

TAB D

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

IN THE MATTER OF:

PER STAR M STREET PARTNERS,
LLC - Modification to PUD

Case No.
07-21B

Thursday,
October 27, 2011

Hearing Room 220 South
441 4th Street, N.W.
Washington, D.C.

The Public Hearing of Case No. 07-21B by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Jerrily R. Kress Memorial Hearing Room at 441 4th Street, N.W., Washington, D.C., 20001, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD	Chairman
KONRAD W. SCHLATER	Vice Chairman
PETER G. MAY	Commissioner (NPS)
MICHAEL G. TURNBULL	Commissioner FAIA, (AOC)

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OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN Secretary

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Deputy
Director, Development Review
and Historic Preservation

STEVEN COCHRAN

MATT JESICK

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF
PRESENT:

JEFF JENNINGS

This transcript constitutes the
minutes from the Public Hearing held on October
27, 2011.

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1 I'm sorry, I can't read this. It's
2 too dark. Oh, I'm running out of time. I'll
3 try to move on a little more quickly here.

4 I know there was a concern on your
5 part also about the -- how this facade would
6 read and we changed it from our earlier
7 submission. We pushed the penthouse back. We
8 have changed the materials here. And if you
9 compare this to our original submittal, you can
10 see it has a very different kind of sense of
11 scale to it. It's not quite as monumental and
12 it has a lot more interest to it.

13 And here is a view from the street.
14 Eventually, this wall will be covered, of
15 course, as this whole building gets developed.

16 And on the two street facades, we
17 are -- it's a little hard to see here, but we
18 are also proposing to include some signage on
19 the building, something here for the retail on
20 the north -- on the south side, something here
21 over the entrance for the hotel. And then
22 these two spots at the very top of the vertical

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1 bay on the corner, these signs would be,
2 approximately, 3 to 3.5 feet tall.

3 Here you see the elevations on the
4 courtyard, which will not be visible from the
5 street. This is a close-up showing the punched
6 windows.

7 And just very quickly here, I want
8 to mention the materials that we are using
9 which are really, I think, going to be quite
10 beautiful, quite spectacular. The two primary
11 street facades are all terracotta.

12 We are using two different color
13 pallets. We are using -- we will develop a
14 range in the grays and then we will also
15 develop a range in this more brick color,
16 terracotta color. You know, what I really like
17 about this is it relates both -- it relates
18 well to both the residential quality of the
19 neighborhood, as well as some of the more
20 commercial buildings.

21 Terracotta facades cost twice,
22 double the price, roughly, of a brick building,

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1 Can we talk for a second about the
2 signage, both the retail signage and then the
3 hotel signage?

4 First, let's talk about the hotel
5 signage. What is envisioned? I see what is
6 there. Is that what is going to be on the --
7 is that the final signage layout?

8 MR. MESSERVY: It is not. So that's
9 a preliminary signage just to give a little bit
10 of a scale of what the signage in fact would
11 be. And Patrick and Shalom walked through in
12 terms of the dimensions of the signs.

13 VICE CHAIRMAN SCHLATER: Yes.

14 MR. MESSERVY: And so what we are
15 doing here is similar to the building where you
16 would never be able to tell it was a Hilton
17 Garden Inn. We asked Shalom Baranes to design
18 a building that fit in well with the community,
19 not design s Hilton Garden Inn.

20 And what we have is the same
21 challenge, so Hilton is a large organization
22 and they have brand standards for signage. And

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1 what we want to do is go above and beyond those
2 brand standards, because we want to do signage
3 that fits in well with the community.

4 The challenge is Hilton is a large
5 organization and it takes time. So we are
6 going through that process working with Shalom
7 Baranes to make something that compliments the
8 architecture, both our building and the
9 neighboring community. We are just working
10 through that process.

11 So that is not the actual signage.
12 It will be above that level, so to speak.

13 VICE CHAIRMAN SCHLATER: Okay. So
14 can we get assurances that there is not going
15 to be some large banner, neon --

16 MR. MESSERVY: No, it's --

17 VICE CHAIRMAN SCHLATER: -- sign?

18 MR. MESSERVY: Sorry. Above that
19 level did not mean -- was not a reference to
20 elevation on the building.

21 VICE CHAIRMAN SCHLATER: I
22 understood that. Higher in quality.

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1 MR. MESSERVY: Yes.

2 VICE CHAIRMAN SCHLATER: So we are
3 basically identifying a signage zone.

4 MR. MESSERVY: Absolutely. So the
5 general -- the approximate size dimensions of
6 the sign location is represented in the plans.

7 The only one where we would request some type
8 of flexibility is the restaurant operator, just
9 because we are -- we have currently spoken with
10 different restaurant operators, but we don't
11 know exactly -- those will be the approximate
12 dimensions, but we don't know if a particular
13 restaurant operator would like a particular
14 shape or size to his sign. So that's where we
15 request flexibility.

16 VICE CHAIRMAN SCHLATER: Like the
17 golden arches? Okay. I'm satisfied that you
18 have addressed both of those concerns.

19 One of the other things that both
20 the ANC and 22 West raised was that, you know,
21 they were concerned that the skin wasn't
22 superior in nature. I would just like you, Mr.

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Holland & Knight

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KYRUS L. FREEMAN
202-862-5978
kyrus.freeman@hklaw.com

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November 17, 2011

VIA HAND DELIVERY

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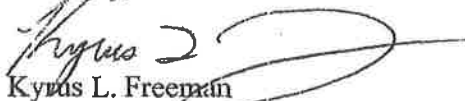
Re: Applicant's Proposed Order for Z.C. Case No. 07-21B (Per Star M Street Partners, LLC – Modification to PUD @ Square 50)

Dear Members of the Commission:

On behalf of PerStar M Street Partners, LLC, as Applicant in the above-referenced case, and as instructed by the Zoning Commission at the close of the public hearing on October 27, 2011, we hereby submit one original and twenty copies of the Applicant's proposed order for this case.

We look forward to the Zoning Commission's favorable consideration of this application.

Sincerely,


Kyrus L. Freeman

Attachments

cc: Advisory Neighborhood Commission 2A (w/attachment, via U.S. Mail)
West End Citizens Association, c/o Barbara Kahlow (w/attachment, via Hand)
Foggy Bottom Association, c/o Asher Corson (w/attachment, via Hand)
Steve Cochran, D.C. Office of Planning (w/attachment, via Hand)

ZONING COMMISSION
District of Columbia

CASE NO. 07-21B
EXHIBIT NO. 48

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 07-21B
Case No. 07-21B

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Per Star M Street Partners, LLC - PUD Modification @ Square 50

[Date of Final Action]

Pursuant to notice, the Zoning Commission for the District of Columbia (the "Commission") held a public hearing on October 27, 2011, to consider an application from PerStar M Street Partners LLC, owner of Lot 87 (former Lots 82, 84, 813, 814, and 816) in Square 50 (referred to herein as the "Applicant"), for approval of modifications to a planned unit development ("PUD") approved pursuant to Z.C. Order No. 07-21. The Commission considered the application pursuant to Chapters 24 and 30 of the District of Columbia Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations ("DCMR"). The public hearing was conducted in accordance with the provisions of 11 DCMR § 3022. For the reasons stated below, the Commission hereby approves the application.

FINDINGS OF FACT

The Application, Parties, and Hearing

1. On June 20, 2011, the Applicant submitted an application to the Commission for approval of modifications to a PUD approved pursuant to Z.C. Case No. 07-21. (Exhibits 1-6).
2. The site consists of Lot 87 (former Lots 82, 84, 813, 814, and 816) in Square 50 (the "Subject Property"), and has a land area of approximately 15,588 square feet.
3. The Subject Property is located in the CR zone at the northwest corner of 22nd and M Streets, N.W. Square 50 is bounded by M, 22nd, N, and 23rd, Streets, N.W.
4. The Commission approved a PUD for the Subject Property in Z.C. Order No. 07-21, dated May 12, 2008. The approved hotel project includes approximately 122,235 square feet of gross floor area, including 148 to 170 hotel rooms and suites, ground floor restaurant space, landscaped outdoor space, a spa, and below-grade parking. The building was approved at a maximum height of 110 feet, exclusive of roof structures. The approved plans include 42 striped off-street parking spaces accessed by a vehicular elevator in a valet operated garage that has a maximum capacity of 71 vehicles. The overall density of the project was approved at 7.84 FAR. By letter dated September 30, 2008, and pursuant to his authority under Section 2409.6 of the Zoning Regulations, and the flexibility granted by the Commission in Order No. 07-21, the Zoning Administrator approved administrative modifications to the PUD plans, resulting in a 1.6% increase in the building's FAR to 7.97.

5. Pursuant to Z.C. Order No. 07-21A, dated May 10, 2010, the Zoning Commission granted a two-year extension such that a building permit application for the approved PUD must be filed no later than June 27, 2012, and construction must commence no later than June 27, 2013.
6. The Applicant now seeks modifications to the approved PUD. Specifically, the Applicant requests approval to redesign the exterior facades of the building; to increase the maximum number of hotel rooms from 170 to 238; to reduce the building's height from 110 feet to approximately 107 feet; and to provide 53 striped off-street parking spaces accessed by a ramp in a valet operated garage. The overall density of the modified project is 7.99 FAR, which is consistent with the applicable CR zone district PUD guidelines. In all other respects, the proposed project will be substantially consistent with the prior approval and the conditions set forth in Zoning Commission Order No. 07-21.
7. At its public meeting held on July 25, 2011, the Commission voted to schedule a public hearing on the application.
8. On July 29, 2011, the Applicant submitted a Prehearing Statement. (Exhibit 14). The Prehearing Statement included revised plan sheets regarding the design of the roof structure; additional information regarding the Applicant's coordination with the D.C. Department of Transportation, and the D.C. Department of the Environment; the estimated jobs to be created as a result of the project; the design and use of the ground floor retail space included in the project; and the materials required pursuant to § 3013 of the Zoning Regulations.
9. On October 7, 2011, the Applicant submitted supplemental pre-hearing materials, marked as Exhibits 23 and 24 of the record in this case. The supplemental pre-hearing materials included an economic impact analysis prepared by Bolan Smart Associates, Inc.; a construction management plan; a parking evaluation memorandum, dated September 12, 2011, and a supplemental transportation analysis letter, dated October 6, 2011, both prepared by Wells & Associates, Inc. ("Wells"); a letter from a parking management company confirming the availability of local garages to accommodate any overflow parking demand for the hotel; the Applicant's updated list of proffered amenities; a memorandum prepared by the project architect; and Final Architectural Plans and Elevations.
10. On August 24, 2011, the West End Citizens Association ("WECA") submitted a request for party status in support of the application. (Exhibit 18). At the October 27, 2011 public hearing, the Commission granted WECA party status in support. WECA submitted a letter in support of the project and also testified at the public hearing in support of the project. (Exhibits 18 and 39).
11. On October 12, 2011, the Foggy Bottom Association ("FBA") submitted a request for party status in support of the application. (Exhibit 27). At the October 27, 2011 public hearing, the Commission granted FBA party status in support.

12. On October 12, 2011, West End Friends ("WEF") submitted a request for party status in support of the application. (Exhibit 30). At the October 27, 2011 public hearing, the Commission denied WEF's request for party status because WEF did not indicate how the organization's interests would be more significantly, distinctively, or uniquely affected in character or kind by the proposed development than that of other persons in the general public, as required pursuant to Section 3022.3 of the Zoning Regulations. Instead WEF participated as an organization in support of the project at the public hearing.
13. On October 13, 2011, 22 West, A Condominium ("22 West") submitted a request for party status in opposition to the application. (Exhibit 28). 22 West submitted a letter describing their concerns (Exhibit 32) and a representative of 22 West submitted a written copy of their testimony public hearing (Exhibit 40). At the October 27, 2011 public hearing, the Commission was unable to reach a consensus on party status, voting 2-2-1 to grant 22 West's request for party status, and also voting 2-2-1 to deny 22 West's request for party status. Therefore, because a majority decision was not reached to grant 22 West's request for party status, 22 West participated instead as an organization in opposition at the public hearing.
14. Ward 2 Councilmember Jack Evans submitted a letter in support of the application. (Exhibit 34). Councilmember Evans indicated that the Subject Property has remained vacant and underutilized for far too long; that the Applicant has agreed to execute First Source and CBE agreements; and that the proposed hotel will provide much needed construction and hotel jobs, and tax revenue, for the residents of the District of Columbia. Councilmember Evans also indicated that the Applicant has been responsive to the community in proposing an amenity list that addresses a variety of neighborhood issues and interests, and that the Applicant has worked with the community to address the concerns raised by some in the community. Councilmember Evans concluded the letter by requesting that the Commission grant approval for this application as soon as possible.
15. Lionel Gloster, a representative of St. Mary's Episcopal Church, testified in support of the application. Mr. Gloster testified about the church's continued need for the Applicant's contribution of \$35,000 as reimbursement for funds expended by the church in reliance upon the Applicant's commitment to pay for a portion of the church's renovation costs, as required pursuant to Decision No. 6(b) of Z.C. Order No. 07-21.
16. Columbia Realty Ventures, LLC, the owner of 1220 22nd Street, N.W., which is located to the immediate north of the Subject Property, submitted a letter in support of the project. (Exhibit 25).
17. Corner Point LLC, the owner of 2215 M Street, N.W., which is located to the immediate west of the Subject Property, also submitted a letter in support of the project. (Exhibit 26).

18. After proper notice, the Commission held a public hearing on the application on October 27, 2011.
19. The parties to the case were the Applicant, ANC 2A, WECA, and FBA.
20. Six principal witnesses testified on behalf of the Applicant at the public hearing, including Thomas S. Messervy, on behalf of OTO Development, LLC; Robert Geimer, on behalf of Starwood Capital Group; Shalom Baranes and Patrick Burkhardt, on behalf of Shalom Baranes and Associates, as experts in architecture; Jami Milanovich, on behalf of Wells, as an expert in transportation planning and analysis; and Steven E. Sher, Director of Zoning and Land Use Services, Holland & Knight LLP, as an expert in land use and zoning. Eric Smart was also available to testify on behalf of Bolan Smart Associates, Inc. Based upon their professional experience, as evidenced by the resumes submitted for the record, Mr. Baranes, Mr. Burkhardt, Ms. Milanovich, and Mr. Sher were qualified by the Commission as experts in their respective fields.
21. The Office of Planning ("OP") and the District Department of Transportation ("DDOT") testified in support of the application at the public hearing.
22. ANC 2A submitted a letter dated September 21, 2011, marked as Exhibit 22 in the record, indicating that at its duly noticed, regular monthly meeting on September 21, 2011, at which a quorum was present, ANC 2A voted 3 to 0 (with 1 recusal) to provide a non-objection in this case, predicated on the Applicant agreeing to:
 - Implement a transportation management plan which: (1) specifically addresses charter bus management and the taxi queuing; (2) demonstrates how loading will occur and be managed; (3) limits hotel delivery hours to 8:00 am to 9:00 pm Monday through Friday, and 9:00 am to 9:00 pm on Saturday and Sunday; and (4) requires the hotel to identify an individual responsible for loading, and management of transportation and safety issues adjacent to the front of the building.
 - Revise the hotel's overall design by: (1) setting back the development along the corner of 22nd and M Streets to provide greater pedestrian clear way, to support more outdoor café seating, and revisit the size of the lay-by to address safety concerns; (2) requiring that the building's materials be superior in nature in accordance with the standards of the PUD and the originally approved architectural plan, specifically that the Applicant mute the ceramic textures, and incorporate a green wall along the end walls and add green to other areas of the building; and (3) ensuring that the signage is appropriate for the site.
 - Provide a construction management plan which addresses the construction schedule and includes a provision regarding how issues will be resolved during the construction period.

- Revise the community amenities package by: (1) designating the proposed retail space as a community amenity and requiring the Applicant to work with the neighborhood to identify an appropriate and unique individually run restaurant operator for the space; (2) updating the amenities previously proposed given the completion of some of the amenity projects originally identified and changes in priorities within the neighborhood; and (3) requiring that the amenities be tangible, that they be clearly linked to the issuance of a Certificate of Occupancy for the hotel, and that the Applicant enter into a Memorandum of Understanding with each amenity recipient. The ANC also included specific comments regarding the approved public space improvements, the contribution towards the renovation of St Mary's Church, the contribution towards the Biennial FBA Sculpture Project, the contribution toward the renovation of the 26th Street Dog Park, and the contribution toward landscaping and the West End Street Plan. The ANC also recommend that if any of these projects do not move forward, then the Application should work with the neighborhood to dedicate funds towards the erection of a statue of Duke Ellington at the Duke Ellington Park located at New Hampshire Avenue, M and 21st Streets, NW.
23. As discussed in more detail in the Contested Issues section below, the Commission finds that the Applicant has adequately addressed the issues raised by ANC 2A.
 24. On November 3, 2011, the Applicant submitted a post-hearing submission, marked as Exhibit 43 of the record in the case. The post-hearing submission included the Applicant's formal responses to each of the issues identified both in ANC 2A's letter dated September 21, 2011, and the ANC representative's oral testimony at the public hearing. The submission also included a memorandum prepared by Wells, together with two sketches illustrating the proposed three foot wide lay-by and a full-size eight foot wide lay-by. The memorandum indicates that the design of the proposed three foot wide lay-by, which was initially approved by the Commission in Order No. 07-21 and is shown on the Applicant's current plans, is the result of extensive discussion and vetting with DDOT. The memorandum indicates that the three foot design was identified by the Applicant and DDOT as the preferred design since it will enable maximization of the sidewalk width along 22nd Street, and also create a buffer zone for the safety of passengers boarding and alighting vehicles in the lay-by lane. The memorandum also indicates that although an eight foot lay-by lane would allow vehicles stopped in the lay-by lane to be fully outside of the adjacent travel lane, it does not provide a buffer between the stopped vehicle and the adjacent through traffic.
 25. On November 3, 2011, DDOT submitted a memorandum dated November 3, 2011, that described the agency's review of lay-bys for two other projects, and identified DDOT's criteria for evaluating requests for lay-by installations, including safety, operation, and urban design and environmental impacts. (Exhibit 45). DDOT also indicated in this memorandum that the maximum permitted lay-by depth is 8 feet.
 26. On November 9, 2011, WECA submitted a letter recommending that the Commission and DDOT consider an eight foot lay-by, but without a 6 foot wide tree box adjacent to

the lay-by, which would result in approximately 13.5 feet of sidewalk space. (Exhibit 46).

27. On November 9, 2011, the Applicant submitted a memorandum prepared by Wells in response to DDOT's memorandum dated November 3, 2011. (Exhibit 47). In this submission, Wells applied DDOT's criteria in evaluating lay-by requests to the proposed three foot wide lay-by and a full-size eight foot wide lay-by, and concluded that the proposed three foot lay-by lane furthers DDOT's goals of providing a balanced transportation system. The memorandum noted that the final width of the lay-by lane ultimately will be decided through DDOT's review of the Public Space Permit. Therefore, the Applicant requested flexibility in the Commission's order to construct a lay-by lane with a minimum width of three feet and a maximum width of eight feet.
28. At its public meeting held on November 28, 2011, the Commission took proposed action by a vote of _____ to approve with conditions the application and plans that were submitted to the record.
29. The proposed action of the Commission was referred to the National Capital Planning Commission ("NCPC") under the terms of the District of Columbia Home Rule Act. NCPC, by action dated _____, found that the proposed PUD, as modified, would not affect the federal establishment or other federal interests in the National Capital, nor be inconsistent with the Comprehensive Plan for the National Capital.
30. The Commission took final action to approve the application on _____ by a vote of _____.

Development Incentives and Flexibility

31. The Applicant requested the following areas of flexibility from the Zoning Regulations:
 - a. *Flexibility From Public Space at Ground Level Requirement (Section 633.1).* Pursuant to Section 633.1 of the Zoning Regulations, new developments in the CR zone district are required to provide an area on-site that is equivalent to at least ten percent (10%) of the total lot area as public space at ground level. The Subject Property has a land area of approximately 15,588 square feet, and thus the project would be required to provide 1,558 square feet of public space at the ground level. The Commission approved the same public space relief as part of the initial PUD. See Zoning Commission Order No. 07-21, Finding of Fact No. 37(a). Similar to the approved PUD, the hotel lobby has been designed as a highly visible, open, publicly-accessible feature, which meets the intent of Section 633. The lobby will have an approximately 16.5 foot high ceiling, and consistent with Section 663, this lobby area will be "adjacent to the main entrance to the principal building or structure on the lot", and will "have a minimum vertical clearance of one story or 10 feet". The lobby area will be "suitably lighted and landscaped for public use", with appropriate interior furnishings. It will be "open and available to the general public," consistent with a hotel operation. The

interior landscaping and floating stair leading to the landscaped courtyard will also be highly-visible from the public space. Although it can be argued that the hotel lobby will "serve as a transitional space between the street for pedestrian right-of-way and the building", it is actually a part of the building itself. Moreover, to reinforce the pedestrian experience and to engage the public realm, a highly-visible bar and restaurant are located at the ground floor along the outside edge of the building. In addition, exterior landscaping and seating are provided adjacent to the building's entrance, along with an interactive electronic "Community Wall" display in the hotel lobby which will provide information about local transportation options and the sustainable features of the building. Overall, these features will promote the public's interaction with the building and proposed hotel use. The lobby area has not been excluded from the gross floor area of the building, which would otherwise be the case if the space met the technical requirements of Section 633.

- b. *Flexibility from Rear Yard Requirement (Section 636.1)*. The Applicant requests flexibility from the rear yard requirement, and will provide an open court in lieu of a rear yard. The Commission approved the same rear yard relief as part of the initial PUD. See Zoning Commission Order No. 07-21, Finding of Fact No. 37(b). As the Commission found in the initial PUD case, the site is a corner lot, and the inclusion of a rear yard along either the western-most lot line or the northern-most lot line would result in a gap of 27.5 feet in the streetscape along either M or 22nd Street. The proposed hotel will abut the side walls of the adjacent buildings to the north and west. Unlike many of the commercial zones, the CR District does not allow the provision of a court in lieu of rear yard. The proposed hotel includes an open court at the rear of the structure, beginning at the second level, which has a total area of approximately 2,760 square feet, which is consistent with the amount of open space that would be provided if a rear yard was required.
- c. *Flexibility From Roof Structure Requirements (Sections 411 and 639)*. Similar to the approved PUD, the Applicant requests flexibility from the roof structure setback requirements at the rear of the building. The Commission approved this same roof structure setback relief in the original case, and the footprint of the proposed roof structure is similar to the footprint of the approved roof structure's footprint. See Zoning Commission Order No. 07-21, Finding of Fact No. 37(c). The proposed roof structure meets the setback requirement from the exterior walls along 22nd and M Streets, N.W. However, relief is required since the roof structure does not meet the minimum setback requirement along the exterior walls at the rear of the building due to the L-shaped design of the building and the desire to meet the setback requirements along the more-important street facades. In addition, the reduced roof structure setback is necessary to provide a sufficient amount of enclosed area for the mechanical equipment. The proposed roof structure setbacks will not adversely impact the light and air of adjacent buildings since the relief is only necessary along the interior courtyard. Moreover, the abutting property owners to the immediate north and west of the Subject Property

submitted letters in support of the application. (Exhibits 25 and 26). Therefore, the intent and purposes of the Zoning Regulations will not be materially impaired.

- d. *Flexibility from Parking Requirements (Section 2101.1)*. Pursuant to Section 2101.1 of the Zoning Regulations, the project is required to provide a total of 68 off-street parking spaces. The Applicant is proposing to provide a total of 53 striped off-street parking spaces accessed by a ramp in a valet operated garage. This request is necessary given the size of the building's footprint and the proposed programming of the building. The Applicant proposes to construct two below-grade levels. The B1 level will provide ancillary hotel uses, such as laundry, housekeeping, storage and other similar uses, and the B2 level will provide parking. The Applicant cannot reasonably provide an additional level of below grade parking due to subsurface rock conditions. This reduction in the number of parking spaces will not have an adverse impact on the project or the area, and the evidence and testimony submitted in this case demonstrate that the amount of proposed parking is sufficient to meet the anticipated parking demand for the hotel.
- e. *Flexibility from Size of Parking Spaces Requirement (Section 2115)*. The Zoning Commission approved the same flexibility from this requirement in the initial PUD. See Zoning Commission Order No. 07-21, Finding of Fact No. 37(e). The Applicant requests flexibility from the requirement of Section 2115.2 since approximately 66% of the striped parking spaces in this valet-operated garage are compact, which exceeds the requirement that no more than 40% of the required parking spaces may be designated for compact cars. The project includes a total of 53 striped off-street parking spaces. Seventeen of these parking spaces meet the full size requirement of Section 2115.1, and one of the spaces meets the ADA-accessibility requirements. The remaining thirty-five parking spaces meet the compact size requirement of Section 2115.3. Similar to the approved PUD, the garage has been designed and will be valet-operated in a manner that will maximize the efficiency of use of the parking garage space.
- f. *Flexibility from Access to Parking Requirement (Section 2117.4)*. The Applicant requests flexibility from the requirement that "each required parking space shall be accessible at all times directly from improved alleys...or improved public streets via graded and unobstructed private driveways...". The Commission approved the same flexibility from this requirement for the approved PUD. See Zoning Commission Order No. 07-21, Finding of Fact No. 37(d). Similar to the approved PUD, the parking garage for the hotel will be valet-operated, and 15 of the parking spaces in the garage will be stacked spaces that will therefore not meet the "accessible at all times" requirement. The evidence and testimony presented in this case demonstrate that the provision of a valet-operated garage will maximize the efficiency of use of the parking garage space.
- g. *Flexibility From The Off-Street Loading Requirements (Section 2201)*. The Applicant requests flexibility from the off-street loading requirements. Section

2201.1 of the Zoning Regulations provides that hotels with more than 200 rooms usable for sleeping are required to provide the following: one loading berth at 30 feet deep, one loading berth at 55 feet deep, one loading platform at 100 square feet, one loading platform at 200 square feet; and one service/delivery loading space at 20 feet deep. 11 DCMR §2201. However, due to the anticipated needs of the hotel use, the Applicant is seeking flexibility to waive the required 55-foot loading berth and the required 200 square foot loading platform requirements. Given the nature and operations of the proposed hotel, and based upon experience at other similar hotels, deliveries utilizing 55 foot tractor-trailer trucks will not be necessary, and thus there is no need for a 55 foot berth for this project. The Applicant anticipates receiving approximately 4 to 5 deliveries per day, and the Applicant has agreed to require that all deliveries be made in 30-foot, single unit trucks. Other comparable select service hotels in the market typically receive a limited number of small deliveries per day. In addition, the Applicant has agreed to designate a member of the hotel staff as a dock manager who will be responsible for coordinating with the delivery companies to ensure that all deliveries will be made via the alley and during non-peak hours, and for ensuring that trucks do not sit idle in the alley while waiting to make a delivery. Therefore, the proposed loading facilities will be able to handle the delivery and service needs of the proposed hotel, and will not result in any adverse impacts.

- h. *Additional Areas of Flexibility.* The Applicant also requests flexibility in the following areas:
- i. To be able to provide a range in the number of hotel rooms, with a maximum of 238 rooms.
 - ii. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, provided that the variations do not change the exterior configuration of the building.
 - iii. To vary the number, location and arrangement of parking spaces, provided that the total is not reduced below the number shown on the attached plans.
 - iv. To vary the sustainable design features of the building, provided the total number of LEED points achievable for the project does not decrease below 50 points under the LEED for New Construction Rating System v 3.0 standards.
 - v. To vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction without reducing the quality of the materials; and to make minor refinements to exterior details, locations, and dimensions, including curtainwall mullions and spandrels, window frames, doorways, glass

types, belt courses, sills, bases, cornices, railings and trim; and any other changes to comply with all applicable District of Columbia laws and regulations that are otherwise necessary to obtain a final building permit.

- vi. To vary the location and design of the ground floor components of the building in order to comply with any applicable District of Columbia laws and regulations, including the D.C. Department of Health, that are otherwise necessary for licensing and operation of the proposed restaurant.
- vii. To vary the location and dimensions of the various elements in public space that are shown on the plans, and to vary the width of the proposed lay-by lane on 22nd Street between a minimum width of three feet and a maximum width of eight feet, as may be necessary to secure a public space permit from DDOT.

Public Benefits and Amenities

32. The Commission found in Zoning Commission Case No. 07-21 that a number of public benefits and amenities will be created as a result of the approved PUD. (See Zoning Commission Order No. 07-21, Finding of Fact No. 38). The Commission finds that approval of the PUD, as modified, will continue to result in a number of public benefits and amenities, including:

- a. *Urban Design, Architecture, Landscaping and Open Space (Section 2403.9(a)).* The proposed hotel retains the same basic building form as the approved PUD and demonstrates a high quality of architectural design that exceeds that of most hotels in the District. The major goals of the architects for the modified project include creating a building that will further the goals of urban design, and that will enhance the streetscape and compliment the surrounding neighborhood. Moreover, the project plans also include a number of landscaping, garden, and open space features.
- b. *First Source Employment Agreement and Local, Small and Disadvantaged Business Enterprises (Section 2403.9(j)).* Expanding employment opportunities for residents and local businesses is a priority of the Applicant. Therefore, the Applicant has executed a First Source Employment Agreement with the Department of Employment Services. The Applicant anticipates that the hotel, restaurant and valet services for the hotel will generate over 100 new jobs. The Applicant has also executed a Certified Business Enterprise Utilization Agreement with the District's Office of Small and Local Business Development.
- c. *Environmental Benefits (Section 2403.9(h)).* Similar to the approved hotel, the modified hotel will also incorporate a number of environmentally sensitive design features and construction practices. The modified hotel will be designed to meet rigorous energy and environmental design standards using the LEED for New Construction v3 rating system as a guide and performance metric. The Applicant

submitted a conceptual LEED Scorecard indicating sustainability features to be incorporated into the project. Overall, the project will be designed to create a high performing, energy and resource efficient building while providing the hospitality experience guests expect during their stay at the hotel.

- d. *Uses of Special Value to the Neighborhood or the District of Columbia as a Whole (Section 2403.9(i)).* Prior to issuance of a Certificate of Occupancy for the project, the Applicant has agreed to make the following contributions:

- i. *Public Space Improvements.* The Applicant shall contract with the necessary service and professional firm(s) for the design, approval and installation of the following items, not to exceed a total of \$150,000, to be divided among items (a) through (d), the final location, design, and installation of which shall be subject to DDOT approval:

- a. Installation of one park bench at each of the following three locations: at the southeast corner of 25th and M Streets, N.W. along the existing diagonal walk; at the southwest corner of 24th and L Streets, N.W. near the existing brick planter; and at the northeast corner of 23rd and L Streets, N.W.;
- b. Replacement or installation of trees at each of the following locations: one tree at the southeast corner of 25th and M Streets, N.W. on M Street; one tree at the northwest corner of 24th and L Streets, N.W., on 24th Street; one tree at the southeast corner of 23rd and L Streets, N.W.; three trees on the southeast corner of M Street, N.W. and New Hampshire, N.W., on M Street, N.W.; one tree on the north side of L Street, N.W. between New Hampshire Avenue, N.W. and 21st Street, N.W.; two trees on the south side of L between New Hampshire and 21st Street, N.W.; and one tree on the southwest side of M and 21st Streets, N.W. If any of the trees in the 10 listed locations are replaced before the amenity funds are delivered, the Applicant shall work with DDOT to locate appropriate sites within the same proximity of the hotel site as those listed above, or as close to the site as possible, for tree installation.;
- c. Replacement or installation of three-sided tree fencing for public tree boxes, where needed, within the bounds of ANC 2A. If time, materials, money or approvals are constrained, the priority will be to first install tree fencing where there is none extant; secondly to replace existing plastic fencing, and finally to replace existing low metal fencing.; and

- d. Replacement or installation of globe-type street lights to match the recently upgraded street lights along M and 22nd Streets in the immediate vicinity, to be placed at each of the following locations: on the north side of M Street, between 22nd and 23rd Streets, N.W., and on the west side of 22nd Street, between M and N Streets, NW.
- ii. *Contribution Towards Renovation Of St. Mary's Church.* The Applicant shall make a contribution of \$35,000 to St. Mary's Church. The contribution shall specify that the funds may only be used for reimbursement of costs incurred by the Church for renovation services for St. Mary's Episcopal Church located at 730 23rd Street, N.W, Washington, D.C. 20037.
- iii. *Contribution Towards The Foggy Bottom Association ("FBA") Biennial FBA Sculpture Project.* The Applicant shall make a contribution of \$60,000 to the FBA. The contribution shall specify that the funds may only be used for the costs associated with the Biennial FBA Sculpture Project.
- iv. *Contribution Towards The Construction Of The Francis Field Dog Park.* The Applicant shall make a payment of \$53,500 to a contractor, landscape architect, or other professional company to assist with the construction of the Francis Field Dog Park, located along 25th Street, N.W. between M and N Streets, N.W. The contribution shall specify that the funds may only be used for the following: landscaping; purchase of benches, tables, fences, storage container, hoses, maintenance tools, dog bag stations, surface cleaning supplies and trash receptacles; installation of new lighting, water connection, and drainage sump; and installation of a subbase and surface for the dog park. The final design, location, and installation of these improvements will be subject to DPR approval. In the event that the Francis Field Dog Park does not move forward, the Applicant shall have the flexibility to reprogram the funds designated for the Francis Field Dog Park to other public space improvements identified above.
- v. *Contribution Towards Landscaping and Street Plan.* The Applicant shall make a payment of \$1,000 to Iris Miller, Adjunct Associate Professor and Director of the Landscape Studies at the School of Architecture and Planning at Catholic University. The contribution shall specify that the funds may only be used for her professional services in connection with the original PUD plan.

Compliance with Guiding Principles of the Comprehensive Plan

33. The Commission finds that the proposed PUD as modified, continues to: (1) be consistent with the District of Columbia Comprehensive Plan Future Land Use Map

and the Generalized Policy Map; (2) help implement many of the guiding principles in the Comprehensive Plan for managing growth and change, creating successful neighborhoods, and building green and health communities; and (3) further the objectives and policies of the Comprehensive Plan's major elements, all as set forth in the OP reports marked as Exhibits 13 and 29 of the record in this case, and as previously found by the Commission in Findings of Fact Nos. 39 - 43 of Z.C. Order No. 07-21.

Office of Planning Reports

34. By report dated July 15, 2011, the Office of Planning ("OP") recommended that the Commission schedule a public hearing on the application. (Exhibit 13). OP indicated that the requested modifications are within the range of changes the Commission has approved as modifications in previous cases, such as Z.C. Case Nos. 03-12F/03-13F, 06-14C, and 07-02B, and that the requested modifications would not affect the PUD's previously determined relationship to the Comprehensive Plan. OP also indicated that approval of the application would allow for redevelopment of an under-utilized property in the West End with a new, attractive and progressive development that will deliver significant benefits to the neighborhood. OP recommended that, prior to the public hearing, the Applicant should consult with DDOT about implications of the proposed changes in room counts and parking arrangements, and with DDOE about the impact of proposed changes in environmental regulations that might impact development of the Subject Property.
35. By report dated October 17, 2011, OP recommended final approval of the application, subject to the Applicant clarifying the final allocation of the community benefits package. (Exhibit 29). OP indicated that the Applicant adequately responded to the questions raised by the Commission and OP, including the design and setback of roof structure, the relationship between the number of proposed hotel rooms and parking spaces, job creation estimates, and information regarding the project's façade design and materials. OP also indicated that the Commission previously determined that the benefits, amenities and proffers proposed by the Applicant were appropriate for the zoning relief and density increases of the proposed hotel. OP supported the requested zoning flexibility.

DDOT Report

36. DDOT submitted a memorandum dated October 21, 2011, marked as Exhibit 31 in the record of this case, indicating that DDOT does not have any objections to the Applicant's request for modifications to the approved PUD. DDOT commended the Applicant for reducing the number of planned parking spaces and noted that the project should be treated as a transit oriented development since there are a number of transit options for the hotel guests and visitors to access the property. DDOT also indicated that visitors to the proposed restaurant will be able to have their vehicles valet parked at a neighboring garage.

37. DDOT recommended that the Commission require the Applicant to conduct a number of transportation performance monitoring studies at various times after issuance of first Certificate of Occupancy for the hotel, and to provide a report summarizing the study findings to DDOT and ANC 2A. DDOT also indicated that the Applicant submitted a Transportation Demand Management ("TDM") plan, and DDOT recommended that the Applicant's TDM plan should include a number of specific measures, including:

- a. Designating a member(s) of building management as a transportation coordinator to be a primary point of contact responsible for coordinating and completing all transportation management plan tasks.
- b. Providing an 8' by 24' space for a minimum of 12 bicycles and for luggage storage in a locked area in the hotel to accommodate guest luggage and bicycles, and allowing guests to take their bicycles to their rooms.
- c. Providing in the hotel lobby an electronic transportation display providing real time information related to local transportation alternatives (e.g. Capital Bikeshare racks, nearest WMATA rail station, WMATA bus routes and Circulator bus routes), and providing internet access for this device via wired or wireless means in the hotel lobby.
- d. Providing a transit benefit incentive of at least \$100.00 per month for each on-site hotel employee, and establishing a pre-tax employee transportation benefit program which will be functional before the first day of operation of the hotel.
- e. Providing SmarTrip cards for free to new on-site employees.
- f. Providing complimentary, 24-hour Capital Bikeshare passes to hotel guests upon check-in, with DDOT providing the hotel operator with safe cycling guides, bike helmets and additional information on the Capital Bikeshare program for hotel guests' use during their stay.

38. The Applicant's TDM plan, included with Exhibit 5 of the record in this case, and as supplemented by testimony of the Applicant, indicates that the Applicant has agreed to the following measures:

- a. Advertise WMATA SmarTrip cards in the lobby of the hotel.
- b. Provide hotel guests with information on Zipcar.
- c. Provide maps showing the nearest Zipcar locations.
- d. Provide system maps and maps showing the location of the nearest BikeShare stations.
- e. Provide safe cycling guidelines.

- f. Provide instructions on obtaining a 24-hour or 5-day membership for Capital BikeShare.
 - g. Provide an interactive, electronic board in the lobby to provide information regarding the various transportation options available.
39. In addition, as shown on the Final Architectural Plans and Elevations, the hotel includes the capacity for 15 bike spaces on the B1 level of the building, and a secure luggage storage area on the ground floor of the hotel. (Exhibit 24). Moreover, in response to DDOT's recommendations, the Applicant agreed at the public hearing to also implement the following measures:
- a. Provide a \$25.00 SmarTrip card for each hotel employee during the initial hiring phase for the hotel.
 - b. Provide complimentary 24-hour BikeShare memberships on an as-requested basis for guests that wish to use BikeShare.
 - c. Conduct performance evaluations of the loading, bus management, and valet operations one year and two years after issuance of the first Certificate of Occupancy for the hotel, and submit the results to DDOT.
40. The Commission finds that the Applicant's proposed TDM plan is consistent with other TDM plans approved by this Commission, and will help to promote safe and efficient traffic operations, encourage alternate modes of transportation, and maximize the use off-street parking facilities to efficiently serve the hotel demands.

Contested Issues

41. ANC 2A and 22 West raised concerns regarding transportation issues, including parking, loading, and bus management; the hotel's design, brand, and signage, implementation of a construction management plan; and the community amenities.
42. The Commission has carefully reviewed and considered each of the points made both in writing and orally at the public hearing, and makes the following findings:
- a. *Transportation Issues (Parking, Loading, Bus Management, and Lay-By Design).* There was testimony that the project will have an adverse impact on traffic and parking in the immediate area as a result of the project's proposed parking ratio, loading operations, lay-by design, and the anticipated number of buses going to the hotel.

With respect to parking, the Applicant's transportation expert submitted a detailed parking evaluation memorandum and testimony at the public hearing, analyzing (1) the proposed parking operations and parking supply for the hotel, (2) the

parking operations, parking supply and parking demand at four comparable hotels in the District, and (3) the proposed hotel policies on overflow parking. (Exhibits 23 and 36). The report also indicates that there are a number of commercial parking garages within a two-block radius of the site that would be available for overflow parking, if necessary. The report indicates that with a total of 53 parking spaces, the hotel will be providing a parking ratio of 0.22 spaces per room, which is comparable to similar hotels in the District. Based on data obtained at four comparable sites in the District, the average parking demand ratio for similar hotels is 0.17 spaces per room or 0.20 spaces per occupied room. Therefore, the report concludes that the hotel will have adequate parking. In addition, DDOT approved the Applicant's proposed reduction in the number of planned parking spaces since there are a number of nearby transit options for the hotel guests and visitors to access the property. (Exhibit 31). DDOT also indicated that visitors to the proposed restaurant will be able to have their vehicles valet parked at a neighboring garage.

The Applicant also submitted expert evidence and testimony at the public hearing describing the Applicant's plan to effectively manage traffic operations at the hotel, including buses and use of the loading dock. (Exhibit 23 and 36). With respect to loading, access to the loading dock would be provided via the alley to the north of the Subject Property, and this configuration was previously reviewed and supported by DDOT, and approved by the Commission, in the original PUD.. In addition, the Applicant has agreed to dedicate a member of the hotel staff as a transportation coordinator. The transportation coordinator will be responsible for coordinating with delivery companies to ensure that deliveries are made via the alley, that deliveries are made in 30-foot, single unit trucks or smaller, and that deliveries will not be accepted before 7:00 AM and after 9:00 PM weekdays, or before 8:00 AM and after 9:00 PM on weekends. The transportation coordinator will also be responsible for ensuring that trucks do not idle in the alley while waiting to make a delivery. The Applicant has also agreed that no deliveries will be accepted on M Street.

With respect to buses, the Applicant indicated that due to the size of the hotel, bus groups are not anticipated to account for a significant percentage of the business at the proposed hotel. In addition, the hotel anticipates only accommodating guests utilizing bus transportation during periods with reduced overall hotel occupancies. During peak bus months, the hotel is expected to accommodate only three to five buses per month and usually only one bus group at a time. Bus groups will be notified that the pick-up/drop-off operation will be conducted on M Street. Additionally, the bus operators will be notified that the buses must park at Union Station in the area designated for motor coaches and recreational vehicles. Moreover, in order to ensure that loading and bus operations are managed efficiently, the Applicant has agreed to conduct performance evaluations of the loading, bus management, and valet operations one year and two years after issuance of the first Certificate of Occupancy for the hotel, and to submit the results to DDOT.

The design of the proposed three foot lay-by, which was initially approved by the Commission, is the result of extensive discussion and vetting with DDOT. The three foot lay-by design will enable maximization of the sidewalk width along 22nd Street, and also create a buffer zone for the safety of passengers boarding and alighting in the lay-by lane. In addition, the proposed lay-by design complies with DDOT's criteria in evaluating lay-by requests. Moreover, the Applicant has agreed to designate a member of the hotel's staff to be responsible for ensuring that there is an adequate number of valet attendants serving the lay-by lane so that demand for the lay-by lane does not exceed the capacity of the lay-by lane; ensuring that taxis do not stand in the lay-by lane; and ensuring that buses coming to and from the hotel follow the bus management plan. Finally, given that the final width of the lay-by lane ultimately will be decided through DDOT's review of the Public Space Permit, the Commission is granting the Applicant the flexibility to construct a lay-by lane with a minimum width of three feet and a maximum width of eight feet if DDOT determines that a wider lay-by is necessary.

The Commission accepts the expert conclusions, and the evidence and testimony presented by the Applicant, and therefore finds that the proposed development will not have an adverse impact on traffic and parking in the immediate area as a result of the project's proposed parking ratio, loading operations, lay-by design, and the anticipated number of buses going to the hotel. In addition, the Commission finds that the loading access, the garage access, and the lay-by lane are identical to those elements that were reviewed and approved by DDOT and the Commission in the original PUD.

- b. *The Hotel's Design, Brand, and Signage.* ANC 2A and 22 West raised concerns regarding the overall design of the hotel, the proposed hotel brand and contribution to the District, and the hotel's proposed signage. With respect to the hotel's design, the Commission finds that the project's massing is virtually identical to the approved PUD, with an L-shaped form, extending out from the corner intersection to the north and west interior lot lines, with an open court at the rear of the building. As with the approved PUD, the principal hotel entrance is located on 22nd Street, N.W., and the principal entrance to the restaurant is located on M Street, N.W. Access to a below grade parking level is also in the same 22nd Street location as the approved PUD, but is provided via a garage ramp, rather than the car elevator system approved in the original plans. Although the exterior façade of the building has been revised, the Commission finds that the hotel will continue to provide a high-quality design and incorporates high-quality materials.

Although the proposed hotel brand is not for the Commission to determine, the Commission credits the Applicant's testimony that the Hilton Garden Inn is a proven upscale brand in the Hilton family of hotels. The Commission further finds that although the original project was committed to the base LEED

certification, the Applicant has committed to achieving a minimum of 50 points under the LEED for New Construction Rating System v 3.0 standards, which is an increased level of sustainability compared to the approved PUD. Moreover, as indicated in the Economic Impact Analysis prepared by Bolan Smart Associates, Inc. included as part of Exhibit 23 in the record in this case, the development will result in a significant number of economic benefits to the District, including approximately \$4.69 million dollars in annual direct tax revenues, employment and economic activity benefits, and construction fees and expenditures directly benefitting the District and District businesses, including small, local, and disadvantaged businesses.

The Applicant's schematic signage plans demonstrate that the proposed signage for the hotel will be of a high quality, and that the location and dimensions of the signage will comply with the applicable D.C. Construction Code requirements regarding signage.

- c. *Construction Management Plan.* ANC 2A requested that the Applicant prepare a construction management plan which addresses the construction schedule, issue resolution, and other construction issues. The Applicant submitted a construction management plan on October 7, 2011. (Exhibit 23). The plan includes provisions regarding traffic and construction controls, construction truck route provisions, the designation of a representative to be the Applicant's key contact for interaction with members of the community regarding construction activities, and other provisions similar to those submitted to the Commission in recent cases. Therefore, the Commission finds that the Applicant has adequately addressed this issue.
- d. *Community Amenities.* ANC 2A and 22 West indicate that the Applicant should revise the list of proposed community amenities based upon asserted changes in the community's needs, and recommended specific changes to the approved amenities. (Exhibits 22, 32, 38 and 40). The Commission finds that the Applicant has adequately revised the proposed amenities to address changed circumstances. For example, the Applicant has redirected funds originally approved for the 26th Street Dog Park to the Francis Field Dog Park, at the request of both WEF and ANC 2A. At the request of ANC 2A, the contribution to Iris Miller for development of a landscaping plan for the project and the vicinity has been changed, and is now a contribution of \$1000 for services rendered in connection with the original PUD plans, with the remainder of that money allocated between the public space improvements identified in the original PUD Order and the Francis Field Dog Park. With respect to designating the proposed ground floor retail space as a community amenity, the Applicant has committed to provide that space as shown on the plans as a restaurant, and is working towards making this a signature feature of the hotel. Any proposed modification to the use of this space would require Commission approval. Moreover, the Commission finds that WECA, FBA, and St. Mary's Church indicated the continued need for

the amenities set forth in the Applicant's updated list of amenities identified in Exhibit 23 and described in this Order.

CONCLUSIONS OF LAW

1. Pursuant to the Zoning Regulations, the PUD process is designed to encourage high quality development that provides public benefits. (11 DCMR § 2400.1.) The overall goal of the PUD process is to permit flexibility of development and other incentives, provided that the PUD project, "offers a commendable number or quality of public benefits, and that it protects and advances the public health, safety, welfare, and convenience." (11 DCMR § 2400.2.)
2. Because the modifications proposed by the Applicant could not be approved by the Zoning Administrator pursuant to § 2409.6, the Applicant submitted the proposed modifications to the Commission for approval. And because the modifications were not so minor as to permit their review under the Commission's Consent Calendar procedure, 11 DCMR § 3030, they were processed as a second-stage application. (11 DCMR § 2409.9.)
3. As was the case for the original approval, the Commission, as part of its approval of a modification may grant or impose development conditions, guidelines, and standards that may exceed or be less than the matter-of-right standards identified for height, density, lot occupancy, parking, loading, or any other applicable zoning requirement.
4. Development of the property included in this application carries out the purposes of Chapter 24 of the Zoning Regulations to encourage the development of well-planned developments which will offer a variety of building types with more attractive and efficient overall planning and design, not achievable under matter-of-right development.
5. The modified PUD meets the minimum area requirements of § 2401.1 of the Zoning Regulations. The modified PUD, as approved by the Commission, complies with the applicable height, bulk, and density standards of the Zoning Regulations. The uses for this project are appropriate for the Subject Property. The impact of the project on the surrounding area and the operation of city services is acceptable given the quality of the public benefits in the project.
6. The Applicant's request for flexibility from the Zoning Regulations is consistent with the Comprehensive Plan. Moreover, the project benefits and amenities are reasonable tradeoffs for the requested development flexibility.
7. Approval of this modified PUD is appropriate because the proposed development is consistent with the present character of the area, and is not inconsistent with the Comprehensive Plan. In addition, the proposed development will promote the orderly development of the Property in conformity with the entirety of the District of Columbia zone plan as embodied in the Zoning Regulations and Map of the District of Columbia.

8. The Commission is required under § 3(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d) (2001) to give great weight to the issues and conditions expressed in the written report of an affected ANC. In this case, ANC 2A voted to provide a non-objection in this case, predicated on the Applicant agreeing to certain conditions. (Exhibit 14). As described in the Finding's of Fact included in this Order, the Commission has given ANC 2A's recommendation great weight in approving the modification application.
9. The Commission is required under § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163, D.C. Official Code §6-623.04) to give great weight to OP recommendations. For the reasons stated above, the Commission concurs with OP's recommendation for approval and has given the OP recommendation the great weight it is entitled.
10. The application for the modified PUD is subject to compliance with D.C. Law 2-38, the Human Rights Act of 1977.

DECISION

In consideration of the Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission for the District of Columbia **ORDERS APPROVAL** of the application for modifications to a PUD approved pursuant to Z.C. Order No. 07-21 subject to the following guidelines, conditions and standards, which replace those contained in Z.C. Order No. 07-21. For the purposes of these conditions, the term "Applicant" shall mean the person or entity then holding title to the Subject Property. If there is more than one owner, the obligations under this Order shall be joint and several. If a person or entity no longer holds title to the Subject Property, that party shall have no further obligations under this Order; however, that party remains liable for any violation of these conditions that occurred while an Owner. Whenever compliance is required prior to, on, or during a certain time, the timing of the obligation is noted in bold and underlined text.

A. PROJECT DEVELOPMENT

1. The PUD shall be developed in accordance with the architectural plans and elevations prepared by Shalom Baranes Associates, dated October 7, 2011 and marked as Exhibit 24, as supplemented by the plans presented at the public hearing and marked as Exhibit 36 in the record (the "Plans"), as modified by the guidelines, conditions and standards herein.
2. The PUD shall have a maximum density of 7.99 FAR and a gross floor area of 124,479 square feet. The project shall contain no more than 238 hotel rooms.
3. The maximum height of the building shall be 107 feet.

4. The project shall include a minimum of 53 off-street parking spaces in the garage.
5. The Applicant is granted flexibility from the public space at ground level requirements (§633.1), rear yard requirements (§636.1), roof structure number and setback requirements (§§411 and 639), number of required off-street parking spaces requirement (§2101.1), the size of parking spaces requirements (§2115), access to parking requirements (§2117.4), and the off-street loading requirements (§2201), consistent with the approved Plans, including the Zoning Tabulation of Development Data sheet on the Plans, and as discussed in the Development Incentives and Flexibility section of this Order.
6. The Applicant shall also have flexibility with the design of the PUD in the following areas:
 - a. To be able to provide a range in the number of hotel rooms, with a maximum of 238 rooms;
 - b. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, provided that the variations do not change the exterior configuration of the building;
 - c. To vary the number, location and arrangement of parking spaces, provided that the total is not reduced below the number shown on the attached plans;
 - d. To vary the sustainable design features of the building, provided the total number of LEED points achievable for the project does not decrease below 50 points under the LEED for New Construction Rating System v 3.0 standards;
 - e. To vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction without reducing the quality of the materials; and to make minor refinements to exterior details, locations, and dimensions, including curtainwall mullions and spandrels, window frames, doorways, glass types, belt courses, sills, bases, cornices, railings and trim; and any other changes to comply with all applicable District of Columbia laws and regulations that are otherwise necessary to obtain a final building permit;
 - f. To vary the location and design of the ground floor components of the building in order to comply with any applicable District of Columbia laws and regulations, including the D.C. Department of Health, that are otherwise necessary for licensing and operation of the proposed restaurant;
 - g. To vary the location and dimensions of the various elements in public space that are shown on the Plans, and to vary the width of the proposed lay-by lane on 22nd Street between a minimum width of three feet and a maximum width of eight feet, as may be necessary to secure a public space permit from DDOT; and

- h. In the event that the Francis Field Dog Park identified in Paragraph B.1(d) below does not move forward, the Applicant shall have the flexibility to reprogram the funds designated for the Francis Field Dog Park to other public space improvements identified in Paragraph B.1(a) below.

B. PUBLIC BENEFITS

- 1. **Prior to issuance of a Certificate of Occupancy for the project**, the Applicant shall make the following contributions:

- a. *Public Space Improvements.* The Applicant shall contract with the necessary service and professional firm(s) for the design, approval and installation of the following items, not to exceed a total of \$150,000, to be divided among items (a) through (d), the final location, design, and installation of which shall be subject to DDOT approval:

- i. Installation of one park bench at each of the following three locations: at the southeast corner of 25th and M Streets, N.W. along the existing diagonal walk; at the southwest corner of 24th and L Streets, N.W. near the existing brick planter; and at the northeast corner of 23rd and L Streets, N.W.;

- ii. Replacement or installation of trees at each of the following locations: one tree at the southeast corner of 25th and M Streets, N.W. on M Street; one tree at the northwest corner of 24th and L Streets, N.W., on 24th Street; one tree at the southeast corner of 23rd and L Streets, N.W.; three trees on the southeast corner of M Street, N.W. and New Hampshire, N.W., on M Street, N.W.; one tree on the north side of L Street, N.W. between New Hampshire Avenue, N.W. and 21st Street, N.W.; two trees on the south side of L between New Hampshire and 21st Street, N.W.; and one tree on the southwest side of M and 21st Streets, N.W. If any of the trees in the 10 listed locations are replaced before the amenity funds are delivered, the Applicant shall work with DDOT to locate appropriate sites within the same proximity of the hotel site as those listed above, or as close to the site as possible, for tree installation.;

- iii. Replacement or installation of three-sided tree fencing for public tree boxes, where needed, within the bounds of ANC 2A. If time, materials, money or approvals are constrained, the priority will be to first install tree fencing where there is none extant; secondly to replace existing plastic fencing, and finally to replace existing low metal fencing.; and

- iv. Replacement or installation of globe-type street lights to match the recently upgraded street lights along M and 22nd Streets in the immediate vicinity, to be placed at each of the following locations: on the north side of M Street, between 22nd and 23rd Streets, N.W., and on the west side of 22nd Street, between M and N Streets, NW.
 - b. *Contribution Towards Renovation Of St. Mary's Church.* The Applicant shall make a contribution of \$35,000 to St. Mary's Church. The contribution shall specify that the funds may only be used for reimbursement of costs incurred by the Church for renovation services for St. Mary's Episcopal Church located at 730 23rd Street, N.W, Washington, D.C. 20037.
 - c. *Contribution Towards The Foggy Bottom Association ("FBA") Biennial FBA Sculpture Project.* The Applicant shall make a contribution of \$60,000 to the FBA. The contribution shall specify that the funds may only be used for the costs associated with the Biennial FBA Sculpture Project.
 - d. *Contribution Towards The Construction Of The Francis Field Dog Park.* The Applicant shall make a payment of \$53,500 to a contractor, landscape architect, or other professional company to assist with the construction of the Francis Field Dog Park, located along 25th Street, N.W. between M and N Streets, N.W. The contribution shall specify that the funds may only be used for the following: landscaping; purchase of benches, tables, fences, storage container, hoses, maintenance tools, dog bag stations, surface cleaning supplies and trash receptacles; installation of new lighting, water connection, and drainage sump; and installation of a subbase and surface for the dog park. The final design, location, and installation of these improvements will be subject to DPR approval.
 - e. *Contribution Towards Landscaping and Street Plan.* The Applicant shall make a payment of \$1,000 to Iris Miller, Adjunct Associate Professor and Director of the Landscape Studies at the School of Architecture and Planning at Catholic University. The contribution shall specify that the funds may only be used for her professional services in connection with the original PUD plan.
2. **Prior to the issuance of a certificate of occupancy for the project,** the Applicant shall require those people or organizations receiving monetary contributions pursuant to this Order to agree in writing that each will present a certification to the Office of Zoning's Compliance Review Manager within 12 months of receiving such contribution written confirmation that the specified monetary contribution has been received and applied to the designated use, or providing a reasonable explanation as to when the contribution will

be allocated. Failure of a person or organization receiving a monetary contribution to submit this certification shall not constitute a violation of this Order by the Applicant.

3. **Prior to the issuance of a building permit for the project**, the Applicant shall submit to DCRA an executed First Source Employment Agreement with the Department of Employment Services, and an executed Certified Business Enterprise Utilization Agreement with the District's Office of Small and Local Business Development.
4. **The Applicant shall submit with its building permit application** for the hotel a LEED checklist indicating that the project includes sustainable design features such that the building would be able to achieve a minimum of 50 points under the LEED for New Construction Rating System v 3.0 standards.
5. **During construction of the project**, the Applicant shall abide by the terms of the Construction Management Plan included as Tab B of Exhibit 23.
6. **Concurrently with the construction of the hotel and during the life of the project**, the Applicant shall install and maintain the landscaping and other public space improvements adjacent to the Subject Property along 22nd Street, N.W. and M Street, N.W. as shown on the Plans, subject to final approval by the Public Space Division of DDOT.

C. COMPLIANCE WITH TRANSPORTATION DEMAND MEASURES

1. **During operation of the hotel**, the Applicant shall implement and maintain the following Transportation Demand Measures:
 - a. Advertise WMATA SmarTrip cards in the lobby of the hotel.
 - b. Provide hotel guests with information on Zipcar.
 - c. Provide maps showing the nearest Zipcar locations.
 - d. Provide system maps and maps showing the location of the nearest BikeShare stations.
 - e. Provide safe cycling guidelines to guests.
 - f. Provide instructions on obtaining a 24-hour or 5-day membership for Capital BikeShare.
 - g. Provide an interactive, electronic board in the lobby to provide information regarding the various transportation options available.
 - h. Provide a minimum of 15 bicycle parking spaces in the hotel's underground garage.

- i. Provide a \$25.00 SmarTrip card for each hotel employee during the initial hiring phase for the hotel.
 - j. Provide complimentary 24-hour BikeShare memberships on an as-requested basis for guests that wish to use BikeShare.
 - k. Designate a member of the hotel staff as a Transportation Coordinator(s) (duties may be part of other duties assigned to the individual) to be responsible for managing and coordinating the loading, bus, delivery, and valet operations for the hotel.
2. **During operation of the hotel**, the Applicant shall not permit deliveries before 7:00 AM and after 9:00 PM weekdays, or before 8:00 AM and after 9:00 PM on weekends.
 3. **One year and two years after issuance of the first Certificate of Occupancy for the hotel**, the Applicant shall conduct performance evaluations of the hotel's loading, bus management, and valet operations, and submit the results of the evaluations to DDOT.

D. MISCELLANEOUS

1. The project, as now modified by the Commission, shall be valid until _____, 2013, within such time, an application must be filed for a building permit as specified in 11 DCMR § 2409.1. Construction must commence no later than _____, 2014.
2. Pursuant to 11 DCMR § 2409.3, the Zoning Administrator shall not approve a permit application for the PUD until the Applicant has recorded a covenant in the land records of the District of Columbia, between the owners and the District of Columbia, that is satisfactory to the Office of the Attorney General and DCRA. Such covenant shall bind the Applicant and all successors in title to construct on and use the Subject Property in accordance with this Order, or amendment thereof by the Zoning Commission. The Applicant shall file a certified copy of the covenant with the Office of Zoning for the case record.
3. In accordance with the 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, familial status, family responsibilities, matriculation, political affiliation, disability, source of income, or place of residence or business. Sexual harassment is a form of sex discrimination that is also prohibited by the Act. In addition, harassment based on any of the above protected categories is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

On _____, _____, 2011, the Zoning Commission approved the application by a vote of _ _ _ _
(_____).

On _____, _____, 2011, the Zoning Commission approved the application by a vote of _-_-
(_____).

In accordance with the provisions of 11 DCMR § 3028, this order shall become final and effective upon publication in the *D.C. Register*; that is on _____.

TAB F

1 Commission Order Number 11-01.

2 CHAIRMAN HOOD: It's been moved.
3 Can I get a second?

4 Moved and properly seconded. Any
5 further discussion?

6 Are you ready for the question?
7 All those in favor, aye.

8 (AYES)

9 CHAIRMAN HOOD: Not hearing any
10 opposition, Ms. Schellin, would you please
11 record the vote.

12 MS. SCHELLIN: Yes, Staff will
13 record the vote four to zero to one to approve
14 final action on Zoning Commission Case Number
15 11-01A. Commissioner Schlater moving,
16 Commissioner Turnbull seconding, Commissioners
17 Hood and May in support. Commissioner Cohen
18 not voting, having not participated.

19 CHAIRMAN HOOD: Okay. Next, the
20 Final Action on Zoning Commission Case Number
21 07-12B, PerStar M. Street, LLC, PUD
22 Modification at Square 50.

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1 Ms. Schellin.

2 MS. SCHELLIN: The only thing that
3 staff would like to add is that we did receive
4 an NCPC report at Exhibit 52. That's why we
5 were able to take it up, this evening because
6 it's either 30 days to fire or when we
7 received the report whichever is sooner and we
8 did receive the report early and they stated
9 that it would not be in consistent with the
10 National Comp Plan nor would it adversely
11 affect any Federal interest. So, Staff would
12 ask the Commission to consider final action
13 this evening.

14 CHAIRMAN HOOD: Okay. Vice
15 Chairman Schlater.

16 VICE CHAIRMAN SCHLATER: Mr.
17 Chairman, I would just like to say I reviewed
18 the order in pretty good detail and I think
19 the Office of the Attorney General did an
20 excellent job capturing the discussion that we
21 had. In particular, related to the discussion
22 of the lay-by-lanes, the discussion of the

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1 hotel sineage and the discussion of the
2 Francis Field Park and I'm prepared to support
3 moving this forward.

4 CHAIRMAN HOOD: Any other
5 comments/discussion?

6 Somebody like to make a motion?

7 COMMISSIONER TURNBULL: Madam Chair

8 --

9 CHAIRMAN HOOD: You know what, BZA
10 and maybe you're thinking about Carol Mitten,
11 Carol Mitten and I have favored for years --

12 COMMISSIONER TURNBULL: Well, Mr.
13 Chair, I would like to make a motion that we
14 approve Zoning Case Number 07-21B, PerStar M
15 Street, LLC, PUD Modification at Square 50 and
16 look for a second.

17 CHAIRMAN HOOD: I'll second it.
18 It's been moved and properly seconded. Any
19 further discussion? Are you ready for the
20 question?

21 All those in favor aye?

22 (AYES)

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1 CHAIRMAN HOOD: Not hearing any
2 opposition, Ms. Schellin, would you please
3 record the vote?

4 MS. SCHELLIN: Yes, sir. Staff
5 would record the vote four to zero to one to
6 approved final action on Zoning Commission
7 Case Number 07-21B. Commissioner Turnbull
8 moving, Commissioner Hood seconding,
9 Commissioners May and Schlater in support.
10 Commissioner Cohen not voting, having not
11 participated.

12 COMMISSIONER COHEN: I think I did
13 participate a little.

14 MS. SCHELLIN: No. You were not at
15 the hearing.

16 COMMISSIONER COHEN: Well, I must
17 have channeled it.

18 CHAIRMAN HOOD: We can always --

19 MS. SCHELLIN: Good thoughts are
20 always good.

21 CHAIRMAN HOOD: We can always redo
22 the motion and wait and let her read the

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1 record.

2 MS. SCHELLIN: No.

3 CHAIRMAN HOOD: All right. Okay.

4 Mr. Turnbull.

5 COMMISSIONER TURNBULL: Mr. Chair,
6 please indulge my snafu. I must have been in
7 a BZA brain something or other.

8 CHAIRMAN HOOD: So, you're saying
9 me and Meredith look like two. Okay. I'll
10 remember that tomorrow. Okay.

11 COMMISSIONER TURNBULL: Boo Hoo.

12 CHAIRMAN HOOD: Okay.

13 COMMISSIONER TURNBULL: On that
14 note, I'm not going to say anything else.

15 CHAIRMAN HOOD: It's much better
16 than I do.

17 COMMISSIONER TURNBULL: I'm not
18 going to say anything else. I'm done.

19 CHAIRMAN HOOD: No, that's no
20 problem. I've been called a lot worse I'm
21 sure.

22 COMMISSIONER TURNBULL: I can't

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1 imagine you as a blond. Well, maybe.

2 CHAIRMAN HOOD: Maybe I should try
3 that.

4 COMMISSIONER TURNBULL: Okay.

5 CHAIRMAN HOOD: Okay. Let's go to
6 Hearing Action. Zoning Commission Case Number
7 11-12, ANC 8B, Map Amendment at Squares 5729
8 and 5729W.

9 Ms. Thomas.

10 MS. THOMAS: Good evening, Mr.
11 Chairman, Members of the Commission. I am
12 Karen Thomas for the Office of Planning.

13 The Office of Planning is
14 recommending that the Commission set down ANC
15 8B's petition to rezone the properties in
16 Squares 5729 and 5729W from the R-5-A District
17 to the R-3 District.

18 The ANC's position is based on
19 complaints about concerns within the Squares
20 as expressed in the petition submission. The
21 proposed amendment is supported by the
22 Comprehensive Plan's Land Use Map, therefore,

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TAB G

From: "LeGrant, Matt (DCRA)" <matthew.legrant@dc.gov>
Subject: RE: Hilton Garden Inn, ZC Order No. 07-21B
Date: February 19, 2014 at 8:44:26 AM EST
To: Sally Blumenthal <salkist2@aol.com>
Cc: "Majett, Nicholas (DCRA)" <nicholas.majett@dc.gov>, "Evans, Jack (COUNCIL)" <JACKEVANS@DCCOUNCIL.US>, Florence Harmon <florencedc@comcast.net>, "Kimbel, Sherri (COUNCIL)" <SKimbel@DCCOUNCIL.US>

Sally Blumenthal-

I apologize for the delay in my response and appreciate your detailed background on this matter. I have previously discussed this issue with Chris Collins, of Holland and Knight, the counsel representing the Hilton Garden Inn, and will re-review Zoning Commission's Order No. 07-21B. Once I conclude my review I will let you know how the Order affects the proposed signage. I expect to conclude my review by the middle of next week.

If you do not hear from me by the close of business February 25th, please email me again.

Best Regards,

Matthew Le Grant

Zoning Administrator
Dept of Consumer and Regulatory Affairs
Government of the District of Columbia
1100 4th St SW - Room 3100
Washington, DC 20024
Phone: 202 442-4652
Email: matt.legrant@dc.gov
Web: <http://dcra.dc.gov/service/zoning-dcra>

From: "LeGrant, Matt (DCRA)" <matthew.legrant@dc.gov>
Subject: RE: Hilton Garden Inn, ZC Order No. 07-21B
Date: February 25, 2014 at 5:26:05 PM EST
To: Sally Blumenthal <salkist2@aol.com>
Cc: "Majett, Nicholas (DCRA)" <nicholas.majett@dc.gov>, "Evans, Jack (COUNCIL)" <JACKEVANS@DCCOUNCIL.US>, Florence Harmon <florencedc@comcast.net>, "Kimbel, Sherri (COUNCIL)" <SKimbel@DCCOUNCIL.US>

Sally Blumenthal-

I wanted to give you an update of my assessment of this matter, but I have not yet concluded my review of Zoning Commission's Order No. 07-21B. I have decided to examine the submitted exhibits and transcript to fully understand the Zoning Commission's intent regarding the proposed signage.

I now expect to conclude my review by the end of this week, February 28th, and I will keep you posted on my determination.

Best Regards,

Matthew Le Grant

Zoning Administrator
Dept of Consumer and Regulatory Affairs
Government of the District of Columbia
1100 4th St SW - Room 3100
Washington, DC 20024
Phone: 202 442-4652
Email: matt.legrant@dc.gov
Web: <http://dcra.dc.gov/service/zoning-dcra>

From: **LeGrant, Matt (DCRA)** matthew.legrant@dc.gov
Subject: RE: Hilton Garden Inn, ZC Order No. 07-21B
Date: February 28, 2014 at 5:22 PM
To: Sally Blumenthal salkist2@aol.com
Cc: Majett, Nicholas (DCRA) nicholas.majett@dc.gov, Evans, Jack (COUNCIL) JACKEVANS@DCCOUNCIL.US, Florence Harmon florencedc@comcast.net, Kimbel, Sherri (COUNCIL) SKimbel@DCCOUNCIL.US

Sally Blumenthal-

I have concluded my review of your February 12, 2014 email in which you expressed concerns over the signage for the Hilton Garden Inn hotel, which was authorized by the Zoning Commission by PUD Order #07-21B. As I may have noted to you I was contacted by Christopher Collins and Kyrus Freeman, both of Holland and Knight, counsel for the hotel about this matter as well. Mr. Freeman met with me in January regarding this issue and following our meeting I wrote him [see attached letter dated 2-10-14] about my determination.

As you noted, Condition A.1 of PUD Order #07-21B addresses certain aspects of the hotel's signage. It states:

The PUD shall be developed in accordance with the architectural plans and elevations prepared by Shalom Baranes Associates, dated October 7, 2011 (Exhibit 24), as supplemented by the plans presented at the public hearing (Exhibit 36) (the "Plans"), as modified by the guidelines, conditions, and standards herein. Notwithstanding the notes on pages A1 and A2 of Exhibit 24, [footnote 2 states: Each note indicated that the location and dimension of the signage was for illustrative purposes only.] but subject to the flexibility allowed under Condition No. 7(e) (discussed at paragraph 43(b) in this Order), the hotel sign shall be above the hotel's entrance on 22nd Street as shown on those pages and that the sign cannot be at a different location or be vertically mounted on the facade of the hotel or illuminated from within.

As I noted in my letter, the Zoning Commission's approval included Exhibit 36 (which is attached to my 2-10-14 letter). That Exhibit shows the not only the sign "...above the hotel's entrance on 22nd Street..." [labeled B], but also a sign on the top of the exterior of the building [labeled B]. Although this reduced copy of Exhibit 36 is a little hard to read, (and I can ask the Office of Zoning for a larger, clearer copy if needed), I conclude that the Zoning Commission's approval did not restrict the Hilton Garden Inn to a single sign that is referred to in Condition 1.A. In fact my examination of the totality of the record allows the hotel to have a total of four signs, one for the ground floor restaurant, and three for the hotel [two at the top and the one sign above the entrance] of which the latter is limited to have the particular characteristics that are referred to in Condition A.1.

Upon receipt of your concern, I re-reviewed by 2-10-14 determination; however I do not see that there is new information that causes me to change my determination. Therefore, I conclude that the present installation of the signs at the top of the hotel building's exterior is not a violation of PUD 07-21B, so no enforcement action is applicable. The hotel entrance sign that is subject to Condition A.1 will be fully subjected to the Zoning Commission's requirements.

Please let m know if you have any further questions.

Best Regards,

Matthew Le Grant

Zoning Administrator
Dept of Consumer and Regulatory Affairs
Government of the District of Columbia
1100 4th St SW - Room 3100
Washington, DC 20024
Phone: 202 442-4652
Email: matt.legrant@dc.gov
Web: <http://dcra.dc.gov/service/zoning-dcra>

Which school will your child call My School? For this coming school year (2014–15), DCPS and participating DC public charter schools will have a single application and lottery. Learn more and apply now at www.MySchoolDC.org. **March 3** is the deadline to apply for PK3 through 8th grade. More info about applying for grades 9-12 [here](#).



PDF

TAB H

Department of Consumer and Regulatory Affairs

Permit Operations Division
941 North Capitol Street NE Room 2100
Washington DC 20002
Tel. (202) 442 - 4589 Fax (202) 442 - 4862



SIGN

SIGN PERMIT

THIS PERMIT IS VALID ONLY FOR THE PREMISES OF THE STATED ADDRESS

PERMIT NO. SG1400204

Issue Date: 03/21/2014

Address of Signage: 2201 M ST NW		Zone:	Ward: 2	Square: 0050	Suffix:	Lot: 0087
Name of Business Owner: Dennis Development Manager		Address of Business Owner: 100 DUNBAR STREET #402		Phone No:		
Name of Business:		Existing Use of Property Transient Lodging (hotel, motel, etc.)		Certificate of Occupancy #:		
Type Of Sign(s): Regular Sign		Material of Sign(s): Alum		Color of Sign(s): Red		
Area (Signs): 48	Width of Business Frontage: 125	Expiration Date:			PERMIT FEE: \$501.60	
Is Sign Electric: No	Type of Electric Sign:	Power:				
Description of Work: Installing three building signs. The two sign that are 11ft 6 are the same measurement as the one at the top.						
Permission is hereby granted to the business owner to erect at the stated business address the approved sign(s), based on the information provided on the submitted application and plans, subject to all laws and regulations applicable thereto. All Construction Done According To The Current Building Codes And Zoning Regulations; As a condition precedent to the issuance of this permit, the owner agrees to conform with all conditions set forth herein, and to perform the work authorized hereby in accordance with the approved application and plans on file with the District Government and in accordance with all applicable laws and regulations of the District of Columbia. The District of Columbia has the right to enter upon the property and to inspect all work authorized by this permit and to require any change in construction which may be necessary to ensure compliance with the permit and with all the applicable regulations of the District of Columbia. Work authorized under this Permit must start within one(1) year of the date appearing on this permit or the permit is automatically void. If work is started, any application for partial refund must be made within six months of the date appearing on this permit.						
Director: Nicholas A. Majett		Permit Clerk: Keith Hawkins		Expiration Date:		
TO REPORT WASTE, FRAUD OR ABUSE BY ANY DC GOVERNMENT OFFICIAL, CALL THE DC INSPECTOR GENERAL AT 1-800-521-1639 FOR CONSTRUCTION INSPECTION INQUIRIES CALL (202) 442-9557 TO SCHEDULE INSPECTIONS PLEASE CALL (202) 442-9557.						



Department of Consumer and Regulatory Affairs

Permit Operations Division

1100 4th Street SW

Washington DC 20024

Tel. (202) 442 - 4589

Fax (202) 442 - 4862

Remittance Source Document

DEPT OF CONSUMER AND REGULATORY AFFAIRS
DATE: 3/21/2014 9:27 AM
OFFICE: DCRA PERM: WPC02-2007
BATCH: 28505 Batch Date: 3/21/2014
CASHIER: 0F142
Trans: 3: 12
DEPARTMENT OF CONSUMER & REGULATORY AFFAIRS
Comment/Document: 01430204
Payment Total: \$473.00
Payment 01430204
1514 CRO (2038) 10001 00050 \$473.00
1/2 Paid/Unpaid 01430204

Date: March 21, 2014

INVOICE

Invoice Number: 1457443

Customer: DENNIS DEVELOPMENT MANAGER

Mailing Address: 100 DUNBAR STREET #402
29306

Address of Work: 2201 M ST NW
Washington, DC 20037

Permit: SG1400204

Type of Permit: Sign

Acct Code:

Fees:

Description:

3012-3012-6030-6710

\$43.00

Manual - Enhancement Permit Fee (Enter Amount)

3012-3038-1000-1914

\$66.00

Electric Sign Permit - Fee

3012-3038-1000-1914

\$364.00

Sign Permit Fee

Invoice Total:

\$473.00

Kelth Hawkins



Department of Consumer and Regulatory Affairs

Permit Operations Division

1100 4th Street SW

Washington DC 20024

Tel. (202) 442 - 4589

Fax (202) 442 - 4862

Remittance Source Document

OFFICE OF FINANCE AND TREASURY

Date: 3/20/2014 10:14 AM

Office: DCRA Term: WFE02-9460

Batch: 26490 Batch Date 3/20/2014

Cashier: TEMP13

Trans #: 7

DEPARTMENT OF CONSUMER & Rcpt: 01440282

Comment/Document: PERMIT SG1400204

Payment Total: \$28.60

Payment Distribution:

1914 CRO (3038) 10001-ops50 \$28.60

VS Tendered: \$28.60

Date: March 20, 2014

INVOICE

Invoice Number: 1457137

Customer: DENNIS DEVELOPMENT MANAGER

Mailing Address: 100 DUNBAR STREET #402
29306

Address of Work: 2201 M ST NW
Washington, DC 20037

Permit: SG1400204

Type of Permit: Sign

Acct Code:

Fees:

Description:

3012-3038-1000-1914

\$2.60

Enhanced Service Fee - Special Sign

3012-3038-1000-1914

\$26.00

Electric Sign Permit - Fee

Invoice Total:

\$28.60

Aaron Easterling



Department of Consumer and Regulatory Affairs

Permit Operations Division

1100 4th Street SW

Washington DC 20024

Tel. (202) 442 - 4589

Fax (202) 442 - 4862

Received:

Plans Application

Date: 3/20/2014

Phone 8647063665

Engineering

Aaron Easterling

Applicant/Agent:

Dennis Development Manager

Job

WT

Job No:

Address of Project:

2201 M ST NW

SG1400204

Existing Use: Transient Lodging (hotel, motel, etc.)

Existing No. of Stories: 10

Proposed Use: Transient Lodging (hotel, motel, etc.)

Prop no of Stories: 10

Permit Type: Sign

SSL: 0050 0087

Description of Work:

Installing three building signs. The two sign that are line 5 are the same measurement as the one at the top.

OK 3/21/14

Required Reviews: (Checked boxes only)	Reviewer:	Completion Time:	Review Status:
☐ Fine Arts:		☐ AM ☐ PM	☐ Approved ☐ HFC ☐ Conf. w/Applicant
☐ Historic:		☐ AM ☐ PM	☐ Approved ☐ HFC ☐ Conf. w/Applicant
☐ Public Space/DDOT:		☐ AM ☐ PM	☐ Approved ☐ HFC ☐ Conf. w/Applicant
☒ Zoning: <i>2A 1st</i>	<i>SA 3/21/14</i>	☒ AM ☐ PM	☒ Approved ☐ HFC ☐ Conf. w/Applicant
☐ Soil Erosion/DDOE:		☐ AM ☐ PM	☐ Approved ☐ HFC ☐ Conf. w/Applicant
☐ DC Water:		☐ AM ☐ PM	☐ Approved ☐ HFC ☐ Conf. w/Applicant
☐ Mechanical:		☐ AM ☐ PM	☐ Approved ☐ HFC ☐ Conf. w/Applicant
☐ Plumbing:		☐ AM ☐ PM	☐ Approved ☐ HFC ☐ Conf. w/Applicant
☐ Health/DOH:		☐ AM ☐ PM	☐ Approved ☐ HFC ☐ Conf. w/Applicant
☒ Electrical: <i>59</i>	<i>MAR 21 2014</i>	☒ AM ☐ PM	☒ Approved ☐ HFC ☐ Conf. w/Applicant
☐ Elevator:		☐ AM ☐ PM	☐ Approved ☐ HFC ☐ Conf. w/Applicant
☐ Fire Protection:		☐ AM ☐ PM	☐ Approved ☐ HFC ☐ Conf. w/Applicant
☒ Structural: <i>03/21/14 my</i>		☒ AM ☐ PM	☒ Approved ☐ HFC ☐ Conf. w/Applicant
☐ Green Review:		☐ AM ☐ PM	☐ Approved ☐ HFC ☐ Conf. w/Applicant
☐ Chinatown Review:		☐ AM ☐ PM	☐ Approved ☐ HFC ☐ Conf. w/Applicant
New/ Addl Cost		Alt/Rpr Cost	Total Cost
\$0.00		\$0.00	\$0.00
Volume of New Bldg, or Addl Cubic ft.			
Alter/Repair FEE	New Const. FEE	Filing FEE	Enhancement FEE
Green FEE:			Total Permit FEE
SOL SIGN			501 60
ROATION			

PRE-FILE NUMBERS		ZONING DISTRICT	FILE NUMBER	PERMIT NUMBER	
N.C.P.C. No:	O.G. No:			SG/400204	
H.P.A. No:	S.S.L. No: 0050 0087	Ward No: 2	Receipt No:	Date:	Receipt No:



DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION PERMIT SERVICE CENTER
dcra.dc.gov



BLRA-33
(Rev.10/2011)

APPLICATION FOR CONSTRUCTION PERMITS ON PRIVATE PROPERTY
(PRINT IN INK OR TYPE, DO NOT WRITE IN SHADED AREAS)

CLEARANCE TO FILE
By _____ Date _____

ERASING, CROSSING OUT, WHITING OUT, OR OTHERWISE ALTERING ANY ENTERED INFORMATION WILL VOID THIS APPLICATION

(A) ALL APPLICANTS MUST COMPLETE ITEMS 1 THRU 32

1 Address of Proposed Work: 2201 M STREET NW		Suite No.	2. Lot 0087	3. Square 0050	4. Application Date 11/14/2013
5 Owner of Building or Property Dennis Development Manager		6 Address (include Zip Code) 100 Dunbar Street #402 29306			7 Phone 864-706-3665
8 Agent for Owner: (if applicable)		9. Address (include Zip Code)			10. Phone

11. Type of Proposed Work (Select only one) ALL APPLICANTS MUST COMPLETE SECTIONS AF AND AI

- | | | | |
|--|---|--|--|
| ☐ New Building(B) | ☐ Awning(G) | ☐ Fire Retardant Paint(O) | ☐ Sheeting and Shoring(X) |
| ☐ Addition(B) | ☒ Sign(H) | ☐ Flag Pole(P) | ☐ Tenant Layout(Y) |
| ☐ Addition Alteration Repair(B) | ☐ After Hours(I) | ☐ Observation Stand(Q) | ☐ Swimming Pool(Z) |
| ☐ Alteration and Repair(B) | ☐ Demolition(J) | ☐ Scaffolding Information (R) | ☐ Special Sign(AA) |
| ☐ Raze Building(C) | ☐ Blasting Operations(K) | ☐ Soil Boring(S) | ☐ Projection(AB) |
| ☐ Retaining Wall(D) | ☐ Christmas Tree Stand(L) | ☐ Tower Crane(T) | ☐ Excavation only (AC) |
| ☐ Fence(E) | ☐ Fireworks Stand(L) | ☐ Foundation Only(U) | ☐ Tent(AD) |
| ☐ Shed(F) | ☐ Exterior Cleaning Information(M) | ☐ Underground Storage Tank(V) | ☐ Antenna (AE) |
| ☐ Garage(F) | ☐ Capacity Placard(N) | ☐ Water And Damp Proofing(W) | ☐ Civil Site Work Only (AH) |

12. Description of Proposed Work

Installing three building signs. The two sign that are line 5 are the same measurement as the one at the top.

13 Existing Use(s) of Building or Property Transient Lodging (hotel, motel, etc.)		14 Ex. No of Stories of Bldg 10	15 Ex. No of Dwelling Units 0	Official Use Only Miscellaneous FEE \$ _____	
16 Proposed Use(s) of Building or Property Transient Lodging (hotel, motel, etc.)		17 Prop. No of Stories of Bldg 10	18 Prop. No of Dwelling Units 0	By: _____	Date: _____
19 Starting Date	20 Completion Date of work	21 Method of Removing Construction Debris ☐ Pick-up Truck ☐ Dumpster ☐ Other (specify)		22 Does the proposed work involve disturbing the earth or razing a building? ☐ Yes, answer q. 23 ☒ No, SKIP q. 23-27	
23. Is the area of disturbed earth more than 50 sq. ft? ☐ Yes, answer q. 24-25 ☐ No, SKIP q. 24-25	24. Soil Erosion Control Methods		25. Area of Offsite Drainage sq. ft	26. No of Footings or Columns	27 Size of Footings or Columns

ALWAYS SIGN THE APPLICATION ON PAGE 8 (SECTION AI)

Complete Section B if the proposed work is **new building, addition or alteration.** (Page 2)
Complete Section C if the proposed work is **razing a building.** (Page 2)
Complete Section D if the proposed work is a **retaining wall.** (Page 2)
Complete Section E if the proposed work is a **fence.** (Page 3)
Complete Section F if the proposed work is a **shed/garage.** (Page 3)
Complete Section G if the proposed work is an **awning.** (Page 3)
Complete Section H if the proposed work is a **sign.** (Page 3)

OFFICIAL USE ONLY					
	R	P	H	A	
M					
P					
E					W ☐ Yes ☐ No
F					PLANS
S					☐ No ☐ Sm ☐ Lg

28. Existing Stories Plus:		29. Proposed Stories Plus:		30. Existing Stories Penthouse: ☐ Yes ☒ No		31. Proposed Stories Penthouse: ☐ Yes ☒ No		32. Is this related to a Stop Work order: ☐ Yes ☒ No	
(B) NEW BUILDING ,ADDITION, & ALTERATION (COMPLETE ITEMS B-1 THRU B-37)									
B-1. Architect's Name:		B-2. D.C. Lic. No.:		B-3. Architect's Address: (include Zip Code)			B-4. Phone:		
B-5. Engineer's Name:		B-6. D.C. Lic. No.:		B-7. Engineer's Address: (include Zip Code)			B-8. Phone:		
B-9. Building Contractor's Name:		B-10. D.C. Lic. No.:		B-11. Contractor's Address:			B-12. Phone:		
B-13. Type of Construction: ☐ Masonry ☐ Steel ☐ Wood ☐ Other ☐ Concrete		B-14. Fire Suppression: ☐ Fully Sprinklered ☐ Partially Sprinklered ☐ Standpipe System ☐ None ☐ Other		B-15. Booster Pump: ☐ New ☐ Existing ☐ None		B-16. Total Lot Area : Sq. ft		B-18. Present Gross Floor Area of Bldg.:	
								B-17. Breakdown of Lot Area (=100%)	
								a. building	
								b. paved area	
								c. greenery	
B-19. Proposed Gross floor Area of Bldg.:		B-20. Length:		B-21. Width:		B-22. Height:		B-23. Floors involved in this permit: ☐ All ☐ Floors	
B-25. Number and type of projection:		B-26. Distance of Projection: ft.		B-27. Width of Projection: Ft.		B-28. Width of Building frontage: Ft.		B-24. Projection beyond building line? ☐ Yes, Answer q. B-23 to B-27 ☐ No. SKIP q. B-23 to B-27	
B-30. Water or Sewer Excavation: ☐ Yes ☐ No		B-31. Driveway Construction: ☐ Yes ☐ No		B-32. Sheeting/Shoring Necessary: ☐ Yes ☐ No		B-33. Elevators Involved: ☐ Yes, Answer B-34. ☐ No		B-34. No. and Type of Elevator:	
								B-35. Plans Certified by Engineer: ☐ Yes, Cert. Attached ☐ No	
B-36. Estimated Cost of Work (a) New/Add.: \$ (b) Alt/Repair \$ Total \$		OFFICIAL USE ONLY							
		Alter/Repair FEE		New Const. FEE		Filing Fee		TOTAL PERMIT FEE	
		\$		\$		\$		\$	
B-37. Volume of New Bldg. or Addition Cubic ft.		By:		Date:		By:		Date:	
(C) RAZING A BUILDING (COMPLETE ITEMS C-1 THRU C-18)									
C-1. Insurance Company:		C-2. Policy or Cert. No.:		C-3. Policy Expiration Date:			C-4. Raze Method:		
C-5. Building Material:		C-6. Raze Entire Building: ☐ Yes ☐ No		C-7. Building is Condemned: ☐ Yes ☐ No		C-8. Building is Vacant: ☐ Yes ☐ No		C-9. Building has Vault: ☐ Yes ☐ No	
								C-10. Disconnect Utilities: ☐ Yes ☐ No	
C-11. Length:		C-12. Width:		C-13. Height:		C-14. Volume:		OFFICIAL USE ONLY	
C-15. Is Building an Accessory Structure: ☐ Yes ☐ No		C-16. Asbestos in the building? ☐ No ☐ Yes, location		C-17. Party Wall: ☐ Yes ☐ No		C-18. Owners Notified: ☐ Yes ☐ No		Fee: \$	
								By:	
								Date:	
(D) RETAINING WALL (COMPLETE ITEMS D-1 to D-6)									
The retaining wall will not obstruct any accessible parking required by D.C. Zoning Regulations									
D-1. Cost of work, \$:		D-2. Material:		D-3. Height:		D-4. Color:		D-5. Location: ☐ Entirely on Owner's Land ☐ Party Line with Adjacent Neighboring Land *	
*If party wall , the owner of the adjoining property must agree to the erection of the retaining wall and this application						OFFICIAL USE ONLY			
D-6. Address of Adjoining Owner:						Fee: \$		By:	
								Date:	

(E) FENCE (COMPLETE ITEMS E-1 THRU E-5)

E-1. Material and Type:	E-2. Height:	E-3. Color:	E-4. Location: ☐ Entirely on Owner's Land ☐ Party Line with Adjacent Neighboring Land*
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*If party fence, the owner of the adjoining property must agree to the erection of the fence and this application

E-5. Address of Adjoining Owner:

(F) SHED OR GARAGE (COMPLETE ITEMS F-1 THRU F-9)

F-1. Number:	F-2. Length: Ft.	F-3. Width: Ft.	F-4. Area: Sq. ft.	F-5. Height: Ft.	F-6. Volume: cu. ft.	OFFICIAL USE ONLY	
F-7. Est. Cost of work: \$						F-8. Material of sides	
F-9. Color:						By:	Date:

(G) AWNING (COMPLETE ITEMS G-1 THRU G-10)

G-1. Number:	G-2. Color:	G-3. Type ☐ Folding ☐ Fixed:	G-4. Projections: Beyond Bldg. Line _____ in. Beyond pt of attachment _____ in.	G-5. Height of Lowest Part of awning: (a) _____ ft Above sidewalk (b) _____ ft Above parking (c) _____ ft Above grade	OFFICIAL USE ONLY	
G-6. Material of Frame:	G-7. Material of Covering:	G-8. Lettering on awning ☐ Yes ☐ No	G-9. Fixed Posts: ☐ Yes ☐ No	G-10. Over Side-Walk café: ☐ Yes ☐ No	Fees: By: _____ Date: _____	

(H) SIGN (COMPLETE ITEMS H-1 THRU H-20)

H-1. Number: 3	H-2. Electric Signs: ☐ Yes, Answer q. H-3 to H-8 ☒ No, SKIP q. H-3 to H-8	H-3. Type: ☐ Incandes ☐ Fluoresc ☐ Neon LED	H-4. Power: 120 VA	H-5. Electrical Contractor: Bausum & Duckett Business License Number: ECC 1245													
H-5. Address of Electrical Contractor: (include zip) 3481 Pike Ridge Rd. PO Box 60 Edgewater MD 21037		H-6. Signature of Licensed Electrician: <i>Thomas P. M. Smith</i>	H-7. Phone No. 410 956 2927	H-8. License No. DMG00113													
H-9. Height relative to building and ground (a) 103.00 ft 0.00 in above sidewalk (b) 106.00 ft 0.00 in above roof (c) 107.00 ft 0.00 in is building height (d) 103.00 ft 0.00 in above projection of Window (e) 103.00 ft 0.00 in from roof to sign's bottom		H-10. Material of Sign: Alum		H-11. Type of Sign: Regular Sign	H-12. Color: Red												
		H-13. Width: 16.00 Ft 214	H-14. Length: 3.00 Ft 20	H-15. Area of Sign: 48.00 Sq. ft 60 80 S.F	H-16. Width of Business frontage: 125.00 Ft												
H-17. C of O No for Bldg.: currently being constructed		H-18. Sign Contractor Name: Talley Sign Company		OFFICIAL USE ONLY													
H-19. Sign Contractor's Address: 1908 Chamberlayne Ave Richmond, VA 23222		H-20. Phone: 804-649-0325		<table border="1"> <tr> <td colspan="2">Sign FEE \$ 390.00</td> <td colspan="2">Elect. FEE \$ 66.00</td> <td colspan="2">Total FEE \$ 501.00</td> </tr> <tr> <td>By: my</td> <td>Date: 3/21/14</td> <td>By: my</td> <td>Date: 3/21/14</td> <td>By: my</td> <td>Date: 3/21/14</td> </tr> </table>		Sign FEE \$ 390.00		Elect. FEE \$ 66.00		Total FEE \$ 501.00		By: my	Date: 3/21/14	By: my	Date: 3/21/14	By: my	Date: 3/21/14
Sign FEE \$ 390.00		Elect. FEE \$ 66.00		Total FEE \$ 501.00													
By: my	Date: 3/21/14	By: my	Date: 3/21/14	By: my	Date: 3/21/14												

130/3 +1

(I) AFTER HOURS (COMPLETE ITEMS I-1 THRU I-8)

I-1. Type of permit:	I-2. Existing Permit No:	I-3. Date of Operation From:	I-4. Date of Operation To:	OFFICIAL USE ONLY	
				Fee:	
I-5. Hours of Operation From:	I-6. Hours of Operation To:	I-7. 500 ft from Residential Zone/Hotel: ☐ Yes ☐ No	I-8. Located in Residential Zone: ☐ Yes ☐ No	By:	Date:

(J) DEMOLITION (COMPLETE ITEMS J-1 THRU J-5)

J-1. Type of Demolition:	J-2. Type of Walls	J-4. Roof Remain: ☐ Yes ☐ No	OFFICIAL USE ONLY	
			Fee:	
J-3. Number of Exterior Walls Removed	J-5. Are Walls Load-Bearing: ☐ Yes ☐ No	By: Date:		

(K) BLASTING OPERATIONS (COMPLETE ITEM K-1)

K-1. Type of structure:	OFFICIAL USE ONLY		
Fee:		By:	Date:

(L) CHRISTMAS TREE STAND OR FIREWORKS STAND (COMPLETE ITEMS L-1 THRU L-10)

L-1. No. of Stands:	L-2. Stand Location:	L-3. Electrical Permit No.:	OFFICIAL USE ONLY	
			Fee:	
L-4. Electrical Use: ☐ Yes ☐ No	L-5. Letter of Authorization: ☐ Yes ☐ No	L-6. Starting Date:	By:	
L-7. Expiration Date:	L-8. Power Requirements:	L-9. Site Plan: ☐ Yes ☐ No	L-10. Surveyors Plat: ☐ Yes ☐ No	Date:

(M) EXTERIOR CLEANING INFORMATION (COMPLETE ITEMS M-1 THRU M-4)

M-1. Exterior Cleaned:	M-2. Material Used:	OFFICIAL USE ONLY	
		Fee:	
M-3. Scaffolding: ☐ Yes ☐ No	M-4. Location of Scaffold:	By:	Date:

(N) CAPACITY PLACARD (COMPLETE ITEMS N-1 THRU N-13)

N-1. Name:	N-2. Max Occupancy Load:	N-3. Location:	N-4. Sprinkler: ☐ Yes ☐ No	N-5. Bathroom Requirements satisfied: ☐ Yes ☐ No	N-6. Exit Requirements Satisfied: ☐ Yes ☐ No	
N-7. Room	N-8. Name of Area	N-9. Floor Location:	N-10. Type of Seating:	N-11. Net Square ft:	N-12. Capacity Use:	N-13. Max Allowable Capacity:
N-7A.	N-8A.	N-9A.	N-10A.	N-11A.	N-12A.	N-13A.
N-7B.	N-8B.	N-9B.	N-10B.	N-11B.	N-12B.	N-13B.
N-7C.	N-8 C.	N-9 C.	N-10 C.	N-11 C.	N-12 C.	N-13C.

OFFICIAL USE ONLY

Fee:	By:	Date:
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(O) FIRE RETARDANT PAINT (COMPLETE ITEMS O-1 THRU O-4)

O-1. Quantity of Paint(Gallons):	O-2. Painted Surfaces:	OFFICIAL USE ONLY	
		Fee:	
O-3. Painted surfaces Location:	O-4. Sq. Footage Painted:	By:	Date:

(P) FLAG POLE (COMPLETE ITEMS P-1 THRU P-5)					
P-1. Pole Location:		P-2. Site Location:		OFFICIAL USE ONLY	
				Fee:	
P-3. Pole Height:	P-4. Projection Distance:	P-5. Attached to Building:	By:	Date:	
		☐ Yes ☐ No			
(Q) OBSERVATION STAND (COMPLETE ITEMS Q-1 THRU Q-5)					
Q-1. Name of Function:		Q-2. Starting Date:		OFFICIAL USE ONLY	
				Fee:	
Q-3. Ending Date:	Q-4. Hours of Use From:	Q-5. Hours of Use To:	By:	Date:	
(R) SCAFFOLDING INFORMATION (COMPLETE ITEMS R-1 THRU R-5)					
R-1. No. of Stories:	R-2. Engineer of Record:	R-4. Location of Scaffold:	OFFICIAL USE ONLY		
			Fee:		
R-3. Building Permit No.:	R-5. Engineer Signature: ☐ Yes ☐ No		By:	Date:	
(S) SOIL BORING (COMPLETE ITEMS S-1 THRU S-3)					
S-1. No. of Bores:	S-2. Location of Bores:	S-3. Site Plan: ☐ Yes ☐ No	OFFICIAL USE ONLY		
			Fee:	By:	Date:
(T) TOWER CRANE (COMPLETE ITEMS T-1 THRU T-5)					
T-1. Crane Location:	T-3. Duration Date From:	T-4. Duration Date To:	OFFICIAL USE ONLY		
			Fee:		
	T-2. Crane Pad Approved: ☐ Yes ☐ No	T-5. Site Plan: ☐ Yes ☐ No	By:	Date:	
(U) FOUNDATION ONLY (COMPLETE ITEMS U-1 THRU U-5)					
U-1. Type of Foundation	U-5. Total Cubic Feet:	OFFICIAL USE ONLY			
		Fee:			
U-2. Removal of Trees: ☐ Yes ☐ No	U-3. Underpinning Required: ☐ Yes ☐ No	U-4. Required Notification to Adjacent Property Owner: ☐ Yes ☐ No	By:	Date:	
(V) UNDER GROUND STORAGE TANK (COMPLETE ITEMS V-1 THRU V-2)					
V-1. Size of Tank:	Gallons		OFFICIAL USE ONLY		
V-2. Location of Tank:	Fee:	By:	Date:		
(W) WATER AND DAMP PROOFING (COMPLETE ITEMS W-1 THRU W-2)					
W-1. Sq feet Affected:	OFFICIAL USE ONLY				
W-2. Location:	Fee:	By:	Date:		

(X) SHEETING AND SHORING (COMPLETE ITEMS X-1 THRU X-7)

X-1. Removal of Trees: ☐ Yes ☐ No	X-2. Underpinning Required: ☐ Yes ☐ No	X-3. Required Notification to adjacent property owner: ☐ Yes ☐ No	OFFICIAL USE ONLY	
			Fee:	
X-4. Tiebacks: ☐ Yes ☐ No	X-5. DC Surveyors Plat Submitted: ☐ Yes ☐ No	X-6. Plans Certified by D.C. Licensed Engineer: ☐ Yes ☐ No	X-7. No. of Cubic ft Removed:	Date:

(Y) TENANT LAYOUT (COMPLETE ITEMS Y-1 THRU Y-3)

Y-1. First Occupant in Space: ☐ Yes ☐ No	Y-3. Type of Tenant Layout:	OFFICIAL USE ONLY	
		Fee:	
Y-2. Floor Location of Tenant Layout:		By:	Date:

(Z) SWIMMING POOL (COMPLETE ITEMS Z-1 THRU Z-12)

Z-1. Type of Swimming Pool:	Z-3. Fence: ☐ Yes ☐ No	Z-5. Pool Cover: ☐ Yes ☐ No	Z-6. D.C. Surveyor's Plat Submitted: ☐ Yes ☐ No	Z-9. Pool Type:	OFFICIAL USE ONLY		
					Fee:		
Z-2. No. of Gallons:	Z-4. Height of Fence:	Z-7. Depth of Pool at High End:	Z-8. Depth of Pool at Lower End:	Z-10. Length:	Z-11. Width:	Z-12. Area:	
						By:	Date:

(AA) SPECIAL SIGN (COMPLETE ITEMS AA-1 THRU AA-11)

AA-1. Application Change of Special Sign Artwork and copy:	AA-2. Existing Permit No.:	AA-5. Is the Applicant Seeking a "Temporary Permit":	AA-6. Face Direction of the Wall at St Frontage
AA-3. Is the Proposed Special Sign Located in a Residential Zoned Area: ☐ Yes ☐ No	AA-4. Is the Proposed Special Sign Wall Part of a Historic Building or a Historic District: ☐ Yes ☐ No	AA-7. Has the Applicant Completed an Affidavit that is in Compliance with the D.C. "Clean Hands Act": ☐ Yes ☐ No	OFFICIAL USE ONLY
			Fee:
AA-8. Is the Applicant Registered with the District of Columbia Office of Tax and Revenue: ☐ Yes ☐ No	AA-9. Does the Applicant have a Valid D.C. Certificate of Good Standing: ☐ Yes ☐ No	AA-10. Proposed Dimensions of the Special Sign (Width):	AA-11. Proposed Dimensions of the Special Sign (Height):
		By:	Date:

(AB) PROJECTION (COMPLETE ITEMS AB-1 THRU AB-12)

AB-1. Type of Projection:	AB-2. Is Projection Beyond Building Line: ☐ Yes ☐ No	AB-3. Number of Projections:	AB-4. Distance of Projection:	OFFICIAL USE ONLY	
				Fee:	
AB-5. Width of Projection	AB-6. Width of Building Frontage:	AB-7. Signature of owner: ☐ Yes ☐ No	AB-8. Street Name:	By:	Date:
AB-9. Street Width: Ft.	AB-10. Road Width: Ft.	AB-11. Sidewalk Width: Ft.	AB-12. Parking Restrictions:		

(AC) EXCAVATION ONLY (COMPLETE ITEM AC-1)

AC-1. No. of Cubic Feet Removed:	OFFICIAL USE ONLY		
	Fee:	By:	Date:

(AD) TENT (COMPLETE ITEMS AD-1 THRU AD-9)

AD-1. Total No. of Tents:	AD-2. Event Date From:	AD-3. Event Date To:	AD-4. Special Event Name:	AD-5. Certificate of Flame Resistance: ☐ Yes ☐ No	AD-6. Site Plan: ☐ Yes ☐ No
AD-7. Number of Tents:	AD-8. Length of Tent:	AD-9. Width of Tent:	OFFICIAL USE ONLY		
AD-7A.	AD-8A.	AD-9A.	Fee:	By:	Date:
AD-7B.	AD-8B.	AD-9B.			
AD-7C.	AD-8C.	AD-9C.			

(AE) ANTENNA (COMPLETE ITEMS AE-1 THRU AE-20)

AE-1. Type of Antenna Proposed:	AE-2. Number of Existing Antennas on Site:	AE-3. Number of Proposed Antennas on Site:	AE-4. Replacement Antenna: ☐ Yes ☐ No	AE-5. Mount Type:	AE-6. Accessory Equipment Location:
AE-7. Existing and/or Proposed Equipment Cabinet Height:	AE-8. Existing and/or Proposed Equipment Platform Height:	AE-9. Existing and/or Screening Provided Height:	AE-10 Height of Building from the Grade to Roof:	OFFICIAL USE ONLY	
				Fee:	
AE-11. Height of Building from the curb to Roof:	AE-12. Height of Proposed Antennas from the Grade to Roof:	AE-13. Height of Proposed Antennas from the Curb to Roof:	AE-14. Fully Mounted height of all Antennas and Equipment from the Roof and /or Parapet:	By:	Date:
AE-15. Office of Planning Recommendation Letter: ☐ Yes ☐ No	AE-16. Radio Frequency Letter: ☐ Yes ☐ No	AE-17. Scaled D.C. Surveyor's Plats: ☐ Yes ☐ No	AE-18. Scaled Plans Elevations and the Sheet Location within the Plans: ☐ Yes ☐ No	AE-19. Structural Certification: ☐ Yes ☐ No	AE-20. Screening Provided: ☐ Yes ☐ No

(AF) LEAD ABATEMENT (COMPLETE ITEMS AF-1 THRU AF-2)

AF-1. Was the structure Built before 1978: ☐ Yes ☒ No	AF-2. Removing more than 2 Sq Ft. of Lead Paint: ☐ Yes ☒ No	OFFICIAL USE ONLY	
		Fee:	By: Date:

(AG) GREEN BUILDING (COMPLETE ITEMS AG-1 THRU AG-13)

AG-1. Green Building: ☐ Yes ☐ No	AG-2. LEED Certificate Level:	AG-3. Owner:	AG-4. Scope of Project:	AG-5. Project Type:
AG-6. Green Building Standards:	AG-7. Other Standard:		AG-8. Energy Star Rating:	AG-9. Total Area for Green Building Fee:
AG-11. LEED Scorecard Provided: ☐ Yes ☐ No	AG-12. Green Communities Check List: ☐ Yes ☐ No	AG-13. Public Financing greater than 15%: ☐ Yes ☐ No	OFFICIAL USE ONLY	
			Fee:	By: Date:
AG-10. Green Design Elements:				
☐ Cool Roof ☐ Energy Efficient HVAC System ☐ Energy Efficient Lighting ☐ Green Roof ☐ Greywater ☐ Geothermal System ☐ Hazard Reducing Product ☐ Hydro Power ☐ Low Emitting Windows ☐ Low Flush Toilets ☐ Low Flow Shower Heads ☐ Local Regional Building Materials ☐ Passive Solar Energy ☐ Permeable Concrete ☐ Plant Building Material ☐ Recycled Building Materials ☐ Wind Power Energy				

(AH) CIVIL SITE WORK ONLY

AH-1. Applicant's First Name:	AH-2. Applicant's Last Name:	AH-3. Applicant's Organization Name:	AH-4. Applicant's Street Address:	
AH-5. Applicant's Suite or Unit:	AH-6. Applicant's City:	AH-7. Applicant's State:	AH-8. Applicant's Zip Code:	AH-9. Applicant's Phone:
AH-10. Applicant's Email:	AH-11. Is Lot(s) Vacant ? ☐ Yes ☐ No	AH-12. Contractor's Information Available: ☐ Yes ☐ No		AH-13. Contractor's First Name:
AH-14. Contractor's Last Name:	AH-15. Contractor's Organization Name:	AH-16. Contractor's Street Address:	AH-17. Contractor's Suite or Unit:	
AH-18. Contractor's City:	AH-19. Contractor's State:	AH-20. Contractor's Zip Code:	OFFICIAL USE ONLY	
			Fee:	
AH-21. Contractor's Phone:	AH-22. Contractor's Email:		By:	Date:

(AI) APPLICANT'S SIGNATURE

- A. OWNER: I hereby certify that I am the owner of the property, that the application and plans are complete and correct to the best of my knowledge, that if a permit (or permits) is issued, the construction will conform to the D.C. Construction Codes, the Zoning Regulations, and other applicable laws and regulations of the District of Columbia.

Signature of Owner _____ Address _____ Date _____

- B. AGENT: I hereby certify that I have the authority of the owner to make this application. I declare that the application and plans are complete and correct to the best of my knowledge. The owner has assured me that if a permit (or Permits) is issued, the construction will conform to the D.C. Construction Codes, the Zoning Regulations, and other applicable laws and regulations of the District of Columbia

Signature of Agent Mely Sabina Address 1908 Charlotte Street NW, Apt 2 3222 Date 3/20/14

(AJ) APPROVALS (DO NOT WRITE ON THIS PAGE; OFFICIAL USE ONLY):

A. PERMIT CONTROL

☐	1. Fine Arts by: _____	Date: _____
☐	2. Historic by: _____	Date: _____
☐	3. Cap. Gateway by: _____	Date: _____
☐	4. NCPC: _____	Date: _____
☐	5. W.H./Obs. Precinct by: _____	Date: _____
☐	6. Flood Control by: _____	Date: _____
☐	7. WMATA by: _____	Date: _____
☐	8. Condem. by: _____	Date: _____
☐	9. Rental Accom. by: _____	Date: _____
☐	10. Chinatown Distr. by: _____	Date: _____
☐	11. Utility Clearance by: _____	Date: _____
☐	12. General Liability Ins. Policy Clearance by: _____	Date: _____

B. CLEARANCE TO FILE PLANS

☐	1. Zoning by: _____	Date: _____
☐	2. DDOT – Permit and Records Division Access to Parking Street ☐ Street ☐ Alley Cleared by: _____	Date: _____
☐	3. DDOT – Consumer Engineer Cleared by: _____	Date: _____
☐	4. ERA – Erosion Control Cleared by: _____	Date: _____

Restrictions of the Permit:

**TO REPORT WASTE, FRAUD,
OR ABUSE BY ANY D.C. GOVERNMENT
OFFICIAL, CALL THE D.C. INSPECTOR
GENERAL AT 1-800-521-1639**

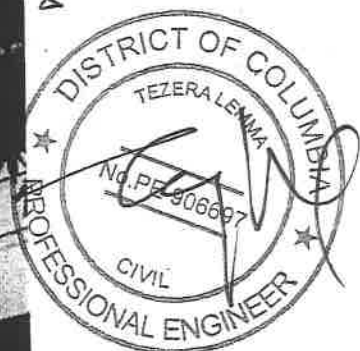
C. PLANS AND APPLICATION APPROVAL

☐	1. Information Counter by: _____	Date: _____
☐	2. Information Center by: _____	Date: _____
☐	(a) ABRA by: _____	Date: _____
☐	(b) Noise Control by: _____	Date: _____
☐	(c) Industrial Safety by: _____	Date: _____
☐	(d) Vector Control by: _____	Date: _____
☐	(e) D.C. Animal by: _____	Date: _____
☐	(f) Police Dept. by: _____	Date: <u>5/21/11</u>
☐	3. Zoning by: _____	Date: _____
	Zoning Update by: _____	Date: _____
	Zoning Overlay approval by: _____	Date: _____
☐	4. DDOT – Permit and Records Division/Deposit # Sidewalk Deposit \$ _____ Driveway Deposit \$ _____ by: _____	Date: _____
☐	5. Water/Sewer Design Branch Consumer Eng. by: _____	Date: _____
☐	6. Environmental Regulation Administration ☐ Environmental Policy Review Control No. _____ by: _____	Date: _____
	☐ Erosion Control by: _____	Date: _____
	☐ Storm Water Mgmt. by: _____	Date: _____
	Plan No. _____	
☐	Air Quality by: _____	Date: _____
☐	Underground Storage by: _____	Date: _____
☐	7. Mechanical Eng. Review by: _____	Date: _____
☐	8. Plumbing Eng. Review by: _____	Date: _____
☐	9. Electrical Eng. Review by: <u>SAW</u>	Date: <u>MAR 21 2011</u>
☐	10. Health Plan Review ☐ (a) Food Plan Review by: _____ ☐ (b) Medical X-Ray Plan Rev. by: _____	Date: _____
☐	11. Fire Protection Plan Review by: _____	Date: _____
☐	12. D.C. Fire Dept. (Fire Prevention Plan Review Section) by: _____	Date: _____
☐	13. Elevator Plan Rev. Sec. by: _____	Date: _____
☐	14. Plumbing Insp Rev. by: _____	Date: _____
☐	15. Construction Insp. Branch (Field Check) by: _____	Date: _____
☐	16. Historic Pres. Div. by: _____	Date: _____
☐	17. EISF: _____	Date: _____
☒	18. Structural Eng. by: <u>FE</u>	Date: <u>03/21/11</u>
☐	19. Permit and Certificate Issuance Counter by: _____	Date: _____
☐	20. QC By: _____	Date: _____

TO REPORT WASTE, FRAUD,
OR ABUSE BY ANY D.C. GOVERNMENT
OFFICIAL, CALL THE D.C. INSPECTOR
GENERAL AT 1-800-521-1639



Pub 07-125
 DISTRICT OF THE ZONING
 ADMINISTRATION COMPLIES
 WITH ALL REGULATIONS OF
 DC ZONING REGULATIONS (UDCMR)
 3-21-14
 Z.A. Lott
 3/26/12



LINE 5
 DISTRICT OF COLUMBIA
 PERMIT OPERATIONS DIVISION
 TURAL WORK IN GENERAL
 VED SUBJECT TO THE
 ER APPROVAL OF CONSTRUCTION
 BIHON DeBESSAI
 Structural Engr. Section
 MAR 20 2014

CLIENT APPROVAL

AUTHORIZED SIGNATURE DATE

LAURETANO
 SIGN GROUP

1 Tremco Drive Terryville, CT 06786
 phone: 860.582.0233 fax: 860.583.0949
 signs@lauretano.com www.lauretano.com

Print History	Date	Description	Title	Sign Type
4400BE	9/30/13		Hilton Garden Inn	Canopy Signs
			City/State	Location
			Washington, D.C.	South & East Elevations
			Customer	Size
			OTO Development	4' 2.875" x 20' 0" (84.8 sq ft)
			Acct Exec.	Description
			AC	Canopy Signs
			Quote	
			23849	
			Line	
			5	

 Hilton Garden Inn

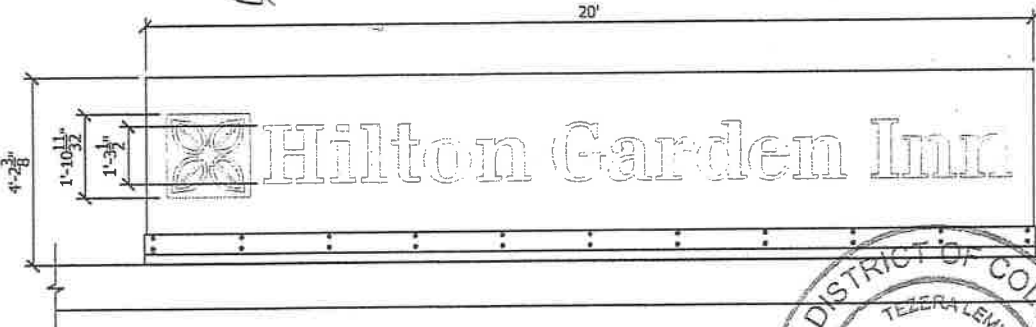
CAFE DELUXE

MATTE FINISH ON MATERIAL
BRUSHED FINISH ON STAINLESS
LETTERING TO BE DONE WITH BODINY BE FONT
IN PMS201 RED

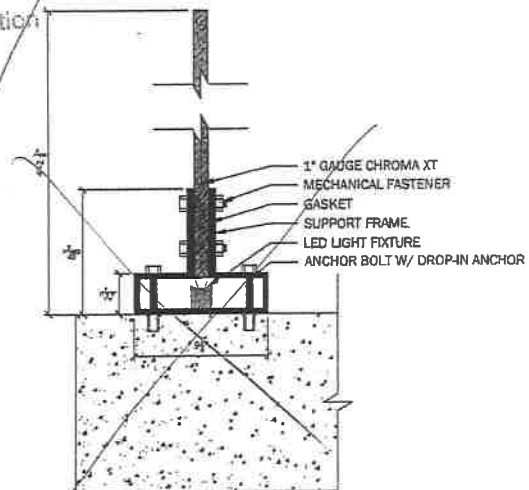
DISTRICT OF COLUMBIA
PERMIT OPERATIONS DIVISION
STRUCTURAL WORK IN GENERAL
APPROVED SUBJECT TO THE
APPROVAL OF CONSTRUCTION
BIHON DeBESSAI
Structural Engr. Section

Date

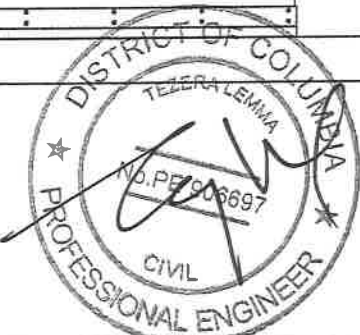
MAR 20 2014



2 ELEVATION
scale: 1/4" = 1'



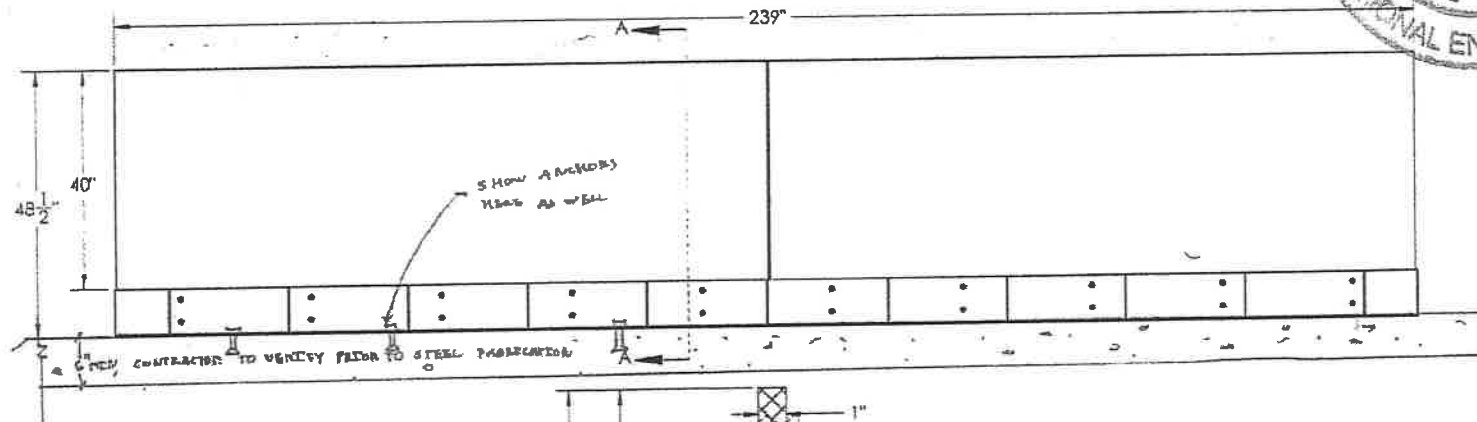
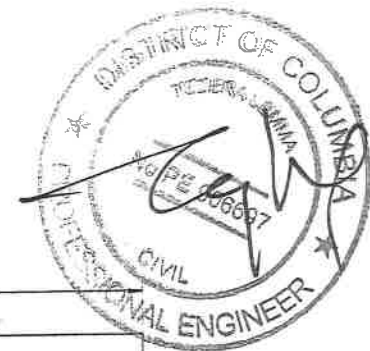
1 SECTION
scale: 1" = 1'



N.B. SUPPORT AGAINST THE WALL

LAURETANO
SIGN GROUP

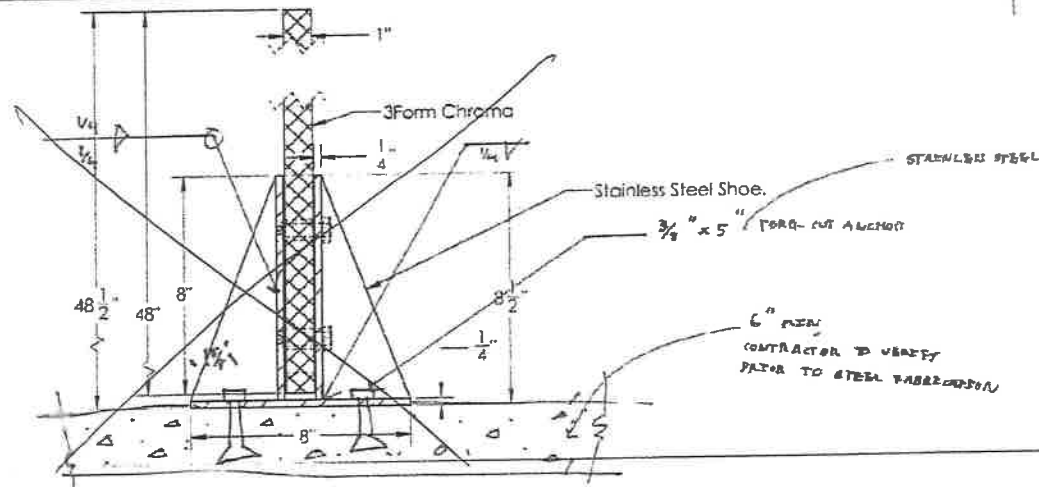
1 Tremco Drive Terryville, CT 06786
phone: 860.582.0233 fax: 860.583.0949
signs@lauretano.com www.lauretano.com



DISTRICT OF COLUMBIA
PERMIT OPERATIONS DIVISION
STRUCTURAL WORK IN GENERAL
APPROVED SUBJECT TO THE
FURTHER APPROVAL OF CONSTRUCTION
BIHON DeBESSA
Structural Eng. Section

Date

MAR 20 2014



N.B

CONNECTED TO THE BUILDING WALL

LAURETANO
SIGN GROUP

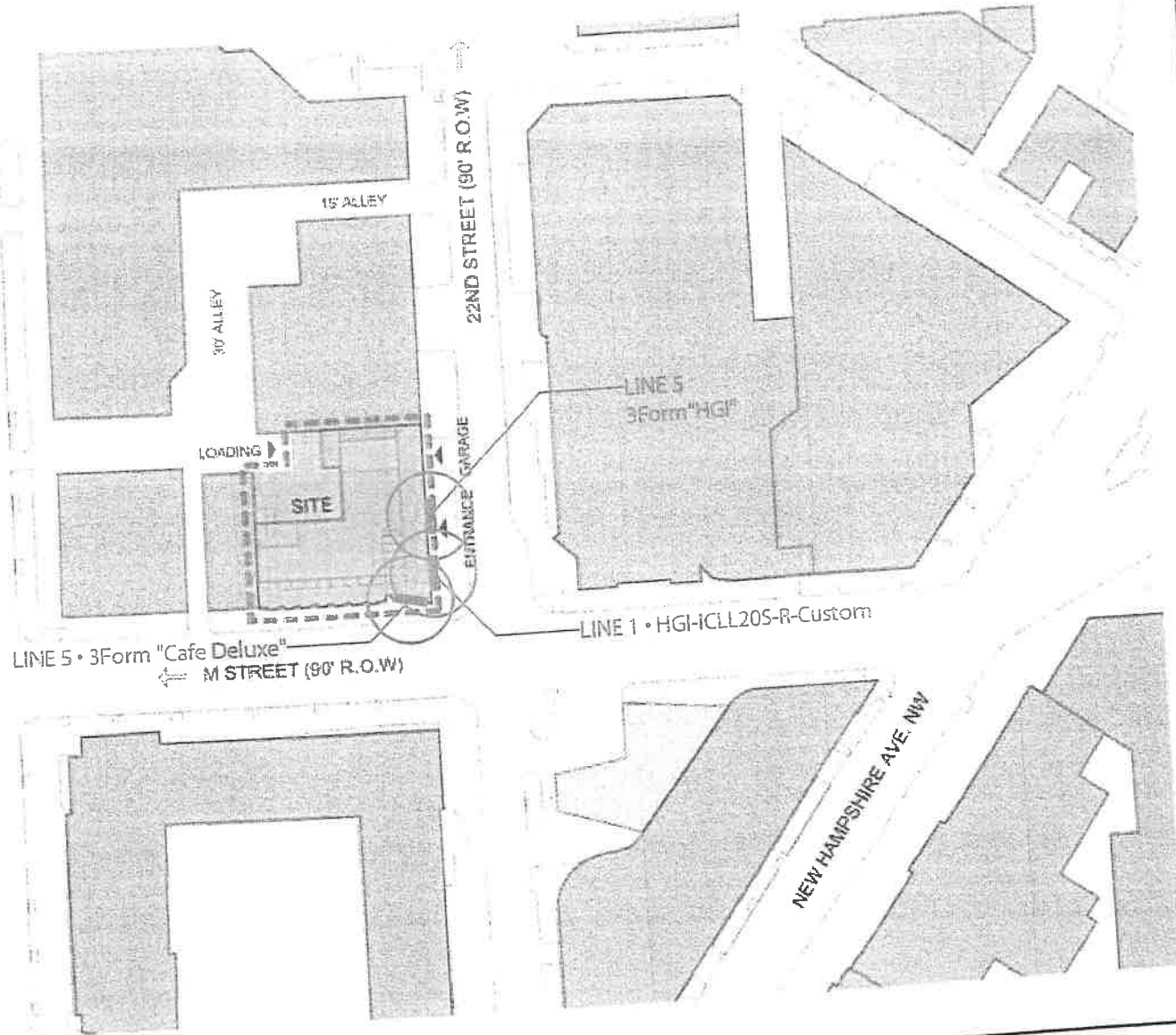
1 Tremco Drive Terryville, CT 06786
phone: 860.582.0233 fax: 860.583.0949
signs@lauretano.com www.lauretano.com

Print 4400BE	Quote 23849	
Date 9/30/13	Line 5	

3 of 11 This drawing contains original elements created by Lauretano Sign Group, Inc., and is subject to all applicable copyright laws. It is also the property of Lauretano Sign Group, Inc., and it is intended for your review and approval purposes only. This drawing is not to be reproduced, copied, transmitted by electronic media, or exhibited in any fashion or shown to anyone outside your organization without the expressed written consent of Lauretano Sign Group, Inc. This design remains the property of Lauretano Sign Group, Inc. and may not be used in any way until full payment is received by Lauretano Sign Group, Inc.



Site Plan - NTS



Print History	Date	Description	Title	
4401BE	9/30/13		Hilton Garden Inn	
			Wahington, D.C.	
			Customer	OTO Development
			Acct Exec.	AC
			Quote	23849

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LOGO CABINET



RES 2"x1/2" TYP
(3 TOP, 3 BOTTOM)

Angle runs length of backer panel

Clear push-thru 1/2" acrylic with 1/16" shoulder

HP white PSV w/ blockout first surface

White Lexan stud mounted to face

Ref pg 3 for material details

1/8" cut thru aluminum face

1/8" alum. face and return

2" x 2" alum. tube frame

2" x 2" shoe and angle

Logo halos out sides

6" x 6" x 3/8" steel tube

All steel to be Galv.
Scale: 1/8"=1"

NOTE
Threaded rod to be
welded in place by others.

RES 8"x8"x1/2"
W/ 4-3/4" STUD
(3 PLACES)
Power supply in backer panel

RES 8"x12"x1/2"
W/ 4-3/4" STUD
x5

Traded structural knife blade to
RES 8"x12"x1/2"
W/ 2-3/4" x 1/4" x 1/4"

ON SPECIFICATION, ALL MATERIALS
FOR THIS PROJECT
FURNISHED BY OTHERS
SEALANT AT PENETRATIONS
FURNISHED BY OTHERS
WALL FASTENERS
REF. 5.5.1 FOR DETAILS
ALL TERRAZZO, ANCHORAGE
FASTENERS, AND PORTLAND
CEMENT SHALL BE
FURNISHED BY OTHERS
SUBSTRATE, REF. 5.5.1 FOR
EXACT CONDITIONS
FURNISHED BY OTHERS
2" THERMAL INSULATOR FOR
SPEC. FURNISHED BY OTHERS
HORIZONTAL SUBSTRUCTURE
REF. 5.5.1 FOR DETAILS
FURNISHED BY OTHERS
HORIZONTAL FASTENERS
REF. 5.5.1 FOR DETAILS
FURNISHED BY OTHERS
WALL FASTENERS
REF. 5.5.1 FOR DETAILS
FURNISHED BY OTHERS

NOTES

Fill void w/ caulk
after installation

UPDATED MOUNTING
SYSTEM TO BE SUPPLIED
BY CLIENT.
ENGINEERING BY OTHERS.

Note: For preliminary design purposes only.
Accurate field survey and dimension verification
required before beginning construction.

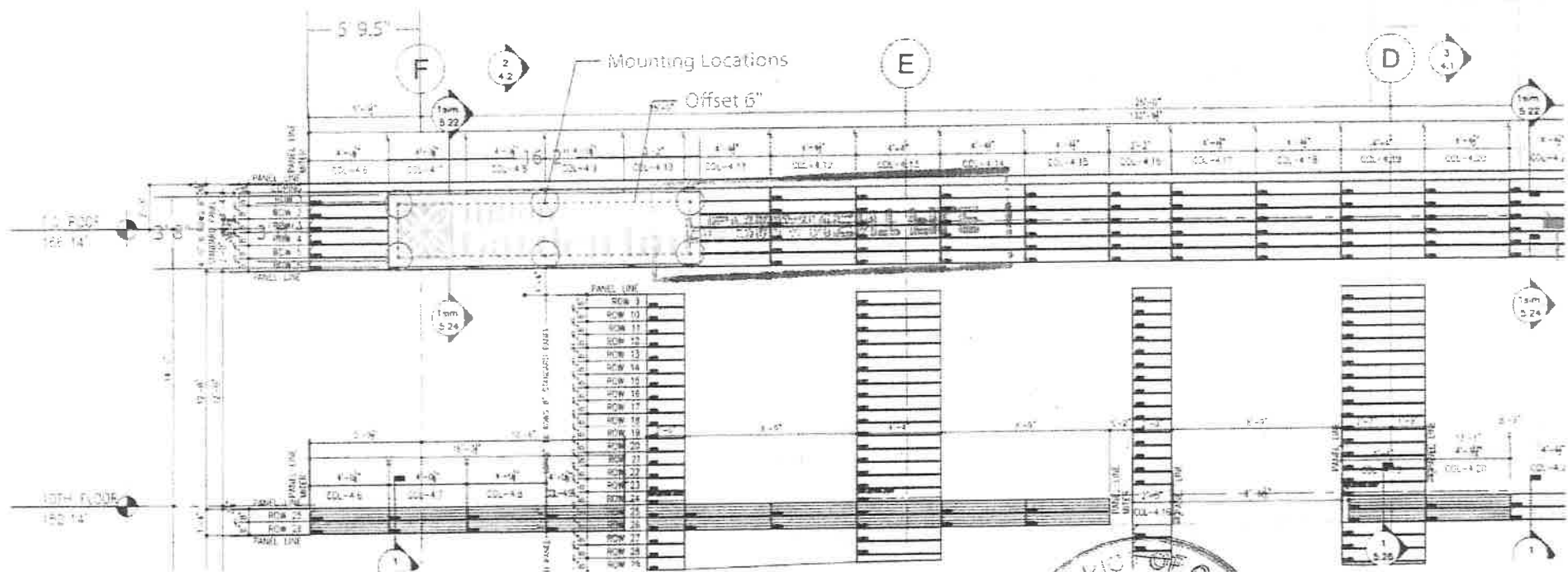
TECHNICAL PAGE

Print 2971BR-2 Quote 23849
Date 5/23/13 Line 1

UL FILE NO. E70436

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phone: 860.582.0233 fax: 860.583.0949
signs@lauretano.com www.lauretano.com



Scale: 1/8"=1'

DISTRICT OF COLUMBIA
 PERMIT OPERATIONS DIVISION
 STRUCTURAL WORK IN GENERAL
 APPROVED SUBJECT TO THE
 APPROVAL OF CONSTRUCTION
 BIHON DeBESSAI
 Structural Engr. Section
 MAR 20 2014



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TECHNICAL PAGE

UL FILE NO. E70436

Print 2971BE-6	Quote 23849
Date 2/6/14	Line 1

TAB I

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission for the District of Columbia
Zoning Commission Order No. 06-11K/06-12K
Z.C. Case No. 06-11K/06-12K
The George Washington University
(Minor Modification to the Approved Planned Unit Development for the
Milken Institute School of Public Health @ Square 39, Lot 4)
April 15, 2014

Pursuant to notice, a public meeting of the Zoning Commission for the District of Columbia ("Commission") was held on April 15, 2014. At the meeting, the Commission approved an application of The George Washington University ("Applicant") for a minor modification to the approved plans for the property consisting of Lot 4 in Square 39 ("Property"), which is within the boundaries of the 2007 Foggy Bottom Campus Plan and First-Stage Planned Unit Development ("Campus Plan / PUD"). Because the modification was deemed minor, a public hearing was not conducted. The Commission determined that this modification request was properly before it under § 3030 of the Zoning Regulations.

FINDINGS OF FACT

By Z.C. Order No. 06-11C/06-12C, dated July 25, 2011, ("Order"), the Commission approved the design for the construction of a new seven-story academic and administrative building on the Property as a new school of public health ("Project").

In this proceeding, the Applicant requested minor changes to the approved plans to incorporate a new sign on the upper portion of the Project. The purpose of the sign is to recognize milestone gifts received by the University that will support public health research and student scholarships through activities in the Project. The proposed changes do not impact the overall design that was originally approved by the Commission. Rather, they are minor changes that are consistent with the purposes and intent of the original approval.

The Applicant served the minor modification request on Advisory Neighborhood Commission ("ANC") 2A as well as the Office of Planning ("OP"). OP recommended approval of the modification.

On April 15, 2014, at its regular monthly meeting, the Commission reviewed the application as a Consent Calendar matter and granted approval of the application for minor modification to the approved plans.

441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001

Telephone: (202) 727-6311

Facsimile: (202) 727-6072

E-Mail: dcoz@dc.gov

Web Site: www.dcoz.dc.gov

The Commission finds that the requested modification is of little consequence to the approved design as a whole, and further finds that approval of the modification is appropriate and not inconsistent with its original approval.

CONCLUSIONS OF LAW

Upon consideration of the record in this application, the Commission concludes that the proposed modification is minor and consistent with the intent of the previously approved Z.C. Order No. 06-11C/06-12C. Furthermore, the Commission concludes that its decision is in the best interest of the District of Columbia and is consistent with the intent and purpose of the Zoning Regulations, and is not inconsistent with the Comprehensive Plan.

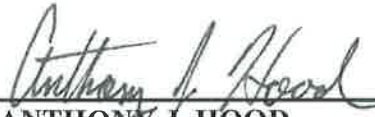
The Commission also concludes that the modification is of little or no consequence, and is therefore appropriate for consideration on the Consent Calendar, without a public hearing. (11 DCMR § 3030.2.)

DECISION

In consideration of the Findings of Fact and Conclusions of Law herein, the Zoning Commission for the District of Columbia hereby **ORDERS APPROVAL** of the application for a minor modification of approved plans to allow the modification as shown on the plans included with the application. All other provisions and conditions of Z.C. Order No. 06-11C/06-12C shall remain in effect.

On April 15, 2014, upon the motion of Chairman Hood, as seconded by Commissioner May, the Commission **ADOPTED** this Order at its public meeting by a vote of **5-0-0** (Anthony J. Hood, Marcie I. Cohen, Robert E. Miller, Michael G. Turnbull, and Peter G. May to adopt).

In accordance with the provisions of 11 DCMR § 3028.8, this Order shall become final and effective upon publication in the *D.C. Register*, that is, on August 1, 2014.



ANTHONY J. HOOD
CHAIRMAN
ZONING COMMISSION



SARA A. BARDIN
DIRECTOR
OFFICE OF ZONING

(Revised 1/1/11)

Case No. _____



**BEFORE THE ZONING COMMISSION
OF THE DISTRICT OF COLUMBIA**



**FORM 105 - APPLICATION FOR MODIFICATION OF A PREVIOUSLY APPROVED
PLANNED UNIT DEVELOPMENT (PUD)**

**Before completing this form, please review the instructions on the reverse side.
Print or type all information unless otherwise indicated.**

In accordance with the provisions of Chapter 24 of Title 11 DCMR – Zoning Regulations, request is hereby made for a modification to a previously approved PUD, details of which are as follows:

Total Area of the Site in Square Feet: 21,457 s.f.

Total Area of the Site in Acres: 0.5 ac

Square No.

Lot No.

Square Feet

Date PUD was Approved:

July 25, 2011

39

4

21,457 s.f.

ZC Case/Order No.:

06-11C/06-12C

Concurrent change of zoning (circle one):
(If yes, please complete a Form 101 Application/Petition to Amend the Zoning Map)

Single-Member Advisory Neighborhood Commission District(s):

ANC 2A

If applicable, Historic District(s) in which site is located:

Address or boundary description of the premises:

950 New Hampshire Avenue NW

Previous zoning (ZC and/or BZA) actions, including Order No.(s), affecting the above properties:

Z.C. No. 06-11/06-12 (First-Stage PUD and Campus Plan Approval)

Z.C. No. 06-11C/06-12C (Second-Stage PUD and Further Processing)

Brief description of proposal:

Minor modification to add a new donor sign to the upper portion of the

Project

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both.
(D.C. Official Code § 22 2405)

Owner's Signature:

David Avitabile

Date:

3/27/2014

Owner's Name:

David Avitabile on behalf of the George Washington University

Person(s) to be notified of all actions:

Name:

David Avitabile

Address:

Goulston & Storrs, 1999 K Street NW, 5th Floor, Washington DC

Zip Code:

20006

Phone No(s):

202-721-1137

E-Mail:

davitabile@goulstonstorrs.com

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

March 27, 2014

VIA ELECTRONIC FILING

Mr. Anthony Hood, Chairman
Zoning Commission
441 4th Street, NW, Suite 210
Washington, DC 20001

Re: **Z.C. Case No. 06-11C/06-12C – Square 39**
Minor Modification Request

Dear Chairman Hood and Members of the Commission:

Enclosed please find an application for minor modification of the approved plans for the Milken Institute School of Public Health at the George Washington University (Milken Institute SPH) located in Square 39. The proposed change does not seek to modify the Project's height, density, use, mix, or other benchmark zoning parameters.

Background

The Property is located in Square 39 and is bounded by Washington Circle, New Hampshire Avenue, and 24th Street NW. On July 25, 2011, the Zoning Commission approved second-stage PUD to permit the construction of a new seven-story academic and administrative building on the Property for the University's Milken Institute SPH ("Project"). The Commission's Order approving the Project is attached as Exhibit A.

The design of the approved Project included proposed signage on the ground floor of the Project as well as flexibility to vary the size, location and other features of building signage, provided such signage is consistent with the locations and dimensions illustrated on the approved plans.

Summary of Minor Modification

On March 11, 2014, the University announced that it had received \$80 million to support public health research and student scholarships through gifts from the Milken Institute, the Sumner M. Redstone Charitable Foundation and the Milken Family Foundation. These gifts will support efforts to tackle the world's public health challenges, focusing on prevention of disease

and promotion of wellness. The school will also establish the Sumner M. Redstone Global Center for Prevention and Wellness.

In recognition of this milestone gift, the university now requests approval to add a new sign to the upper portion of the Project, as shown on Exhibit B. For the Commission's convenience, the change to the east elevation has been printed side-by-side with the original approved east elevation. Photographs illustrating the location of the sign are also included in Exhibit B. The sign will be a metal panel flush with the building face, with modest LED lighting providing illumination from behind the panel, as shown on the photographs included in Exhibit B. Although building signage is typically governed by the Building Code, not the Zoning Regulations, the proposed sign modifies the exterior design of the Project and the University therefore seeks the Commission's approval of this modification.

Conclusion

The modification does not affect the overall height, mass, bulk, or design that was approved by the Commission. Rather, it is a minor change to accommodate and recognize a landmark gift that will promote public health and wellness both in the District and beyond.

The Applicant has consulted with the D.C. Office of Planning, the Campus Plan Advisory Committee, and Advisory Neighborhood Commission 2A regarding the proposed modification. At a public meeting on March 19, 2014, ANC 2A adopted a resolution with no objection to the request.

Please contact Dave at (202) 721-1137 with any questions.

Sincerely,



David Avitabile

Attachments

cc: Charles Barber / Alicia Knight

CERTIFICATE OF SERVICE

On March 27, 2014, I caused a copy of the foregoing letter and enclosure to be delivered by hand, electronic mail, or by U.S. Mail to the following:

Paul Goldstein
D.C. Office of Planning
1100 4th Street, SW, Suite E650
Washington, DC 20024

Advisory Neighborhood Commission 2A
West End Branch Library
1101 24th Street, NW
Washington, DC 20037

West End Citizens Association
c/o Barbara Kahlow
800 25th Street, NW #704
Washington, DC 20037

Jamie Henson
District Department of Transportation
55 M Street SE, 5th Floor
Washington, DC 20003

President, Foggy Bottom Association
c/o Samira Kristina Azzam
1001 26th Street, NW #406
Washington, DC 20037

A handwritten signature in dark ink, appearing to read "David Avitabile", is written over a horizontal line.

David Avitabile

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 06-11C/06-12C
Z.C. Case No. 06-11C/06-12C
(Second-Stage Planned Unit Development and
Further Processing of an Approved Campus Plan)
The George Washington University Foggy Bottom Campus – Square 39)
July 25, 2011

Pursuant to notice, the Zoning Commission for the District of Columbia (the “Commission”) held a public hearing on June 16, 2011, to consider an application of The George Washington University (the “University”) for the review and approval of the second stage of an approved planned unit development (“PUD”) and further processing of an approved campus plan. The Commission considered the application pursuant to § 210, Chapter 24, and Chapter 30 of the District of Columbia Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations (“DCMR”). The public hearing was conducted in accordance with the provisions of 11 DCMR § 3022. The Commission approves the application, subject to the conditions below.

FINDINGS OF FACT

Application, Parties, and Hearing

1. The property that is the subject of the application is located in Square 39, Lot 803 (the “Property”).
2. In December 2010, the University submitted an application for second-stage PUD approval of the Property. The University sought approval to develop a seven-story building for the School of Public Health and Health Services (“SPHHS”). The University concurrently requested further processing approval of its approved campus plan to construct the new facility.
3. The second-stage PUD portion of the application was set down for a public hearing at the Commission’s February 7, 2011 public meeting. Notice of the public hearing on the combined application was published in the *D.C. Register* on April 22, 2011 (58 DCR 3473) and was mailed to Advisory Neighborhood Commission (“ANC”) 2A and to owners of property within 200 feet of the second-stage PUD site.
4. A public hearing was conducted on June 16, 2011. The Commission accepted Arlen Li as an expert in the field of architecture and Jami Milanovich as an expert in the field of traffic engineering. The University provided testimony from these experts as well as

from Dr. Lynn Goldman, the Dean of the SPHHS, and Alicia Knight, the University's Senior Associate Vice President for Operations.

5. In addition to the University, ANC 2A was automatically a party in this proceeding.
6. At the hearing, the Commission heard testimony and received evidence from the Office of Planning ("OP") and the District Department of Transportation ("DDOT") in support of the application, as well as testimony and evidence from ANC 2A indicating no opposition to the project.
7. The Commission also heard testimony from numerous faculty and students in support of the application. Representatives of the West End Citizens Association ("WECA") also indicated that the organization was pleased with multiple aspects of the application.
8. At the close of the hearing, the Commission took proposed action to approve the second-stage portion of the application and plans that were submitted into the record. The Commission also asked the University for information regarding the planned relocation of the GW Hospital Radiation/Oncology Department, which is currently located on the Property.
9. The proposed action of the Commission was referred to the National Capital Planning Commission ("NCPC") pursuant to § 492 of the Home Rule Act. NCPC was unable to align its schedule with that of the Zoning Commission's so as to be able to take a formal action on the case; however, staff reviewed the proposed action and did not identify any impacts to federal interests. (Exhibit 43.)
10. The University filed its post-hearing submission addressing the Commission's comments on July 11, 2011. (Exhibit 41.)
11. At its public meeting on July 25, 2011, the Commission took final action to approve the application and plans that were submitted into the record.

Campus Plan and First-Stage PUD Approval

12. In Z.C. Order No. 06-11/06-12, the Commission concurrently approved a new campus plan and first-stage PUD for the Foggy Bottom Campus (the "Campus Plan/PUD"). The Campus Plan incorporated a plan for developing the campus as a whole by concentrating height and density within the central campus core and redistributing parking supply throughout the campus in multiple underground parking garages. The first-stage PUD is coterminous with the approved boundaries for the Foggy Bottom Campus, and includes all properties that were owned by the University at the time of approval of the Campus

Plan/PUD. The approved first-stage PUD identified 16 development sites for future development as well as the uses, height, gross floor area, and lot occupancy for each development site.

13. For the Property that is the subject of this application, the Campus Plan/PUD approved a building devoted to academic/administrative/medical use and/or commercial/investment use with a height of 90 feet, lot occupancy of 90%, and gross floor area of 115,549 square feet.

Second-Stage PUD Approval/Further Processing

Overview of the Property

14. The Property consists of the entirety of Square 39 and is bounded on the north by K Street, N.W., on the west by 24th Street, N.W., on the southeast by New Hampshire Avenue, N.W., and on the northeast by Washington Circle, N.W. The Property is currently improved with a three-story structure known as the Warwick Building, which contains various departments and programs of the School of Medicine and Health Services and the GW Hospital. The Property also contains a surface parking lot containing 24 spaces, which is accessed from New Hampshire Avenue, and an off-street loading space, which is accessed from 24th Street. Finally, a triangular public park is located in public space at the corner of New Hampshire Avenue and 24th Street.
15. Surrounding uses include the GW Hospital and the Medical Center to the east and southeast, a 10-story building currently used by the University as a residence hall to the west, and rowhouses and a nine-story condominium to the west and southwest.
16. The Foggy Bottom-GWU Metrorail station is located immediately to the southeast of the Property.

The Project

17. The University sought approval to develop a seven-story building as a new home for the School of Public Health and Health Services containing uses consistent with the Property's academic/administrative/medical designation under the approved Campus Plan (the "Project"). The Project also includes two stories of below-grade program space. A small café serving beverages and prepared foods to building users may also be included within the Project.
18. At the hearing, the project architect provided a detailed description of the building design intent, façade design, materials selection, and surrounding context. The architect noted the proposed components of the building design including type and color of materials,

ground-floor design and roof lines, and window placement were all incorporated based on their compatibility with surrounding buildings in order to articulate the building's facades. Similarly, uses within the building were organized to place the less-intensive office space on the western side of the Project, facing residential uses.

19. The Project will create an improved site plan for vehicular and pedestrian traffic over existing conditions:
 - a. The University will, with the permission of DDOT, eliminate both curb cuts on the block as well as the existing surface parking lot;
 - b. Loading and service access will be provided through an on-street loading space along 24th Street, N.W.;
 - c. The University will improve and expand the public park located at the intersection of 24th Street and New Hampshire Avenue as a part of the Project; and
 - d. Pursuant to its Streetscape Plan and related agency approvals, the University will improve the streetscape surrounding the entire square. These improvements will result in an enhanced pedestrian experience through wider sidewalks, improved paving materials, widened tree pits, and new landscaping and furnishings consistent with the Streetscape Plan.
20. The proposed Project will minimize environmental impacts, particularly compared to existing conditions. The University testified that it is targeting a minimum of the equivalent of the Silver rating under the U.S. Green Building Council's LEED 2009 for New Construction rating system.
21. The Project will provide approximately 81 bicycle parking spaces, including both surface spaces and spaces within the building.
22. The total gross floor area for the Project is approximately 115,542 square feet, for a total floor area ratio ("FAR") of approximately 5.39 and a lot occupancy of approximately 89%. The building will reach a maximum height of approximately 90 feet.
23. The University requested flexibility from the loading requirements in order to permit the construction of the building without the required loading berths, loading platforms, and service/delivery spaces. The Commission previously approved flexibility from the lot occupancy requirement in the first-stage PUD.

Project Amenities and Public Benefits

24. The project amenities and public benefits of the PUD were proffered and accepted in conjunction with the Campus Plan/PUD process.
25. The University indicated in its written submissions and at the public hearing that it had started to implement many of these public benefits and project amenities pursuant to the conditions of approval of the Campus Plan/PUD Order.
26. As detailed in the University's testimony and written submissions, the proposed Project will implement the following project amenities and public benefits that were approved as part of the Campus Plan/PUD:
 - a. Exemplary urban design, architecture, and landscaping, including high quality materials, pedestrian-oriented landscape improvements, and sustainable features;
 - b. Site planning and efficient land utilization, through the removal of the existing surface parking lot and low-density construction, which will further the development of additional academic and administrative space within the campus plan boundaries;
 - c. Effective and safe vehicular and pedestrian access and transportation management measures. Specific features include:
 - i. Elimination of surface parking;
 - ii. Elimination of both curb cuts around the square in order to reduce potential vehicular-pedestrian conflicts;
 - iii. On-street loading that will eliminate the need for trucks to maneuver within the street to back in to the proposed loading dock;
 - iv. Operational measures to regulate service and delivery activity in order to ensure pedestrian safety and reduce potential adverse impact; and
 - v. Approximately 81 bicycle parking spaces;
 - d. Environmental benefits, including green roof, daylight harvesting through the use of atrium spaces, and terracotta panels, as well as a goal of achieving a minimum of the equivalent of a Silver rating under the LEED-NC 2009 rating system (which exceeds the minimum commitment of 16 points under Condition P-13 of the Campus Plan/PUD); and

- e. Uses of special value, including the enhanced and expanded public park at the southern edge of the Project.

Conclusion

- 27. The Project will not cause unacceptable impacts on vehicular or pedestrian traffic, as demonstrated by the testimony and reports provided by the University's traffic expert and the OP and DDOT reports and testimony described herein:
 - a. The Commission finds that the Project will not impose adverse or objectionable impacts on the surrounding transportation network. The Commission credits the findings of the University's traffic expert and agrees with the traffic expert's finding that the Project will not create any adverse impacts when compared with future background conditions. The Commission credits the testimony of DDOT that the project will not impose objectionable impacts due to traffic;
 - b. The Commission finds that the proposed on-street service and loading space, with the additional truck management measures proposed by the University, will ensure that the Project will not impose adverse or objectionable impacts because of truck traffic. The Commission credits the testimony of DDOT that these measures are acceptable; and
 - c. The Commission finds that the Project will not impose adverse or objectionable impacts on the surrounding pedestrian network, and in fact will improve existing conditions. The Commission recognizes that DDOT will determine the final measures to be installed through the public space approval process;

Compliance with Requirements of Z.C. Order No. 06-11/06-12

- 28. Pursuant to Condition P-14 of Z.C. Order No. 06-11/06-12, the University demonstrated that the proposed second-stage PUD is consistent with the location, use, zoning, gross floor area, lot occupancy, and height set forth in the first-stage PUD.
- 29. Pursuant to Condition P-16 of Z.C. Order No. 06-11/06-12, the University provided the compliance, impact analysis, and progress reports required for each second-stage PUD in its initial PUD application.
- 30. Pursuant to Condition P-17 of Z.C. Order No. 06-11/06-12, the University provided its most recently filed Foggy Bottom Campus Plan Compliance Report indicating substantial compliance with Z.C. Order No. 06-11/06-12.

31. The Commission finds that the University has satisfied the above conditions and requirements of Z.C. Order No. 06-11/06-12.

Compliance with Section 210 Standards

32. In evaluating a special exception to permit a college or university use in a residential zone district, the Commission must review whether the application meets the standards for approval under § 210 of the Zoning Regulations, including whether the “proposed use will be located so that it is not likely to become objectionable to neighboring property because of noise, traffic, number of students, or other objectionable impacts.” During its consideration of the campus plan in Z.C. Case No. 06-11/06-12, the Commission determined that the use of the Foggy Bottom Campus as a whole, including the number of students, faculty and staff proposed and the related traffic and parking impacts associated with that use, would not become objectionable to neighboring property. Here, the Commission finds that the University has satisfied its burden of proof under the Zoning Regulations for further processing of the approved campus plan to construct the Project.
33. For the reasons already detailed in this Order, the Commission credits the testimony of the University’s traffic consultant and finds that the traffic, parking, and other transportation impacts of the Project are not likely to become objectionable to neighboring property.
34. The Commission agrees with DDOT’s conclusions regarding vehicular and pedestrian impacts and related issues with the proposed development. The Commission credits DDOT’s evaluation of the University’s traffic study and related transportation demand and truck management measures. The Commission also credits DDOT’s acceptance of the pedestrian and related streetscape measures proffered by the University subject to final approval by DDOT.
35. The Commission credits the evidence submitted by the University that total campus FAR will remain within the density limit approved for the residentially zoned portions of the campus after the construction of the Project.
36. The Commission credits the evidence provided by the University and OP that the Project would not be inconsistent with the Comprehensive Plan of the National Capital, and will further the goals and policies of the Comprehensive Plan.

Compliance with PUD Standards

37. In evaluating a PUD application, the Commission must “judge, balance, and reconcile the relative value of project amenities and public benefits offered, the degree of development

incentives requested, and any potential adverse effects.” During its consideration of the first stage PUD in Z.C. Case No. 06-11/06-12, the Commission determined that the development incentives and related rezoning for the entire campus were appropriate and fully justified by the superior benefits and amenities offered by the Campus Plan/PUD and this decision was affirmed by the District of Columbia Court of Appeals. Here, the Commission finds that the University has satisfied its burden of proof under the Zoning Regulations for this second-stage PUD, including the requested flexibility from the loading requirements and satisfaction of the PUD standards.

38. The Commission credits the testimony of the University and its architectural experts and finds that the superior design, site planning, streetscape, sustainable design, and uses of special value (the enhanced public park) all constitute acceptable project amenities and public benefits consistent with the Commission’s first-stage approval.
39. The Commission finds that the character, scale, mix of uses and design of the Project are appropriate, and finds that the site plan is consistent with the intent and purposes of the PUD process to encourage high quality developments that provide public benefits.
40. For the reasons detailed in this Order, the Commission credits the testimony of the University’s traffic consultant and finds that the transportation impacts of the Project on the surrounding area are capable of being mitigated through the measures proposed by the University and are acceptable given the quality of the public benefits of the PUD.
41. As detailed in this Order, the Commission agrees with DDOT’s conclusions regarding vehicular and pedestrian impacts and related issues with the proposed development.
42. The Commission credits the testimony of the University and OP regarding the compliance of the Project with the Comprehensive Plan. The development is fully consistent with and furthers the goals and policies in the map, citywide and area elements of the Plan, including:
 - a. Designation as an Institutional use on the Future Land Use Map;
 - b. Land Use Element policies recognizing the important contribution of universities to the District economy and their efforts to address transportation issues and serve as corporate role models through high quality architecture and sustainable building methods;
 - c. Other policies in the Economic Development, Education, Transportation, Environmental Protection, and Urban Design Elements related to the Land Use policies and goals stated above; and

- d. Policies in the Near Northwest Area Element regarding improved communication, increased density on-campus, and mitigation measures and amenities that improve the character of the area as a whole.

Agency Reports

43. By report dated June 3, 2011, and by testimony at the public hearing, OP recommended approval of the application, including the second stage PUD and further processing of the campus plan. OP reviewed the application under the PUD and campus plan standards of the Zoning Regulations as well as the specific conditions of the Campus Plan/PUD Order, and concluded that the University had satisfied its burden of proof. At the public hearing, the University submitted the three drawings requested by OP into the record. (Exhibit 33.)
44. By report dated June 8, 2011, DDOT recommended approval of the University's application based on its review of the vehicular, pedestrian, and other transportation impacts of the Project.

ANC 2A Report

45. At a regularly scheduled meeting on May 17, 2011, with a quorum present, ANC 2A approved a resolution taking the position of no objection to the application provided that the University and the ANC agreed to hours of delivery for the on-street parking space and that the University provided assurance regarding the proposed improvements to the public park.
46. The Commission gives "great weight" to the issues and concerns raised by ANC 2A, which raised no objection to the application provided the University addressed both conditions. The Commission further finds that the issues and concerns presented by the ANC were addressed by the University in its pre-hearing submissions and in testimony at the public hearing.
47. At the public hearing, the ANC representative testified regarding concerns about the proposed relocation of an existing use on the Property to an off-campus location. The University addressed this issue in its post-hearing submission.

Testimony in Support

48. At the hearing, the Commission received evidence and heard testimony from many faculty, students and neighbors, including WECA, in support of the Application. WECA indicated it was in support because the University agreed to:

- a. Install segmented benches in the expanded park at the intersection of 24th Street and New Hampshire Avenue as shown on the plans;
- b. Use non-brick sidewalks along Washington Circle as shown on the plans and bricks laid in concrete for the remaining streetscape improvements surrounding the site; and
- c. Remove the proposed loading dock and limit loading service hours.

In its supplemental pre-hearing submission and at the public hearing, the University acknowledged that it had agreed to make these changes.

Testimony in Opposition

49. No persons or organizations provided testimony in opposition to the application.

CONCLUSIONS OF LAW

1. The Applicant requested special exception approval, pursuant to 11 DCMR §§ 210, 3305, and 3104, of further processing of its approved campus plan, and approval, pursuant to 11 DCMR Chapter 24, of a second-stage PUD and modification to a first-stage PUD for its Foggy Bottom Campus. The Commission is authorized under the aforementioned provisions to grant a special exception which, in the judgment of the Commission, 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 in accordance with the Zoning Regulations and Zoning Maps. A special exception to allow use as a college or university in a Residence zone may be granted subject to the provisions contained in § 210, including that the university use must be "located so that it is not likely to become objectionable to neighboring property because of noise, traffic, number of students, or other objectionable conditions" and that the maximum bulk requirements may be increased for specific buildings, subject to restrictions based on the total bulk of all buildings and structures on the campus. The Commission is also authorized under the Zoning Act to approve planned unit developments consistent with the requirements set forth in Chapter 24 of the Zoning Regulations.
2. Based on the above Findings of Fact and pursuant to Condition P-15 of Z.C. Order No. 06-11/06-12, the Commission concludes that the University has satisfied the burden of proof for special exception approval of further processing of its campus plan in accordance with § 210. In particular, the Commission concludes that the proposed

project will not create objectionable traffic, parking, pedestrian, or other impacts on the surrounding community.

3. Also based on the above Findings of Fact, the Commission concludes that the University has satisfied the burden of proof for approval of the second-stage PUD under Chapter 24 of the Zoning Regulations. Approval of this Project will provide high quality development that provides public benefits, is consistent with the overall goal of the PUD process to permit flexibility of development and other incentives provided that the PUD project "offers a commendable number or quality of public benefits, and that it protects and advances the public health, safety, welfare, and convenience."
4. The proposed PUD meets the minimum area requirements of 11 DCMR § 2401.1.
5. Under the PUD process and pursuant to Condition P-14 of Z.C. Order No. 06-11/06-12, the Commission has the authority to consider this application as a second-stage PUD. This second-stage review permits detailed design review of each project based on the conceptual height, density and use parameters established in the first-stage PUD and the benefits and amenities approved in exchange for that height, density, and design flexibility. The Commission concludes that the Project is consistent with the first-stage PUD, including the parameters regarding location, use, height, bulk, and parking set forth for the Property in the first-stage PUD.
6. In approving the PUD, the Commission may impose development conditions, guidelines, and standards which may exceed or be less than the matter-of-right standards. In this application, the Commission concludes that the requested flexibility from the loading requirements can be granted without detriment to surrounding properties and without detriment to the zone plan or map.
7. Based on the documentation included in the initial PUD application, the Commission concludes that the University has demonstrated compliance with the conditions of the first-stage PUD as detailed in Condition P-16 of Z.C. Order No. 06-11/06-12.
8. Based on the University's most recently filed Foggy Bottom Campus Plan Compliance Report, which was included in the initial application package, the Commission concludes that the University is in substantial compliance with Z.C. Order No. 06-11/06-12.
9. The development of this PUD project carries out the purposes of Chapter 24 of the Zoning Regulations to encourage well-planned developments that will offer a variety of building types with more attractive and efficient overall planning and design not achievable under matter of right standards. The character, scale, mix of uses, and design of uses in the proposed PUD are appropriate, and the proposed development is compatible with the citywide and area plans of the District of Columbia.

10. The Commission concludes that this project provides superior features that benefit the surrounding neighborhood to a significantly greater extent than a matter-of-right development on the Property would provide. The Commission finds that the urban design, site planning, efficient and safe traffic circulation, sustainable features, streetscape improvements, and uses of special value all are significant public benefits.
11. The Commission concludes that the impact of the project is acceptable given the quality of the public benefits of the project. The Commission agrees with the conclusions of the University's traffic expert that the proposed project will not create adverse traffic, parking, or pedestrian impacts on the surrounding community.
12. Approval of the PUD and further processing application is not inconsistent with the Comprehensive Plan. The Commission agrees with the determination of OP and finds that the proposed project is consistent with and furthers numerous goals and policies of the Comprehensive Plan, including the Land Use Element provisions related to educational institutions, transportation impacts, and corporate leadership in exemplary design, as well as related provisions in other citywide elements and policies in the Near Northwest Area Element related to managing the impacts of campus development.
13. The Commission has judged, balanced, and reconciled the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects, and concludes approval is warranted.
14. The Commission is required under D.C. Official Code § 6-623.04 to give great weight to OP recommendations. The Commission concurs with OP's view that the second-stage approval and further processing approval should be granted.
15. In accordance with D.C. Official Code § 1-309.10(d), the Commission must give great weight to the written issues and concerns of the affected ANC. The Commission accorded the issues and concerns raised by ANC 2A the "great weight" to which they are entitled, and in so doing fully credited the unique vantage point that ANC 2A holds with respect to the impact of the proposed application on the ANC's constituents. The Commission credits the ANC's position of no objection and concludes that the issues raised by the ANC were addressed by the University and agencies at the public hearing.
16. Notice of the public hearing was provided in accordance with the Zoning Regulations.
17. The University is subject to compliance with D.C. Law 2-38, the Human Rights Act of 1977.

DECISION

In consideration of the Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission for the District of Columbia **ORDERS APPROVAL** of the applications for (1) second-stage PUD approval for property consisting of Square 39, Lot 803 ("Property"); and (2) further processing approval of the 2007 Foggy Bottom Campus Plan. This approval is subject to the following guidelines, conditions, and standards:

1. This project shall be developed in accordance with the plans marked as Tab A of Exhibit 21 of the record, as modified by guidelines, conditions, and standards herein.
2. The University shall have flexibility from the loading provisions of the Zoning Regulations and shall not be required to provide any off-street loading berth, platform, or service/delivery space:
 - a. The University shall work with DDOT to establish an on-street loading zone along 24th Street, as shown on the approved plans. The loading zone shall be in effect from 7:00 a.m. to 10:00 p.m. Monday through Friday; and
 - b. All vendors, suppliers, and service providers will be instructed that service or delivery activity shall not be permitted through the 24th Street service entrance between 10:00 p.m. and 9:00 a.m. and between 5:00 p.m. and 7:00 p.m., Monday through Friday. Notwithstanding the foregoing, the University shall be permitted to use the 24th Street service entrance for catering and other food service delivery from 7:00 a.m. to 9:00 a.m. Monday through Friday.
3. The Project shall be used for university academic/administrative/medical uses.
4. The University shall complete a transportation performance monitoring study of the Project at three years and six years after issuance of the certificate of occupancy for the Project, and shall provide a report summarizing its findings to OP, DDOT, ANC 2A, the West End Citizens Association, the Foggy Bottom Association, and the Advisory Committee. The study shall cover the items listed on page 4 of Exhibit 24 of the Record.
5. The University shall provide a minimum of approximately 81 bicycle parking spaces in connection with the Project, as shown on the approved plans.
6. Prior to the issuance of a certificate of occupancy for the Project, the University shall demonstrate that it has:
 - a. Constructed the streetscape improvements as shown on the approved plans;

- b. Constructed the park at the intersection of 24th Street and New Hampshire Avenue as shown on the approved plans; and
- c. Included an electronic information display in the lobby of the new building that is able to provide information on GW's transportation management plan.

The final design of any improvements in public space shall be subject to final approval from DDOT and the University shall have flexibility to modify such improvements in response to DDOT direction. In addition, the University shall have flexibility to further modify the design of the park.

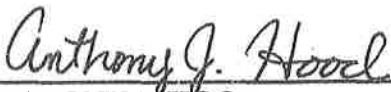
- 7. The University shall have flexibility with the design of the PUD in the following areas:
 - a. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, mechanical rooms, elevators, and toilet rooms, provided that the variations do not change the exterior configuration or appearance of the structure;
 - b. To vary final selection of the exterior materials within the color ranges and materials types as proposed based on availability at the time of construction;
 - c. To incorporate a fritted pattern into the glass on the New Hampshire Avenue façade;
 - d. To make minor refinements to exterior details and dimensions, including balcony enclosures, belts, courses, sills, bases, cornices, railings, and trim, or any other changes to comply with Construction Codes or that are otherwise necessary to obtain a final building permit, or are needed to address the structural, mechanical, or operational needs of the building uses or systems; and
 - e. To vary the size, location, and other features of proposed building signage related to the university use, provided that such signage is consistent with the locations and dimensions illustrated on the approved plans or is otherwise permitted under the applicable provisions of the Building Code.
- 8. No building permit shall be issued for this project until the University has recorded a covenant among the land records of the District of Columbia between the owners and the District of Columbia that is satisfactory to the Office of the Attorney General and the Zoning Division of the Department of Consumer and Regulatory Affairs. Such covenant shall bind the University and all successors in title to construct on or use the Property in accordance with this Order and any amendment thereof by the Zoning Commission.

9. The application approved by this Commission shall be valid for a period of two years from the effective date of this Order. Within such time, an application must be filed for the building permit as specified in 11 DCMR § 2409.1.
10. The University is required to comply fully with the provisions of the Human Rights Act of 1977, as amended, D.C. Official Code § 2-1401.01, et seq. ("Act") and this Order is conditioned upon full compliance with those provisions. In accordance with the Act, the District of Columbia does not discriminate on the basis of actual or perceived: race, color, religion, national origin, sex, age, marital status, 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 also prohibited by the Act. In addition, harassment based on any of the above protected categories is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

On June 16, 2011, upon the motion of Commissioner Turnbull, as seconded by Commissioner May, the Zoning Commission **APPROVED** this application at the close of its public hearing by a vote of **3-0-2** (Anthony J. Hood, Peter G. May, and Michael G. Turnbull to approve; Konrad W. Schlater and Greg M. Selfridge, not present, not voting).

On July 25, 2011, upon the motion of Chairman Hood, as seconded by Commissioner Turnbull, the Zoning Commission **ADOPTED** this Order at its public meeting by a vote of **4-0-1** (Anthony J. Hood, Peter G. May, Greg M. Selfridge, and Michael G. Turnbull to approve; Konrad W. Schlater, not having participated, not voting).

In accordance with the provisions of 11 DCMR § 2038, this Order shall become final and effective upon publication in the *D.C. Register*; that is, on September 2, 2011.



ANTHONY J. HOOD
CHAIRMAN
ZONING COMMISSION



RICHARD S. NERO, JR.
ACTING DIRECTOR
OFFICE OF ZONING

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



Z.C. CASE NOS.: 06-11C/06-12C

As Secretary to the Commission, I hereby certify that on **AUG 29 2011** copies of this Z.C. Order No. 06-11C/06-12C were mailed first class, postage prepaid or sent by inter-office government mail to the following:

- | | |
|---|--|
| 1. <i>D.C. Register</i> | 6. Councilmember Jack Evans |
| 2. Maureen Dwyer, Esq.
Goulston & Storrs, PC
1999 K Street, N.W. Suite 500
Washington, D.C. 20006-1101 | 7. DDOT (Martin Parker) |
| 3. ANC 2A
West Branch Library
1101 24 th Street, N.W.
Washington, D.C. 20037 | 8. Melinda Bolling, Acting General Counsel
DCRA
1100 4 th Street, S.W.
Washington, D.C. 20024 |
| 4. Commissioner Florence Harmon
ANC/SMD 2A06
1099 22 nd Street, N.W. #1011
Washington, D.C. 20037 | 9. Office of the Attorney General (Alan Bergstein) |
| 5. Gottlieb Simon
ANC
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004 | 10. West End Citizens Association
c/o Barbara Kahlow
800 25 th Street, N.W. #704
Washington, D.C. 20037 |
| | 11. Foggy Bottom Association
c/o L. Asher Corson, President
955 26 th Street, N.W. Apt. 709
Washington, D.C. 20037 |

ATTESTED BY:

A handwritten signature in dark ink, appearing to read "Sharon S. Schellin", is written over a horizontal line.

Sharon S. Schellin
Secretary to the Zoning Commission
Office of Zoning

PROJECT TEAM

ARCHITECT:
PAYETTE ASSOCIATES
290 CONGRESS STREET
FIFTH FLOOR
BOSTON, MA 02210

ASSOCIATE ARCHITECT:
AYERS SAINT GROSS
800 EYE STREET, NW
SUITE 600
WASHINGTON, DC 20001

MEP & FP ENGINEER:
AFFILIATED ENGINEERS, INC.
METRO DC
401 N. WASHINGTON STREET
SUITE 400
ROCKVILLE, MD 20850

LIGHTING DESIGNER:
ATELIER TEN
195 CHURCH STREET
SUITE 10C
NEW HAVEN, CT 06510

LANDSCAPE ARCHITECT:
PAYETTE ASSOCIATES
290 CONGRESS STREET
FIFTH FLOOR
BOSTON, MA 02210

STRUCTURAL ENGINEER:
TADJER COHEN EDELSON ASSOC.
1109 SPRING STREET
SILVER SPRING, MD 20910

CODE CONSULTANT:
ROLF JENSEN ASSOCIATES
14502 GREENVIEW DRIVE
SUITE 500
LAUREL, MD 20708

CIVIL/SITE ENGINEER:
WILES MENSCH CORPORATION
11860 SUNRISE VALLEY DRIVE
SUITE 200
RESTON, VA 20191

ACOUSTICAL/AUDIOVISUAL:
SHEN MILSOM WILKE
1220 N. FILLMORE STREET
SUITE 360
ARLINGTON, VA 22201

DRAWING LIST

A.00	COVER SHEET
A.01	BUILDING SIGNAGE
A.02	BUILDING SIGNAGE
A.03	BUILDING SIGNAGE
A.04	BUILDING SIGNAGE
A.05	BUILDING SIGNAGE
A.06	BUILDING SIGNAGE
A.07	BUILDING SIGNAGE
A.08	BUILDING SIGNAGE
A.09	BUILDING SIGNAGE
A.10	BUILDING SIGNAGE



Milken Institute School of Public Health

THE GEORGE WASHINGTON UNIVERSITY

Square 39 PUD Minor-Modification for Building Signage
Case No. 06-11c/06-12c



Approved Design



Proposed Signage Modifications

BUILDING SIGNAGE

The George Washington University – Milken Institute School of Public Health
 Square 39 PUD Minor-Modification for Building Signage
 Case No. 06-11c/06-12c

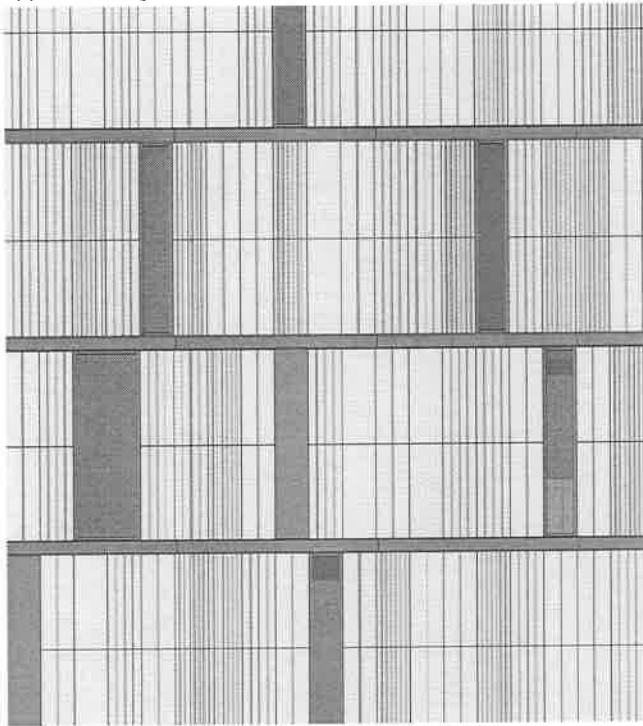
March 18, 2014

PAYETTE

AYERS
 SAINT
 GROSS

A.01

Approved Design



Proposed Signage Modifications



—Terra Cotta Rainscreen Wall System
 —Laser Etched Aluminum Plate Panel With Acrylic Infilled Letters Colored To Match Surrounding Terracotta
 Metal Panel Dimensions: 17'-4" x 11'-1" = 191 SF
 Letter Dimensions: 1'-4" height

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BUILDING SIGNAGE

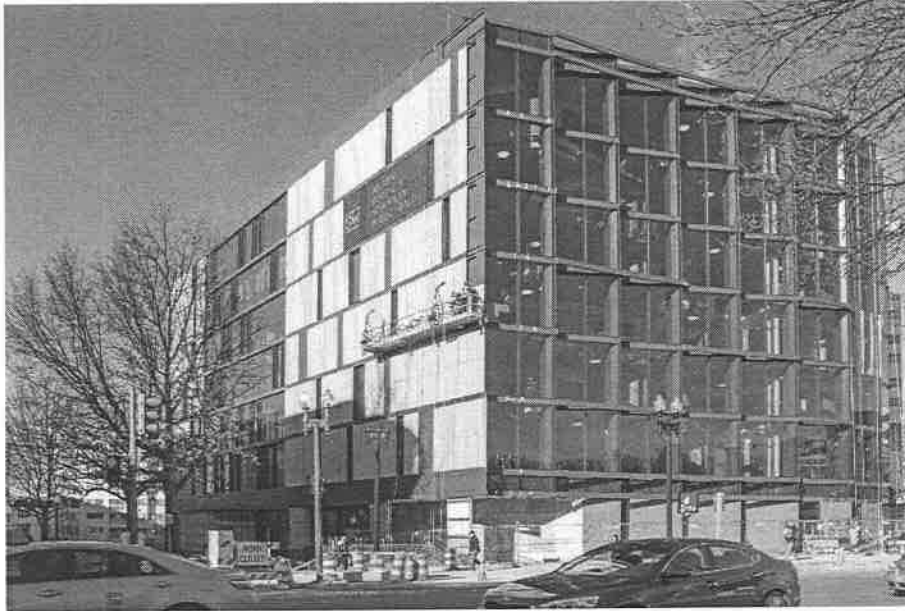
The George Washington University – Milken Institute School of Public Health
Square 39 PUD Minor-Modification for Building Signage
Case No. 06-11c/06-12c

March 18, 2014

PAYETTE

AYERS
SAINT
GROSS

A.03



Daytime Exterior View



Dusk Exterior View



Daytime Exterior View



Dusk Exterior View

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PAYETTE

AYERS
 SAINT
 GROSS

A.05



Daytime Exterior View



Dusk Exterior View



Daytime Exterior View



Dusk Exterior View

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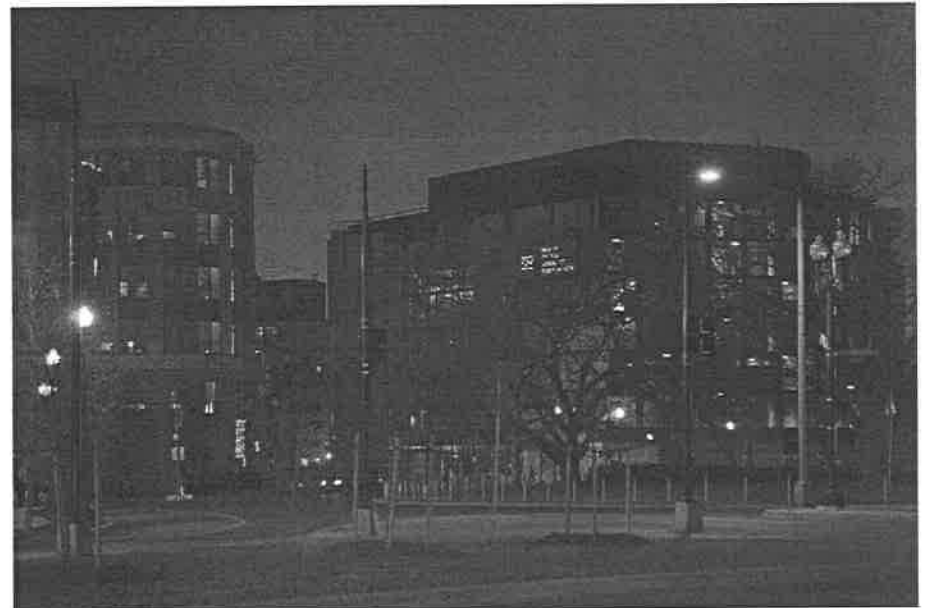
PAYETTE

AYERS
 SAINT
 GROSS

A.07



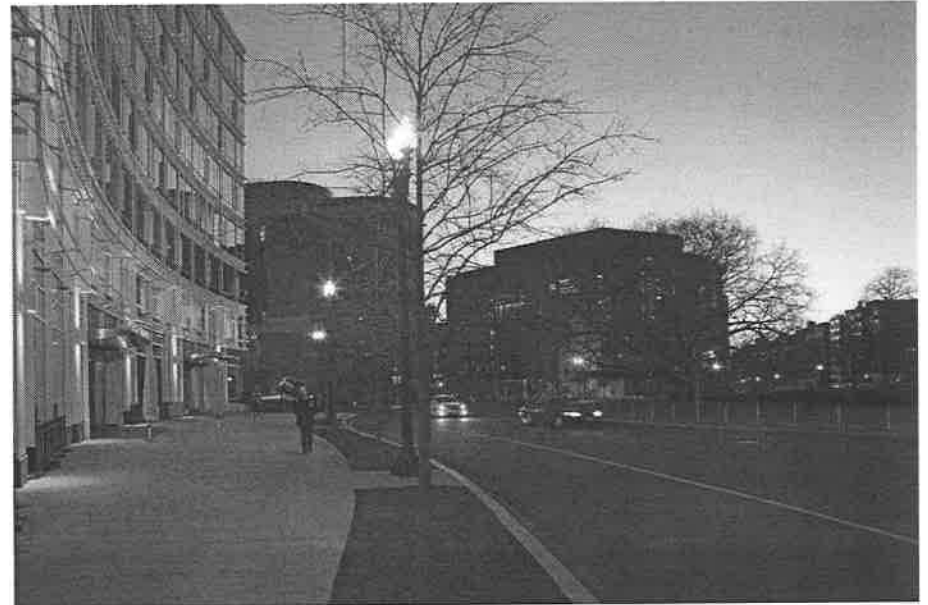
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Dusk Exterior View