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March 13, 2006

VIA HAND DELIVERY

Carol Mitten
Chairperson, D.C. Zoning Commission
441 Fourth Street, NW
Second Floor
Washington, D.C. 20001

Re: Zoning Commission Case No. 05-26,
2950 Tilden Street, NW, Lot 800, Square 2234

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Dear Chairperson Mitten:

Enclosed please find the Pre-Hearing submission of Tilden 800 LLC for a consolidated planned unit development and zoning map amendment for the property located at 2950 Tilden Street, N.W.

If you have any questions regarding the applications, please call either of the undersigned at (202) 663-8789 or (202) 663-8715.

Sincerely,

Phil Feola

Jeffrey Utz

cc: Nicole Forrest

ZONING COMMISSION
CASE No. 05-26
EXHIBIT No. 14
ZONING COMMISSION
District of Columbia
CASE NO.05-26
EXHIBIT NO.14



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this letter and enclosure was hand delivered to the addresses below on March 13, 2006.

Phil Feola

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2950 TILDEN STREET, NW



PRE-HEARING SUBMISSION

TILDEN 800 LLC

Zoning Commission Case No. 05-26

MARCH 13, 2006

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2950 TILDEN STREET, NW

PRE-HEARING SUBMISSION

TILDEN 800 LLC

Zoning Commission Case No. 05-26

MARCH 13, 2006

DEVELOPMENT TEAM

APPLICANT:

**Tilden 800, LLC
c/o Clark Realty Capital, LLC
2 Bethesda Metro Center, Suite 250
Bethesda, MD 20814**

ARCHITECTS, ENGINEERS AND CONSULTANTS:

**Sorg and Associates, P. C.
2000 S Street, NW
Washington, DC 20009
Project Architect**

**Parker Rodriguez Inc.
101 N. Union St., Suite 320
Alexandria, VA 22314
Landscape Architect**

**VIKA, Inc.
8180 Greensboro Drive, Suite 200
McLean, VA 22102
Civil Engineer**

**Wells & Associates
1420 Spring Hill Road
Suite 600
McLean, VA 22102
Traffic/Parking Consultant**

LAND USE COUNSEL:

**Pillsbury Winthrop Shaw Pittman LLP
2300 N Street, NW
Washington, DC 20037**

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2950 TILDEN STREET, NW
PRE-HEARING SUBMISSION

I. Introduction

A. Overview.

This document is the Applicant's Pre-Hearing Submission in support of the application of Tilden 800 LLC to the Zoning Commission of the District of Columbia ("**Commission**") for the consolidated review and one-step approval of a Planned Unit Development ("**PUD**") and a corresponding amendment to the Zoning Map for the Property at 2950 Tilden Street, N.W., Lot 800 in Square 2234. The Property is located in the Cleveland Park/Forest Hills neighborhood of Ward 3, within the jurisdiction of Advisory Neighborhood Commission ("**ANC**") 3F.

The Applicant proposes to develop a residential building containing approximately 97,370 gross square feet above grade with two levels of underground parking. The Applicant requests zoning of the Property from the low density R-2 Zone District to the medium-high density R-5-C Zone District. The proposed Project would have a floor area ratio ("**FAR**") of 2.8, with 49 dwelling units, and a building height of approximately 67 feet.

Rezoning the site to the R-5-C Zone District is consistent with the Comprehensive Plan of the District of Columbia ("**Comprehensive Plan**") and the pattern of development near the intersection of Tilden Street, N.W. and Connecticut Avenue, N.W. The proposed design meets the challenge of blending the high density existing uses to the west and south of the Property with the low density uses east and north of the Property. The building is articulated into three distinct vertical portions, separated by open courtyards, which break down the mass of the building into discrete sections that are more intimately scaled to blend in with the semi-detached

homes across Tilden Street to the north. The result will be a contextually sensitive building located within walking distance of neighborhood retail and mass transportation.

B. The Applicant

The Applicant, Tilden 800, LLC, is an affiliate of Clark Realty Capital, LLC (“Clark”), which was established in 1992 and is an award-winning developer of a variety of real estate in the Washington, DC, metropolitan area and the nation. It has developed, or has under development, more than \$1.5 billion in real estate in the past six years alone and has completed 22 projects totaling 6,685 dwelling units with a development cost of over \$490 million within the past seven years.

C. Site Location and Description

The Property consists of approximately 34,686 square feet of land area with frontage on Tilden Street, N.W. and is currently vacant. It is located 232 feet to the east of Tilden Street’s intersection with Connecticut Avenue, N.W. on the south side of Tilden Street, N.W. Tilden Street, N.W. is an east/west connector street that runs through the Rock Creek National Park. East of the site is the Kuwaiti Embassy; to the west, a six-story apartment building; to the south is a nine-story condominium building; to the north is Tilden Street, N.W. (a median-divided road) and on the north side of Tilden there are semi-detached residences (2½ - 3 stories) elevated approximately twelve feet above the Tilden Street grade; and to the southeast is the Melvin Hazen Park.

The area to the west and south of the site is in the R-5-D Zone District. The Property to the north and immediately east is in the R-2 Zone District. The Connecticut Avenue corridor, in this location, is characterized by high rise residential buildings. The neighborhood is the location

of single family houses, apartment buildings, the Hillwood Museum, Howard University Law School, the Levine School of Music, the Edmund Burke School, the University of the District of Columbia, Intelsat and a number of foreign chanceries.

There is extensive, walkable retail along Connecticut Avenue, N.W. There are also two Metrorail Stations on the Red Line within walking distance of the Property. Outdoor recreational amenities are plentiful and include hiking and biking in Rock Creek Park.

The Property has 247.76 feet of frontage along Tilden Street and is 140 feet deep with a slope of eleven feet from street front to its rear property line. A designated twenty foot fire lane easement, serving 3883 Connecticut Avenue, exists along the rear of the Property.

II. Project Description

A. Revised Design

The Project, as shown on the architectural plans contained in Exhibit A, takes its design inspiration from the traditions of both Cleveland Park and Forest Hills. The proposed development contains approximately 49 residential apartments comprising approximately 97,370 square feet of gross floor area. The FAR is 2.8 and the lot occupancy is 57%.

The building is a hybrid of a traditional multifamily building and rowhouse typology. However, it is not an apartment building simply wrapped in townhouses. Instead, at the street front, the structure is carved into three two-story elements. These components echo the scale of the semi-detached homes across the street on Tilden Street, N.W. Some of the units have direct access from the street. These multiple “front doors” at the street level provide a “mews-like” feel to the courtyards.

Viewing the Project from Tilden Street, the building will appear to be three completely distinct structures. The building height is two stories at the street property line and steps up to four stories further from the street. Towards the rear of the Property, the three building elements become “connected” and the height rises to five and six stories in the center and rear. The rear of the building contains a central elevator bank and the primary corridor. At its six-story peak, the building height is approximately 67 feet (not including mechanical equipment).

The proposed building has a rear yard of 26 feet, 4 inches. The back of the building is jogged and has terracing to create visual interest for neighboring buildings, 3901 Connecticut Avenue, Tilden Hall (3945 Connecticut Avenue, N.W.) and The Connecticut (3883 Connecticut Avenue, N.W.). There are no windows on the wall closest to the Kuwaiti Embassy.

The Project is configured to maximize sensitivity to the semi-detached homes on Tilden Street and to bridge the relationship to surrounding high density development. The unique massing creates the most distinctive element of the building. Each setback in height produces generous terraces on the third, fifth and sixth floors which will heighten the open space aspect of the design.

At the ground floor, courtyard space will be divided into private and communal gardens. The landscaping will provide visual texture for the entire neighborhood. A roof terrace will be available above the top floor. Further, the “fire lane” at the building’s rear will be composed of grasscrete, as opposed to concrete or macadam, in order to soften the landscape buffer at the rear of the building.

A single, underground, two-level garage provides parking for approximately 100 to 120 cars. The parking exceeds a ratio of 2 spaces for each apartment unit, well in excess of the

Zoning Regulations requirement of 1 parking space for each apartment unit. The garage is accessed via a sixteen-foot wide driveway. The proposed driveway would also accommodate loading with a twelve by thirty-foot delivery area. A second option for the loading berth is a twelve-foot by thirty-foot loading area at the eastern edge of the Property near the Kuwaiti Embassy.

The Project will complete the unfinished urban landscape. It has been sensitively designed to bring a strong identity and character to the Property while respecting the urban design characteristics of the neighborhood.

B. Development Parameters Under Existing and Proposed Zoning

The existing R-2 Zone District permits matter-of-right development of residential uses for detached or semi-detached structures with a maximum height of forty feet. This application requests a rezoning of the Property to the R-5-C Zone District which permits apartment buildings, as a matter-of-right, with a FAR of 3.5 and a building height of 90 feet.

C. Flexibility Requested

The proposed development complies with the broad parameters of the R-5-C Zone District, as set forth in the tabulation of data below. However, the design scheme proposed for the PUD has created a configuration that does not meet all the exact requirements of this zone.

Specifically, the Applicant seeks relief from the following requirements of the Zoning Regulations:

- 11 DCMR Section 411 – The building is required to set roof structures back from all exterior walls at a 1:1 ratio. The Applicant seeks relief, due to variety and

number of setbacks on the building's façades, to have roof structures that do not satisfy this requirement.

- 11 DCMR Section 411.5 – A penthouse is required to be of uniform height. However, the Project plan offers a penthouse of differing heights. This design is intended to lessen the appearance of height and the building's visual impact.

D. Tabulation of Development Data

	R-2 ZONE MATTER-OF- RIGHT	R-5-C ZONE MATTER-OF- RIGHT	PROPOSED PROJECT
Gross Floor Area	41,623 square feet	121,401 square feet	97,370 square feet
FAR	Effectively 1.2	3.5	2.8
Lot Occupancy	40%	75%	57%
Building Height	40 feet	90 feet	67 feet
Number of Stories	3	No limit	No limit
Rear Yard	20 feet	22 feet	26.3 feet
Side Yard	8 Feet	None	None on east 20 feet on west

III. Evaluation Standards

The objective of the PUD process is to encourage high quality development that provides public benefits and project amenities by allowing applicants greater flexibility in planning and design than may be possible under matter-of-right zoning. The instant application will achieve

the goals of the PUD process by creating a high quality residential project with significant housing opportunities which is consistent with the District of Columbia Comprehensive Plan.

A. Urban Design, Architecture, Site Planning and Landscaping

From a sustainability perspective, high density use, located near transit nodes, is good urban design. The proposed development is located in the transition area between very high density uses in the Connecticut Avenue corridor near the Metrorail stations and lower density residential development east of the Connecticut Avenue corridor. Given the scarcity of new development sites in the neighborhood and the strength of the supporting mass transit infrastructure, the Project provides an important opportunity to provide additional housing opportunities for the District. The project is planned to be entirely residential which maintains the general character of Tilden Street.

Architecturally, the building is a hybrid of traditional architecture and modern design which accommodates higher density with minimal visual and physical impact on the semi-detached houses across the street from the Property. This effect is achieved by concentrating the mass of the building at the rear of the site and stepping the volume down from six stories to two stories in three distinct masses, separated by courtyards facing the street. The architectural detailing of the Project sets it apart from a matter-of-right building. The progressive architecture of the Project does not mimic the classical design popular with much new construction. Instead, it blends traditional and modern elements into a special statement. The average unit size of the proposed development is larger than most new construction in Washington. This differentiation expands the living options for potential new District residents.

The landscaping extends the green space from the nearby parkland. Although the courtyards face north, the design accommodates plentiful planting of ornamental trees and groundcover as well as canopy trees. The concept for the paving in the primary courtyard includes a moss and stone design that creates a very natural environment. The combination of private gardens and courtyard space creates an intimacy similar to that found throughout the neighborhood and helps to develop the “mews-like” feel.

The site plan for the Project is planned to take advantage of views across the park by stepping back at the south east corner to reveal private terraces. Large private terraces are provided throughout the building. With the mass of the building located nearest its southern property line, the shadows cast across Tilden Street will be minimal.

The Project’s design simplifies vehicular access to promote vehicular and pedestrian safety. The garage has one point of entry and exit. The driveway is located next to an existing driveway for 3945 Connecticut Avenue, N.W. Numerous pedestrian access points to building encourage a vibrant streetscape. Based on the transportation analysis prepared by Wells & Associates, a part of the PUD Application, the proposed development is anticipated to generate only twenty-two AM peak hour vehicular trips and twenty-six PM peak hour vehicular trips. The proposed development would account for less than one percent of the total AM and PM peak hour traffic volumes at the Connecticut Avenue/Tilden Street intersection.

The Project will result in 49 new household units in the District and, recognizing the need for on-site affordable housing within projects, the Applicant will provide three affordable housing units in the building. This set aside will provide affordable housing in a neighborhood where the lack of large development drives up overall housing prices.

The Applicant has been working with various individuals and community organizations in the area and proposes a community amenities package that is both targeted and tangible. It includes a financial contribution of \$100,000 dedicated to the maintenance and up-keep of the historic Peirce Mill in the Rock Creek National Park with the help of the Friends of Peirce Mill who are dedicated to the restoration of Rock Creek Park's historic Peirce Mill, located off of Tilden Street, N.W. When this District landmark is restored, it will be one of the few operational mills in the country and will accommodate educational tours for school children. In addition, the Applicant has been working with the community to provide certain improvements, which have not been budgeted by the District of Columbia, in the amount of \$35 – 40,000 for the Hearst Recreation Center.

B. Compliance With the Comprehensive Plan

The Comprehensive Plan includes three major themes applicable to this Project. The Applicant's proposal is consistent with these themes as follows:

1. Stabilizing the District's Neighborhood.

The proposed development maintains the general character of the neighborhood. The Project is entirely residential and provides a substantial amount of on-site parking which reduces the potential for additional on-street parking demand. In recent years, significant numbers of projects with a predominance of small units have been constructed. This Project has relatively larger units that can meet the needs of a diverse District population and successfully compete with new developments in the suburbs. Furthermore, vacant land with this site's proximity to Metrorail stations, does not benefit the neighborhood or the District. If people live within walking distance of everyday conveniences and public transportation, they become contributors

to vibrant urban life and the Mayor's goal to bring 100,000 new residents into the District of Columbia.

2. Respecting and Improving the Physical Character of the District

Currently, the vacant lot does not enhance the physical character of the District. Instead, a visual valley is created by the three neighboring buildings which range in height from two to nine stories. The proposed building creates gentle tiers of terracing – both by its proposed structural layout and landscaping. The restrained ornamentation and light façade provide a soft backdrop in the midst of the varying brick colors and architectural styles of the neighboring buildings. Nonetheless, the richness of detail and material are comparable in quality to the existing community.

3. Preserving and Ensuring Community Input

The Applicant made great efforts to integrate the surrounding community's comments into the Project's creation. The Applicant sponsored two community-wide meetings, has another scheduled for March 14, 2006 and met numerous times, in one-on-one meetings with members of the Forest Hills Civic Association, several ANC Commissioners, and every community member who requested such a meeting. Moreover, the Applicant met with the Office of Planning and small groups of neighbors for interactive design discussions. The Applicant also created a website specifically for the proposed development to respond to Frequently Asked Questions and provide information, such as the traffic study.

In response to community input, the Applicant made the following changes to its original Project:

- Reduced height from nine to five and six stories
- Eliminated "floating" glass walkways connecting the three building components

- Increased the “mews” feeling of intimacy by adding numerous private front doors
- Increased the width of the driveway access point and improved loading accommodation
- Carved terracing into the back of the building to add visual interest, light and air
- Increased the number of trees and enhanced landscaping
- Eliminated connection to 3883 Connecticut Avenue driveway
- Added more traditional elements to the architecture

Input from the community has made the proposed Project a better development. Neighbors’ comments challenged the development team to think creatively about contextually-sensitive design. The Project does not attempt to hide the higher density components of the building with a layer of townhouses plastered on the surface. Instead, the resulting plan balances rowhouse and apartment architecture in an organic and natural way. The result is an innovative example of exemplary design. The Applicant intends to enter into a Construction Management Agreement with adjacent neighbors and will continue to refine this Agreement responding to community input as the PUD process proceeds.

4. Comprehensive Plan’s Major Elements

The Comprehensive Plan also contains 11 major elements. The Project furthers the goals, objectives and policies of several of these elements.

a. Generalized Land Use Maps

The Generalized Land Use Map, adopted as a part of the Comprehensive Plan, includes the Property in the high density residential category. The proposed PUD/rezoning is

consistent with the Generalized Land Use Map. Clearly, planning objectives intended for this Property to be a higher density use to take advantage of its location.

b. Housing

The Property is a vacant, infill location located within walking distance of two Metrorail stations. Immediately adjacent properties are high density residential uses. The Property's location makes this site a prime opportunity to increase the District's housing stock.

c. Urban Design

Currently, the project site is a vacant lot. From Tilden Street, N.W. the view corridor exposes the side elevation of a highrise building. The Project will improve the visual quality of the space with its design and architecture.

d. Economic Development

The Property, outside of real estate taxes, currently contributes little to economic well-being of the District. The 49 residential units will enhance economic development by contributing significantly to the District's population and also add to the District's tax revenue through substantial property, income, sales and other taxes. New residents will patronize neighborhood retail along Connecticut Avenue, N.W. and throughout the District.

e. Environment Protection

The Project will comply with all the applicable rules and regulations of the District to promote energy conservation, improve air quality and protect the natural environment.

f. Transportation

The site's proximity to the Cleveland Park and Van Ness Metrorail stations reduces the impact of vehicular traffic that would otherwise be generated by adding residents to the Property. Additionally, its position at Connecticut Avenue, N.W. and Tilden Street, N.W. limits the traffic impact on small, neighborhood streets. Furthermore, sufficient parking of greater than two spaces per unit will be provided in an underground garage. The proposed Project will contain designated space for bicycle storage.

g. Ward 3

The area of Forest Hills/Cleveland Park is an attractive urban neighborhood. Its predominantly residential character and convenient transportation make it a desirable alternative to the suburbs. Potential new residents have limited options however. The proposed medium density project expands housing stock without adversely impacting the existing community.

Through creative design, the Project visually "bridges" the semi-detached homes across the Tilden Street median, the lowrise Kuwaiti Embassy next door and the taller multifamily buildings. The front of the Project (two-stories and four-stories) relates to the two-and-a-half to three-story heights of the semi-detached homes across Tilden Street, N.W., but gradually steps up to six-stories. The proposed building not only steps back in height, but also has three lowrise "arms" containing one-level and two-level residences. The sculptural form of the architecture is its most defining feature.

The building is setback 22 feet from the curb. The "rhythm of opening" mirrors the semi-detached homes across Tilden Street. Each lowrise "arm" has front doors facing the street. These doors serve individual residences and also reduce the building's scale. Additional private

entrances, accessed off of the two open gardens, create intimacy. These entrance elements capture the coziness of mews desired by neighbors. The entrance to the main lobby is also located off of the open garden closest to Connecticut Avenue, N.W. These doors are more discreet than those found on typical multifamily buildings.

The building's façade will be made of precast masonry and/or brick. The Applicant proposes garden walls for portions of the site to conform to the character of this street, which include stone retaining walls on the north side of Tilden Street, N.W. and a security wall in front of the Kuwaiti Embassy.

IV. Witnesses

- A. Representative of Applicant.
- B. Representative of Project Architect, Sorg and Associates, P.C.
- C. Representative of Landscape Architect, Parker Rodriguez, Inc.
- D. Representative of Transportation Consultant, Wells & Associates.

Outlines of the proposed testimony for the above-listed witnesses is attached as Exhibit B.

V. Conclusion

At this location, Tilden Street, N.W. is full of contrast and contradiction. On one hand, it functions as a major east-west vehicle connector street. It is a median-divided four lane street; and, the site is close to Connecticut Avenue, N.W., a major regional thoroughfare. Stately, high rise buildings line the corridor and spread east and west on Tilden and on neighboring streets like

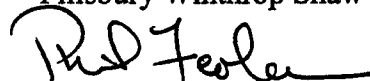
Van Ness. The infrastructure is perhaps the best in the city – walkable and well-served by not one, but two, Metrorail Stations, and multiple bus lines. Retail shopping and urban buzz is alive just a few blocks away. On the other hand, Cleveland Park/Forest Hills are true to their origins as escapes from hectic city life. The retail and high rise residential core quickly transitions to single family and semi-detached homes. The Project bridges those contrasts through innovative and exemplary design that resulted from a great deal of community input. The Project balances the concerns of the community and needs of the District. The requested PUD would transform a passive, vacant lot into a compelling new housing community.

For the foregoing reasons, 800 Tilden LLC submits that the PUD application meets the standards of Chapter 24 of the Zoning Regulations; is consistent with the purposes and intent of the Zoning Regulations and Map; will enhance the health, welfare, safety and convenience of the citizens of the District of Columbia; satisfy the requirements for approval of a PUD; provide significant public benefits; and advance important goals and policies of the District of Columbia.

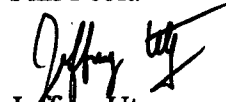
Accordingly, we respectfully request the Zoning Commission set a public hearing date for this application at the earliest possible date.

Respectfully,

Pillsbury Winthrop Shaw Pittman LLP



Phil Feola



Jeffrey Utz

Date: March 13, 2006