



Government of the District of Columbia
Advisory Neighborhood Commission 6C



Mr. Curtis Etherly Jr., Chairman
 D.C. Office of Zoning
 Zoning Commission
 441 Fourth Street N.W., Suite 210 S
 Washington, DC 20001

October 22, 2007

Dear Chairman Etherly:

At Advisory Neighborhood Commission 6C's duly noticed, special meeting on September 25, 2007, with a quorum of eight Commissioners present (five required for a quorum), ANC 6C reviewed the following application:

ZC Case No. 05-37

Application of Dreyfus Development Company for a Map Amendment and PUD.
 The Applicant requested consolidated review and approval of a planned unit development (PUD) and a related zoning map amendment from C-2-B to C-3-C for a portion of the subject property.

After hearing the presentation of the applicant, community comments and discussion, the ANC 6C Commissioners voted 8-0-0 to conditionally support the application in ZC Case No. 05-37, pending resolution of remaining issues related to community amenities and construction management. A copy of the resolutions passed by the ANC (Exhibit A), and the initial written statement of ANC 6C and testimony of Commissioner Alan Kimber with regard to ZC Case No. 05-37 were previously entered into the record with our letter dated September 26, 2007.

Commissioner Alan Kimber has been authorized to represent ANC 6C before the Zoning Commission in this case, and Chairperson Karen Wirt has also been authorized to assist and represent ANC 6C as needed.

At the request of Mr. Kimber and other parties to the ZC case, the record was held open for further review and resolution of the amenities and construction management issues, in addition to permitting time for the Applicant to respond to specific questions and recommendations of the Zoning Commissioners.

After meeting with the Applicant and community representatives, ANC 6C is now satisfied with the amenities and construction management plan offered by the Applicant. Therefore, ANC 6C supports the proposed upzoning and PUD application.
 Thank you for your consideration.

Sincerely,

Karen J. Wirt
 Karen J. Wirt
 Chairperson
 ANC 6C

D.C. OFFICE OF ZONING
 2007 OCT 22 PM 2:15

Please reply to ANC 6C at P.O. Box 77876, Washington, D.C. 20013-7787
 Tel (202) 547-7168

ZONING COMMISSION
 District of Columbia

CASE NO. 05-37

EXHIBIT NO. 113

ZONING COMMISSION
 District of Columbia
 CASE NO. 05-37
 EXHIBIT NO. 113

Exhibit A
Motions Adopted by ANC 6C Regarding ZC Case No. 05-37

1. I move that if the ANC votes to support the Applicant's project as currently proposed, the ANC condition its support on satisfaction of the following requirements:

(a) The ANC strongly petition the Zoning Commission to specifically state in its order concerning the proposed project the specific justifications for increased height and density, and that any such increase is based on the unique characteristics of the site, especially the presence of the H Street bridge, the design of the project so that it is limited to a height of no more than 90' relative to the surface of H Street and the H Street bridge, the goal of providing a gateway to H Street and the surrounding neighborhood, and the desired characteristics of a transit-oriented development.

(b) The Applicant must provide a commitment in writing that the construction management plan specifically includes the following commitments as part of the construction management plan for the project in addition to, at a minimum, the commitments set forth in the draft construction management plan previously submitted by the Applicant to the ANC 6C. The commitments shall be in writing and in substantially the form as follows:

(i) All pilings, including both those for the foundation and to the extent feasible from an engineering perspective, sheeting and shoring shall be bored, not driven or vibrated into place; provided however, that if required from an engineering perspective, the pilings for sheeting and shoring may be vibrated or driven only to achieve the required final depth for that portion of the pilings that will be below the lowest point of excavation.

(ii) To the extent possible, all construction activities for reconstruction of the alley and the project shall ensure that the residents of Square 752 shall at all times have 10' wide (or greater) access to the residents' properties; provided however, that temporary minor exceptions shall be permissible if necessary for the work being done.

(iii) Cranes shall swing over public space and the construction site as much as possible.

(iv) Creation of a citizen advisory group to work through concerns during the construction of the project, similar to the group created as part of the Union Station project. The citizen advisory group shall consist of, at a minimum, representatives of the Applicant, the general contractor, ANC 6C and the residents of Square 752.

(v) The Applicant shall designate principle contacts for both Dreyfus and the general contractor that will be available to receive and act on construction concerns raised by ANC 6C or the residents of Square 752.

(vi) The Applicant shall conduct a pre-construction structural survey of all existing structures on Square 752 and provide a copy of the report for each property to the respective property owners.

(vii) The Applicant shall provide ongoing monitoring for damage to existing structures on Square 752, including crack monitors where appropriate and vibration sensors placed along both 3rd and G Streets NE.

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(c) Commissioner Kimber shall be vested with the authority of the ANC for the purpose of deciding whether or not the final details for height and density justification, construction management, amenities and design, adequately address these issues prior to the Zoning Commission hearing.

(d) The Applicant shall provide a copy of each of its monthly reports to DOES regarding its compliance with its First Source Agreement and its commitment to use LSDBEs to achieve a minimum of thirty-five percent participation in contracted costs associated with the project to the ANC.

2. I move that based on the progress achieved with respect to height, density, design and amenities, and in light of the adoption of the conditions imposed by the previous motion, the ANC support the final mediation report and the Applicant's project, and that the ANC send a letter to the Zoning Commission to that effect, including the ANC's motions as attachments.

3. I move that the ANC authorize Commissioner Kimber to represent the ANC at the Zoning Commission hearing on the Applicant's proposed project, with Chairperson Wirt authorized to also represent the ANC to the extent necessary to clarify the testimony, to provide specific information concerning the conduct of the mediation, or as an alternate.

URGENT - Deadline is today

Government of the District of Columbia

Advisory Neighborhood Commission 6C

2007 OCT 22 PM 2:14

D.C. OFFICE OF THE ATTORNEY GENERAL

RECEIVED

Fax Cover Sheet

Date: 10.22.07

Time: 1:45 pm

To:

Name

Richard Nero

Office

Deputy Director

From:

Name

Karen Wirt

kwirt@crs.tor.gov

Phone

Fax

(202) 727-6072

Phone

Fax

(202) 707-8479

Message:

Please call or email so I know this has been received, date/time stamped, and entered into the record. Today is the deadline for submission.