

Holland & Knight

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2012 DEC 31 AM 11:44

Leila Marie Jackson Batties
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December 31, 2012

Via Hand Delivery

Board of Zoning Adjustment
for the District of Columbia
441 4th Street, N.W., Suite 210S
Washington, DC 20001

Re: **BZA Application No 18489 / GA Views Management, LLC**
(Square 3033, Lot 89) / Prehearing Statement

Dear Board Members:

On behalf of GA Views Management, LLC enclosed please find one original and 20 copies of the prehearing statement for the above-referenced application. Also, for your convenience, we have enclosed one unbound copy of the filing. The application is scheduled to be heard before the Board of Zoning Adjustment on January 15, 2013.

Thank you for your considerate attention to this matter. We remain hopeful of the Board's favorable review of the application.

Very truly yours,

HOLLAND & KNIGHT LLP

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18489

EXHIBIT NO. 25

By: Leila M. Jackson Batties
Leila M. Jackson Batties

Enclosures

cc: Ms. Jennifer Steingasser, Office of Planning (via Hand Delivery)
Mr. Joel Lawson, Office of Planning (via Hand Delivery)
Mr. Paul Goldstein, Office of Planning (via Hand Delivery)
Advisory Neighborhood Commission 1A c/o Thomas Boisvert, Chair (via email)
Commissioner Kent C. Boese, SMD Representative, ANC 1A08 (via email)

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Portland | San Francisco | Tallahassee | Tampa | Washington, D.C. | West Palm Beach

Board of Zoning Adjustment
District of Columbia
CASE NO. 18489
EXHIBIT NO. 25

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

**APPLICATION OF
GA VIEWS MANAGEMENT, LLC**

**BZA APPLICATION NO. 18489
HEARING DATE: JANUARY 15, 2013**

STATEMENT OF THE APPLICANT

**I.
NATURE OF RELIEF SOUGHT**

This Statement is submitted on behalf of GA Views Management, LLC (the "Applicant"), the owner of the parcel located at 3357-3359 Georgia Avenue, NW, which is more particularly described as Lot 89 in Square 3033 (the "Property"). The Applicant seeks zoning relief in order to support the redevelopment of the Property with a mixed-use project that consists of ground floor retail and a five-story apartment house above. Specifically, the Applicant asks that the Board grant approval of the following:

- a. Roof Structure Enclosures. Special exception approval, pursuant to Sections 3104 and 411.5 of the Zoning Regulations, in order to permit roof structures in separate enclosures and of unequal height.
- b. Parking. A variance from Section 2101.1 of the Zoning Regulations in order to waive off-street parking where 10 spaces are required.
- c. Rear Yard. Special exception approval, pursuant to Section 774.2, to permit a rear yard less than 13'-9".
- d. GA Overlay Design. Special exception approval, pursuant to Section 1330.2, in order to have a building on a corner lot that is not constructed to property lines abutting public streets.

This prehearing statement is submitted in accordance with Section 3113.8 of the Zoning Regulations. The representations included in this prehearing statement,

including the architectural drawings attached hereto as Exhibit A, supersede those provided in the preliminary statement and original architectural drawings filed on October 19, 2012.

II. JURISDICTION OF THE BOARD

The Board of Zoning Adjustment (the "Board" or "BZA") has jurisdiction to review and grant the requested variances and special exception approval pursuant to Sections 3103.2 and 3104.1 of the Zoning Regulations.

III. EXHIBITS IN SUPPORT OF THE APPLICATION

<u>Exhibit A:</u>	Revised set of Architectural Drawings
<u>Exhibit B:</u>	Portion of the Zoning Map showing the Property
<u>Exhibit C:</u>	Resume of Steven E. Sher, Holland & Knight, expert witness in the area of land planning and zoning

IV. BACKGROUND

A. Subject Property and Project Description

The Property is located at the southeast corner of the intersection of Georgia Avenue and Otis Place, NW. It is currently vacant and consists of approximately 4,986 square feet. The Property is encumbered by a building restriction line ("BRL") along its frontage on Georgia Avenue and one along its frontage on Otis Place. The BRL along Georgia Avenue is set back 7'-6" from the property line, and the one along Otis Place is set back 12'-6" from the property line. The Property is

within the Georgia Avenue Commercial (GA) Overlay/C-3-A District and within the boundaries of ANC 1A-08.

The Applicant proposes to redevelop the Property with a mixed-use project that consists of approximately 2,138 square feet of ground floor retail and a five-story apartment house with approximately 16,800 square feet of floor area, generating approximately 20 dwelling units. The entrances to both the retail and residential uses will be on Georgia Avenue. The trash pick up and delivery for the project will be in an enclosed area that is accessible from the 10'-wide public alley extending from Otis Place. At the cellar level of the building, there will be storage for 10 bicycles.

B. GA Overlay

The GA Overlay applies to all properties zoned C-2-A and/or C-3-A along both sides of Georgia Avenue, N.W., from the north side of the intersection of Georgia Avenue and Kenyon Street to the south side of the intersection of Georgia Avenue and Varnum Street. 11 DCMR § 1327.1. The purposes of the GA Overlay District include encouraging additional residential uses along the Georgia Avenue corridor; encouraging improved commercial uses; and encouraging vertically-mixed uses (ground floor commercial and residential above) within a quarter mile of the Georgia Avenue-Petworth Metrorail Station along Georgia Avenue, from Park Road to Shepherd Street.

The design requirements of the GA Overlay applicable to the proposed development are as follows:

- Buildings shall be designed and built so that not less than 75% of the street wall at the street level shall be constructed to the property line abutting the street right-of-way. Building on corner lots shall be constructed to all property lines abutting streets. (§1328.2)
- Each building on a lot that fronts on Georgia Avenue, NW, shall devote not less than 50% of the surface area of the street wall at ground level to entrances to commercial uses or to the building's main lobby and to display windows have clear or clear/low emissivity glass. Decorative or architectural accents do not count toward the 50% requirement. (§1328.5)
- Each commercial use with frontage on Georgia Avenue shall have an individual public entrance directly accessible from the public sidewalk. (§1328.7)
- The ground floor level of each building or building addition shall have a uniform minimum clear floor-to-ceiling height of 14 feet. (§1328.9)
- Buildings subject to §1328.9 shall be permitted an additional five feet (5 ft.) of building height over that permitted as a matter of right in the underlying zone. (§1328.10)

The project complies with each of the foregoing standards, with the exception of the first one - that the building be constructed to all property lines abutting streets. The Applicant is unable to satisfy this design standard because of the BRLs that extend along the Property's frontage on Georgia Avenue and Otis Place. Because of the BRLs, the proposed building cannot be constructed to the property lines abutting the public rights of way.

C. C-3-A District

The C-3-A District is intended to permit medium density development with a density incentive for residential development within a general pattern of mixed-use development. 11 DCMR § 740.4.

D. Community Outreach

On November 14, 2012, the Applicant presented the application to Advisory Neighborhood Commission ("ANC") 1A. On December 9, 2012, the Applicant presented the project at a community meeting primarily intended for the residences to the south of the Property along Otis Place. ANC 1A will give further consideration to the project at its regularly scheduled meeting on January 9, 2013.

V.

**THE APPLICANT MEETS THE BURDEN
OF PROOF FOR SPECIAL EXCEPTION APPROVAL**

A. Multiple Roof Structure Enclosures of Unequal Height

Section 411 of the Zoning Regulation require all penthouses and mechanical equipment be placed in one enclosure and requires enclosing walls from roof level to be of equal height. Section 3104.1 of the Zoning Regulations states that the Board is authorized to grant special exceptions where, in its judgment, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps. 11 DCMR § 3104.1. Additionally, Section 411.11 of the Zoning Regulations states

that where impracticable because of operating difficulties, size of building lot or other conditions relating to the building or surrounding area that would tend to make full compliance unduly restrictive, prohibitively costly or unreasonable, the Board shall be empowered to approve, as a special exception, the location, design, number and all other applicable aspects of the roof structures provided that the intent and purpose of the Zoning Regulations shall not be materially impaired by the structure, and the light and air of adjacent building shall not be affected adversely.

In this case, the roof structures have separate enclosures and different heights. The elevator overrun and the stair tower both extend 8'-3" above the roof of the building; but have separate enclosures. The condenser units have a height of 4'. The proposed roof structure design is not contrary to the intent and purpose of the Zoning Regulations, nor are the light and air of the adjacent buildings adversely affected by the proposed roof structures.

B. Rear Yard

Pursuant to Section 774.1, the project is required to have a minimum rear yard of 13'-9". In this case, for that portion of the building below the 20' horizontal plane, the rear yard is 12'; therefore a variance of 1' - 9" is required. For that portion of the building above the 20' horizontal plane, the rear yard is 7'; therefore a variance of 6'-9" is required.

Section 774.2 of the Zoning Regulations states that the Board may waive the rear yard requirements pertaining to the C-3-A, C-3-B, C-3-C and C-4 Districts in

accordance with the requirements of § 3104 for special exceptions, provided that the following standards are met:

- 774.3 Apartment and office windows shall be separated from other buildings that contain facing windows a distance sufficient to provide light and air and to protect the privacy of building occupants.
- 774.4 In determining distances between windows in buildings facing each other, the angle of sight lines and the distance of penetration of sight lines into habitable rooms shall be sufficient to provide adequate light and privacy to the rooms.
- 774.5 The building plan shall include provisions for adequate off-street service functions, including parking and loading areas and access points.
- 774.6 Upon receiving an application for an approval under § 774.2, the Board shall submit the application to the D.C. Office of Planning for coordination review, report, and impact assessment, along with reviews in writing of all relevant District of Columbia departments and agencies including the Departments of Transportation and Housing and Community Development and, if a historic district or historic landmark is involved, the State Historic Preservation Officer.

The proposed project complies with the foregoing standards as follows:

1. The rowhouse immediately east of the subject property has windows facing the rear of the proposed building. However, as shown on Sheet 12 of the enclosed architectural drawings, the proposed building will be separated from the rowhouse a distance of 17', which is sufficient to provide light and air and to protect the privacy of the rowhouse occupants and the occupants of the proposed project.
2. The angle of sight lines and the distance of penetration of sight lines into habitable rooms will be sufficient to provide adequate light and privacy to the

rooms. As shown on Sheet 11 of the architectural drawings, the difference in the sight lines for a matter of right project and the project that is proposed is nominal. For the rowhouse immediately behind the project, the sight line for the matter of right project is 8'-9" and the sight line for the proposed project is 7'. For the rowhouses on Otis Place, to the north of the Property, the sight line for a matter of right project is 106'-5", and the sight line for the proposed project is 104'-5". For the rowhouses to the south, along 6th Street, the sight line for a matter of right project is 158'-7" and the sight line for the proposed project is 153'.

3. The proposed project does not include any off-street parking. The trash and delivery space will be in an enclosed area secured by a roll-down overhead door, which will be accessed from the public alley extending from Otis Place. The interior layout of this space is shown on Sheet 2 of the architectural drawings; a rendering of this section of the building is shown on Sheet 8.

4. It is the Applicant's understanding that the application will be submitted to and reviewed by the Office of Planning, Department of Transportation, and other relevant District departments and agencies.

C. GA Overlay Design

Sec. 1328.2 of the Zoning Regulations states that buildings shall be designed and built so that not less than 75% of the street wall at the street level shall be constructed to the property line abutting the street right-of-way. Buildings on corner lots shall be constructed to all property lines abutting public streets. In this

case, the building is constructed to the BRLs established along the Property's frontage on Georgia Avenue and Otis Place. Along Georgia Avenue, the BRL is 7'-6" from the actual property line and along Otis Place the BRL is 12'-6" from the actual property line. With the exception of certain projections, construction cannot occur beyond the BRLs. Therefore, it is not possible for the building to be constructed to the property lines abutting Georgia Avenue and Otis Place.

The Board may grant an exception from the requirement in Section 1328.2, subject to the following criteria:

- a. The architectural design of the project shall enhance the urban design features of the immediate vicinity in which it is located;
- b. Vehicular access and egress shall be located and designed so as to encourage safe and efficient pedestrian movement, minimize conflict with principal pedestrian ways, function efficiently and create no dangerous or otherwise objectionable traffic conditions;
- c. Parking and traffic conditions associated with the operation of a proposed use shall not significantly affect adjacent or nearby residences; and
- d. Noise associated with the operation of a proposed use shall not significantly affect adjacent or nearby residences.

11 DCMR §1330.2.

The project satisfies the foregoing criteria as follows:

- a. The architectural design of the building will enhance the urban design features of this section of Georgia Avenue, and it meets the other applicable design criteria for the GA Overlay.
- b. Access and egress for trash pick up and delivery services will be via the 10' wide public alley accessible from an existing curb cut on Otis Place. No new curb cuts are being proposed. Additionally, the project is intended for residents that don't own vehicles, thereby minimizing vehicular conflicts and adverse traffic conditions.

- c. The Applicant will incorporate the following transportation demand measures ("TDM") into the project:
- A member of the property management team will be designated as the Transportation Management Coordinator (TMC). The TMC will be responsible for ensuring that information is disseminated to tenants of the building.
 - The TMC will prepare a package of information identifying programs and incentives for encouraging retail and residential tenants to use alternative modes of transportation. Packages will include information regarding Capital Bikeshare, ZipCar, Commuter Connections Rideshare Program, Commuter Connections Guaranteed Ride Home and Commuter Connections Pools Program.
 - Links to CommuterConnections.com and goDCgo.com will be provided on the property management websites.
 - Convenient and covered secure bike parking facilities for 10 bicycles will be provided at the cellar level of the building
- d. Noise associated with the operation of the proposed development will not significantly affect the adjacent or nearby residences. The roof deck amenities will be situated toward the west side of the building, toward Georgia Avenue, in order minimize noise impacts to the residences to the west along Otis Place.

VI.
THE APPLICANT MEETS THE BURDEN
OF PROOF FOR VARIANCE RELIEF

Under D.C. Code §6-641.07(g)(3) and 11 DCMR §3103.2, the Board is authorized to grant an area variance where it finds that three conditions exist:

- a. The property is affected by exceptional size, shape or topography or other extraordinary or exceptional situation or condition;
- b. The owner would encounter practical difficulties if the zoning regulations were strictly applied or exceptional and undue hardship; and

- c. The variance would not cause substantial detriment to the public good and would not substantially impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

See French v. District of Columbia Board of Zoning Adjustment, 658 A.2d 1023, 1035 (D.C. 1995) (quoting *Roumel v. District of Columbia Board of Zoning Adjustment*, 417 A.2d 405, 408 (D.C. 1980)); see also, *Capitol Hill Restoration Society, Inc. v. District of Columbia Board of Zoning Adjustment*, 534 A.2d 939 (D.C. 1987). As discussed below, all three prongs of the area variance test are met in this application.

A. The Property Is Unusual Because of its Size, Shape or Topography and is Affected by an Exceptional Situation or Condition.

The phrase "exceptional situation or condition" in the above-quoted variance test applies not only to the land, but also to the existence and configuration of a building on the land. *See Clerics of St. Viator, Inc. v. D.C. Board of Zoning Adjustment*, 320 A.2nd 291, 294 (D.C. 1974). Moreover, the unique or exceptional situation or condition may arise from a confluence of factors which affect a single property. *Gilmartin v. D.C. Board of Zoning Adjustment*, 579 A.2nd 1164, 1168 (D.C. 1990).

In this case, the unique and exceptional situation affecting the Property stems from its small footprint, which is further challenged by the building restriction lines established along the west and north sides of the Property. Along the west side of the Property (along Georgia Avenue) the BRL is set back 7'-6" from the property line, and along the north side of the Property (along Otis Place), the

BRL is set back 12'-6" from the property line. As a result, the developable area is reduced from 4,986 square feet to 3,574 square feet, and the site is only 44'-1" wide along Georgia Avenue and only 71'-4 1/2" wide along Otis Place. This condition, coupled with the infill required for the type of construction proposed for the project, makes locating parking on-site very inefficient.

B. Strict Application of the Zoning Regulations Would Result in an Exceptional or Undue Hardship to the Owner

The Applicant would encounter practical difficulties if required to comply with the residential parking requirement. As noted above, size of the Property coupled with the infill nature of the proposed construction makes the construction of on-site parking very inefficient. After locating the building core, required below-grade building utility spaces, and the required garage ramps, very little space remains for parking. Additional levels of below grade parking continue to be inefficient as most of the space is taken up by the ramps needed to access each level. Further, the required locations of some of the underground utilities significantly hinder the location of ramps to get to additional levels of park. Finally, at least two additional levels of below grade parking would be necessary in order for the project to comply with the parking requirements, adding approximately \$1.7 million dollars to the project cost. This is an exceptional economic burden given that the Property is just three blocks south of the Metrorail Station and is well served by several Metrobus lines, and given the transportation demand measures that will be implemented by the Applicant, as discussed below.

C. No Substantial Detriment to the Public Good Nor Substantial Impairment to the Intent, Purpose and Integrity of the Zone Plan

There will be no substantial detriment to the public good and no substantial impairment to the intent, purpose and integrity of the zone plan, if the Board grants the requested parking variance. In fact, the proposed development promotes the intent, purpose and integrity of the zone plan and the public good. First, the Property is in the GA Overlay District, which is intended to encourage additional residential uses along the Georgia Avenue corridor, encourage improved commercial uses and encourage vertically-mixed uses within a quarter mile of the Georgia Avenue-Petworth Metrorail Station. The proposed development is a mixed-use project with 2,138 square feet of ground floor retail and 20 new residential units above, and is located just three blocks south of the Metrorail Station. The parking relief requested for the project is mitigated by the fact that the Property is located just three blocks south of the Metrorail Station and is well-served by Metrobus lines. Also, the Applicant agrees to incorporate the following Transportation Demand Management measures:

- A member of the property management team will be designated as the Transportation Management Coordinator (TMC). The TMC will be responsible for ensuring that information is disseminated to tenants of the building.
- The TMC will prepare a package of information identifying programs and incentives for encouraging retail and residential tenants to use alternative modes of transportation. Packages will include information regarding Capital Bikeshare, ZipCar, Commuter Connections Rideshare Program, Commuter Connections Guaranteed Ride Home and Commuter Connections Pools Program.

- Links to CommuterConnections.com and goDCgo.com will be provided on the property management websites.
- Convenient and covered secure bike parking facilities for 10 bicycles will be provided at the cellar level of the building .

VII. WITNESSES

1. Brandon Bellamy
GA Views Management, LLC
9171 Central Avenue, Suite 345
Capitol Heights, MD 20743
2. Jeffrey Stoiber
Stoiber & Associates
1621 Connecticut Avenue, NW
Washington, DC 20009
3. Steven E. Sher
Director of Land Use and Zoning Services
Holland & Knight, LLP
800 17th Street, NW
Washington, DC 20006

VIII. CONCLUSION

For the reasons stated above, the requested relief meets the applicable standards for the requested special exception approval for the roof structures, rear yard and GA Overlay design elements of the project and the variance from the parking requirements. Accordingly, the Applicant respectfully requests that the Board approve the application.

Respectfully submitted,

HOLLAND & KNIGHT, LLP

By: *Leila M. Batties*
Leila M. Jackson Batties
800 17th Street, NW
Suite 1100
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(202) 955-3000

Exhibit A

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The V at Georgia Avenue

3557 Georgia Avenue NW



Zoning Table

	Lot Area = 4,986 SF	
	ALLOWABLE / REQUIRED	PROPOSED
Lot Occupancy	100% Commercial 80% Residential (with IZ Bonus)	63% (due to BRL on 2 sides)
FAR	4.0 (with IZ Bonus)	3.814 (19,016 SF)
Parking Spaces	10 (20 dwelling units @ 1 per 2; Retail is <3,000 GSF)	0
Loading Berths	0	0
YARDS:		
Front	0	= BRL = 7'-6"
Rear	2.5' per foot of building height. 70' height = 13'-9" rear yard, which is measured from the centerline of the alley for first 20' of height at the rear (making the effective rear yard = 8'-9")	7'
Side	0	North = BRL = 12'-6" South = 0
Court(s)	n/a	n/a
Height	70'-0" (with GA Overlay Bonus)	70'-0" at Parapet 74'-3" at Penthouse

Georgia Avenue Overlay District: Design Requirements

1328.1 The design requirements of §§ 1328.2 through 1328.11 shall apply to any lot in the GA Overlay District for which a building permit was applied for after December 11, 2006.

1328.2 Buildings shall be designed and built so that not less than seventy-five percent (75%) of the street wall at the street level shall be constructed to the property line abutting the street right-of-way. Buildings on corner lots shall be constructed to all property lines abutting public streets.

1328.3 In the GA/C-2-A Zone District, seventy percent (70%) lot occupancy shall be permitted for mixed use buildings that include residential use.

1328.4 On-grade parking structures with frontage on Georgia Avenue, N.W. shall provide not less than sixty-five percent (65%) of the ground level frontage as commercial space.

1328.5 Each building on a lot that fronts on Georgia Avenue, N.W. shall devote not less than fifty percent (50%) of the surface area of the street wall at the ground level to entrances to commercial uses or to the building's main lobby, and to display windows having clear or clear/low emissivity glass. Decorative or architectural accents do not count toward the fifty percent (50%) requirement.

1328.6 Security grilles over windows or doors shall have no less than seventy percent (70%) transparency.

1328.7 Each commercial use with frontage on Georgia Avenue, N.W. shall have an individual public entrance directly accessible from the public sidewalk.

1328.8 Buildings shall be designed so as not to preclude an entrance every forty feet (40 ft.) on average for the linear frontage of the building, excluding vehicular entrances, but including entrances to ground floor uses and the main lobby.

1328.9 The ground floor level of each building or building addition shall have a uniform minimum clear floor-to-ceiling height of fourteen feet (14 ft.).

1328.10 Buildings subject to § 1328.9 shall be permitted an additional five feet (5 ft.) of building height over that permitted as a matter-of-right in the underlying zone.

1328.11 Notwithstanding 11 DCMR § 2116.2, off-street surface parking shall be permitted in rear yards only.

Item	Sheet
Index, Zoning Table and Overlay Info	1
Proposed Site Plan	2
Proposed Typical Floor Plan	3
Proposed Roof Plan	4
Proposed Cellar Plan	5
Proposed West Elevation	6
Proposed North Elevation	7
Proposed East Elevation	8
Proposed South Elevation	9
Sight Lines Diagrams	10-13
Parking Feasibility Study	14-15
Proposed Renderings	16-18
Proposed Civil Site Plan	19
Shadow Studies	20

OTIS PLACE - STREET WIDTH 30'

See Page 18
for RenderingSee Page 15
for RenderingSee Page 17
for RenderingSee Page 16
for Rendering

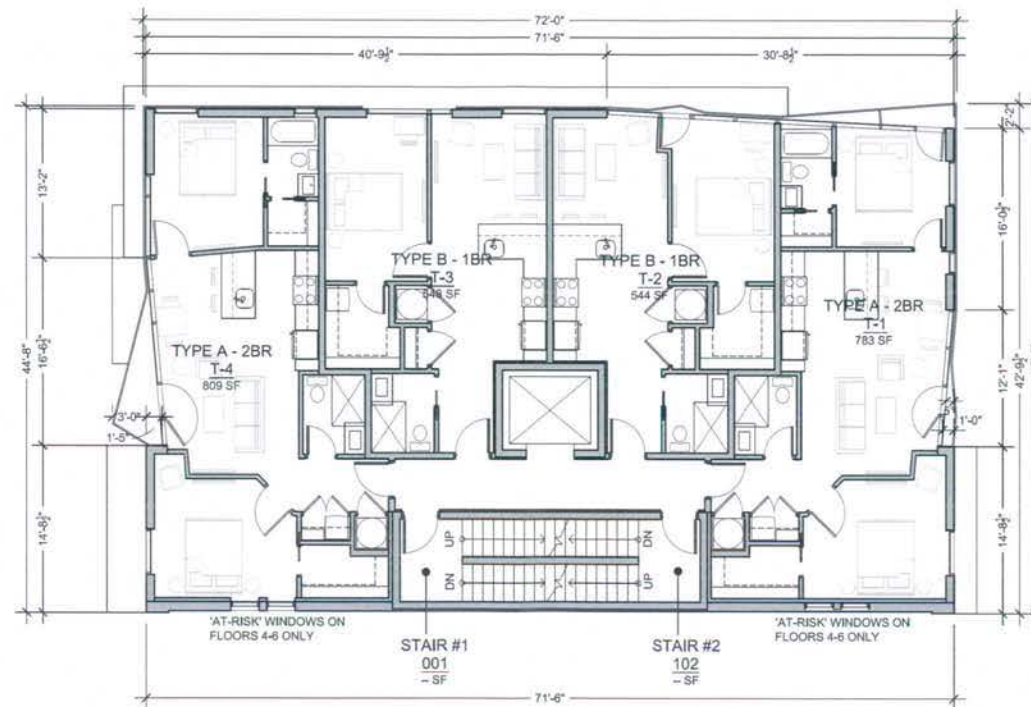
GEORGIA AVENUE - STREET WIDTH 80'

14'-0" SIDEWALK
6'-0" SIDEWALK
FUTURE OUTDOOR SEATING 530 SF
PROPOSED GROUND LEVEL ELEVATION 190.4
EXISTING SPOT ELEVATION AT PROPERTY LINE 189.6
EXISTING SPOT ELEVATION AT CURB 189.4
7'-6" BRL
RETAIL / CAFE 105 2,138 SF
LOBBY 101 403 SF
STAIR #2 102 - SF
STAIR #1 001 - SF
DELIVERY 104 186 SF
PUBLIC ALLEY - WIDTH 10'

Proposed Site Plan

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

The V
at Georgia Avenue

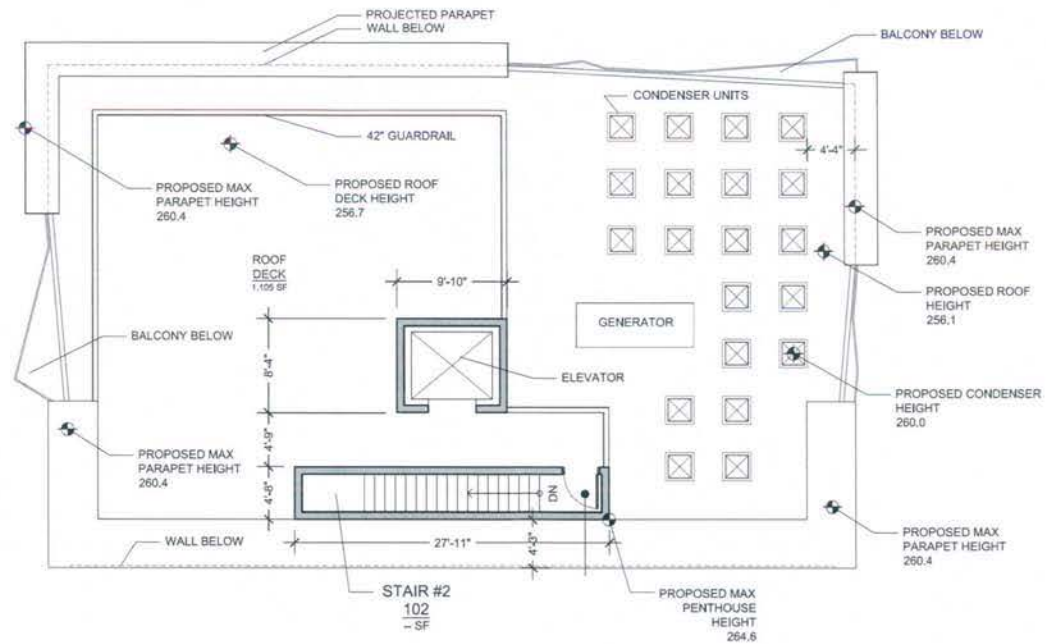


Proposed Typical Floor Plan

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



The V
at Georgia Avenue

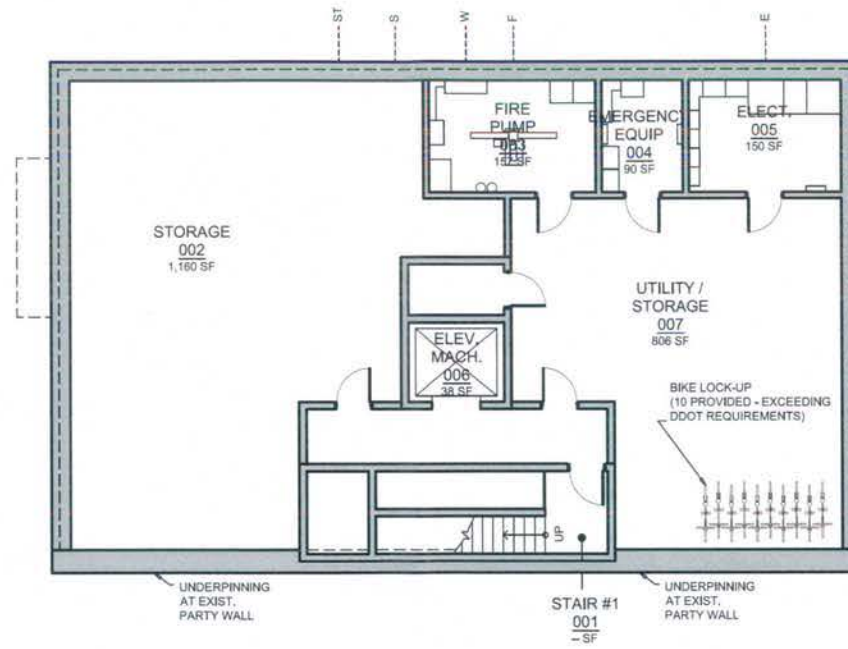


Proposed Roof Plan

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



The V
at Georgia Avenue

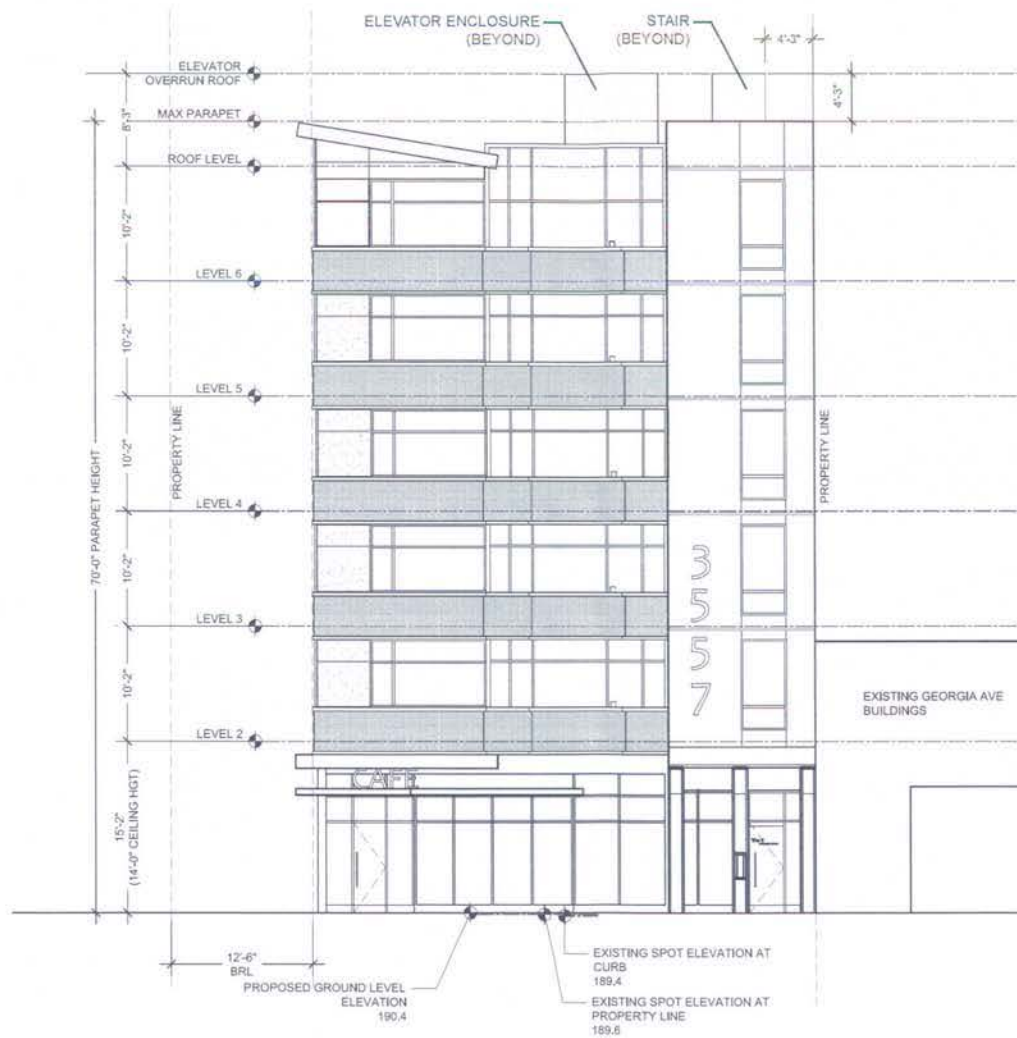


Proposed Cellar Plan

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

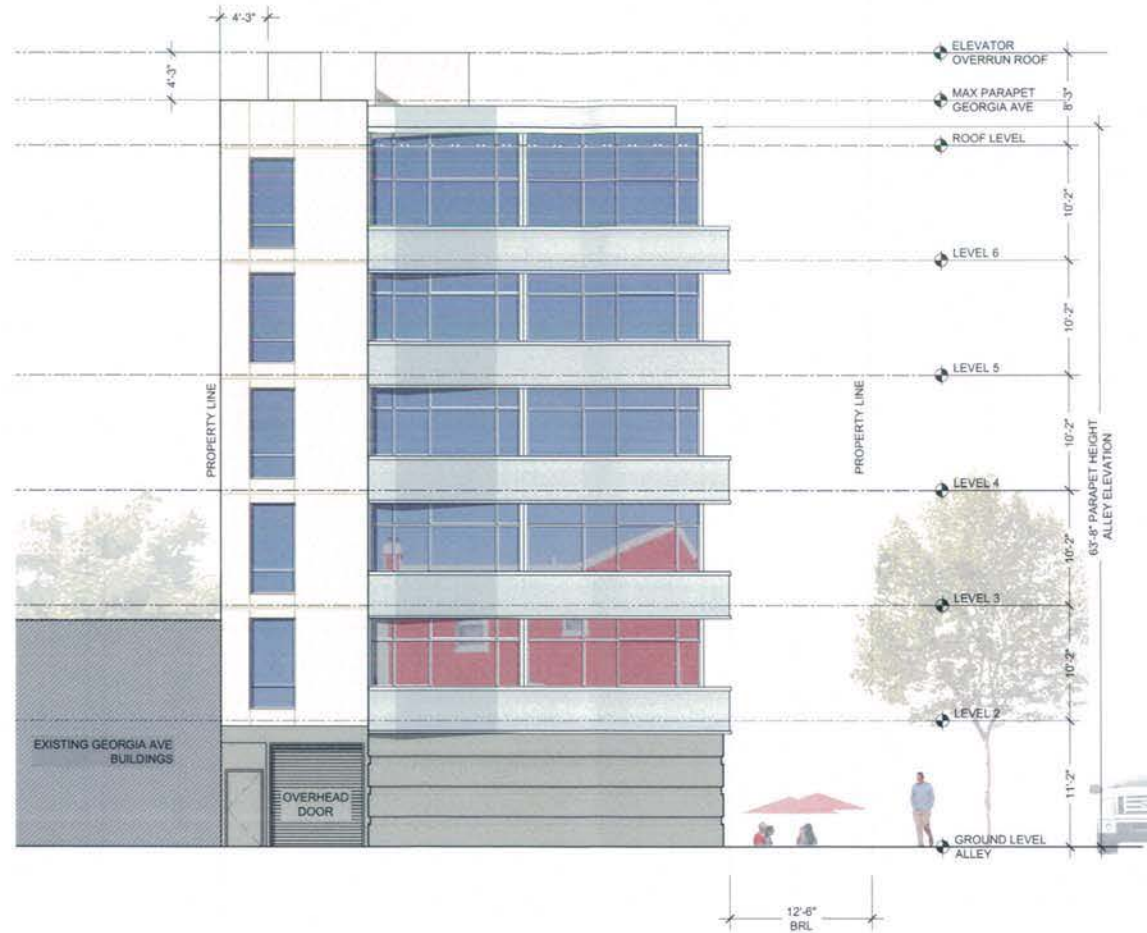


The V
at Georgia Avenue



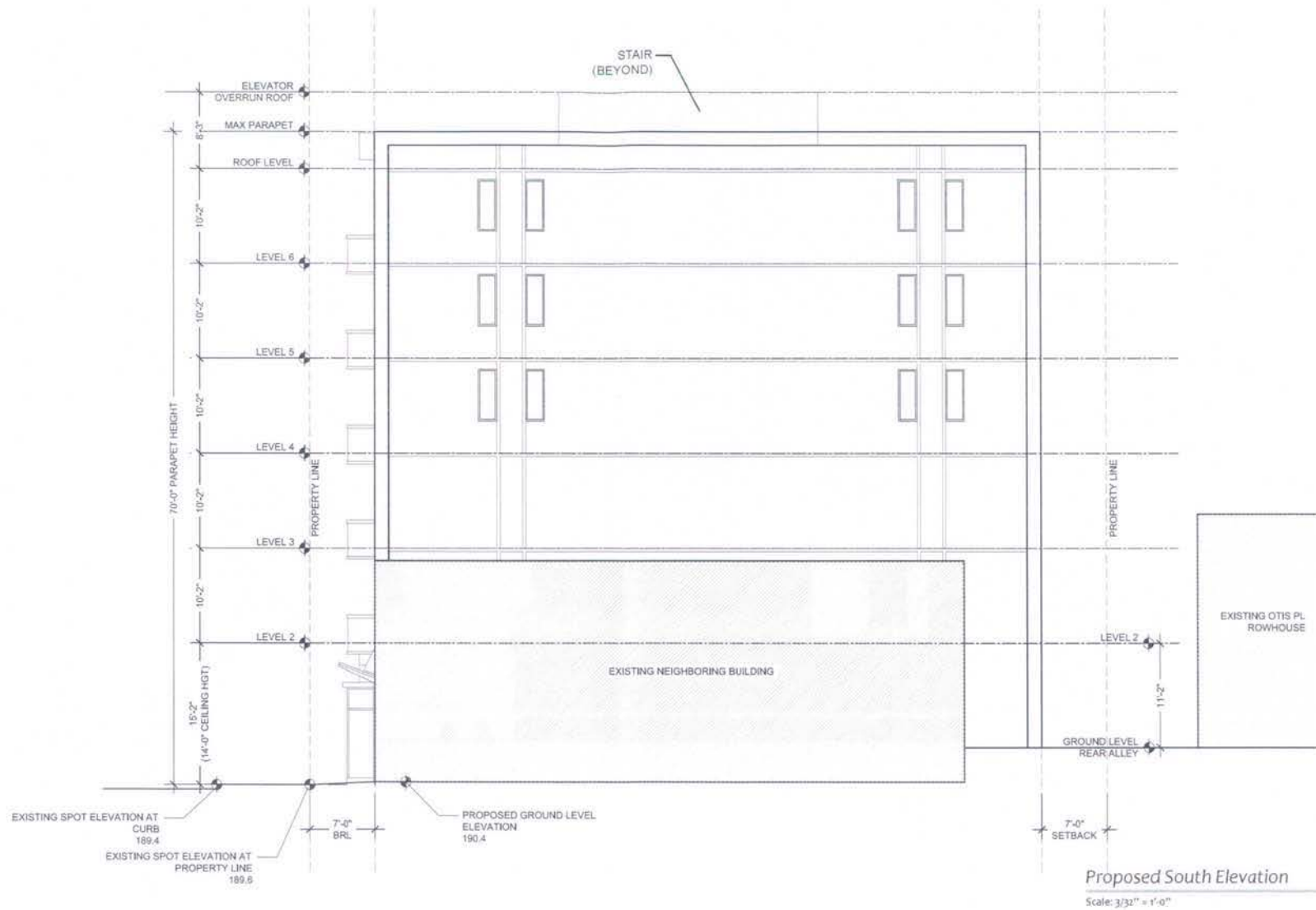
Proposed West Elevation

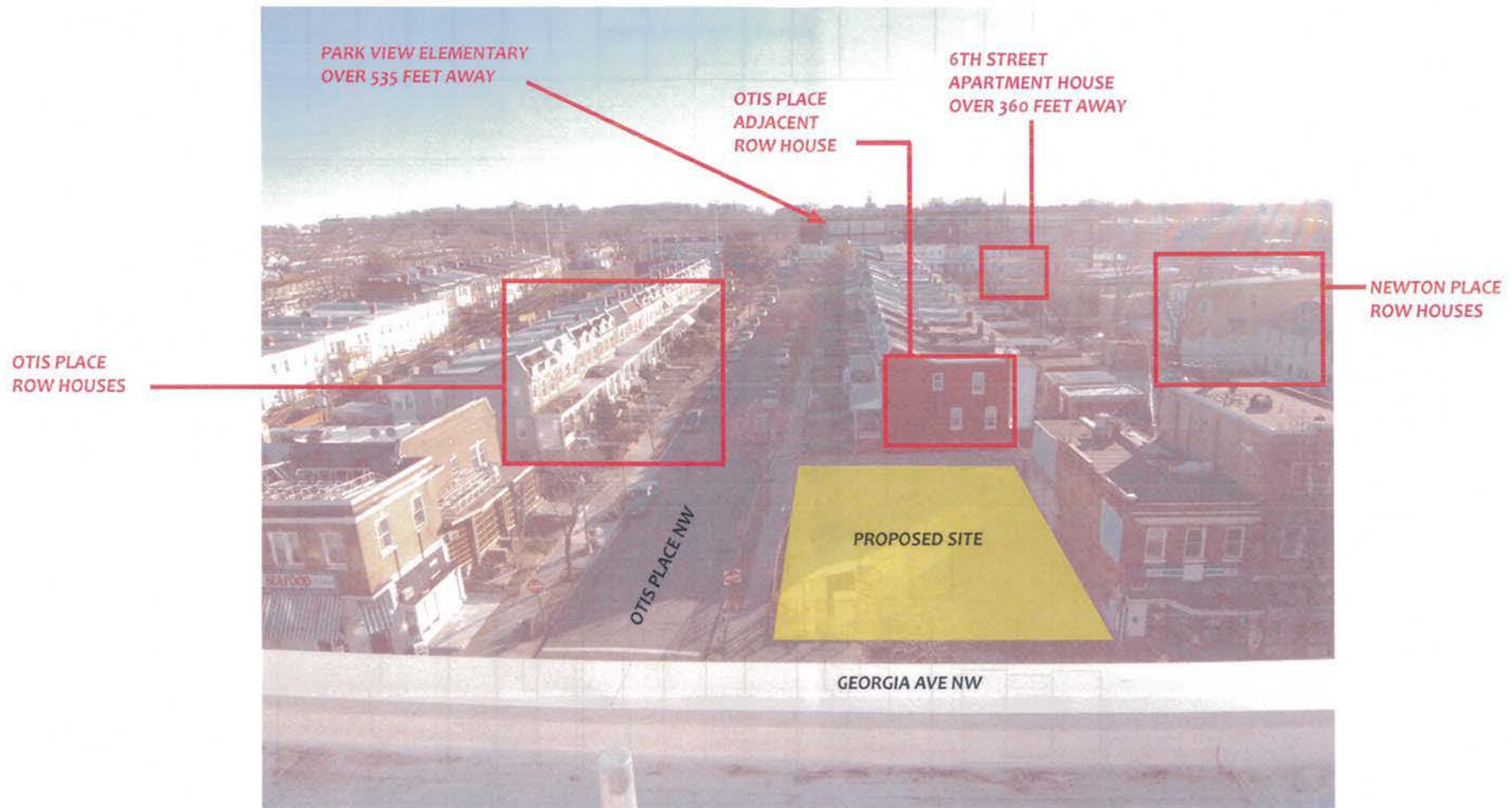
Scale: 3/32" = 1'-0"



Proposed East Elevation

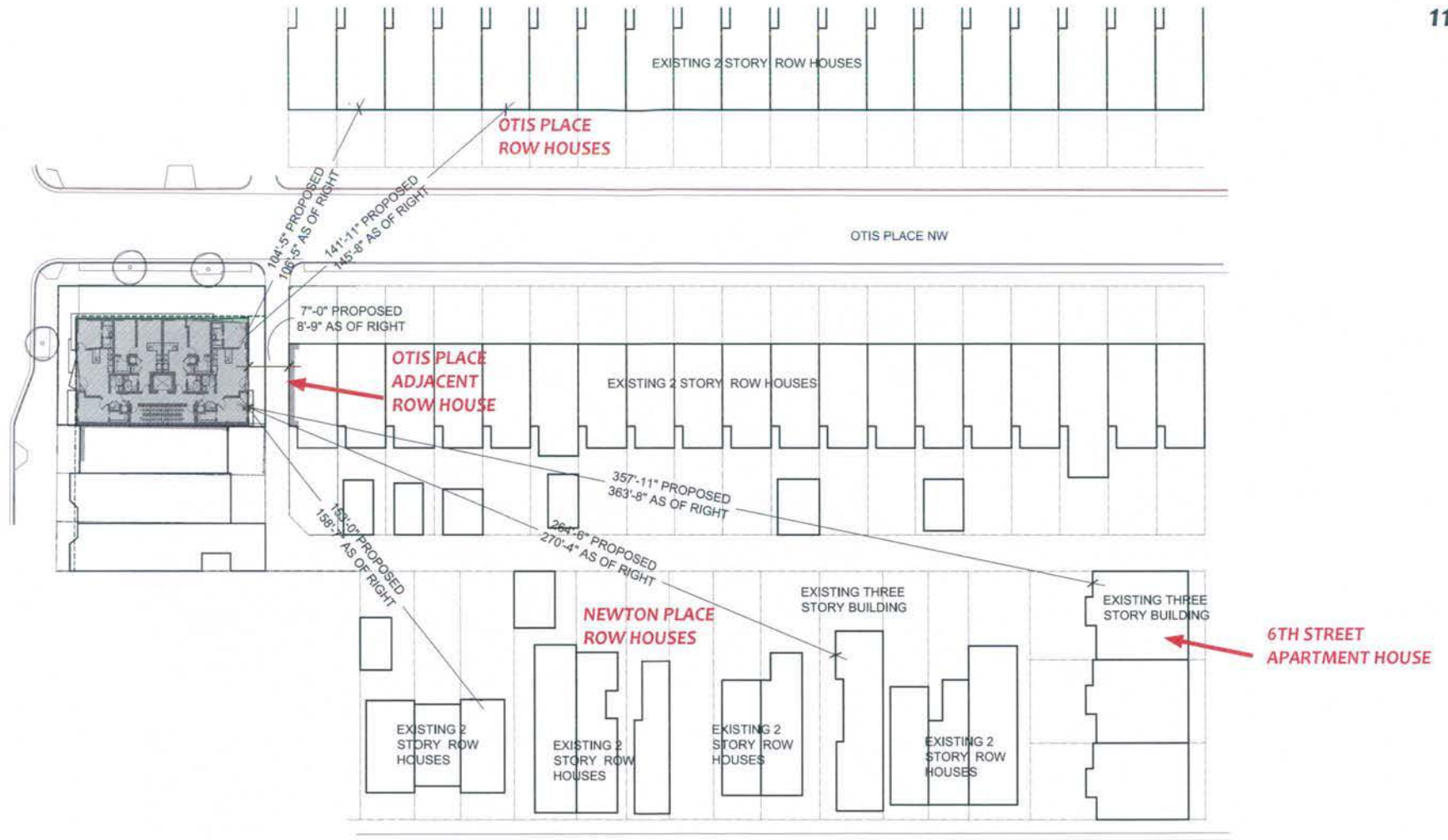
Scale: 3/32" = 1'-0"





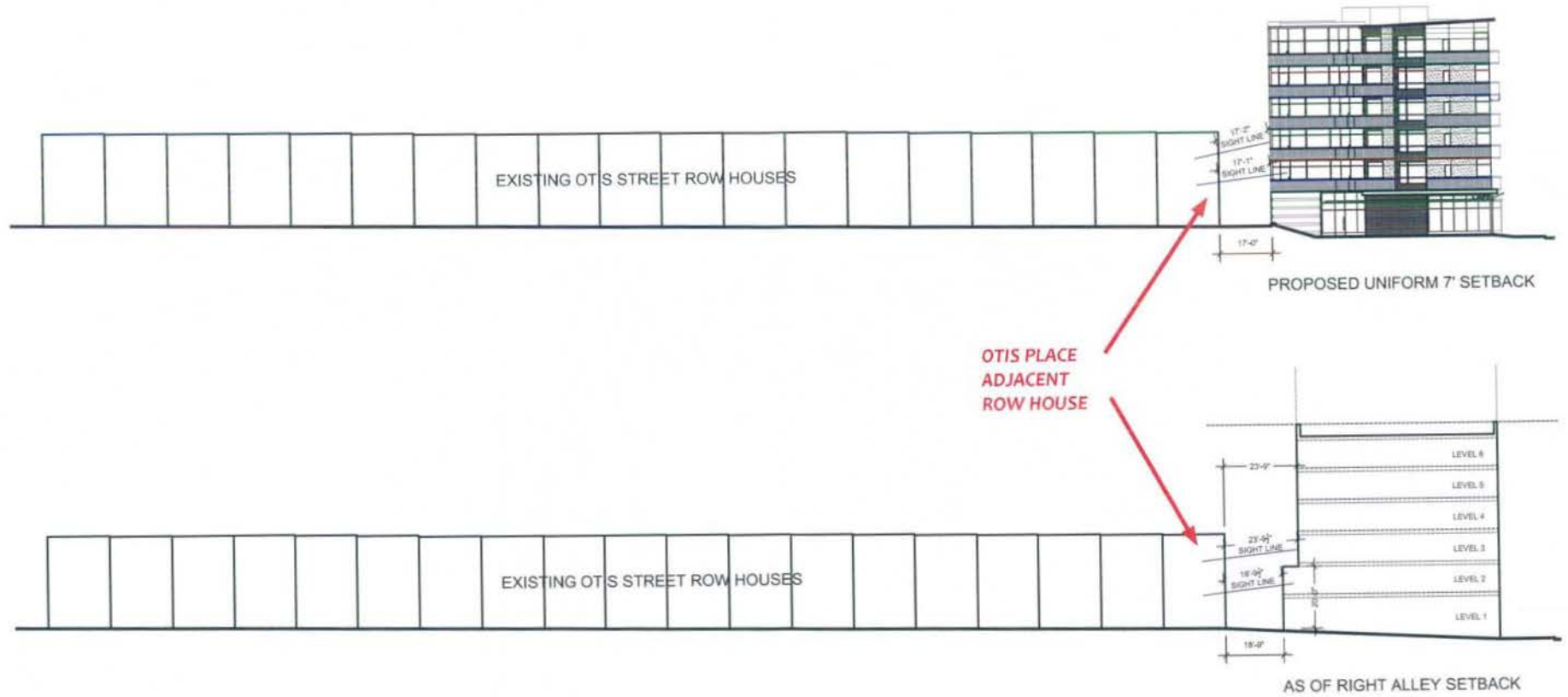
VIEW FROM THE EXISTING EL HAYNES PUBLIC CHARTER SCHOOL ON GEORGIA AVENUE - LOOKING EAST

Potentially Impacted Sight Lines



Proposed Sight Line Diagram

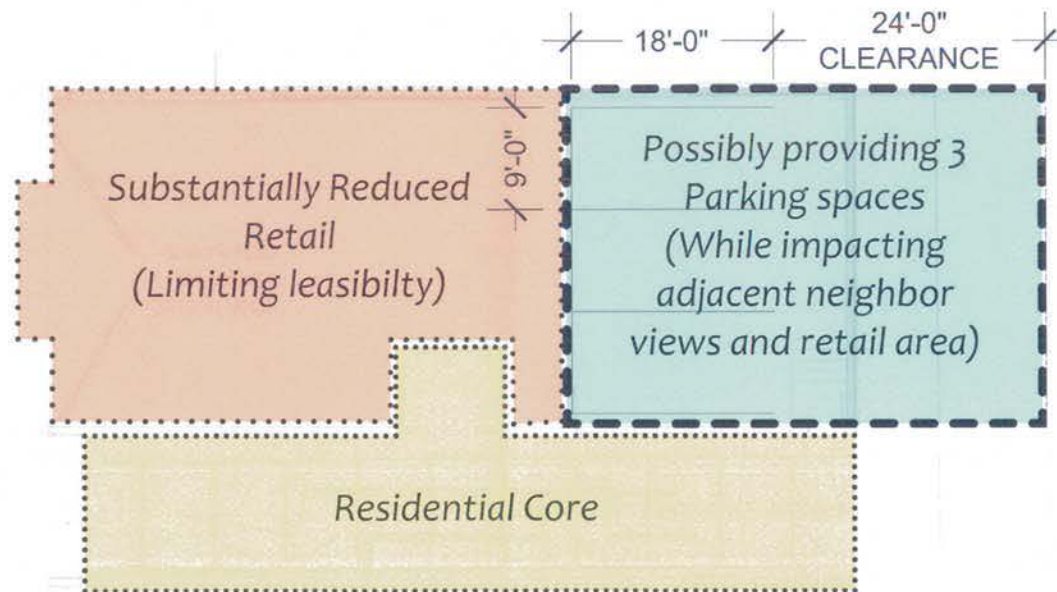




Proposed Sight Section Diagrams

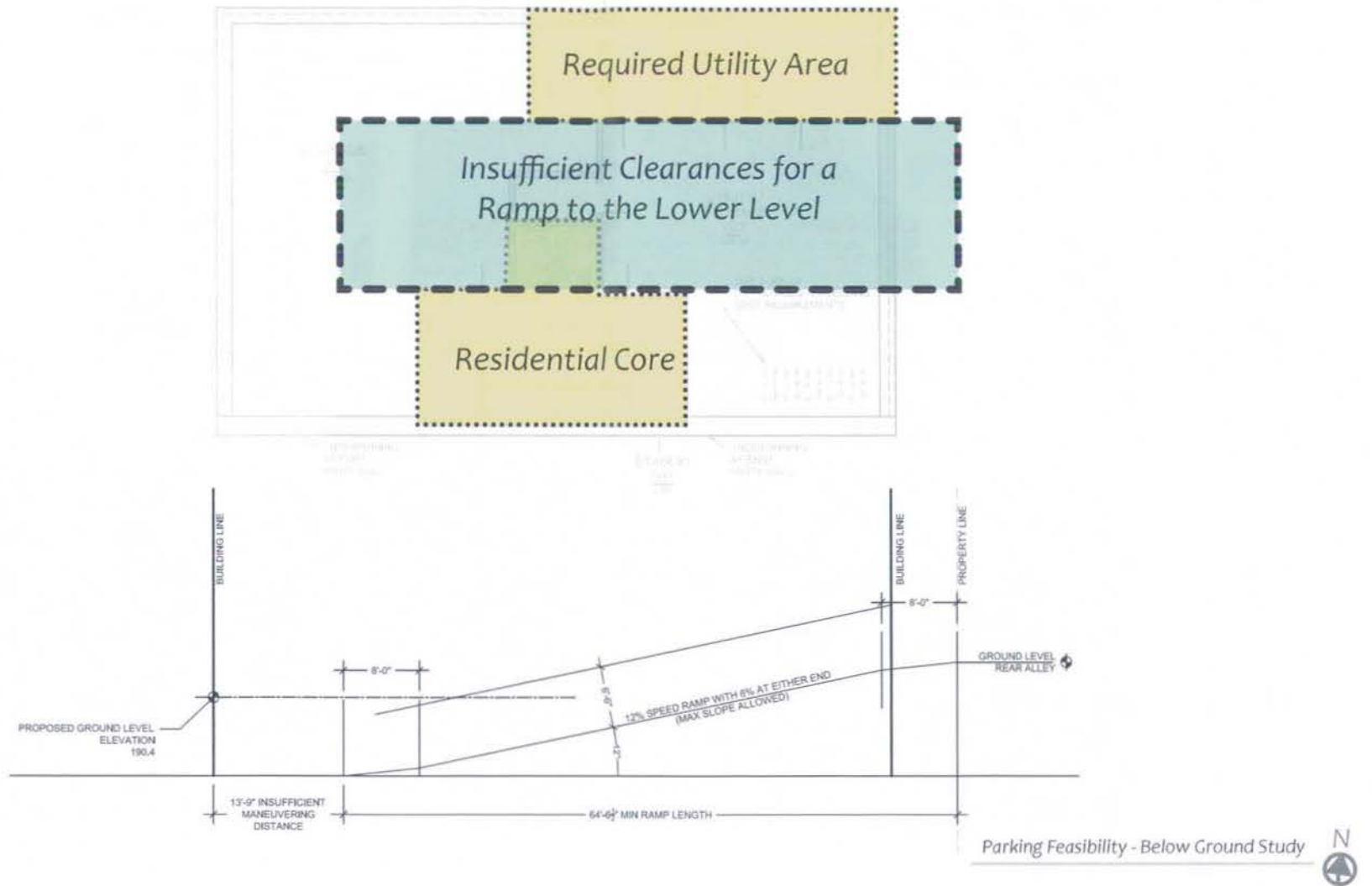


The V
at Georgia Avenue



Parking Feasibility - Ground Floor Study







Corner of Georgia Ave NW and Otis Pl NW



George Ave NW - Looking Northeast

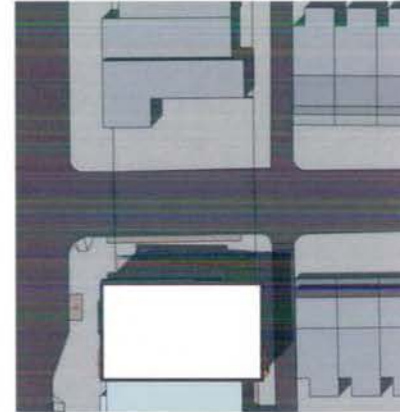
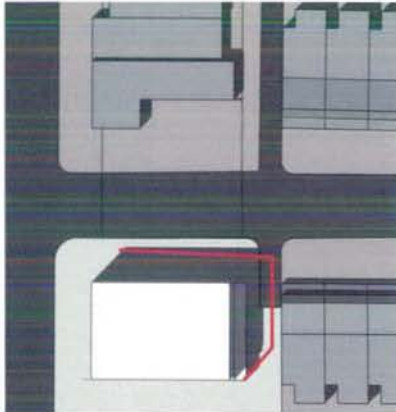


Georgia Ave NW Retail and Residential Entry

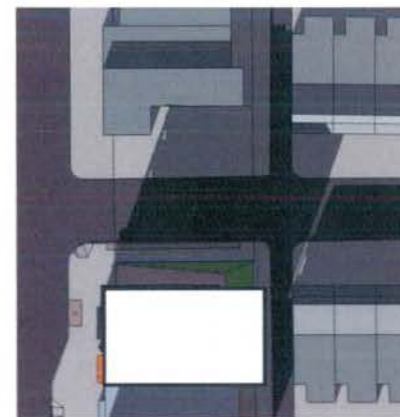
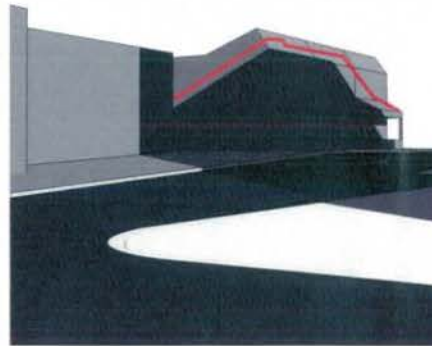
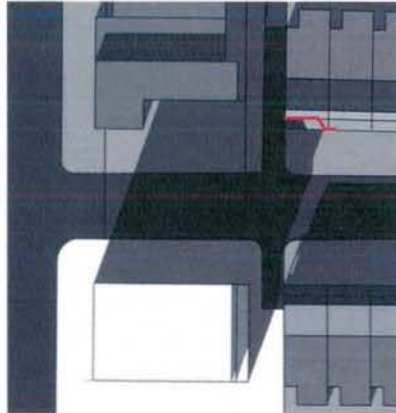


Otis Place NW - Looking Southeast

June 20th
2:00 PM



December 20th
2:00 PM



As-of-Right Massing

Proposed Design Massing

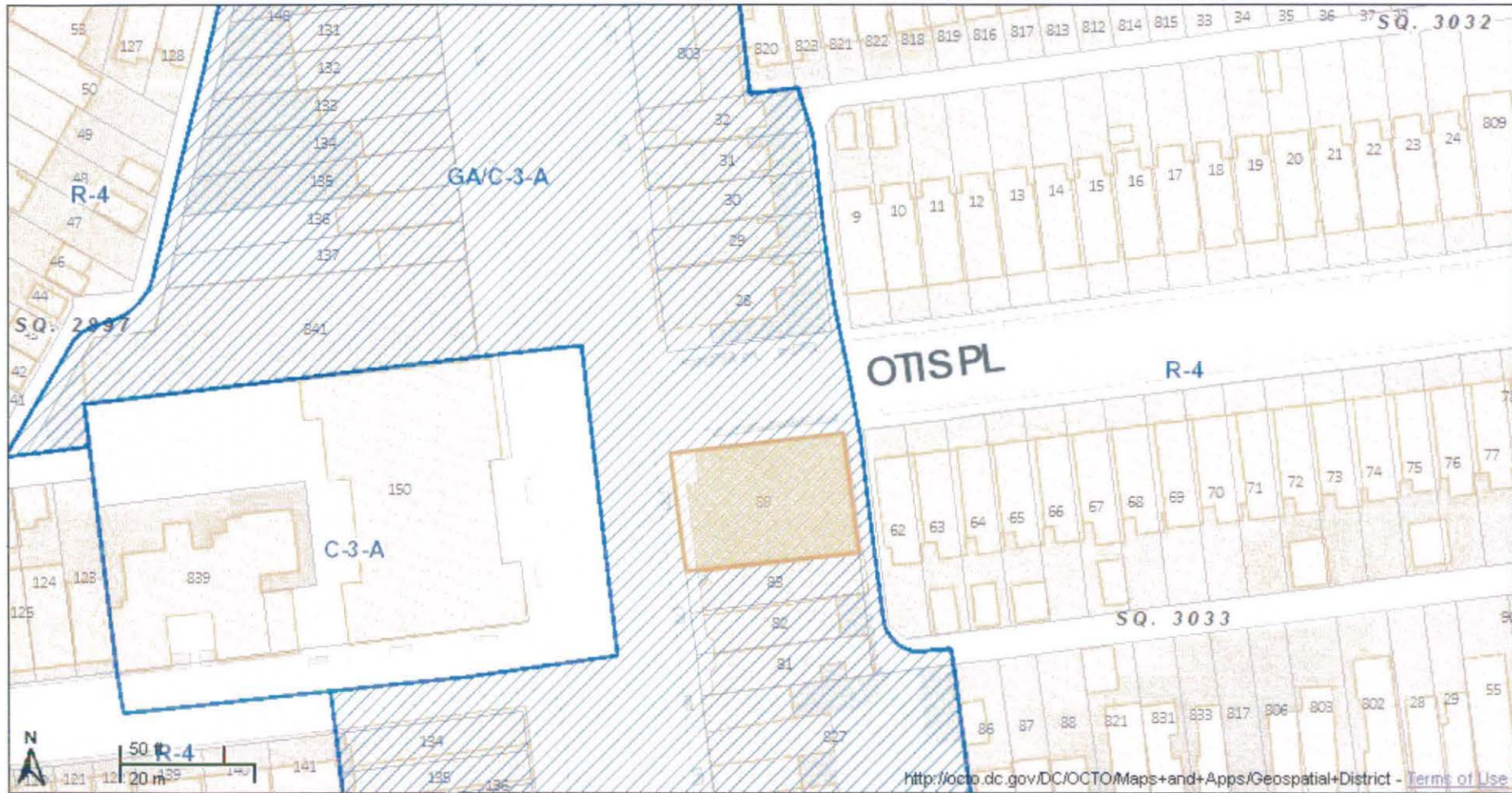
Exhibit B



District of Columbia Office of Zoning

EXTRACT OF THE DISTRICT OF COLUMBIA ZONING MAP

December 27, 2012



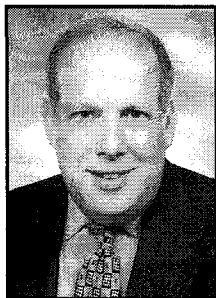
<http://ocoz.dc.gov/DC/OCTO/Maps+and+Apps/Geospatial+District> - [Terms of Use](#)

Zoning Layers

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

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

Exhibit C



Steven E. Sher, Director of Zoning and Land Use Services, has more than 30 years' experience as the leading consultant in the Zoning Regulations and development processes in the District of Columbia. For more than 18 years, he has advised developers and property owners on the interpretation and application of development regulations and approval processes in the city. He has appeared as an expert witness in zoning and planning before the District of Columbia Zoning Commission, Board of Zoning Adjustment, Historic Preservation Review Board and the Mayor's Agent for the historic preservation act, before the Zoning Hearing Examiner and the Planning Board in Montgomery County, Maryland, and in local and federal courts. Recent major cases in which he has played a leading role include the MCI Center, the new Washington Convention Center, the residential/retail/hotel complex at 2200 M Street for the Ritz Carlton, and the planned redevelopment of the old Hecht's block at 7th and F Streets, the Station Place office development adjacent to Union Station, to be the new headquarters for the SEC, the International Monetary Fund's Headquarters II office building at 1900 Pennsylvania Avenue, the new headquarters for the U.S. Department of Transportation at the Southeast Federal Center and the redevelopment of the Capper/Carrollburg public housing projects in Southeast using a HOPE VI grant.

For more than 14 years, Mr. Sher was employed in the various zoning and planning offices of the District of Columbia. As one of the chief technical staff persons for the Zoning Commission, he played a significant role in drafting major portions of the present Zoning Regulations, including the waterfront and mixed use (CR) districts, the regulations concerning community based residential facilities, the planned unit development regulations and the regulations governing parking and loading.

For eight years, Mr. Sher served as the Executive Director of the Zoning Secretariat. As such, he was the chief executive/operating/administrative officer for the Zoning Commission and the Board of Zoning Adjustment of the District of Columbia. Mr. Sher supervised the handling of over 1,600 cases before the Board of Zoning Adjustment and numerous rezoning, planned unit development and text amendment cases before the Zoning Commission. Matters which he assisted the Zoning Commission in resolving included the rezoning of the Dupont Circle area, the Hotel-Residential Incentive District, implementation of the Foreign Missions Act and major development cases such as McLean Gardens, Techworld, Lafayette Center and the Sumner-Magruder schools redevelopment. Mr. Sher represented the Zoning Commission and the BZA before Congress, the Council of the District of Columbia, the Mayor and other public agencies.

Mr. Sher is a member of Lambda Alpha, the honorary land economics society, and the American Planning Association. He also served on the Mayor's Commission on Downtown Housing, various task forces of the Greater Washington Board of Trade and the D.C. Building Industry Association and the Metropolitan Washington Council of Government Metropolitan Development Community Advisory Committee. He has also served as guest lecturer at various universities on planning and zoning issues.

Mr. Sher received a Bachelor of Arts in Urban Studies from Brooklyn College of the City University of New York and a Master of Regional Planning from Cornell University.