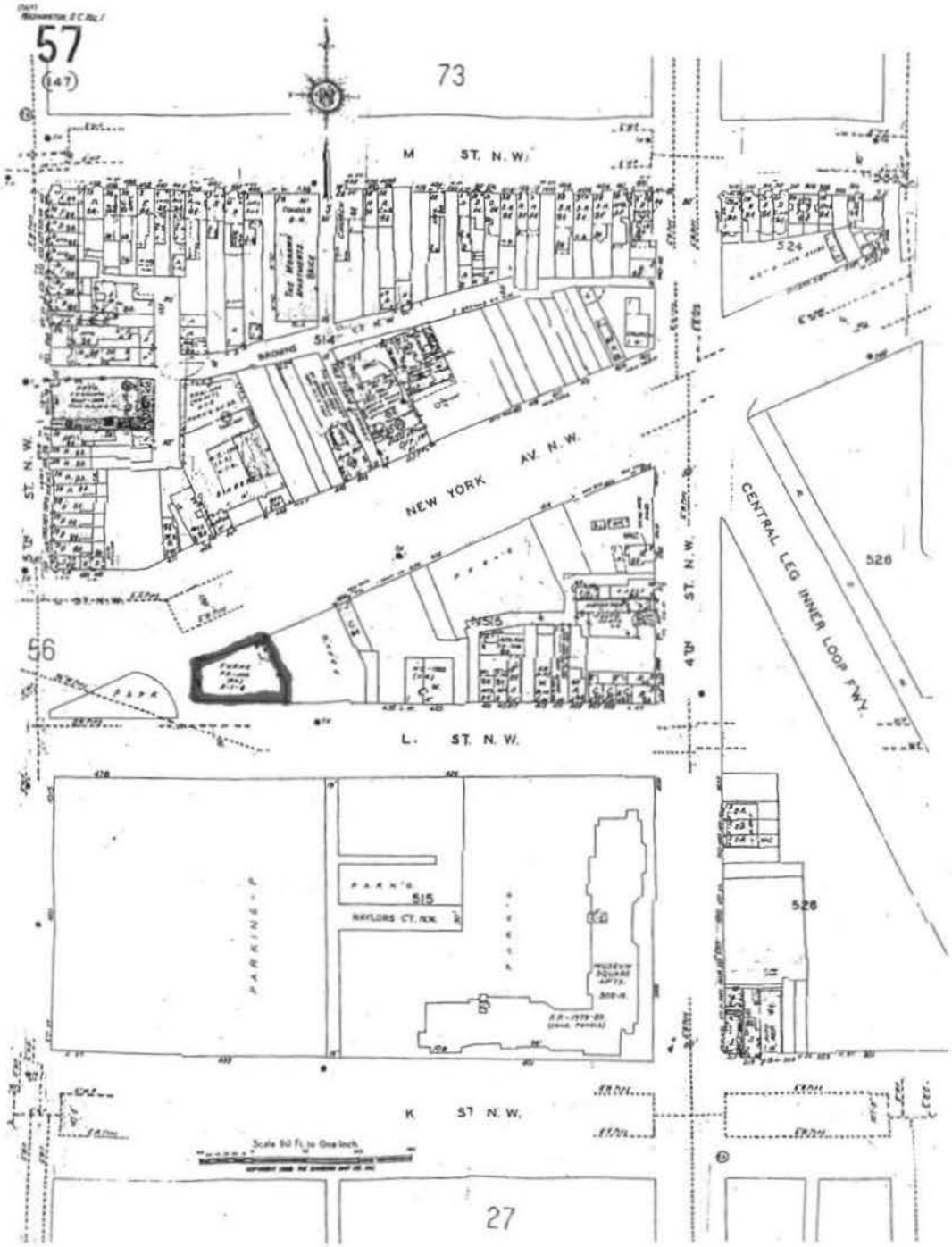
FINAL DATE OF ORDER: MAR 11 2010

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE §§ 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL

ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.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M ST. N.W.
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BROWNS
NEW YORK AV. N.W.
5TH ST. N.W.
4TH ST. N.W.
CENTRAL LEG INNER LOOP FWY.
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WAYLORS CT. N.W.
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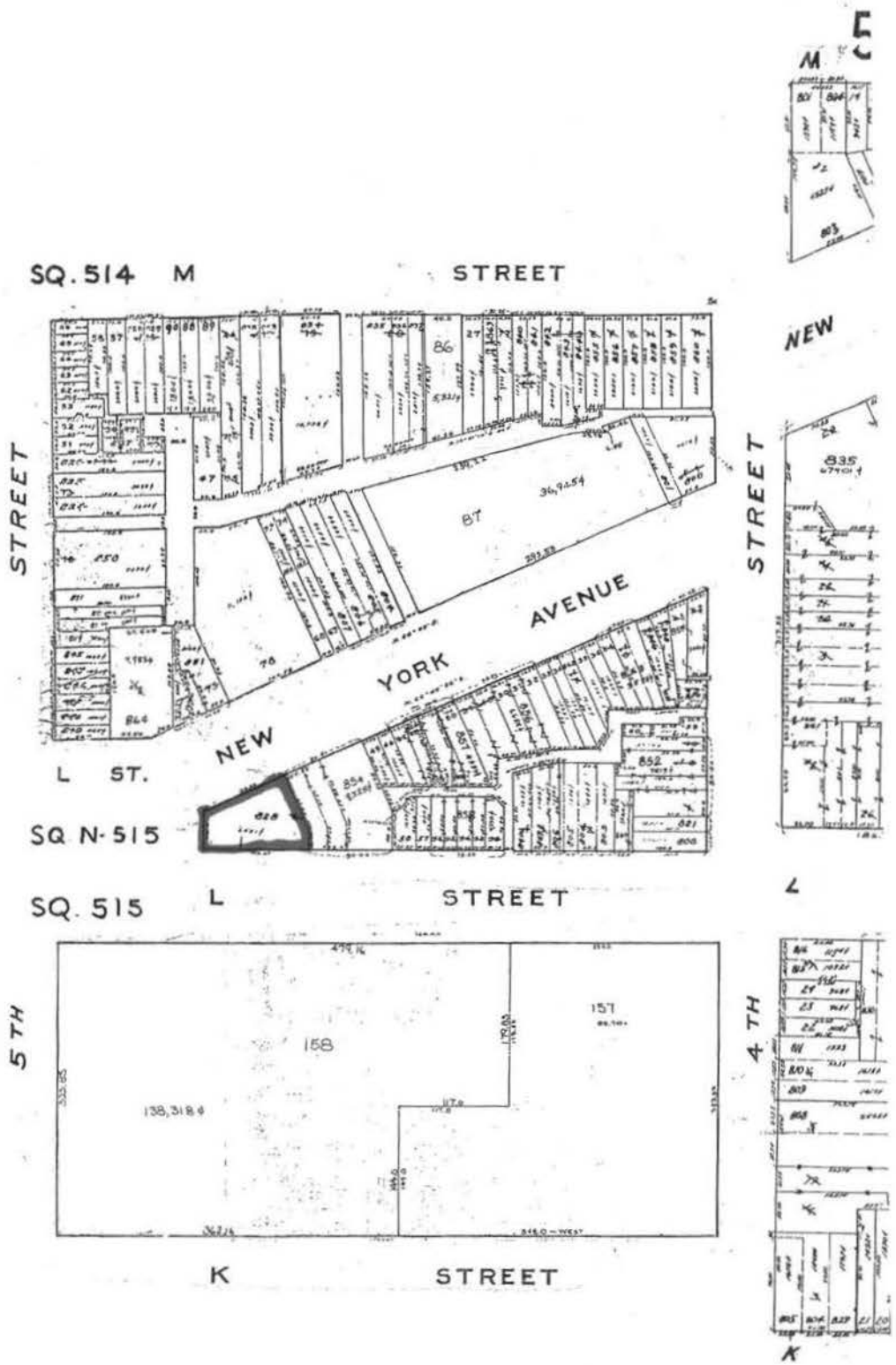
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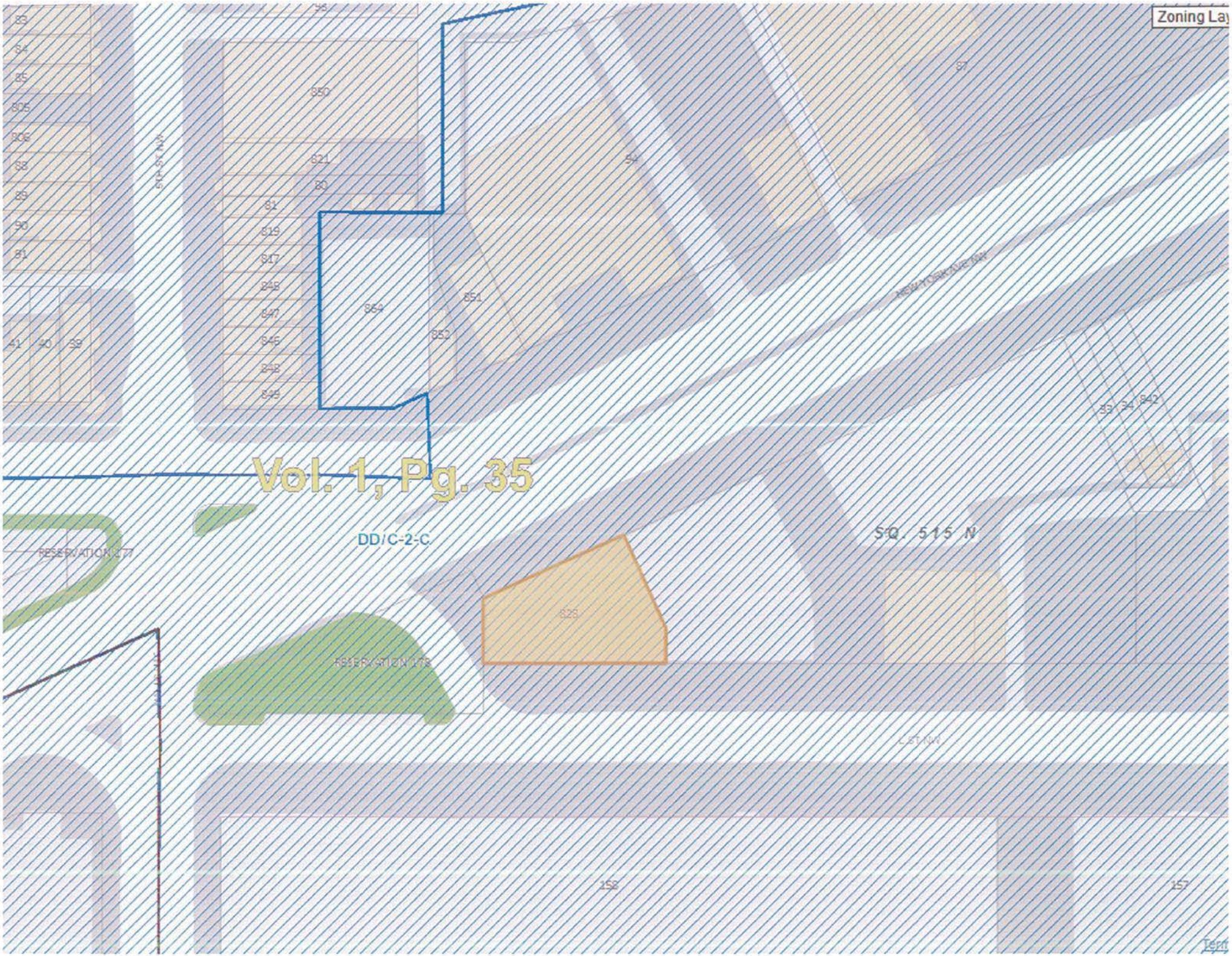

Zoning Lay
Vol. 1, Pg. 35
DD/C-2-C
SQ. 515 N
RESERVATION 177
RESERVATION 178
NEW YORK AVE NW
158
157

Data Sheet Wöhr Parklift 413

Single unit = 3 cars
Double unit = 6 cars

Suitable for condominium and office buildings.
For permanent use only!*

* In case of short time user - only possible on upper platform and only if technically adjusted, ask WÖHR!
Or with attendant or valet parking all levels are possible for short time user.

All platforms are in a horizontal position to drive on.

Covered installation:
Load per platform max. 2000 kg (load per wheel max. 500 kg)

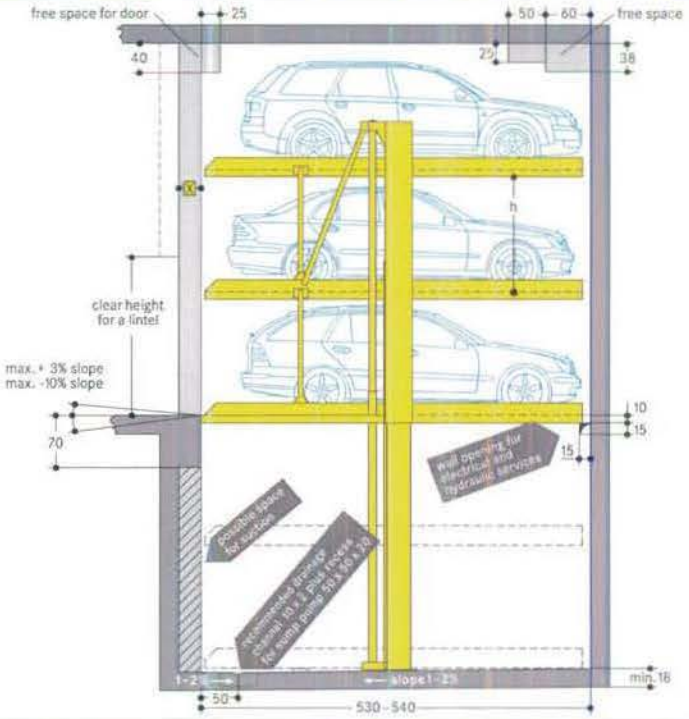
⊠ = only applicable if garage doors are to be fitted

Roller doors:
⊠ = 15

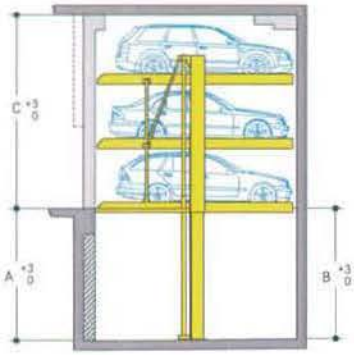
Sectional doors:
⊠ = 25 (single doors)
⊠ = 30 (double doors)

⊠ = to be clarified with door supplier

Dimensions in cm



Normal type

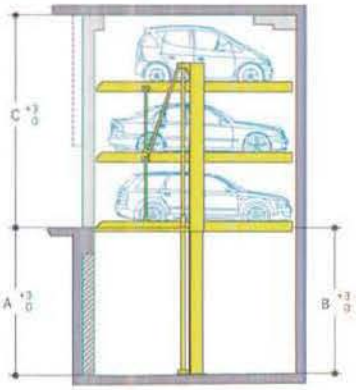


Please attend to restricted car- and platform distance height!

	A	B	C	h	car height*
Parklift 413-345/340:	345	340	495	160	155
Parklift 413-335/330:	335	330	480	155	150

* upper level, entrance level and lower level for saloon and estate cars

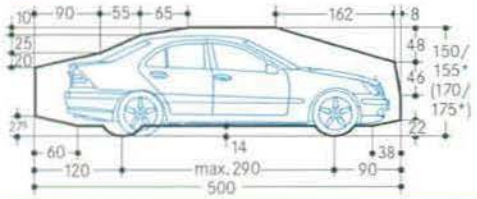
Comfort type

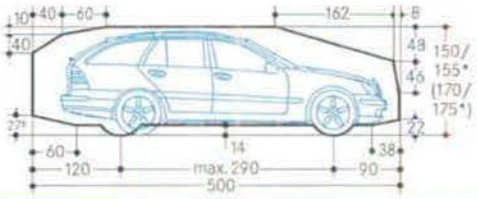


	A	B	C	h	car height*
Parklift 413-385/380:	385	380	555	180	175
Parklift 413-375/370:	375	370	540	175	170

* upper level, entrance level and lower level for saloon and estate cars

Clearance profile (standard saloon/estate car)





*The total car height includes roof rail and antenna fixture and must not exceed the mentioned max. height dimension.

Notes

1. Car width max. 190 cm (see width details page 2). In case of special platform widths narrower than 230 and 460 cm respectively, the maximum vehicle width is reduced accordingly. For cars with two outside mirrors, a minimum platform width of 250 cm or 500 cm is recommended.
2. Due to recent increases in car length dimensions, and potential future developments, a pit length of 540 cm is advisable. This offers bigger safety distances also for future cars.
3. At the edge of the pit a 10cm wide, yellow-black marking according to ISO 3864 has to be provided by the purchaser (see "statics and construction requirements" on page 3).
4. It is not possible to have channels or undercuts and/or concrete haunches along the pit floor-to-wall joints. In the event that channels or undercuts are necessary, the system width needs to be reduced or the pit needs to be wider.
5. The manufacturer reserves the right to modify or alter above specifications.

Parklift 413 | 09.2011 | C027-4304 | © Otto Wöhr GmbH

Otto Wöhr GmbH
Auto-Parksysteme
P. O. Box 1151
71288 Friolzheim
Fon +49 [0] 7044 46-0
Fax +49 [0] 7044 46-149
www.woehr.de
info@woehr.de

We compact parking space

Width dimensions · Underground garages

All dimensions shown are minimum. Construction tolerances must be taken into consideration.
All dimensions in cm.

The access to the Parklift is possible with max. 3% declination and max. 10% inclination.

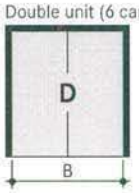
If not stated differently in the offer, platform widths of 230 cm or 460 cm will be delivered. Bigger/smaller platform widths can be delivered at additional price.

Wall to wall

Single unit (3 cars)

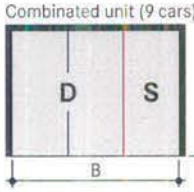
Space required B	gives clear platform width
270	230
280	240
290	250
300	260
310	270

Double unit (6 cars)



Space required B	gives clear platform width
500	460
520	480
540	500

Combinated unit (9 cars)



Wall openings required between partitions for electrical and hydraulic conduits must be provided where applicable. Wall openings may not be closed after installation.

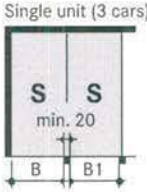
Space required B	gives clear platform width
765	460+230
795	480+240
825	500+250
835	500+260
845	500+270

Minimum driveway width according to local requirements

Further width combinations as well as smaller widths are possible

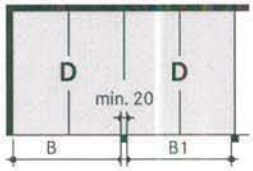
Pillars outside pit

Single unit (3 cars)



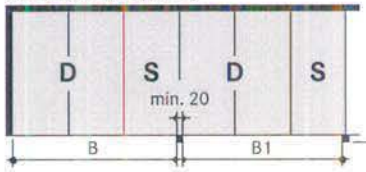
Space required wall-pillar B	pillar-pillar B1	gives clear platform width
260	245	230
270	255	240
280	265	250
290	275	260
300	285	270

Double unit (6 cars)



Space required wall-pillar B	pillar-pillar B1	gives clear platform width
490	475	460
510	495	480
530	515	500

Combinated unit (9 cars)



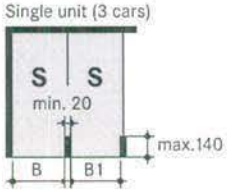
Space required wall-pillar B	pillar-pillar B1	gives clear platform width
750	740	460+230
780	770	480+240
810	800	500+250
820	810	500+260
830	820	500+270

Minimum driveway width according to local requirements

Further width combinations as well as smaller widths are possible

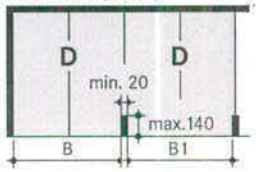
Pillars inside pit

Single unit (3 cars)



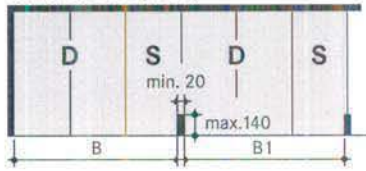
Space required wall-pillar B	pillar-pillar B1	gives clear platform width
260	245	230
270	255	240
280	265	250
290	275	260
300	285	270

Double unit (6 cars)



Space required wall-pillar B	pillar-pillar B1	gives clear platform width
490	475	460
510	495	480
530	515	500

Combinated unit (9 cars)



Space required wall-pillar B	pillar-pillar B1	gives clear platform width
750	740	460+230
780	770	480+240
810	800	500+250
820	810	500+260
830	820	500+270

Minimum driveway width according to local requirements

Further width combinations as well as smaller widths are possible

Important notes

If maximum platform widths are not installed, difficulties might arise when entering or exiting the cars on the parking units. This depends on the car type, the access and the individual driving behaviour.

Cars wider than 190 cm should be parked on platforms 270/500 cm width only.
For spaces against walls, or at end of rows, we recommend that largest possible platform widths are utilized to assist turning motion.

Parklift 413 | 09.2011 | C027-4304 | © Otto Wöhr GmbH

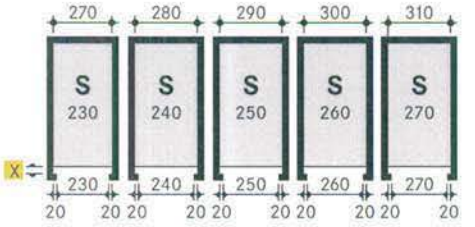
Width dimensions · Garages with doors

All dimensions shown are minimum. Construction tolerances must be taken into consideration.
All dimensions in cm.

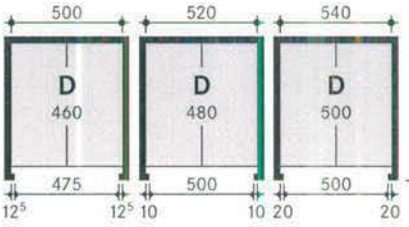
The access to the Parklift is possible with max. 3% declination and max. 10% inclination.

If not stated differently in the offer, platform widths of 230 cm or 460 cm will be delivered. Bigger/smaller platform widths can be delivered at additional price.

Single garages (3 cars)



Double garages (6 cars)

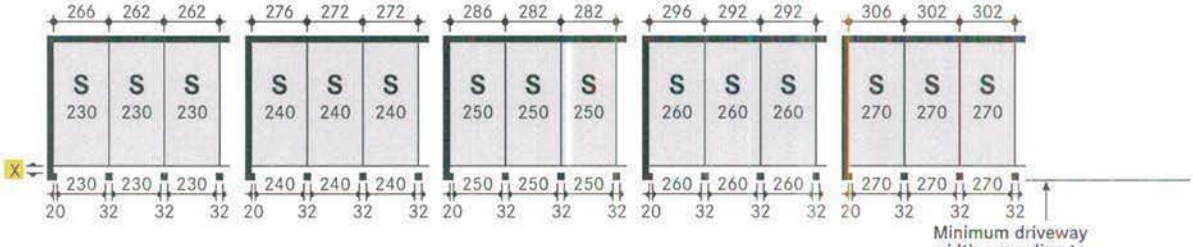


x = for doors. See page 1

Wall openings required between partitions for electrical and hydraulic conduits must be provided where applicable. Wall openings may not be closed after installation.

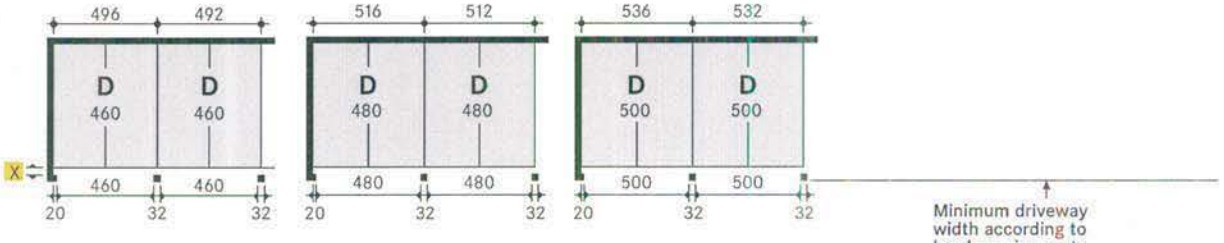
Minimum driveway width according to local requirements

Serial garages with single doors (3 cars)



Minimum driveway width according to local requirements

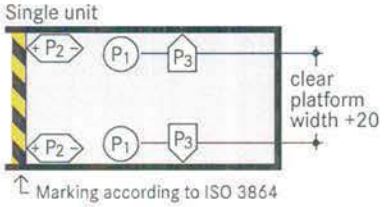
Serial garages with double doors (6 cars)



Minimum driveway width according to local requirements

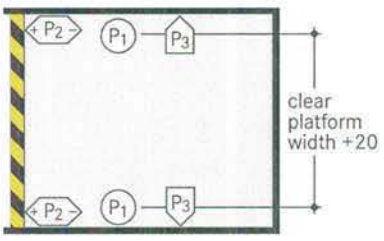
Statics and construction requirements

Single unit



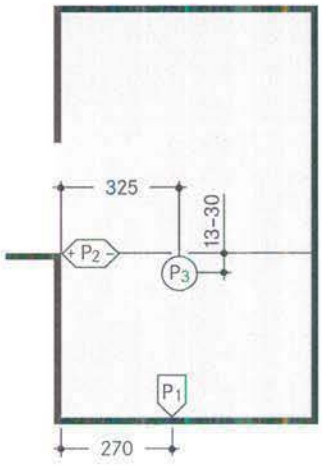
P1 = +60 kN *
P2 = + 9 kN / − 3 kN
P3 = + 3 kN

Double unit



P1 = +100 kN *
P2 = +12 kN / − 6 kN
P3 = + 3 kN

*all static loadings include the weight of the car



Bearing loads are transmitted to the pit floor by base plates of approximately 700 cm², fixed by heavy duty anchor bolts to a depth of approximately 10–12 cm. Base plate thickness min. 18 cm. Concrete quality according to the static requirements of the building, but for the dowel fastening we require a concrete quality of min. C20/25. When fixing to waterproof concrete floors chemical anchors are employed (to be advised by Wöhr).

The walls of the pit must be formed of concrete and must be perfectly flat and vertical without any protrusions.

The specified lengths to the support points are mean values. Please contact us for exact positions for any variations on the standard units.

Hydraulic power pack

The location of the hydraulic power pack is determined according to your plan – space requirements are as follows:

Dimensions are in cm	1 single unit or 1 double unit	2–5 single units or 2–3 double units
Length =	100	200
Height =	140	140
Depth =	30	30

Electrical datas

Item	Performance	Quantity	Designation	Position	Frequency
1	by customer	1 unit	electric meter	in the feed cable	
2	by customer	1 unit	fuse or automatic circuit breaker 3 x 25 A slow blow acc. to DIN VDE 0100 p. 430	in the feed cable	1 per power pack
3	by customer	as locally required	acc. to local power supply regulations 3 Ph + N + PE*	feed cable to main switch	1 per power pack
4	by customer	each 10 m	equipotential bonding safety lead-out connection	corner pit floor/ rear wall	
5	by customer	1 unit	equipotential bonding safety compliant to the DIN EN 60204 standard	from the lead-out connection to the system	1 per Parklift
6	by customer	1 unit	marked main switch, lockable to prevent unauthorized switching on	above operating device	1 per power pack
7	by customer	10 m	PVC control cable with marked strands and protective conductor 5 x 2,5²	from main switch to hydraulic power pack	1 per power pack

Items 8–14 are included in Wöhr's scope of delivery unless otherwise specified in the offer/order.

* DIN VDE 0100 part 410 + 430 (not under permanent load) 3PH+N+PE (three-phase current) Note: Where a door is used to close the garage, the manufacturer of the door must be consulted before the electric cable is laid.

The electrical components suppliedbythemanufacturer must be connected in accordance with the appropriate wiring diagram and local regulations. German VDE electrical requirements must be adhered to, in order to validate the TÜV tested circuit.

The electrical supply to the power pack(s) must be provided prior to or during installation to enable our fitters to complete their work satisfactorily and to check the correct functioning of the units.

In compliance with the DIN EN 60204 standard provisions, all systems must be connected directly on site with an earthed equipotential bonding. The lead-out connection must be at a 10 m distance!

Noise protection

Basis is the German DIN 4109 "Noise protection in buildings".

With the following conditions required 30 dB (A) in rooms can be provided:

- noise protection package from our accessory
- insulation figure of the construction of min. $R'_W = 57$ dB
- walls which are bordering the parking systems must be done as single wall and deflection resistant with min. m'= 300 kg/m²
- solid ceiling above the parking systems with min. m'= 400 kg/m²

At differing constructional conditions additional sound absorbing measures are necessary.

The best results are reached by separated sole plates from the construction.

Increased noise protection:

If increased noise protection must be provided planning has to be confirmed on a project basis by Wöhr (further building measures are required).

Temperature

The installation is designed to operate between +5°and +40°C. Atmospheric Humidity: 50% at +40°C. If the local circumstances differ from the above please contact Wöhr.

Drainage

We recommend the provision of a drainage channel at the front of the pit which can either incorporate a pump sump 50 x 50 x 20 cm, or a connection into the storm water sewerage system via a petrol/oil interceptor. If the pump sump is not accessible for manual drainage, the client must provide a pump on site to empty the pump sump. To prevent any possibility of contamination of the groundwater we recommend that the pit floor is coated with an oil proof paint.

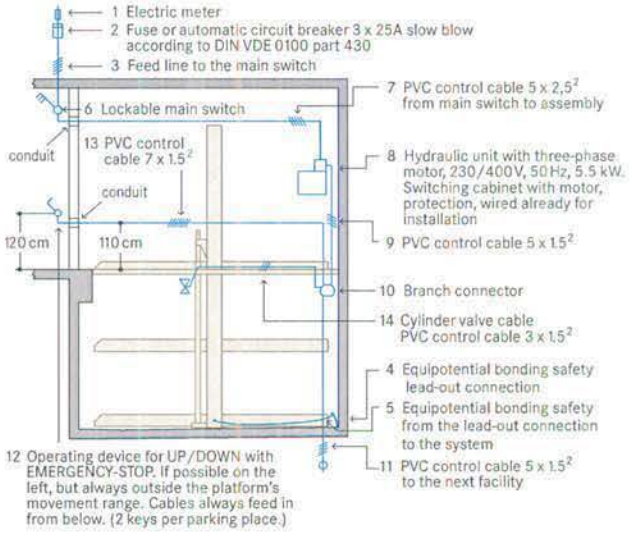
Conformity test

All our systems are checked according to EC machinery directive 2006/42/EC and EN 14010.

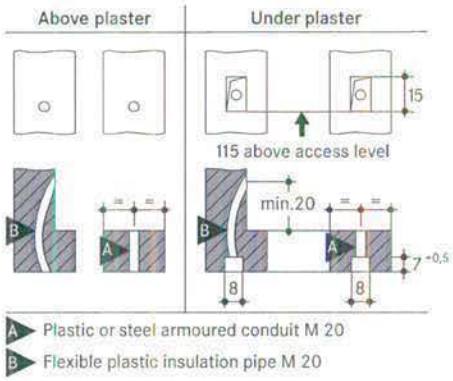
Illumination

Illumination has to be considered acc. to local requirements by client.

Installation diagram



Recesses and conduits for rotary switches with rolling and sectional gates



Railings

The units need to be provided acc. EN ISO 13857 with safety railings if the gap between unit and wall exceeds 20 cm. If walkways are arranged directly to the side or behind the systems, railings have to be provided by client acc. to local requirements, height min. 200 cm – this is applicable during the construction phase too.

Free spaces

Special drawings for free spaces to accommodate air ducts or other pipes can be requested at Wöhr Agent!

Maintenance

Regular maintenance by qualified personnel can be provided by means of an Annual Service Contract.

Protection against corrosion

Independent of a maintenance workings has to be carried out acc. to Wöhr Cleaning and Maintenance Instruction regularly.

Clean up galvanized parts and platforms of dirt and road salt as well as other pollution (corrosion danger)!

Pit must be always ventilated and dearated well.

Dimensions

All dimensions shown are minimum. Construction tolerances must be taken into consideration. All dimensions in cm.

460 New York Avenue | Washington, DC

BZA Submission: January 31, 2012
BZA Application No: 18308

Index

A1.0 Site Location
A1.1 Existing Building
A1.2 Site Plan
A2.1 B1 Level
A2.2 1st Floor
A2.2a Above Grade Setback Diagram
A2.3 2nd Floor
A2.4 3rd Floor
A2.5 4th Floor
A2.6 5th (Typ.) Floor
A2.7 10th Floor
A2.8 11th Floor
A3.0 North Elevation
A3.1 South Elevation
A3.2 West Elevation
A3.3 Building Section
A4.0 Perspective View
A4.1 Perspective View
A4.2 Perspective View
A4.3 Perspective View

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18308
EXHIBIT NO. 26

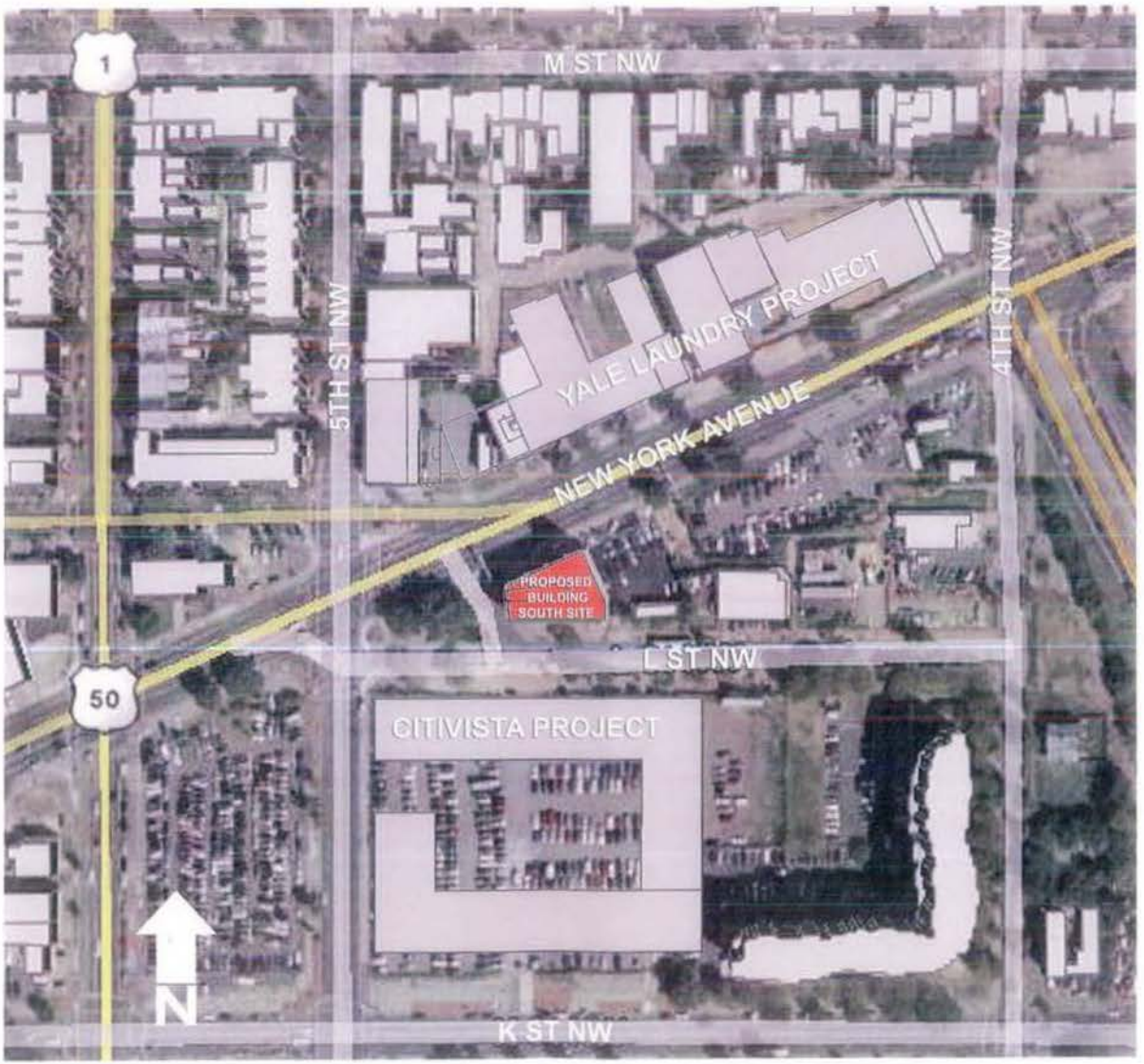
Developer:
Bozzuto Homes
7850 Walker Drive, Suite 400
Greenbelt, MD 20770

Architect:
WDG Architecture, PLLC
1025 Connecticut Avenue, NW, Suite 300
Washington, DC 20036

Structural Engineer:
Tadjer Cohen Edelson Associates, Inc.
1109 Spring Street, Suite 500
Silver Spring, MD 20910

MEP Engineer:
Mechanical Design Group, LTD.
14325 Willard Road, Unit J
Chantilly, VA 20151

Civil Engineer:
VIKA Capitol, LLC
4910 Masschusetts Ave, NW, Suite 214
Washington, DC 20016



Scale: N.T.S.

Bozzuto Homes, Inc.	460 New York Avenue, NW Washington, DC 20001	460 New York Avenue, NW 01.31.2011	Site Location	A1.0

1. South Elevation Along L Street

2. North Elevation Along New York Avenue

3. View Looking Southeast on New York Avenue

DD/C-2 Zone:
Site Area = 6451 sqft

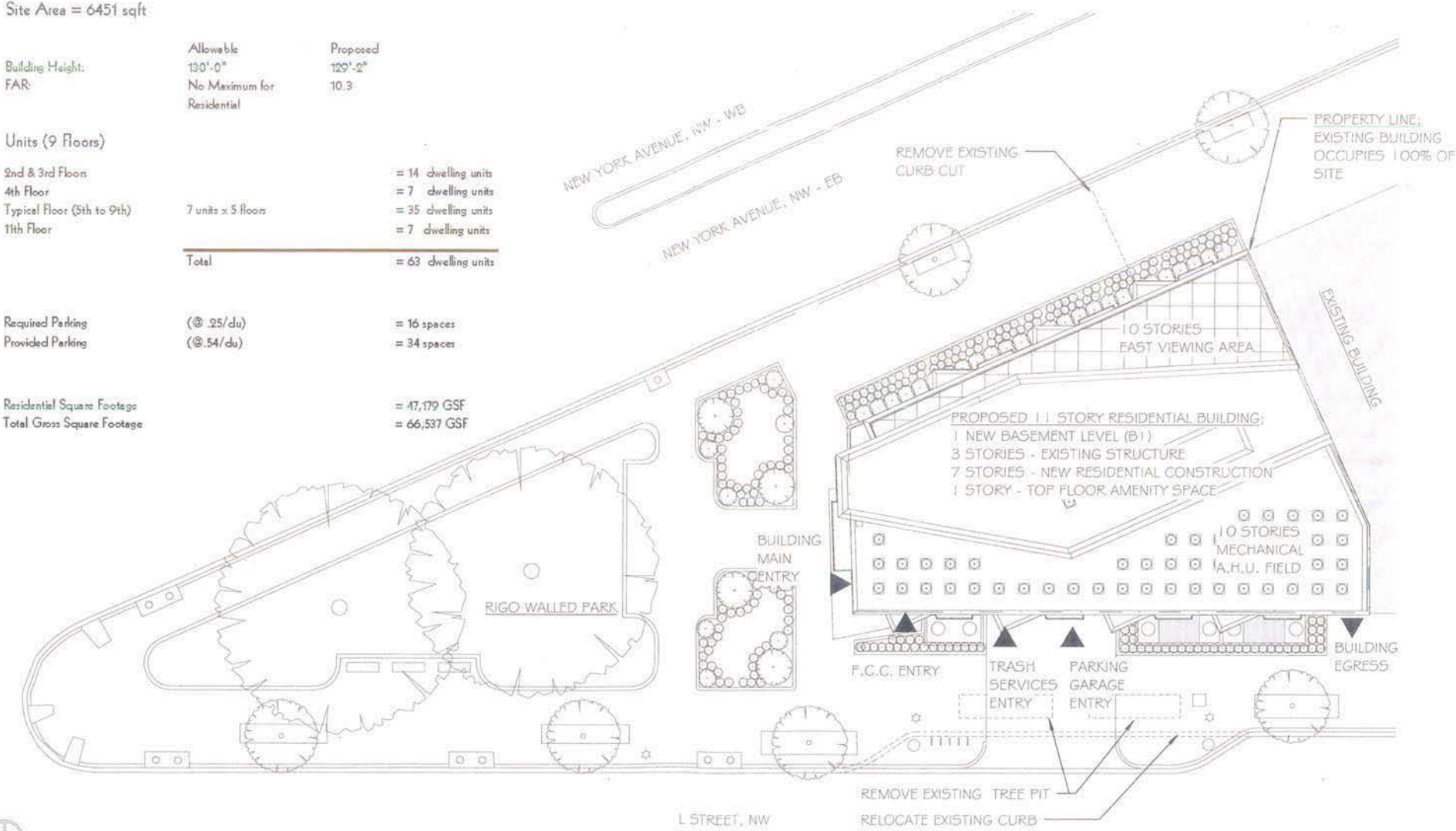
	Allowable	Proposed
Building Height:	130'-0"	129'-2"
FAR:	No Maximum for Residential	10.3

Units (9 Floors)

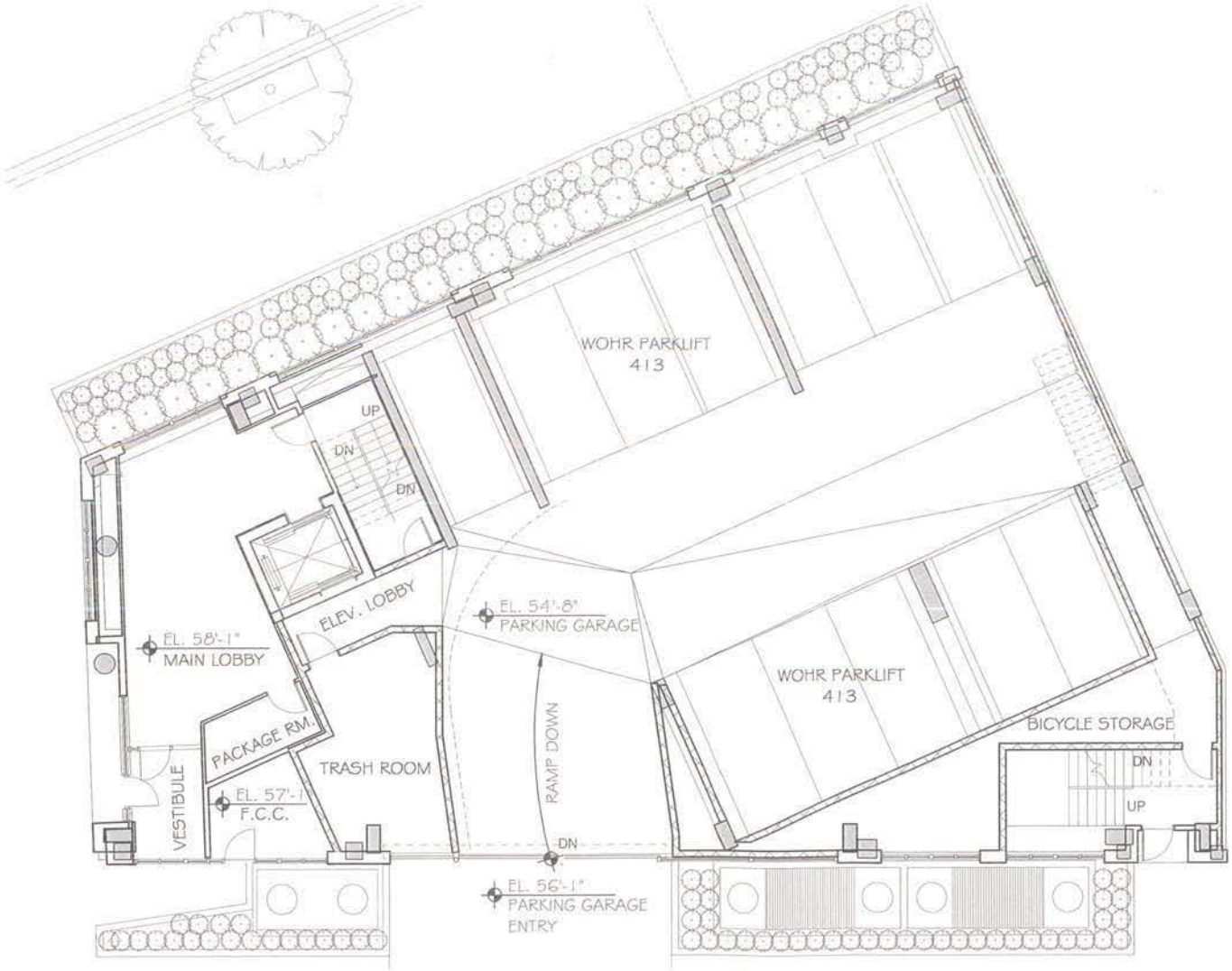
2nd & 3rd Floor		= 14 dwelling units
4th Floor		= 7 dwelling units
Typical Floor (5th to 9th)	7 units x 5 floors	= 35 dwelling units
11th Floor		= 7 dwelling units
	Total	= 63 dwelling units

Required Parking	(@ .25/du)	= 16 spaces
Provided Parking	(@.54/du)	= 34 spaces

Residential Square Footage	= 47,179 GSF
Total Gross Square Footage	= 66,537 GSF

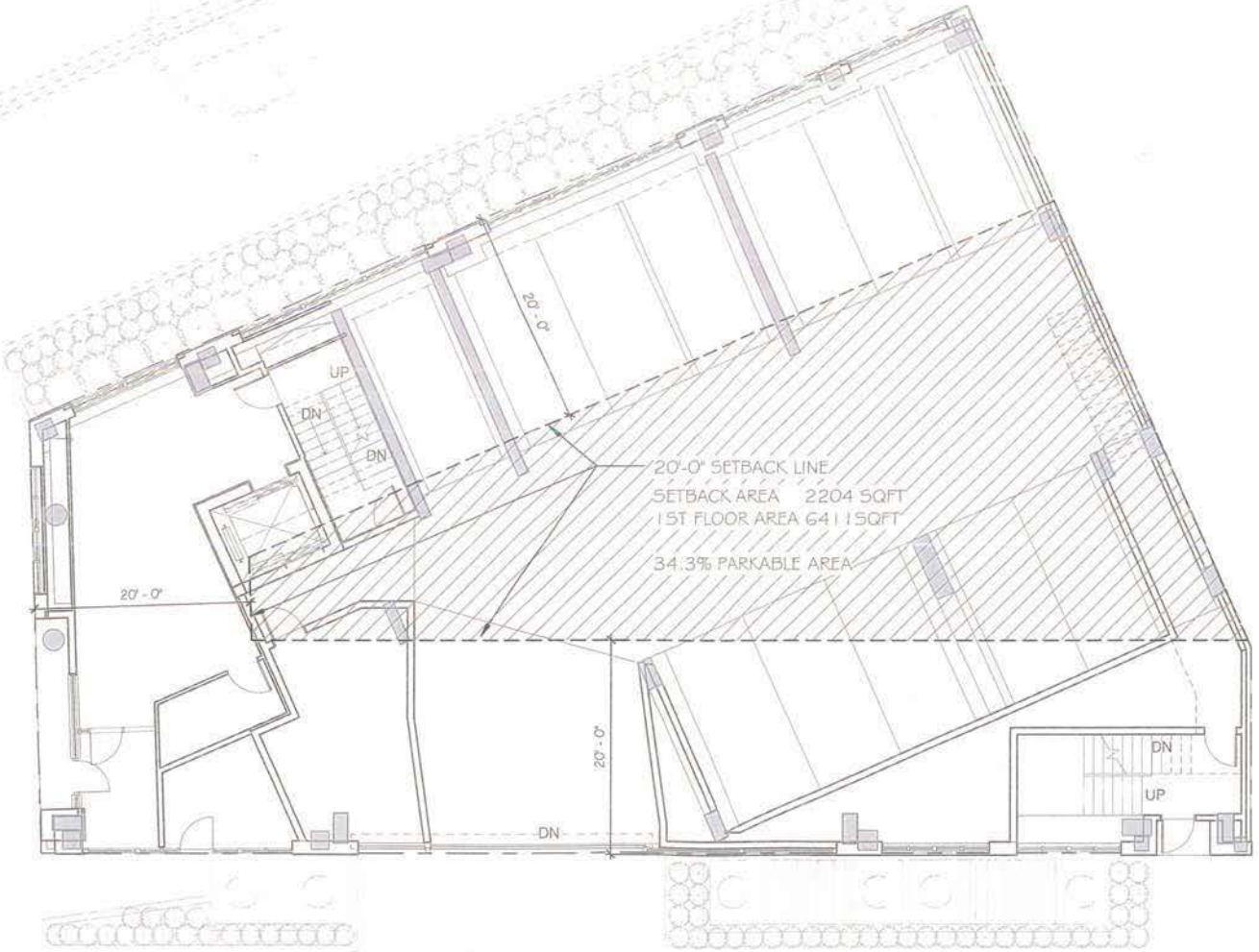


Scale: 1" = 20'-0"



Scale: 3/32" = 1'-0"

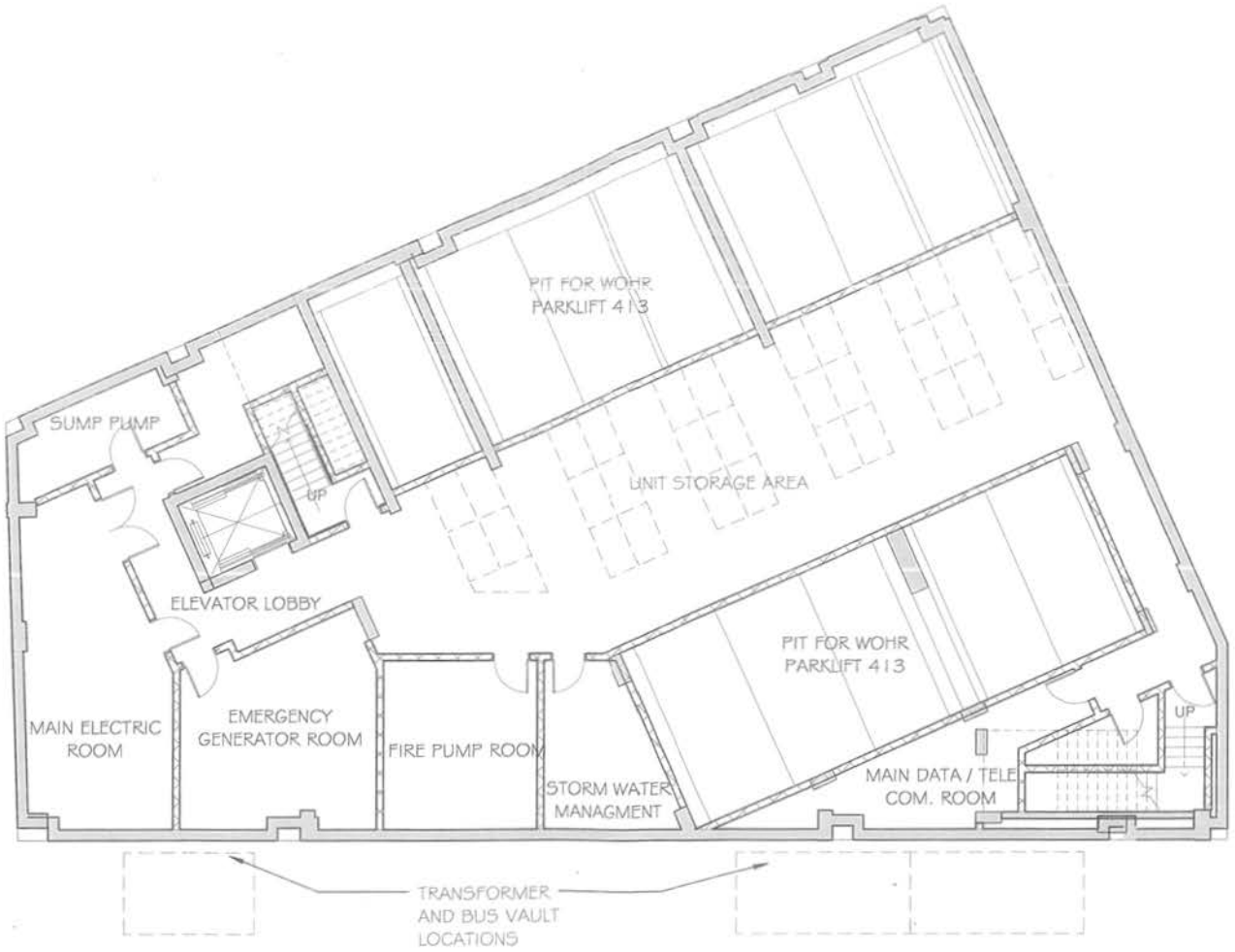
Bozzuto Homes, Inc.	460 New York Avenue, NW Washington, DC 20001	460 New York Avenue, NW 01.31.2011	1st Floor	A2.2



N

Scale: 3/32" = 1'-0"

WDG	Bozzuto Homes, Inc.	460 New York Avenue, NW Washington, DC 20001	460 New York Avenue, NW 01.31.2011	Above Grade Setback Diagram A2.2a



Scale: 3/32" = 1'-0"

Bozzuto Homes, Inc.	460 New York Avenue, NW Washington, DC 20001	460 New York Avenue, NW 01.31.2011	B1 Level	A2.1

RN

Scale: 3/32" = 1'-0"

Bozzuto Homes, Inc.

460 New York Avenue, NW
Washington, DC 20001

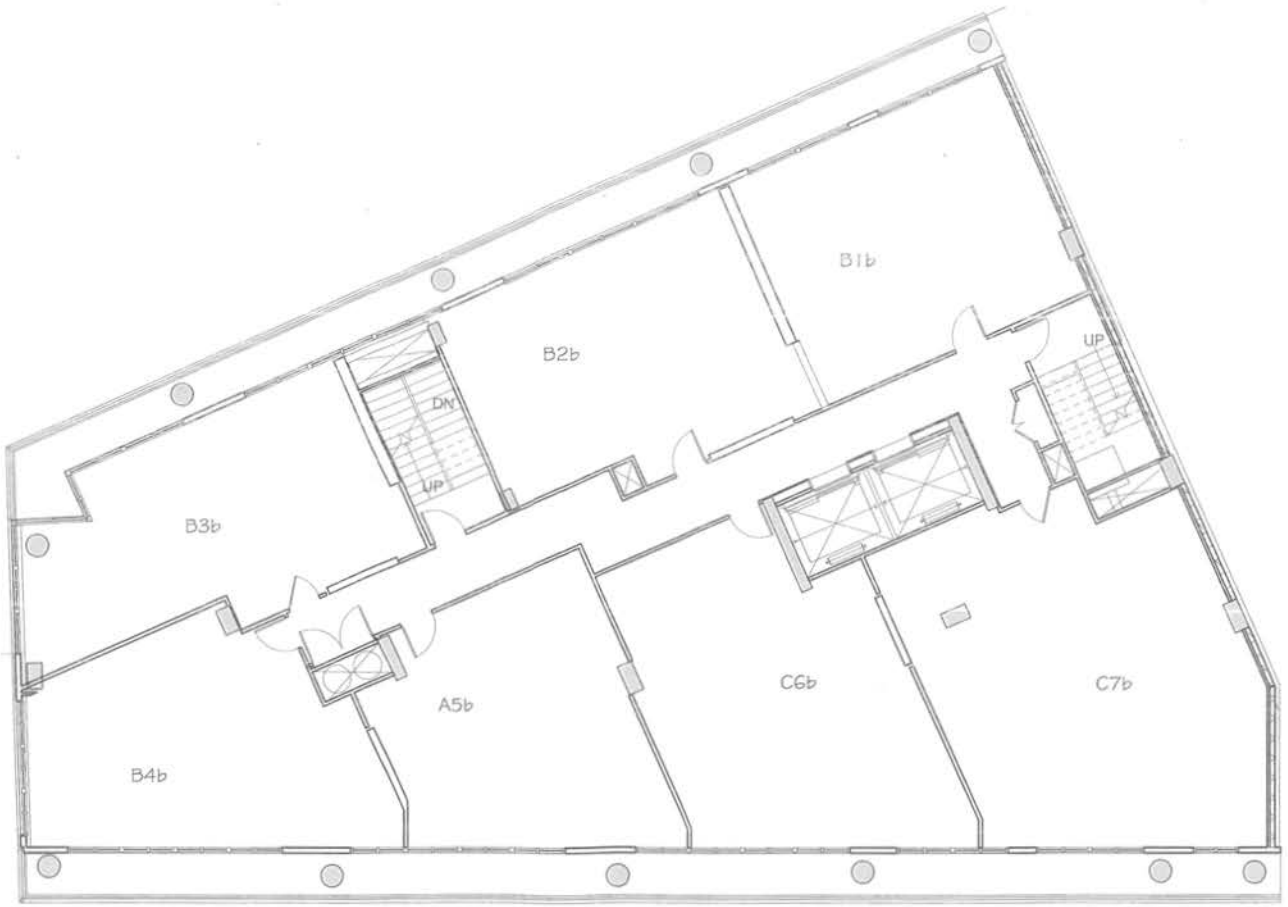
460 New York Avenue, NW
01.31.2011

2nd Floor

A2.3

Scale: 3/32" = 1'-0"

WDG	Bozzuto Homes, Inc.	460 New York Avenue, NW Washington, DC 20001	460 New York Avenue, NW 01.31.2011	3rd Floor	A2.4

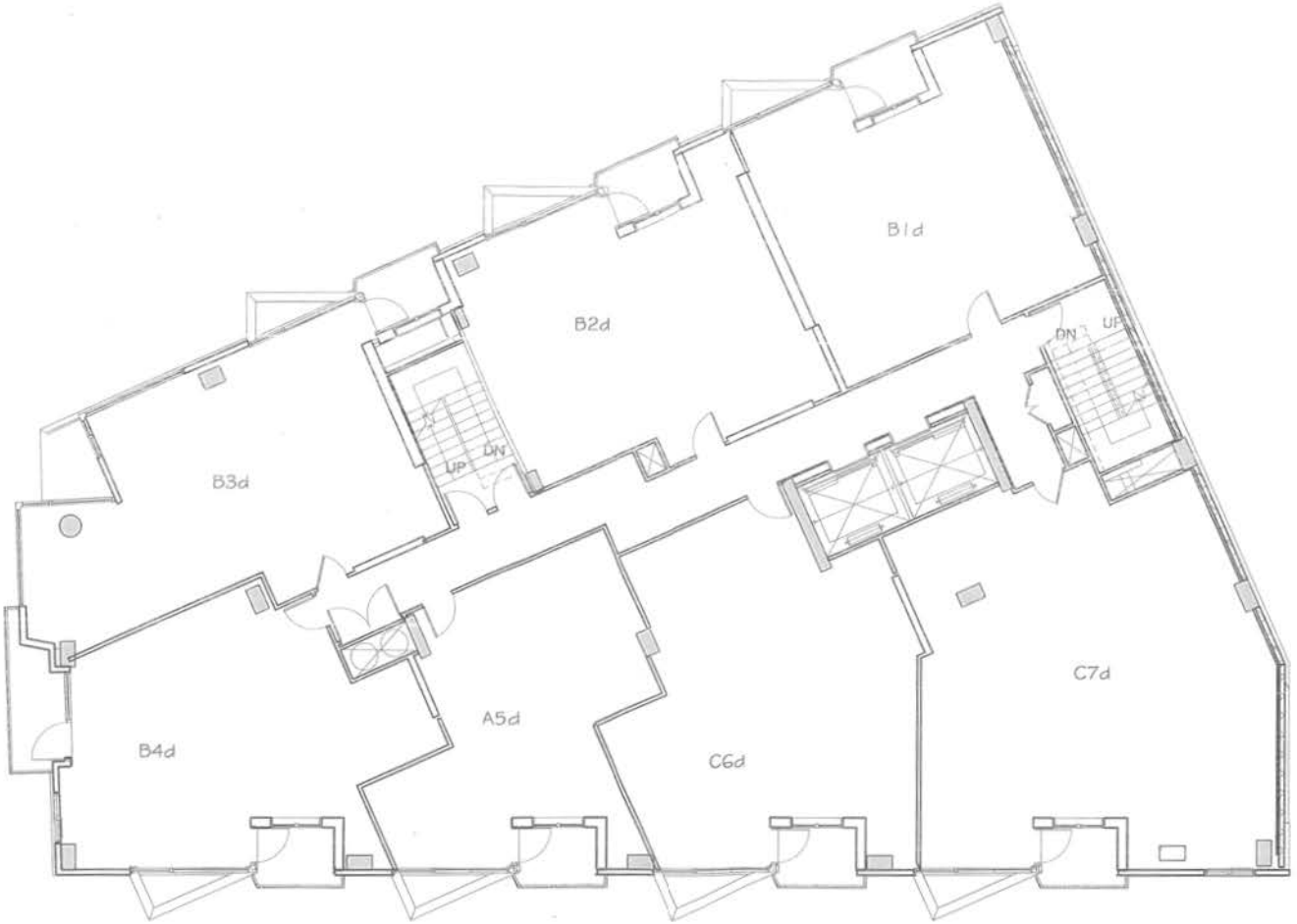


Scale: 3/32" = 1'-0"

Bozzuto Homes, Inc.	460 New York Avenue, NW Washington, DC 20001	460 New York Avenue, NW 01.31.2011	4th Floor	A2.5

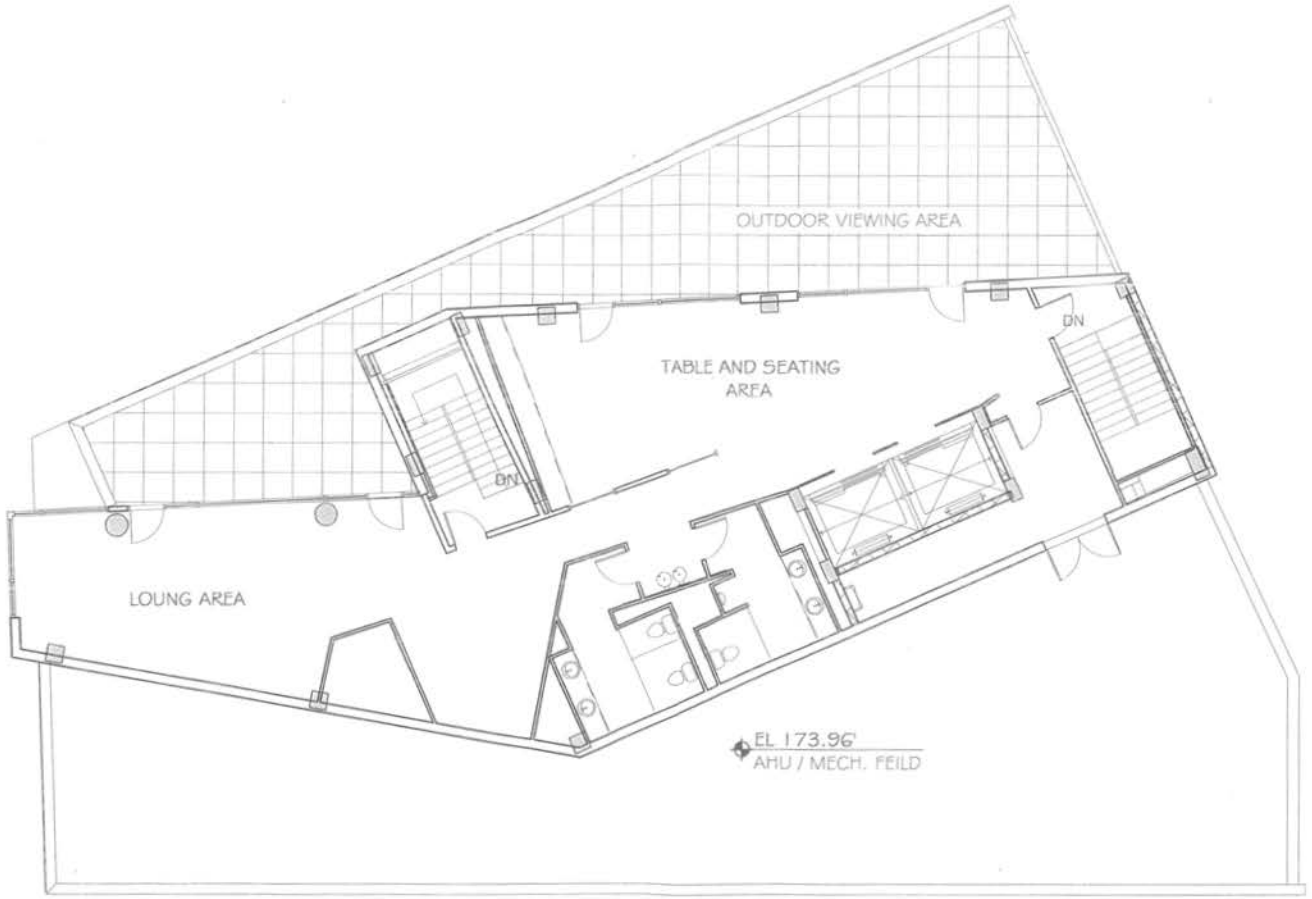
Scale: 3/32" = 1'-0"

Bozzuto Homes, Inc.	460 New York Avenue, NW Washington, DC 20001	460 New York Avenue, NW 01.31.2011	5th (Typ.) Floor	A2.6



Scale: 3/32" = 1'-0"

WDG	Bozzuto Homes, Inc.	460 New York Avenue, NW Washington, DC 20001	460 New York Avenue, NW 01.31.2011	10th Floor	A2.7



Scale: 3/32" = 1'-0"

Bozzuto Homes, Inc.	460 New York Avenue, NW Washington, DC 20001	460 New York Avenue, NW 01.31.2011	11th Floor	A2.8

Scale: 1/16" = 1'-0"

WDG	Bozzuto Homes, Inc.	460 New York Avenue, NW Washington, DC 20001	460 New York Avenue, NW 01.31.2011	North Elevation New York Ave.	A3.0

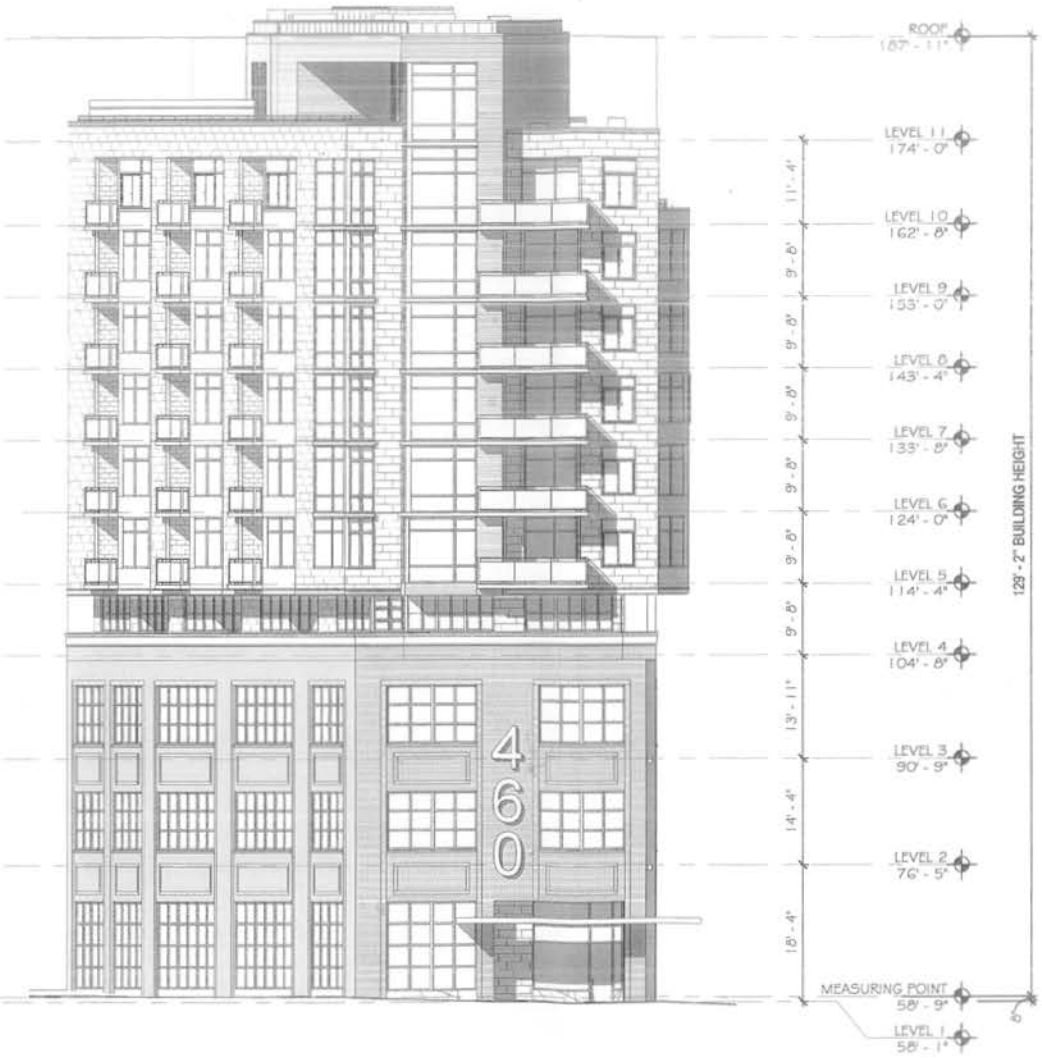
R11

Scale: 1/16" = 1'-0"

WDG	Bozzuto Homes, Inc.	460 New York Avenue, NW Washington, DC 20001	460 New York Avenue, NW 01.31.2011	South Elevation L Street

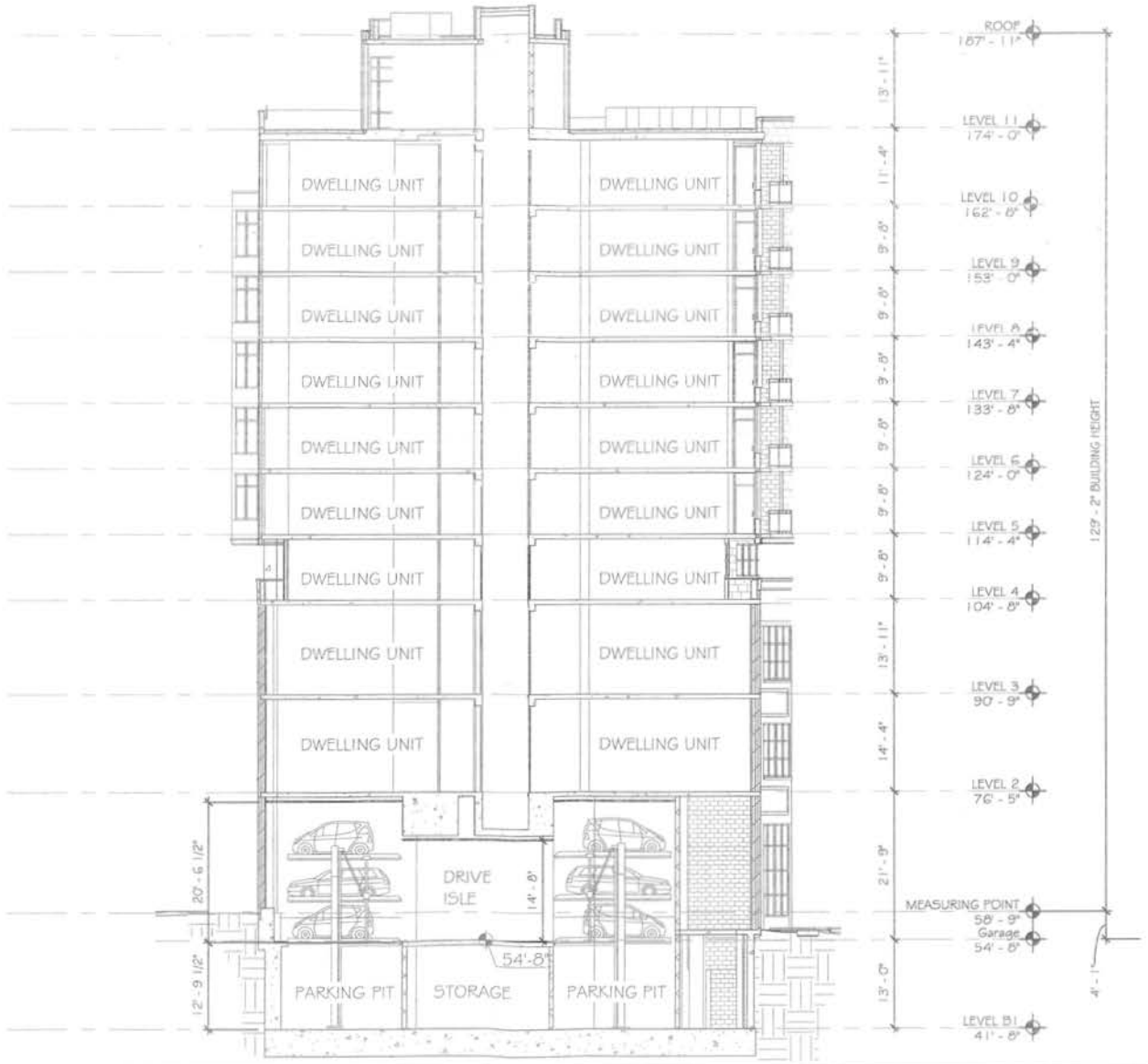
A3.1

RM



Scale: 1/16" = 1'-0"

WDG	Bozzuto Homes, Inc.	460 New York Avenue, NW Washington, DC 20001	460 New York Avenue, NW 01.31.2011	West Elevation Rigo Walled Park	A3.2



Scale: 1/16" = 1'-0"

WDG Architecture	Bozzuto Homes, Inc.	460 New York Avenue, NW Washington, DC 20001	460 New York Avenue, NW 01.31.2011	Building Section	A3.3

Scale: NTS

Bozzuto Homes, Inc.	460 New York Avenue, NW Washington, DC 20001	460 New York Avenue, NW 01.31.2011	Perspective View	A4.0

Scale: NTS

Bozzuto Homes, Inc.	460 New York Avenue, NW Washington, DC 20001	460 New York Avenue, NW 01.31.2011	Perspective View	A4.1

Scale: NTS

Bozzuto Homes, Inc.	460 New York Avenue, NW Washington, DC 20001	460 New York Avenue, NW 01.31.2011	Perspective View	A4.2

NORTH ELEVATION - 460 NEW YORK AVENUE, NW, WASHINGTON, DC

DWELLING UNITS
CLEAR GLASS

PARKING GARAGE
TRANSLUCENT GLASS

MAIN LOBBY
CLEAR GLASS

PRECEDENCE IMAGES

701 S. EDEN STREET, BALTIMORE, MD

701 S. EDEN STREET, BALTIMORE, MD

Scale: NTS

Bozzuto Homes, Inc.	460 New York Avenue, NW Washington, DC 20001	460 New York Avenue, NW 01.31.2011	Perspective View	A4.3