

May 7, 2013

HAND DELIVERY

Lloyd Jordan, Chairperson
D.C. Board of Zoning Adjustment
441 4th Street, NW, Suite 200 South
Washington, DC 20001

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18544
EXHIBIT NO. 36

RECEIVED
D.C. OFFICE OF ZONING
2013 MAY -7 AM 11:15

Re: Case No. 18544: Application for Special Exception and Variance Relief for
property located at 1550 Pennsylvania Avenue, SE (Lot 130 in Square 1077)
Post-Hearing Submission of the Applicant

Dear Chairperson Jordan:

At the April 30, 2013 Public Hearing in the above-mentioned case, the BZA asked Penn
Avenue Partnership LLC (the "**Applicant**") to address the following issues in a post-hearing
submission:

- A calculation of the percentage of the proposed roof structure that is devoted to
accessory rooftop use;
- Information as to whether the property is eligible for Residential Permit Parking
(RPP) privileges; and
- Any revisions to the plans or flexibility requested from the BZA as a result of
addressing DDOT's concerns with the project.

Attached to this post-hearing submission, as Exhibit A, is a complete set of the revised plans
which the Applicant requests that the BZA approve in this application.

Accessory Space in Proposed Roof Structure

A roof plan which provides details as to the area of the roof that will include a vegetated
green roof, a roof deck, and the proposed roof structure is attached as Exhibit A (see sheet 7).
The area of the vegetated green roof has been maximized in order to help satisfy the project's
requirements for stormwater retention and treatment. Approximately 45% of the roof area is
devoted to green roof. The area of the roof deck that is available for recreational use by the
residents of this building and their guests is only 2,026 square feet. The area of the proposed

roof structure that is allocated to accessory use is only 405 square feet, the remainder of the roof structure is devoted to mechanical rooms, elevator equipment and lobby, storage space and lavatories. The accessory use space in the roof structure is 20% of the area of the outdoor roof deck.

Residential Permit Parking (RPP) Eligibility

Based on discussions with the District Department of Transportation (“DDOT”) staff, it is the Applicant’s understanding that the property is eligible for RPP parking. The Applicant was told that DDOT does not use a property’s Zone District designation as the sole guide as to whether that property is eligible for RPP privileges. It is the Applicant’s understanding that DDOT is going to address this issue in its May 14, 2013 report to the BZA.

As noted in the Applicant’s pre-hearing statement, the Toole Design Group prepared a Comprehensive Transportation Review (CTR) for this project which addressed the expected parking demand and impacts that this project (which provides 30 parking spaces) will have on the surrounding streets and community. The CTR included an analysis of the existing on-street parking capacity (See p. 14-16 and Exhibits G-I of the CTR, attached as Exhibit B) and expected parking demand for this project. The CTR ultimately concluded that “additional parking spaces are available on the street within a very short walk of the proposed development and thus should additional parked vehicles be generated by this development, there appears to be adequate on-street capacity to handle a modest increase.”

The Applicant has proposed a robust Transportation Demand Management Plan (the final version is also included in Exhibit B) and the CTR concluded that “the proposed development is expected to generate little parking demand, based on land use, development density, transit availability and convenience, bicycle and pedestrian facility availability, and resident demographics”. The issue of potentially restricting the future residents of this project from being able to obtain RPP privileges was initially raised at early meetings with the community and the ANC. The Applicant and Toole Design Group representatives presented the data included in the CTR and this issue was no longer one of concern for the ANC or the immediate neighbors. Thus, the Applicant does not believe that it is necessary to place any restrictions on the ability of future residents of this project to obtain RPP parking privileges.

Revisions to Plans and Requested Flexibility

The Applicant’s design team met with DDOT representatives on May 2, 2013 to review potential modifications to the entrance to the parking garage. Those modifications are included with the plans attached as Exhibit A (see sheets 3 and 4). These plans show that the entrance to the garage has now been moved out of public space, while still maintaining the expanded travel width along the alley (Freedom Way) to allow for improved safety and access along Freedom Way. This modified design does not impact the number of parking spaces, which remains at 30 spaces, but does result in the elimination of the 30 foot loading berth.

The Applicant and DDOT representatives agree that the removal of the 30 foot loading berth will not adversely impact any adjacent properties. Since this project does not include any retail uses, the loading demand will be predominantly related to residential move-ins/outs. The Applicant's Transportation Demand Management Plan includes the following component:

The Applicant shall designate a Loading Coordinator for the site to coordinate residential move-in/move-out. All residents shall be required to notify the Loading Coordinator of move-in/move-out dates.

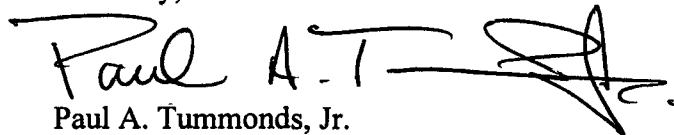
The Applicant and DDOT agree that this Loading Coordinator will be able to work with DDOT staff to obtain any necessary loading zone approvals along the public streets adjacent to the building for the residential move-ins/move-outs. The Applicant has discussed the proposed removal of the 30 foot loading berth with the community representatives that signed the ANC sponsored MOU. Those community representatives support the proposed removal of the loading berth, as it is consistent with their desire to minimize the total number of trucks that utilize Freedom Way.

The removal of this 30 foot loading berth does not change the original zoning relief requested, as this application has always sought relief from Section 2201 which requires a 55 foot loading berth and associated loading platform. While the attached plans depict 22 parking spaces in the below-grade garage (10 standard, 11 compact and one handicapped van space) and eight parking spaces at-grade, the Applicant requests flexibility to potentially increase the number of compact spaces on the property. This is because all of the parking areas (indeed the entire building design, by necessity) are tightly designed, with minimal "wiggle room". The flexibility to increase the number of compact spaces assures the provision of at least 30 vehicular parking spaces on the property.

Conclusion

We believe that the information provided in this post-hearing submission fully addresses the issues raised at the April 30, 2013 public hearing. This application is ready for your decision on May 21, 2013.

Sincerely,


Paul A. Tummonds, Jr.

Encl.

cc: Certificate of Service

Certificate of Service

I hereby certify that I sent a copy of the foregoing document to the following addresses on May 7, 2013 by first class mail and hand delivery:

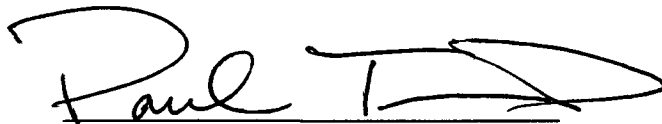
Stephen Gyor (By Hand Delivery)
Office of Planning
1100 4th Street, SW
Suite E650
Washington, DC 20024

Jonathan Rogers (By Hand Delivery)
District Department of Transportation
55 M Street, SE
Suite 400
Washington, DC 20003

ANC 6B (By Mail)
921 Pennsylvania Avenue, SE
Washington, DC 20003

Brian Flahaven (By Hand Delivery)
ANC 6B09
1628 Potomac Avenue, SE
Washington, DC 20003

Mohamed Badissy (By Hand Delivery)
821 Kentucky Avenue, SE
Washington, DC 20003

A handwritten signature in black ink, appearing to read "Paul Tummonds", written over a horizontal line.

Paul Tummonds