

Holland & Knight

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Kyrus L. Freeman
kyrus.freeman@hklaw.com
202-862-5978

September 11, 2012

VIA HAND DELIVERY

Board of Zoning Adjustment
441 4th Street, N W
Suite 210S
Washington, DC 20001

RECEIVED
D.C. OFFICE OF ZONING
2012 SEP 11 PM 2:28

Re: Application No. 18401 - PreHearing Statement of the Applicant

Honorable Members of the Board

On behalf of by SLS Carriage House Enterprise LLC, the Applicant in the above-referenced case, enclosed please find one original and twenty copies of the Applicant's prehearing submission in support of its application pursuant to 11 DCMR § 3104.1 for a special exception under section 508 to permit the conversion of an existing building to office use in the DC/SP-1 District at 1749 and 1751 St. Matthews Court, N.W. (Square 159, Lots 46 & 47).

Thank you for your attention to this application

Sincerely,



Kyrus L. Freeman

Enclosure

cc Paul Goldstein, Office of Planning (Via Hand, with enclosure)
ANC 2B (Via U.S. Mail, with enclosure)

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18401
EXHIBIT NO. 27

Board of Zoning Adjustment
District of Columbia
CASE NO. 18401
EXHIBIT NO. 27

**BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

**APPLICATION OF
SLS CARRIAGE HOUSE
ENTERPRISE LLC**

**BZA APPLICATION NO. 18401
HEARING DATE: SEPT. 25, 2012
ANC 2B**

STATEMENT OF THE APPLICANT

**I.
NATURE OF RELIEF SOUGHT**

This Statement of the Applicant is submitted by SLS Carriage House Enterprise LLC (the "Applicant"), the owner of property located at 1749 and 1751 St. Matthews Court, N W. (Square 159, Lots 46 and 47) (the "Site"), in support of its application pursuant to 11 DCMR § 3104.1, for a special exception under section 508, to permit the conversion of an existing building to office use in the DC/SP-1 District at the Site

**II.
JURISDICTION OF THE BOARD**

The Board of Zoning Adjustment (the "Board" or "BZA") has jurisdiction to grant the special exception relief requested herein pursuant to Section 3104.1 of the Zoning Regulations.

**III.
EXHIBITS IN SUPPORT OF THE APPLICATION**

<u>Exhibit A</u>	Building Plat showing the Site,
<u>Exhibit B.</u>	Zoning Map showing the Site,
<u>Exhibit C.</u>	Architectural Plans and Elevations,
<u>Exhibit D</u>	Letters of Support from Adjacent Property Owners,
<u>Exhibit E.</u>	Letter of Support from ANC 2B,
<u>Exhibit F</u>	Outline of Testimony of Steven H Schram, SLS Carriage House Enterprise LLC; and

**IV.
BACKGROUND**

A. Description of the Site and the Proposal

The Site is located at 1749 - 1751 St. Matthews Court, N W and includes Lots 46 and 47 in Square 159. The Site has a combined land area of approximately 2,170 square feet (See Building Plat attached hereto as Exhibit A). Square 159 is located in the northwest quadrant of the District and is bounded on the north by N Street, on the east by 17th Street, on the south by Rhode Island Avenue, and on the west by Connecticut Avenue and 18th Street. St. Matthews Court runs east-west and bisects the square. The Site is improved with an existing masonry building on each lot. The existing buildings contain a combined total of approximately 2,170 square feet of gross floor area for zoning purposes. The Site is located in the DC/SP-1 District and is within the Dupont Circle Historic District (See Zoning Map attached hereto as Exhibit B). The existing buildings on the Site are listed on the District of Columbia Inventory of Historic Sites.

As shown on the Architectural Plans and Elevations (the "Plans") attached hereto as Exhibit C, the Applicant proposes to renovate the existing buildings on the Site for office use. The proposed work includes updating the interior layout of the buildings, and providing an internal connection between the spaces. The Applicant will not be constructing any additions nor expanding the existing footprint of the buildings.

V.
**THE APPLICANT MEETS THE BURDEN
OF PROOF FOR SPECIAL EXCEPTION RELIEF**

Relief granted through a special exception is presumed appropriate, reasonable and compatible with other uses in the same zoning classification, provided the specific regulatory requirements for the requested relief are met. In reviewing an application for special exception relief, "[t]he Board's discretion . . . is limited to a determination of whether the exception sought meets the requirements of the regulations." *First Baptist Church of Washington v. District of Columbia Board of Zoning Adjustment*, 423 A.2d 695, 701 (D.C. 1981) (quoting *Stewart v. District of Columbia Board of Zoning Adjustment*, 305 A.2d 516, 518 (D.C. 1973)). If the applicant meets its burden, the Board must ordinarily grant the application. *Id.* As described below, the Applicant meets all of the applicable special exception standards.

Section 508.1 of the Zoning Regulations provides that the construction of a new office building, construction of an addition to a building for office use, and the conversion of an existing building to office use, shall be permitted in an SP District if approved by the Board of Zoning Adjustment as a special exception under §3104.1 and subject to the provisions of Section 508.3 through 508.5. As described above, the Applicant intends to renovate the existing buildings to modernize them for office use. The Applicant satisfies the conditions of both §3104.1 and §508 as follows.

1. **Compliance with Section 3104.1**

Under §3104.1, which sets forth the general provisions for special exception relief under the Zoning Regulations, the Board is authorized to grant those special exceptions which, in the judgment of the Board, will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring property. The present application is in harmony with the Zoning Regulations and Maps. As shown on the plans

included with the application, the Applicant proposes to renovate the existing buildings on the Site for office use. The proposed work includes updating the interior layout of the buildings, and providing an internal connection between the spaces. The Applicant will not be constructing any additions nor expanding the existing footprint of the buildings. In addition, there are other office uses in the square, and the Applicant's proposal to renovate the existing buildings will not adversely impact the balance of uses within the immediate area. In addition, the proposed renovation will not tend to affect neighboring property adversely since the proposed renovation work is internal to the building. The Applicant will also be presenting the proposed plans to the Historic Preservation Office and the Advisory Neighborhood Commission.

2 Compliance with Section 508.3

Section 508.3 of the Zoning Regulations provides that the use, height, bulk and design must be in harmony with existing uses and structures on neighboring property. With regard to use, the SP District permits office uses, and there are a number of existing uses located within Square 159 and in the immediate vicinity of the Site. In addition, given the historic nature of the buildings, the Applicant is not proposing to demolish or otherwise expand the footprint of the buildings, but is rather proposing to do interior renovation work. Thus, there will be no change in the height, bulk, or exterior configuration of the buildings as a result of this application, and the existing buildings and proposed office use will be in harmony with existing uses and structures on neighboring property.

3 Compliance with Section 508.4

Section 508.4 of the Zoning Regulations provides that the use shall not create dangerous or other objectionable traffic conditions. The Applicant proposes to renovate existing buildings on the Site, which work will not create any dangerous or other objectionable traffic conditions. Moreover, although the project is exempt from providing parking pursuant to Section 2120.3 of

the Zoning Regulations since the buildings on the Site are historic resources, the project includes 4 off-street parking spaces, which exceeds the Zoning Requirements for an office use of the proposed size in the DC/SP-1 District.

4 Compliance with Section 508.5

Section 508.5 of the Zoning Regulations provides that the Board may require special treatment in the way of design, screening of buildings, accessory uses, signs, and other facilities as it deems necessary to protect the value of neighboring property. The Applicant is not proposing to demolish or otherwise expand the footprint of the buildings, and there will be no change in the height, bulk, or footprint of the buildings as a result of this application. Therefore, it will not be necessary for the Board to require any special treatment in this case.

VI.
COMMUNITY SUPPORT

The Applicant has the support of the community for the requested zoning relief. As indicated in the letters of support attached hereto as Exhibit D, the Applicant has presented the proposed project plans to each of the abutting property owners, and they have submitted letters indicating they support the requested zoning relief. In addition, Advisory Neighborhood Commission ("ANC") 2B, the ANC in which the site is located, voted 9-0 to support the requested zoning relief at its meeting on June 13, 2012. (See Exhibit E)

VII.
WITNESSES

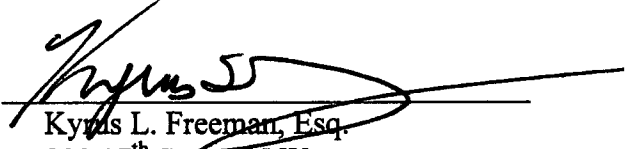
A	Steven H. Schram, SLS Carriage House Enterprise LLC
B	Michael P Bruckwick, AIA, LEED AP, NCARB, Principal of Katinas Bruckwick Architecture

VII.
CONCLUSION

For the reasons stated above, the requested relief meets the applicable standards for special exception relief under the Zoning Regulations. Accordingly, the Applicant respectfully requests that the Board grant the application.

Respectfully submitted,

HOLLAND & KNIGHT, LLP

By. 

Kyra L. Freeman, Esq.
800 17th Street, N W
Suite 1100
Washington, D.C 20006
(202) 955-3000

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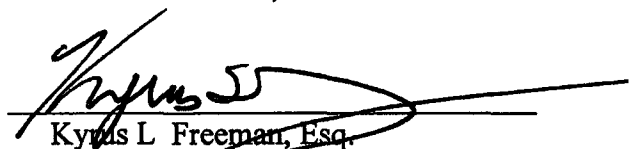
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Respectfully submitted,

HOLLAND & KNIGHT, LLP

By


Kyra L. Freeman, Esq.
800 17th Street, N.W.
Suite 1100
Washington, D.C. 20006
(202) 955-3000

A

DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Washington, D.C., December 29, 2011

Plat for Building Permit of: SQUARE 159 LOTS 46 - 47

Scale: 1 inch = 10 feet Recorded in Book 10 Page 81

Receipt No. 12-01352

Furnished to: FRED A HOBAR

I hereby certify that all existing improvements shown hereon, are completely dimensioned, and are correctly platted, that all proposed buildings or construction, or parts thereof, including covered porches, are correctly dimensioned and platted and agree with plans accompanying the application; that the foundation plans as shown hereon is drawn, and dimensioned accurately to the same scale as the property lines shown on this plat; and that by reason of the proposed improvements to be erected as shown hereon the size of any adjoining lot or premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified and agreed that accessible parking area where required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon. It is further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb and alley grade will not result in a rate of grade along centerline of driveway at any point on private property in excess of 20% for single-family dwellings or flats, or in excess of 12% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property.)

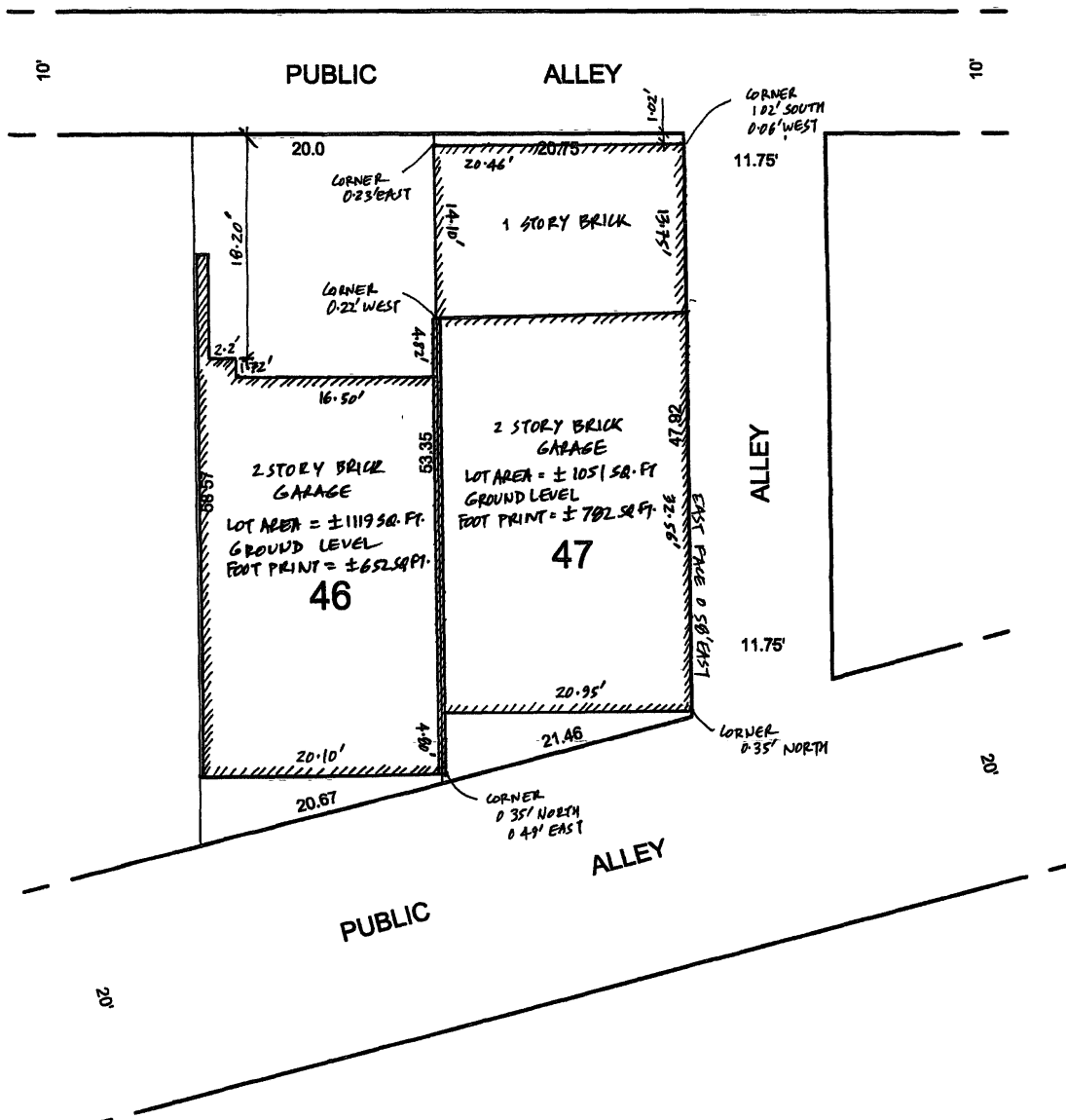
Date: _____

Bob M.
Surveyor, D.C.

By: A.S. *[Signature]*

(Signature of owner or his authorized agent)

NOTE: Data shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description



B



District of Columbia Office of Zoning

EXTRACT OF THE DISTRICT OF COLUMBIA ZONING MAP

September 11, 2012



Zoning Layers

	Zone Districts		Overlays Districts		TDRs		Air Rights Zone
	Pending Zones		CEA		Pending PUDs		Baist Index
	Historic Districts		Campus Plans		Active PUDs		

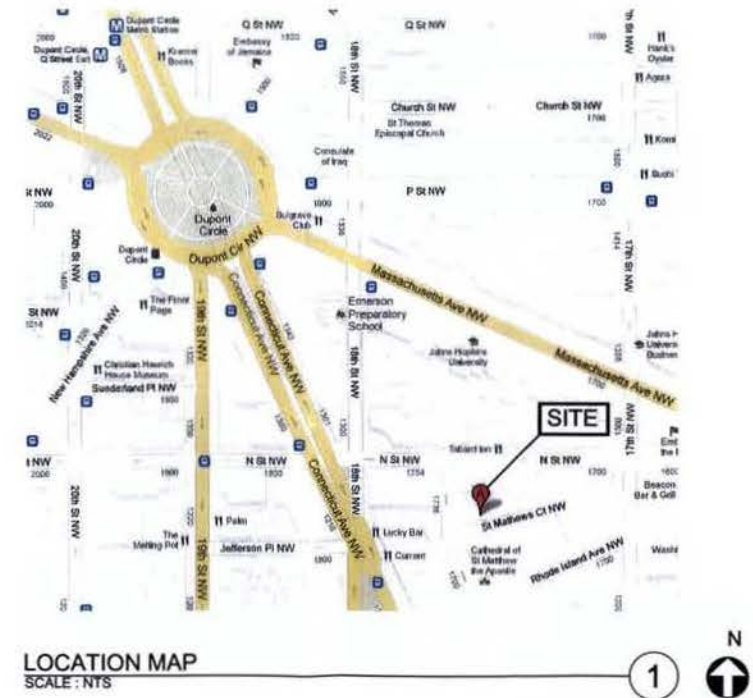
To certify zoning on any property in order to satisfy a legal requirement, contact the Office of Zoning at (202) 727-6311.

C

BOARD OF ZONING ADJUSTMENT SUBMITTAL SET

INDEX OF DRAWINGS

- 1- COVER SHEET
- 2- ZONING AND ALLEY OVERLAY TABULATION
- 3- SITE PLAN AND ZONING MAP
- 4- EXISTING SITE PHOTOS
- 5- EXISTING SITE PHOTOS
- 6- EXISTING CONTEXT PHOTOS
- 7- EXISTING CONTEXT PHOTOS
- 8- FIRST FLOOR PLAN
- 9- SECOND FLOOR PLAN
- 10 - ROOF PLAN
- 11 - BUILDING ELEVATIONS
- 12 - BUILDING SECTION



1747 & 1749 St. Matthew's Ct. ZONING - COVER SHEET



16 APRIL 2012
SHEET 1
SCALE : NTS

ZONING TABULATION

ZONE: SP-1 LOT: 0047 SQUARE: 0159 SITE AREA: 1051 SQ. FT.				
ISSUE	EXISTING	ALLOWED/REQUIRED	PROPOSED	RELIEF REQUIRED (Yes/ No)
GROSS FLOOR AREA:	1279.10 SQ. FT.	2627.50 SQ. FT.	NO CHANGE	N
FAR:	1.1	2.5	NO CHANGE	N
BUILDING HEIGHT: High point of		65'-0" MAXM. ALLOWED	NO CHANGE	N
- Parapet	± 21'-6"			
REAR YARD:	1.02'	12' MINIMUM	NO CHANGE	N
SIDE YARD:	NONE			
LOT OCCUPANCY: Percentage:	74.4%	NOT APPLICABLE FOR OFFICE	NO CHANGE	N
TOP OF ROOF			NO CHANGE	N
- Clerestory	± 28'-1/2"			
LOADING BERTH:	N/A	NONE REQUIRED	NO CHANGE	N
DELIVERY SPACES:	N/A	NOT APPLICABLE FOR OFFICE	NO CHANGE	N
PARKING:	2	NONE REQUIRED	2	N

ZONING TABULATION LOT 0047
SCALE : NTS

2

ZONING TABULATION

ZONE: SP-1 LOT: 0046 SQUARE: 0159 SITE AREA: 1119 SQ. FT.				
ISSUE	EXISTING	ALLOWED/ REQUIRED	PROPOSED	RELIEF REQUIRED (Yes/ No)
GROSS FLOOR AREA:	1304 SQ. FT.	2797.5 SQ. FT.	NO CHANGE	N
FAR:	1.2	2.5	NO CHANGE	N
BUILDING HEIGHT: High point of		65'-0" MAXM. ALLOWED	NO CHANGE	N
- Parapet	± 22'-0"			
REAR YARD:	18.20'	12' MINIMUM	NO CHANGE	N
SIDE YARD:	NONE			N
LOT OCCUPANCY: Percentage:	58.2%	NOT APPLICABLE FOR OFFICE	NO CHANGE	N
TOP OF ROOF High point of			NO CHANGE	N
- Clerestory	± 30'- 1/2"			
LOADING BERTH:	N/A	NONE REQUIRED	NO CHANGE	N
DELIVERY SPACES:	N/A	NOT APPLICABLE FOR OFFICE	NO CHANGE	N
PARKING:	2	NONE REQUIRED	2	N

ZONING TABULATION LOT 0046
SCALE : NTS

1

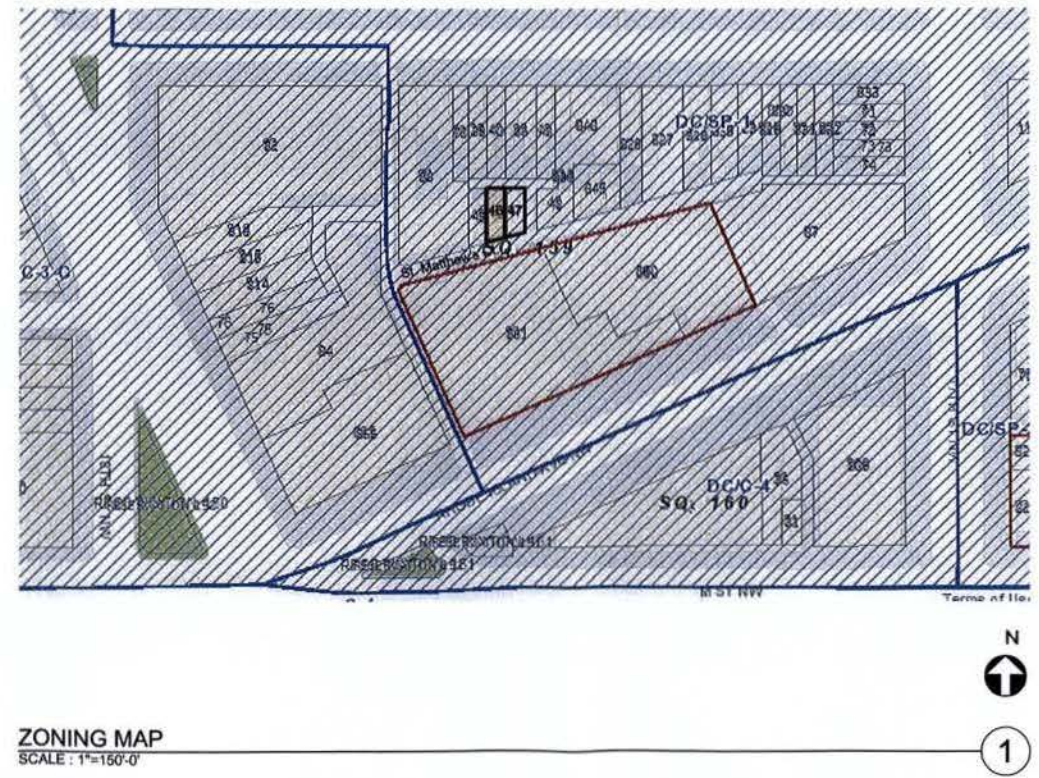
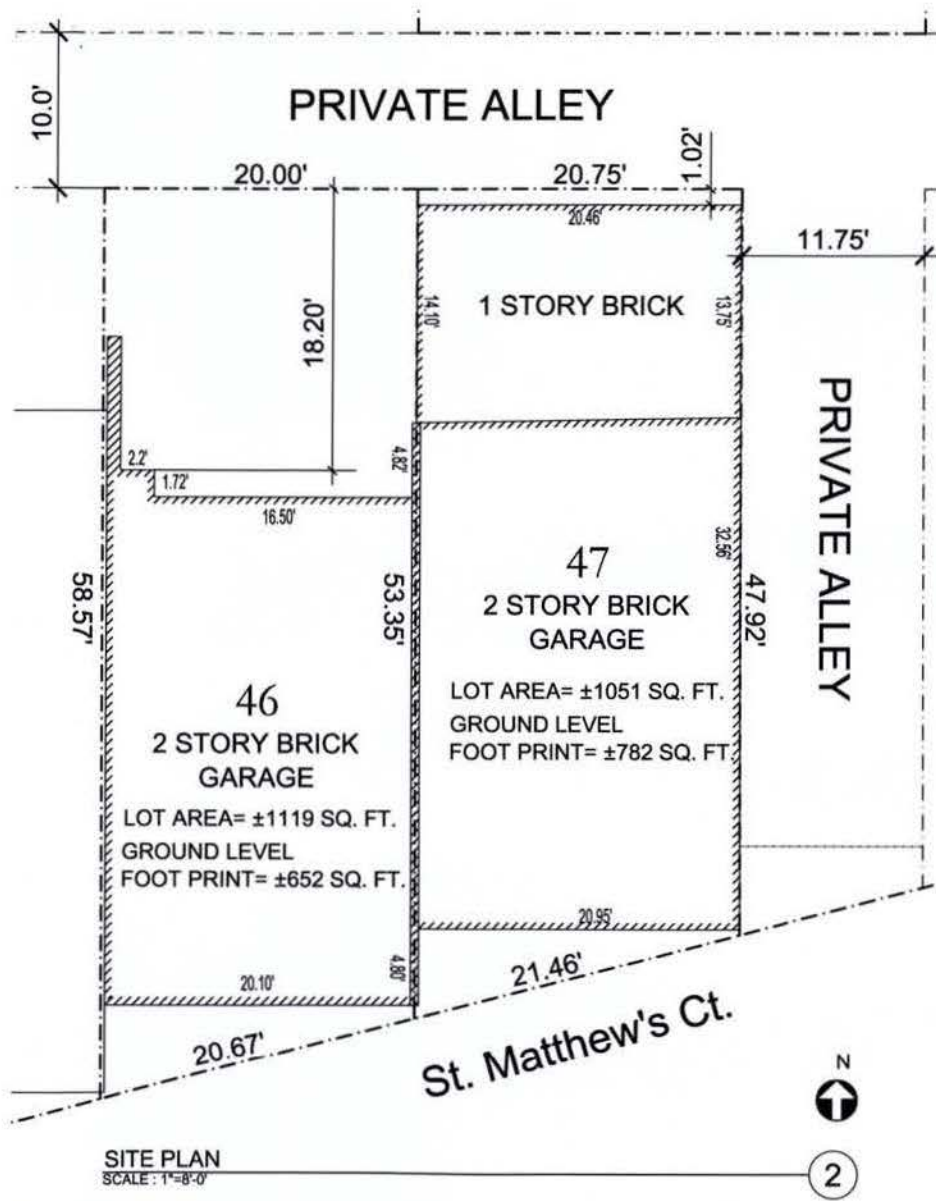
1747 & 1749 St. Matthew's Ct. - ZONING AND ALLEY OVERLAY TABULATION

16 APRIL 2012

SHEET 2

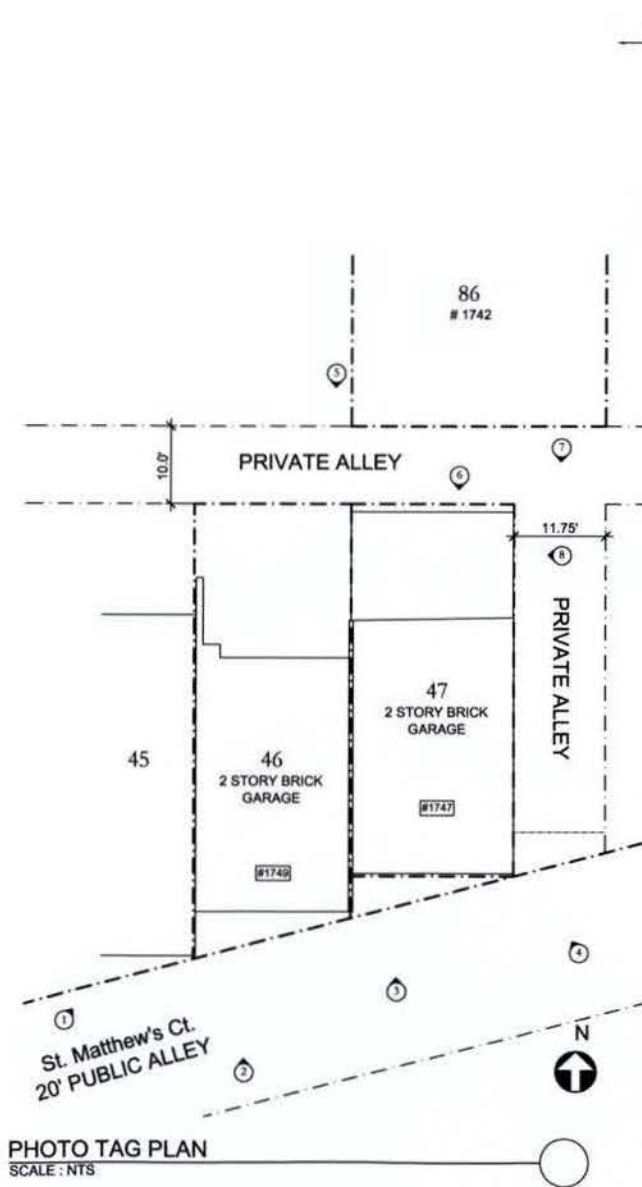
SCALE : NTS





1747 & 1749 St. Matthew's Ct. ZONING - SITE PLAN & ZONING MAP





SITE PHOTO
SCALE : NTS

4



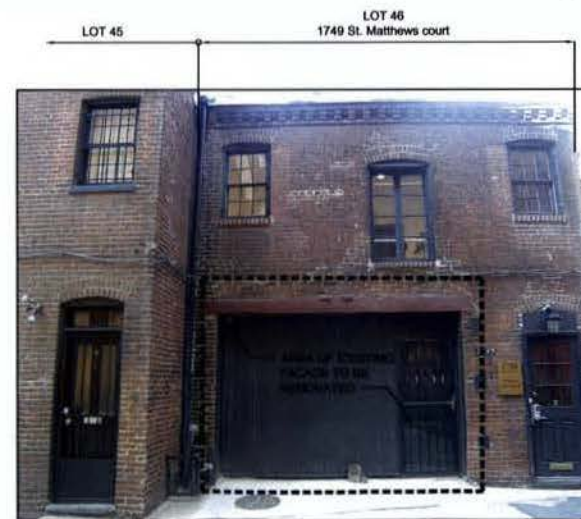
SITE PHOTO
SCALE : NTS

3



SITE PHOTO
SCALE : NTS

1



SITE PHOTO
SCALE : NTS

2

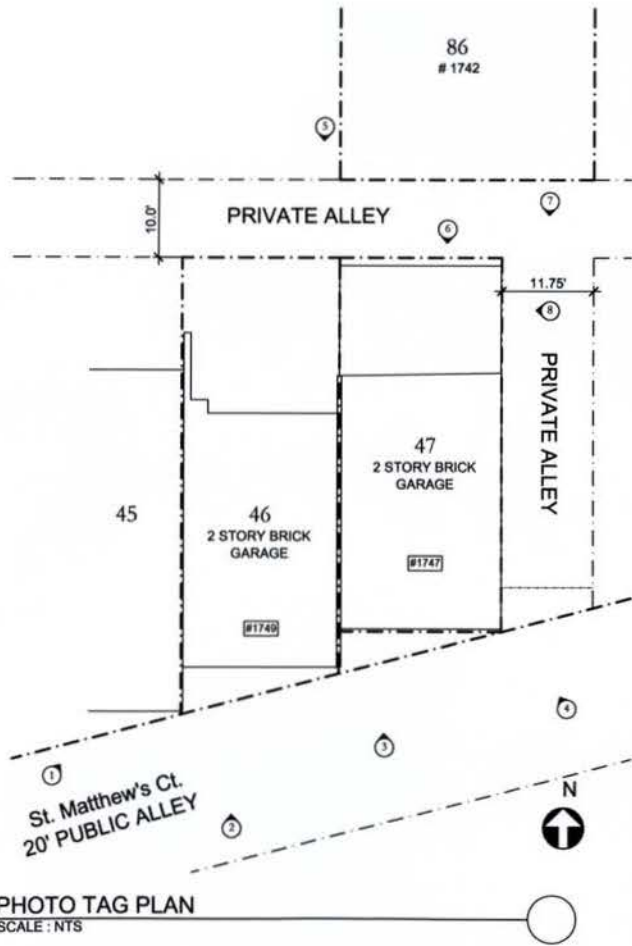
1747 & 1749 St. Matthew's Ct. ZONING - EXISTING SITE PHOTOS

16 APRIL 2012

SHEET 4

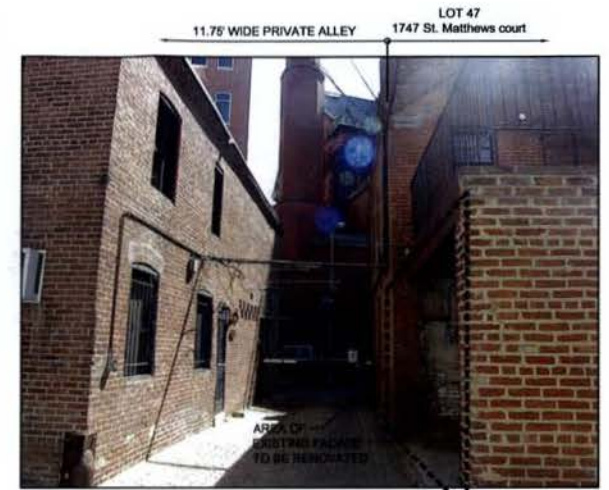
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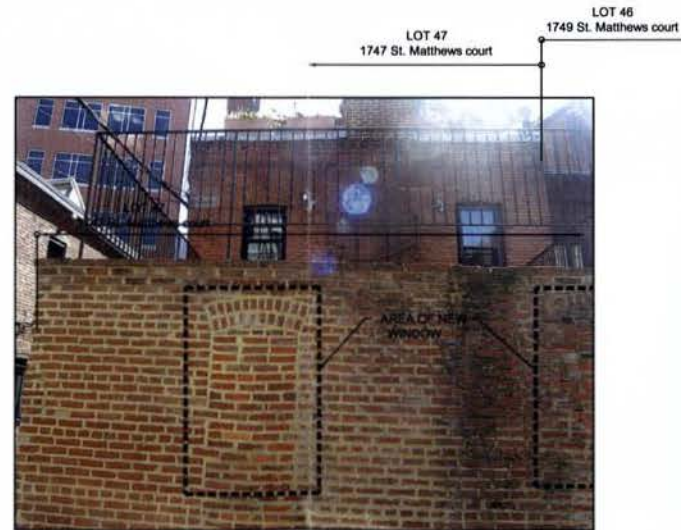
SITE PHOTO
SCALE: NTS

8



SITE PHOTO
SCALE: NTS

7



SITE PHOTO
SCALE: NTS

6



SITE PHOTO
SCALE: NTS

5

1747 & 1749 St. Matthew's Ct. ZONING - EXISTING SITE PHOTOS

16 APRIL 2012

SHEET 5

SCALE: NTS





PANORAMA FROM PARKING AREA
SCALE: NTS

2



PANORAMA FROM ALLEY
SCALE: NTS

1

1747 & 1749 St. Matthew's Ct. ZONING - EXISTING CONTEXT PHOTOS

16 APRIL 2012

SHEET 6

SCALE: NTS





PANORAMA FROM DRIVE
SCALE: NTS

2



CARRIAGE HOUSE FROM PARKING
SCALE: NTS

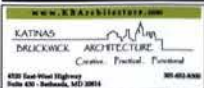
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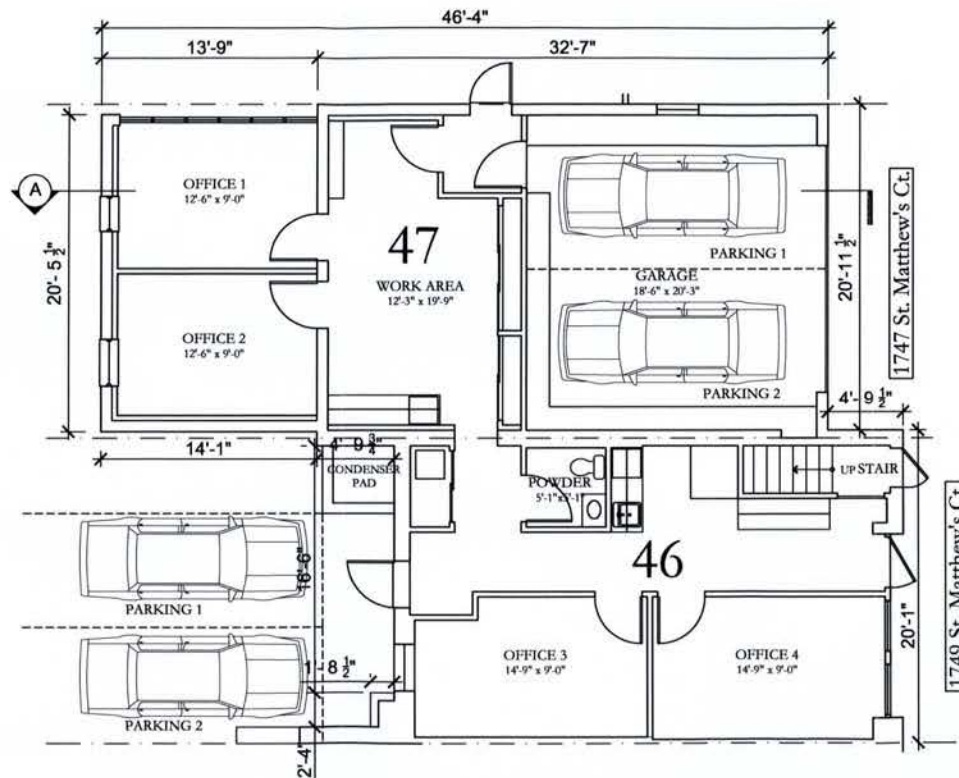
1747 & 1749 St. Matthew's Ct. ZONING - EXISTING CONTEXT PHOTOS

16 APRIL 2012

SHEET 7

SCALE: NTS





FIRST FLOOR PLAN

SCALE : 1/8" = 1'-0"

1



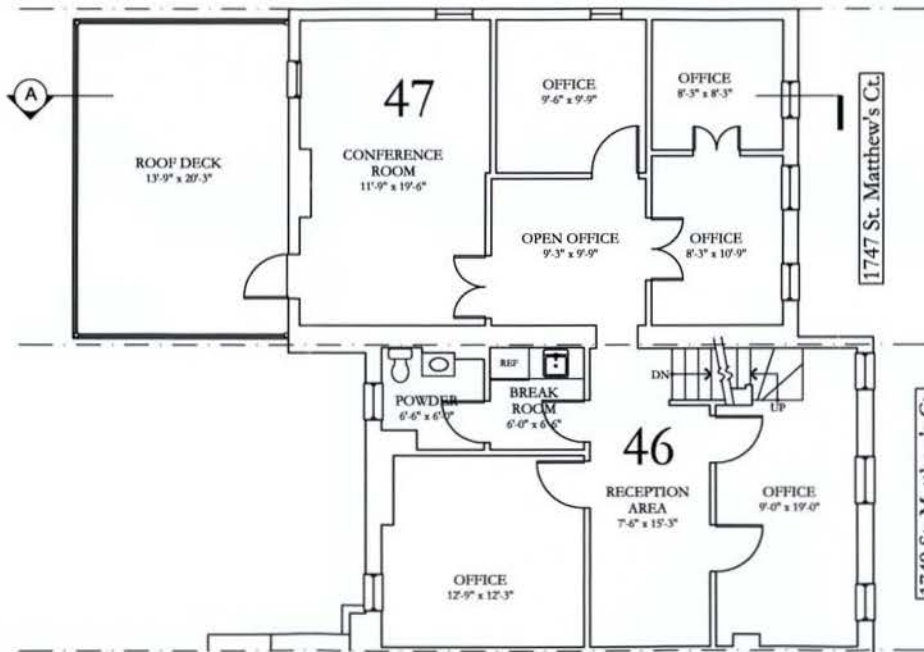
1747 & 1749 St. Matthew's Ct. ZONING - FIRST FLOOR PLAN

16 APRIL 2012

SHEET 8

SCALE : 1/8" = 1'-0"

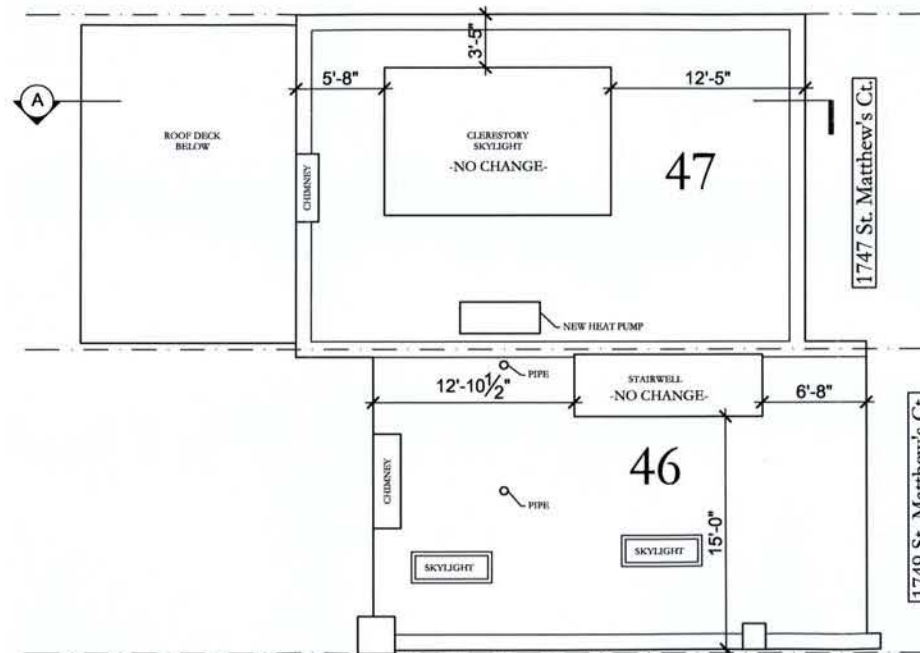




SECOND FLOOR PLAN
SCALE: $\frac{1}{8}" = 1'-0"$



1747 & 1749 St. Matthew's Ct. ZONING - SECOND FLOOR PLAN



ROOF PLAN
SCALE: $\frac{1}{8}" = 1'-0"$

1



1747 & 1749 St. Matthew's Ct. ZONING - ROOF PLAN

16 APRIL 2012

SHEET 10

SCALE: $\frac{1}{8}" = 1'-0"$

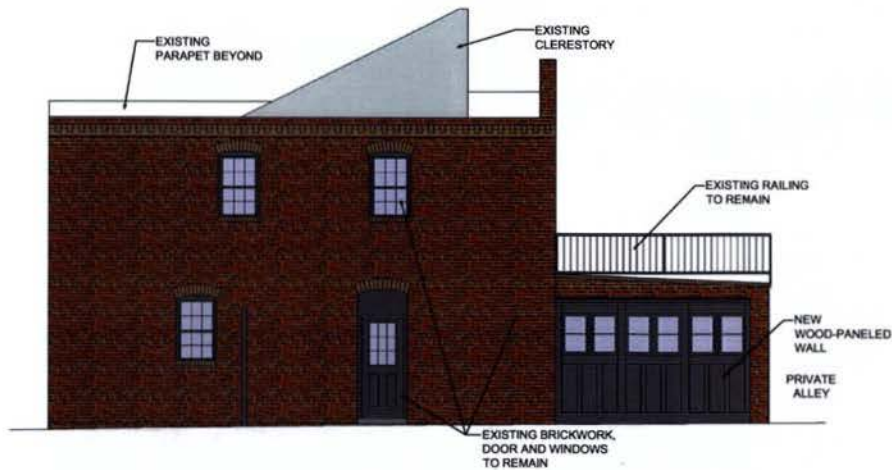




SOUTH ELEVATION

SCALE : $\frac{1}{8}" = 1'-0"$

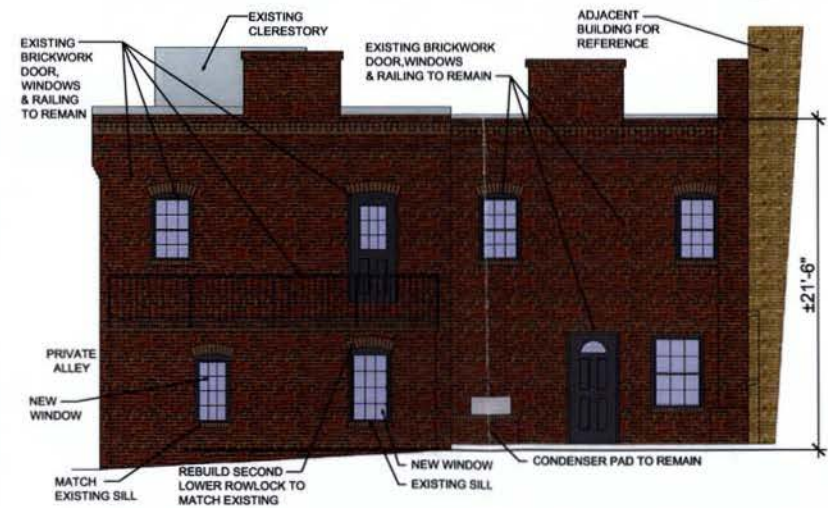
3



EAST ELEVATION

SCALE : $\frac{1}{8}" = 1'-0"$

2



NORTH ELEVATION

SCALE : $\frac{1}{8}" = 1'-0"$

1

1747 & 1749 St. Matthew's Ct. ZONING - BUILDING ELEVATION

16 APRIL 2012

SHEET 11

SCALE : $\frac{1}{8}" = 1'-0"$



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KEENER ■ SQUIRE PROPERTIES

May 15, 2012

Board of Zoning Adjustment
Room 210
441 4th Street, N.W.
Washington, D.C. 20001

RECEIVED
D.C. OFFICE OF ZONING
2012 JUN 13 PM 12:28

Re Application #18401 for 1749 - 1751 St. Matthews Court, N.W (Square 159, Lots 46 & 47)

The Honorable Board of Zoning Adjustment

I write this letter to support the above-referenced application. I am the owner of 1746 N Street, NW, Washington, DC 20036-2907, which is to the west of the proposed renovation. I have spoken with the applicant regarding their proposed renovation and conversion of the existing building into office use, and they have kept me informed regarding the project. I have also reviewed the plans, and I believe that the proposed interior work, combined with the new proposed windows is sensitive to the property's context. I also note that the applicant is not constructing any additions nor expanding the existing footprint of the buildings, which will help to minimize any impacts during the renovation work. Based upon my review of the plans, conversations with the applicant, and conversations with others in my community, I support the application and proposed plans and think the project will be a valuable asset to our community. I therefore respectfully request that you approve the project as designed.

Sincerely,

Claude Keener

1746 N Street, N.W.
Washington, D.C. 20036-2907
Telephone: (202) 833-3050
Facsimile: (202) 833-9050

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18401
EXHIBIT NO. 20



KEENER ■ SQUIRE PROPERTIES

May 15, 2012

Board of Zoning Adjustment
Room 210
441 4th Street, N W
Washington, D C 20001

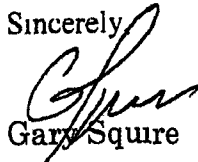
RECEIVED
D.C. OFFICE OF ZONING
2012 JUN 13 PM 12:47

Re Application #18401 for 1749 - 1751 St Matthews Court, N W. (Square 159, Lots 46 & 47)

The Honorable Board of Zoning Adjustment:

I write this letter to support the above-referenced application. I am the owner of 1746 N Street, NW, Washington, DC 20036-2907, which is to the west of the proposed renovation. I have spoken with the applicant regarding their proposed renovation and conversion of the existing building into office use, and they have kept me informed regarding the project. I have also reviewed the plans, and I believe that the proposed interior work, combined with the new proposed windows is sensitive to the property's context. I also note that the applicant is not constructing any additions nor expanding the existing footprint of the buildings, which will help to minimize any impacts during the renovation work. Based upon my review of the plans, conversations with the applicant, and conversations with others in my community, I support the application and proposed plans and think the project will be a valuable asset to our community. I therefore respectfully request that you approve the project as designed.

Sincerely,


Gary Squire

1746 N Street, N.W.
Washington, D.C. 20036-2907
Telephone: (202) 833-3050
Facsimile: (202) 833-9050

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18401
EXHIBIT NO. 18

William A. Anawaty

The Carriage House
1 Saint Matthew's Court, N.W.
Washington, D C 20036

Tel 202-331-7738
Fax. 202-331-7739
Anawaty@aol.com

RECEIVED
D.C. OFFICE OF ZONING

2012 JUN 13 PM 12:28

May 30, 2012

Board of Zoning Adjustment
Room 210
441 4th Street, N.W.
Washington, D.C 20001

Re: Application #18401 for 1749 - 1751 St. Matthews Court, N W (Square 159, Lots 46 & 47)

The Honorable Board of Zoning Adjustment

I write this letter to support the above-referenced application. I am the owner of 1 Saint Matthews Court, NW, Washington, DC 20036-2901, which is to the east of the proposed renovation. I have spoken with the applicant regarding their proposed renovation and conversion of the existing building into office use, and they have kept me informed regarding the project.

I was given a copy of the plans, reviewed them and completed a walkthrough of the structure. I believe that the proposed interior work, combined with the new proposed windows is appropriately sensitive to the property's context. I also note that the applicant is not constructing any additions nor expanding the existing footprint of the buildings, which will minimize any impacts during the renovation work.

Based upon my review of the plans, conversations with the applicant, and conversations with others in my community, I support the application and proposed plans and think the project will be a valuable asset to our community. I therefore respectfully request that you approve the project as designed.

Sincerely,

William A. Anawaty
William A. Anawaty

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18401
EXHIBIT NO. 19

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**GOVERNMENT OF THE DISTRICT OF COLUMBIA
Dupont Circle Advisory Neighborhood Commission 2B**

June 25, 2012

Meredith Moldenhauer, Chairperson
Board of Zoning Adjustment
441 4th Street NW
Suite 210S
Washington, DC 20001
bzsubmissions@dc.gov
richard.nero@dc.gov
sara.bardin@dc.gov

Re: Request for zoning special exception (BZA application number 108401) by SLS Carriage House Enterprise LLC for 1749-1751 St. Matthews Court NW (Square 159, Lots 46 & 47) for conversion of existing buildings to office use. (2B05)

Dear Chairperson Moldenhauer:

At its regular meeting on June 13, 2011, the Dupont Circle Advisory Neighborhood Commission ("ANC 2B" or "Commission") considered the above-referenced matter. With all of the Commissioners present, a quorum at a duly-noticed public meeting, the Commission approved the following motion by a vote of (9-0).

ANC 2B supports support the request for special exception for conversion of existing buildings to office use.

Commissioners Victor Wexler (victor.wexler@dupontcircleanc.net), Will Stephens (will.stephens@dupontcircleanc.net), and Mike Feldstein (mike.feldstein@dupontcircleanc.net) are the representatives in this matter.

ON BEHALF OF THE COMMISSION

Sincerely,

A handwritten signature in cursive script, appearing to read "Will Stephens".

Will Stephens, Chair

RECEIVED
D.C. OFFICE OF ZONING
2012 JUN 26 PM 3:16

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18401
EXHIBIT NO. 25

9 Dupont Circle, NW • Washington, DC 20036 • www.dupontcircleanc.net

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OUTLINE OF TESTIMONY
STEVEN H SCHRAM
SLS CARRIAGE HOUSE ENTERPRISE LLC

- I. INTRODUCTION
- II DESCRIPTION OF PROPOSAL
- III WORK WITH THE COMMUNITY AND NEIGHBORS
- IV. CONCLUSION

6

OUTLINE OF TESTIMONY
MICHAEL P BRUCKWICK, AIA, LEED AP, NCARB
KATINAS BRUCKWICK ARCHITECTURE

- I. INTRODUCTION AND PROFESSIONAL QUALIFICATIONS
- II. SITE AND LOCATION DESCRIPTION
 - A OVERVIEW OF SITE, VICINITY AND LAND USE/ZONING
 - B SITE PLANNING – SIZE, LOT CONFIGURATION, TOPOGRAPHY
- III DESCRIPTION OF DESIGN AND RENOVATIONS STATION
- IV CONCLUSION