

OUTLINE OF WITNESS TESTIMONY

**Lauren Jezienicki
The JBG Companies
Florida Avenue Residential, LLC**

- I. Introduction**
- II. Acquisition of Site from WMATA**
 - A. East and West Parcels**
 - B. History of Site**
 - C. Other Attempts at Development**
 - D. Due Diligence**
- III. Vision for Property**
 - A. Exceptional Residential Space**
 - B. Prime Location in Emerging Neighborhood**
 - C. The DUKE Plan**
- IV. Challenges with Building Site**
 - A. Existing Conditions and WMATA Constraints**
 - B. Late discovery of "as built" drawings**
 - C. Comparison to typical development site**
 - D. Historic Preservation Constraints**
 - E. DDOT, Streetscape Constraints**
 - F. Need for Special Exception, Variance Relief**
- V. Community Outreach**
- VI. Conclusions**

LAUREN F. JEZIENICKI

EDUCATION

Columbia Business School, Master of Business Administration
Dean's List Honors, Concentration in real estate, 2010 Case Competition Winner

January 2010 – May 2011

Boston University - School of Management, Bachelor of Science in Business Administration

September 1999 - May 2003

WORK EXPERIENCE

The JBG Companies, Chevy Chase, Maryland

June 2011 - Present

Associate for 500,000 SF of residential, mixed-use development in Washington, DC and Montgomery County, MD

- Oversee day-to-day development activities including project design, entitlement approvals, construction pricing, acquisitions initiatives, financing, and schedule;
- Coordinate development efforts amongst teams of consultants, governmental officials, neighborhood stakeholders, and investment partners;
- Manage conformance to project business plans, including aggressive budgets, schedules, design requirements and return metrics;
- Analyze feasibility of potential redevelopment opportunities in Washington, DC and Montgomery County, MD

Academic Housing Partners, New York, New York

August 2010 – May 2011

Associate (part-time) for student housing developer in the tri-state area, running feasibility studies for potential development deals

The JBG Companies, Chevy Chase, Maryland

November 2007 – December 2009

Senior Development Analyst for 2.3 million SF of mixed-use developments in Washington, DC and Montgomery County, MD

- Analyzed feasibility of potential redevelopment scenarios including ground-up construction, repositioning of existing assets, and transferring of density rights; Identified value-maximizing scenarios;
- Managed acquisition negotiations with municipality factoring in construction pricing, property appraisals, density valuations, entitlement risk, market factors, and title searches. Negotiate deal terms in general development agreements
- Actively participated in preliminary design efforts for 700,000 SF of mixed-use density considering code requirements, setbacks, height limits, and other zoning limitations; Reference land records for tract areas and right-of-ways
- Managed and executed development initiatives for 457-unit apartment project including coordination among project team members, recordation of easements, drafting of condominium shelf documents, dedication of affordable housing units, and fulfillment of site plan conditions including public art commitment and transportation proffers among others

The Shooshan Company, Arlington, Virginia

April 2005 – November 2007

Assistant Development Manager for Liberty Center 750,000 SF mixed-use development in Arlington County, VA

- Managed residential sales process including purchase agreements, unit pricing, finish and option selections, buyer retention activities, condominium document review and recordation, and overall marketing strategy
- Managed the successful leasing of over 140,000 SF of office space from October - December 2006
- Managed marketing plan for the Liberty Center project including advertising, public relations and other marketing tasks in support of residential sales and office and retail leasing efforts
- Managed due diligence for \$51,000,000 construction loan on 180,000 SF office building
- Obtained timely County approval of construction permits, public art, and other site plan conditions

Beacon Capital Partners and Campion and Company, Boston, Massachusetts

September 2003 – April 2005

Residential Sales Agent for Channel Center luxury condominiums developed by Beacon Capital Partners

Equity Office Properties Trust, Boston, Massachusetts

May 2001 – October 2001

Property Management Assistant for commercial REIT

AFFILIATIONS

- Chair of the Urban Land Institute Washington, DC Young Leaders Group **July 2008 – December 2010**
- Member of the Urban Land Institute **October 2004 - Present**
- Board Member for Arts on the Block Non-Profit Arts Organization **December 2007 – December 2010**
- Member of the Portuguese American Leadership Council of the United States (PALCUS) **August 2005 - Present**
- Member of the Junior League of Washington, D.C. **Spring 2006 - Spring 2009**

OTHER INTERESTS

- Conversant in Portuguese and Italian; Dual-citizen of the United States and Portugal
- Ran the Marine Core and Boston Marathons, Providence and New Bedford Half Marathons **Spring 2001 - Fall 2007**

OUTLINE OF WITNESS TESTIMONY

**John Maisto
BKV Architects**

- I. Introduction
 - A. BVK Architects
 - B. Miller Hull Architects
- II. Description of Proposed Project
 - A. Location Overview
 - B. Massing and Height
 - C. Streetscape Retail Elements
 - D. Parking and Loading Facilities
 - E. WMATA Constraints
- III. Zoning Relief
 - A. Special Exceptions
 - B. Variances
 - C. Compliance with Burden of Proof
- IV. Conclusions

John J. Maisto, AIA, LEED AP **Architect**

Education

M. Arch., University of Maryland, 1993
B.A., College of William & Mary, 1987

Professional History

Associate Partner, BKV Group/Washington D.C., 2010-present
Principal, EDG Architects, LLC, 2004-2010
Project Manager/Project Architect, EDG Architects, 1994-2003
Intern Architect, Flanagan Architects, 1993-1994
Intern Architect, Grimm & Parker, P.C. 1992-1993
Intern Architect, Lorena Checa Associates, 1990-1992

Professional Registration

Maryland #13289
North Carolina #10636
National Council of Architectural Registration Boards (NCARB) Record #78131

Affiliation

Member, American Institute of Architects
Member, National Council of Architectural Registration Boards (NCARB)
LEED Accredited Professional

Experience

For the past twenty years, Mr. Maisto has been involved in all aspects of architectural practice, ranging from design and construction of small scale residential projects, mixed use housing, rehabilitative housing, multi-family residential complexes, independent elderly housing, assisted living/limited care facilities, tenant fit-outs, and master planning.

After receiving a Bachelor of Arts Degree in History from the College of William and Mary, Mr. Maisto received a Master of Architecture Degree from the University of Maryland in 1993. He has worked since 1990 for several different area architecture firms ranging from sole proprietorships to professional corporations, garnering a wide range of experience.

Extensive project management experience, combined with the increased responsibilities of business development, scheduling, and client contact augment the daily details of running an architectural practice. A principal with EDG Architects since 2004, Mr. Maisto ensures that the conception and execution of a building flows smoothly throughout all phases of the design and construction process.

Major Projects

Georgia Commons Apartments, Washington, D.C.
Woodson Heights Condominiums, Washington, D.C.
Fairlawn Marshall Scattered Sites, Washington, D.C.
Eastern Village Cohousing, Silver Spring, Maryland
Takoma Village Cohousing, Washington, D.C.
City Center South Apartments (drawings only), Falls Church, Virginia
Fort Washington Senior Housing, Fort Washington, Maryland
Potomac Woods Senior Housing Phases 1 & 2, Woodbridge, Virginia
Jefferson Heights Senior Housing, Charlottesville, Virginia
Sugarland Hill Senior Housing, Dranesville, Virginia
Churchill Senior Housing, Gaithersburg, Maryland
Sudley Manor House Assisted Living, Manassas, Virginia
Morningside House in Satyr Hill Assisted Living, Parkville, Maryland
Morningside House in St. Charles Assisted Living, St. Charles, Maryland
Morningside House in Harmans Assisted Living, Harmans, Maryland
Takoma Park Preservation Scattered Sites, Takoma Park, Maryland
Gilbert Highlands Apartments, Takoma Park, Maryland
The Colonies of Arlington, Arlington, Virginia
Antoinette Gardens Apartments, Capital Heights, Maryland
Capital Manor Cooperative, Washington, D.C.
Savannah Heights Apartments, Washington, D.C.
Galen Terrace Apartments, Washington, D.C.
Hazel Hill Apartments, Fredericksburg, Virginia
Royal Courts Apartments, Washington, D.C.
Queen's Manor Apartments, Hyattsville, Maryland
Burnt Mills Crossing Phase 2, Silver Spring, Maryland
Cranes Meadow Apartments, Ranson, West Virginia
Echo Mountain Apartments, Woodstock, Virginia
Griffith Commons Apartments, Winston-Salem, North Carolina
Wyndamere Apartments, York, Pennsylvania

Awards & Honors

2005 Green Project of the Year, NAHB Green Building Conference - Eastern Village Cohousing
2006 First Place, Renovation, Affordable Housing Conference - Eastern Village Cohousing
2007 AIA Certificate of Recognition for Design Excellence in Affordable Green Housing - Eastern Village Cohousing

OUTLINE OF WITNESS TESTIMONY

**Erwin Andres, Traffic Engineer
Gorove/Slade Associates**

- I. Introduction
- II. Scope of Study
- III. Favorable Transportation Network
- IV. Adequacy of Proposed Parking and Loading Facilities
- V. Transportation Demand Mitigation Measures
- VI. Conclusions



Erwin N. Andres, P.E.

Principal

Mr. Andres's diverse experience bridges the disciplines of civil engineering design, urban transportation planning, traffic engineering, land development, environmental analysis, and transportation systems design. Mr. Andres has directed traffic circulation and transit studies, and parking needs and design optimization studies for central business districts and new developments. He has evaluated alternative public transportation modal options. He is familiar with roadway classification and its application to transportation planning. He has performed traffic impact assessments for residential, office, shopping and convention centers, and institutional complexes. He has been responsible for the transportation and parking components for academic, government, and corporate campuses.

Professional Registration and Certification

Professional Engineer: Maryland (#29177)

New Jersey (#4557000)

Education

Bachelor of Science, Civil Engineering

Rutgers University, New Brunswick, NJ

Professional Associations

Urban Land Institute (ULI)

American Planning Association (APA)

Institute of Transportation Engineers (ITE)

Lambda Alpha International (LAI) Land

Economics Honorary Society, Board Member

Georgetown University Real Estate Program

Capstone Advisor

Publications

"Ask the Expert", Healthcare Magazine, November 2003

North Capitol Main Street Technical Assistance Program

Study, Urban Land Institute, August 2009

Representative Projects

MIXED-USE AND TRANSIT ORIENTED DEVELOPMENTS

Mr. Andres has managed a number of mixed-used developments in the District of Columbia, including the redevelopment of a defunct mall into a premiere mixed-use town center. The analysis addresses the existing traffic conditions, future traffic conditions without development, future traffic conditions with development, and future traffic conditions in ten to twenty years. Other tasks that are usually involved in larger projects of this nature are traffic signal design plans, parking analysis, site access planning, vehicular maneuverability analysis and loading access design, Transportation Demand Management (TDM) planning, and site circulation planning.

Mr. Andres has also managed transportation studies for mixed-use developments that analyzed potential multi-trip sharing and shared parking between restaurant, hotel, bank, residential, office, and retail center uses. Principal tasks of these projects include hourly trip and parking generation, development of parking demand profiles, entrance design for large vehicle circulation access, and identification of general street traffic conditions around the site.

GROVE / SLADE ASSOCIATES



Sample Projects: North Bethesda Conference Center, Bethesda, MD; Half Street Akridge Development, Washington, DC; Poplar Point Master Plan, Washington, DC; Burnham Place, Washington, DC; Georgetown Safeway, Washington, DC; Southeast Federal Center Master Plan, Washington, DC

MASTER PLANNING AND REDEVELOPMENT PROJECTS

Mr. Andres has worked on the transportation aspects of overall master planning efforts for several redevelopment projects. Tasks for these types of projects include developing multi-modal plans, long-term transportation master plans, near-term detailed traffic analyses, on-site circulation studies, parking and shared parking studies, loading dock maneuverability analyses, and Transportation Demand Management plans.

Sample Projects: Poplar Point Master Plan, Washington, DC; Southwest Waterfront Development, Washington, DC; Boathouse Row, Washington, DC; Bethlehem Baptist Church Planned-Unit Development (PUD), Washington, DC; Takoma Small-Area Plan, Washington, DC

CAMPUSES, SCHOOLS AND INSTITUTIONS

Mr. Andres has been involved with the development of circulation studies, traffic simulations, traffic signal design, parking studies, transportation master plans as well as data collection for several universities, schools and institutions. In addition, Mr. Andres has worked on numerous federal agency installations throughout the metropolitan Washington, DC area.

Sample Projects: Ohio State University, Columbus, OH; Howard University, Washington, DC; Georgetown University, Washington, DC; Kingsbury Academy, Washington, DC; Washington International School, Washington, DC; Washington National Cathedral, Washington, DC; National Institutes of Health, Bethesda, MD; National Cancer Institute, Fort Detrick, Frederick, MD; NASA Goddard Space Flight Center, Greenbelt, MD; Suitland Federal Center, Suitland, MD; Department of Homeland Security at St. Elizabeth's Campus, Washington, DC; USDOT Headquarters Building, Washington, DC.

Computer Applications and Software Experience

Mr. Andres has significant experience using a variety of transportation engineering software applications including AutoCAD, vehicle maneuvering simulation (AutoTurn), traffic signal timing and coordination (Synchro 7), Highway Capacity Software (HCS+), roadway network micro-simulation (SimTraffic, TSIS/Corsim), trip distribution and assignment (WinTASS), and Microsoft Office applications (Word, Excel, PowerPoint, Access, Outlook, and Visio).

Public Testimony

Mr. Andres has been qualified as an expert witness before Zoning Boards and Commissions in numerous jurisdictions throughout the northeast United States that include the District of Columbia, Montgomery County in Maryland, and numerous counties in Pennsylvania, New Jersey, New York and Connecticut.

OUTLINE OF WITNESS TESTIMONY

**Steven E. Sher, Director
Zoning and Land Use Services
Holland & Knight LLP**

- I. Introduction
- II. Special Exceptions
 - A. Separate Penthouse Enclosures
 - B. Roof Structure Setback for Stair D
 - C. Streetwall Requirements under ARTS Overlay
 - D. Need for Relief
 - E. Compliance with Special Exception Standards
- III. Variance Relief
 - A. Parking and Loading
 - B. Lot Occupancy
 - C. Rear Yard
 - D. Compliance with Variance Standard
 - 1. Exceptional/Extraordinary Conditions
 - 2. Practical Difficulties
 - 3. No Harm to Public Good or Zone Plan
- IV. Conclusion

Holland & Knight

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Holland & Knight LLP | www.hklaw.com

PROFESSIONAL QUALIFICATIONS

STEVEN EDWARD SHER
DIRECTOR OF ZONING AND LAND USE SERVICES
HOLLAND & KNIGHT, LLP

EDUCATION:

Brooklyn College of the City University of New York, 1969, Bachelor of Arts
(Urban Studies and Political Science)
Cornell University, 1971, Master of Regional Planning

PROFESSIONAL EXPERIENCE:

Director of Zoning and Land Use Services, Holland & Knight, LLP
2000 - present
Director of Zoning Services, Wilkes, Artis, Hedrick & Lane, Chartered
1985 - 2000
Executive Director, Zoning Secretariat, District of Columbia
1977 - 1985
Deputy Director, Zoning Division, Municipal Planning Office, District of
Columbia
1975 - 1977
Acting Secretary to the Board of Zoning Adjustment, District of Columbia
1976
Urban Planner, D.C. Zoning Commission, D.C. Office of Planning and
Management, D.C. Municipal Planning Office
1972 - 1975
Renewal Coordinator, District of Columbia Zoning Commission
1972 - 1973
Acting Secretary to the District of Columbia Zoning Commission
1972
Project Planner, District of Columbia Zoning Commission
1971 - 1972
Planning Intern, Frederick P. Clark Associates, Planning and Development
Consultants
1970
Research Intern, Brooklyn Linear City Development Corporation
1969

PROFESSIONAL QUALIFICATIONS
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APPEARED AS EXPERT WITNESS:

District of Columbia Zoning Commission
District of Columbia Board of Zoning Adjustment
District of Columbia Historic Preservation Review Board
District of Columbia Mayor's Agent for D.C. Law 2-144
Zoning Hearing Examiner, Montgomery County, Maryland
Montgomery County (Maryland) Planning Board
U.S. Bankruptcy Court for the District of Columbia
Superior Court of the District of Columbia

AREAS OF INTEREST AND/OR SPECIALIZATION:

Land use planning
Zoning, subdivision and other control of land use
Urban design
Urban transportation planning

ORGANIZATIONS:

American Planning Association (1971-present)
Greater Washington Board of Trade (1986-2000)
 Planning and Development Committee (Vice-Chairman for Zoning and
 Regulatory Affairs) (1987-8)
 Community Development Bureau Steering Committee (1987-9)
 PUD Task Force (Chairman) (1987)
 Comprehensive Plan Task Force (1987-8)
 Downtown Revitalization Committee Housing Team (1988)
Mayor's Commission on Downtown Housing (1988-89)
Downtown Partnership Downtown Development District Task Force
 (1989-90)
Lambda Alpha (honorary land economics society) (1990-present)
Metropolitan Washington Council of Governments Metropolitan Development
 Citizens Advisory Committee (1997-2004)
District of Columbia Comprehensive Plan Assessment Task Force (2002-
 2003)
District of Columbia Comprehensive Plan Revision Task Force (2004-2006)
District of Columbia Zoning Advisory Committee (2003-2008)
District of Columbia Zoning Review Task Force (2007-present)

LECTURES/SEMINAR PRESENTATIONS:

District of Columbia Association of Realtors
District of Columbia Building Industry Association
D.C. Bar/Georgetown University Law School Continuing Legal Education
Capitol Hill Realtors
American University Real Estate Alumni
District of Columbia Apartment and Office Building Association