

PLANNED UNIT DEVELOPMENT
1100 6TH STREET, NW

**PREHEARING STATEMENT OF
DOUGLAS DEVELOPMENT CORPORATION
IN SUPPORT OF AN APPLICATION
FOR CONSOLIDATED REVIEW OF A PLANNED UNIT DEVELOPMENT
ZONING CASE NO. 06-21**

August 3, 2006

HOLLAND & KNIGHT LLP
2099 Pennsylvania Avenue, N.W.
Suite 100
Washington, D.C. 20006
(202) 955-3000
Norman M. Glasgow, Jr., Esq.
Leila M. Jackson Batties, Esq.
Steven E. Sher, Director of Zoning
and Land Use Services

RECEIVED
DISTRICT OF COLUMBIA
ZONING
AUG 13 2006

**ZONING COMMISSION
District of Columbia**

CASE NO. 06-21
EXHIBIT NO. 14
ZONING COMMISSION
District of Columbia
CASE NO. 06-21
EXHIBIT NO. 14

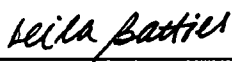
**CERTIFICATION OF COMPLIANCE WITH
SECTION 3013 OF THE ZONING REGULATIONS**

The undersigned hereby certifies that, in accordance with Section 3013 of the Zoning Regulations, twenty copies of the following items were filed with the Zoning Commission on August 3, 2006, and, in accordance with Section 3013.8, the application shall not be modified less than twenty days prior to the public hearing.

<u>Subsection</u>	<u>Description</u>	<u>Page/Exhibit</u>
3013.1(a)	Information requested by the Zoning Commission and the Office of Planning	Pgs. 5-7
3013.1(b)	List of witnesses prepared to testify on the Applicant's behalf	Pg. 7 Exhibit C
3013.1(c)	Summary of testimony of witnesses or reports and area of expertise	Pg. 8 Exhibits D-G
3013.1(d)	Additional information introduced by the Applicant	Pg. 7 Exhibit B
3013.1(e)	Reduced plans	Exhibit A
3013.1(f)	List of maps, plans, or other documents readily available that will be offered into evidence	Pg. 8 Exhibit I
3013.1(g)	Estimated time required for presentation of Applicant's case	Pg. 8
3013.4	First Source Employment Agreement	Pg. 8
3013.4	Memorandum of Understanding	Pg. 8
3013.6(a)	Names and addresses of all property owners within 200 feet of the subject property	Pg. 9 Exhibit I
3013.10	Report by Traffic Consultant	Pg. 9

Respectfully submitted,

HOLLAND & KNIGHT LLP



Leila M. Jackson Batties

LIST OF EXHIBITS

<u>Description</u>	<u>Exhibit</u>
Revised Sheet A2.00, 6 th Street Elevation Revised Sheet A2.01, L Street Elevation Revised Sheet A2.05 Revised Sheet A2.06	A
Letter of Support from Mount Vernon Square Neighborhood Association	B
List of witnesses to testify on behalf of Applicant	C
Outline of testimony of Paul Millstein, Douglas Development Corporation	D
Outline of testimony of Colline Hernandez, GTM Architects	E
Outline of testimony of Osborne George, O.R. George Associates	F
Outline of testimony of Steven E. Sher, Holland & Knight LLP	G
List of maps, plans, or other documents readily available	H
Names and addresses of owners of property within 200' of the subject property	I

TABLE OF CONTENTS

	<u>Page</u>
Certification of Compliance	i
List of Exhibits	ii
I. Introduction	4
A. Project Overview	4
B. Procedural Background	5
II. Supplemental Information on the Application	5
A. Issues Raised by the Zoning Commission	5
1. Colors and Materials for James Essex House	5
2. Drainage for Rear Courtyard	5
3. Project's Impact on L Street	6
B. Additional Information by the Applicant	7
1. Letter of Support from Mount Vernon Square Neighborhood Association	7
III. Additional Requirements of Section 3013 of the Zoning Regulations	7
A. List of Witnesses Prepared to Testify on Applicant's Behalf	7
B. Summary of Testimony of Witnesses or Reports and Area of Expertise	8
C. List of Maps, Plans, or Other Documents	8
D. Estimate of Time Required for Presentation of Applicant's Case	8
E. Agreements with the District of Columbia	8
F. Names and Addresses of Owners of Property Within 200 Feet of Subject Property	9
G. Report by Traffic Consultant	9
IV. Conclusion	9

I. INTRODUCTION

This prehearing statement is submitted on behalf of Douglas Development Corporation on behalf of Jemal's Judge LLC (collectively, the "Applicant") in support of its application for consolidated review and approval of a planned unit development at the northwest corner of the intersection of 6th and L Street, N.W. (the "Application"). It addresses the comments and concerns raised by the Zoning Commission, and provides additional information by the Applicant about the proposed development. This prehearing statement also includes items required under Section 3013 of the Zoning Regulations.

A. Project Overview

The proposed PUD is a residential development consisting of approximately 20 condominium units located at the northwest corner of the intersection of 6th and L Streets in the Mount Vernon Square area. The dynamic, multi-faceted design of the project includes the rehabilitation of the historic James Essex House, which would house 3 dwelling units. To the west of the James Essex House, a three-story condominium apartment wing with a mezzanine will house five dwelling units (referred to as "New Construction West" on the PUD plans). To the north of the James Essex House, a condominium apartment wing with the appearance of three bay front Victorian homes on three lots on 6th Street will house twelve dwelling units (referred to as "New Construction East" on the PUD plans). The total of twenty condominium units in existing and new construction will contain approximately 22,047 square feet of gross floor area. Additional site amenities include a landscaped courtyard and below grade parking. The PUD would significantly benefit the District by rehabilitating a historic property, the James Essex House, removing the existing blight caused by the abandoned buildings currently on the Property, and providing additional housing in an area designated as a Housing Opportunity Area on the District's Generalized Land Use Policies Map. The continued redevelopment and revitalization of the Mount Vernon Square area, in general, is consistent with several policies of the Comprehensive Plan, including support for the continued growth and economic development of Downtown and the Convention Center.

B. Procedural Background

The Application was filed with the Zoning Commission on April 13, 2006. On June 12, 2006, the Zoning Commission unanimously voted to schedule the Application for public hearing. With the submittal of this prehearing statement, the Applicant respectfully requests that the Application be scheduled for the next available hearing of the Zoning Commission.

II. SUPPLEMENTAL INFORMATION ON THE APPLICATION

A. Issues Raised By the Zoning Commission

At its meeting of June 12, 2006, the Zoning Commission voted unanimously to schedule the Application for public hearing. The Zoning Commission requested additional information relating to the color materials for the James Essex House and distinguishing same from the new construction, the drainage for the rear courtyard, and the project's impact on L Street.

Following are the Applicant's responses to the issues raised by the Zoning Commission:

1. Color and Materials for James Essex House

The exterior of the James Essex House, including the brick color, windows, and trim, will be restored to their original character. The new construction will have muted brick tones and cast stone trim work. As illustrated on Sheets A2.00 and A2.05, attached as Exhibit A, the proposed palette of building materials provides a high level of contrast between the James Essex House and the new construction, which allows the James Essex House to retain its prominence on the corner of 6th and L Street.

2. Drainage for Rear Courtyard

Surface water from the rear courtyard and planter areas will run through area drains located in the courtyard slab. These drains will connect directly to the storm

system below grade through a sandfilter structure, which will directly connect to the city storm sewer line below L Street.

3. Project Design and Impact on L Street

Because the PUD site does not have alley access, there were limitations on the possible location of access to building services. L Street was selected for service access in deference to the historic James Essex House and the existing structures that front on 6th Street. Also, the opposite side of L Street is currently occupied by various one and two story industrial buildings while the confronting property on 6th Street is residential, making L Street the most logical choice for the placement of service access points to the development.

Pedestrian access to the project from L Street will be via a courtyard, the elevation of which is dictated by three factors. First, the courtyard elevation is based on the minimum requirement for the clear ceiling height of the garage level, with an added eighteen inch interstitial space to accommodate the structural and mechanical requirements of the project. Second, the floor level of the garage is the lowest it could be given the length of the entry driveway ramp and the maximum slope allowed for the entry ramp. Third, the courtyard elevation is set to allow the alignment of the finished floor elevation of the infill units along 6th Street with the existing finished floor elevation of the James Essex House.

Given these site limitations and the resulting fixed elevation of the courtyard, the PUD will still help to revitalize the adjacent segment of L Street. The entry courtyard has been designed as a visual extension of the public way along L Street. This is achieved through the use of brick pavers at the courtyard stair treads and risers, cast stone trim at stair sidewalls, and the strategic placement of architectural lighting to create a sense of visual continuity at this transition. Also, the streetscape along L Street was designed to minimize the impact of the elevated courtyard, at the pedestrian level, through the following conditions:

- a. Trees and various plantings will be strategically placed adjacent to the service and entry and exit points.

- b. The garage service doors are designed of aluminum and glass, similar in detailing to a retail storefront system. During the evening, these doors will be illuminated from the interior, giving them a visually appealing quality along L Street.
- c. In addition to the street lighting along L Street, architectural lighting will be located at the courtyard entry, stairs, and courtyard level. This will provide a greater level of interest and security for the pedestrian at street level.
- d. The entrance to the units on the courtyard will be further highlighted by the design of a metal canopy with the building address inscription. Landscaping and a six foot high iron security fence and gate will surround the canopy, and the detailing of the fence and gate will be similar to the ornate ironwork found in the Mount Vernon Square Historic District.

The foregoing conditions are illustrated on Sheets A2.05 and A2.06, which are attached as Exhibit A.

B. Additional Information by the Applicant

1. Support from Mount Vernon Square Neighborhood Association

On June 20, 2006, the Application and proposed site plan for the PUD were presented to the Mount Vernon Square Neighborhood Association. As stated in the letter dated June 27, 2006, attached as Exhibit B, the Association unanimously agreed to support the proposed development.

III. ADDITIONAL REQUIREMENTS OF SEC. 3013
OF THE ZONING REGULATIONS

A. List of Witnesses Prepared to Testify on Behalf of the Applicant

In accordance with Sec. 3013.1(b) of the Zoning Regulations, a list of witnesses prepared to testify at the public hearing on behalf of the Applicant is attached as Exhibit C.

B. Summary of Testimony of Witnesses or Reports and Area of Expertise

In accordance with Sec. 3013.1(c) of the Zoning Regulations, outlines of the testimony of all witnesses or of the written report and the area of expertise of any expert who will be called to testify at the public hearing are attached as Exhibits D through G.

C. List of Maps, Plans or Other Documents Readily Available

In accordance with Sec. 3013.1(f) of the Zoning Regulations, a list of the maps, plans, or other documents that are readily available to the general public and that will be offered into evidence at the public hearing is attached as Exhibit H.

D. Estimate of Time Required for Presentation of Applicant's Case

In accordance with Sec. 3013.1(g) of the Zoning Regulations, the estimated time for the presentation of the Applicant's case is forty minutes, subject to the decision of the presiding officer at the public hearing.

E. Agreements with the District of Columbia

The Applicant will enter into a First Source Agreement with the Department of Employment Services ensuring cooperation with the Department for employee recruitment for jobs created by the PUD, with the objective that fifty-one percent of the employees hired in connection with the development of the project are District of Columbia residents. Additionally, in order to further the District's policies relating to the creations of employment opportunities, the Applicant will commit to make a bona fide effort to utilize local, small or disadvantage business enterprises certified by the District of Columbia Local Business Commission in order to achieve, at a minimum, the goal of 35% participation in the contracted development costs in connection with the development of the PUD. Draft versions of the foregoing agreements will be submitted to the Zoning Commission not less than twenty days prior to the date of the public hearing on the Application.

F. Names and Addresses of Owners of Property within 200 Feet of Property

In accordance with Section 3013.6 of the Zoning Regulations, a list of the names and addresses of the owners of all property located within two hundred feet (200') of the PUD Site is attached as Exhibit I.

G. Report by Traffic Consultant

In accordance with Section 3013.10 of the Zoning Regulations, a copy of the report prepared by O.R. George Associates, traffic consultants, in connection with the Application will be submitted to the Department of Transportation not less than twenty days prior to the public hearing on the Application.

IV. CONCLUSION

In accordance with Section 3013 of the Zoning Regulations, this prehearing statement is submitted on behalf of Douglas Development Corporation in order to provide additional information in support of the application for a PUD at 1100 6th Street, N.W. Based on the information and items contained herein, and the case presented in the original submittal, we respectfully request the Zoning Commission's approval of the Application.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: Norman M. Glasgow, Jr.
Norman M. Glasgow, Jr. 190

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

By: Steven E. Sher
Steven E. Sher, Director of Zoning
and Land Use Services