

***Penn Branch Citizens-Civic Association  
Legislative Committee***

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November 29, 2007

Hon. Anthony Hood  
Chair, D.C. Zoning Commission  
441 4<sup>th</sup> Street, NW  
Washington, DC 20001

Re: *Case 07-16 Square 5600 PUD*

Dear Chairman Hood and members of the Commission:

The Penn-Branch Citizens/Civic Association appears in opposition to three discrete elements of the referenced PUD application: overall height; use of the penthouse as an "occureable" space for an exercise room and other tenant amenities; and (3) exploitation of the one-mile distance to a subway station as an affirmative benefit supporting PUD relief.

**Preliminary Matter: Lack of Notice.** As the applicant acknowledges, public posting did not occur until November 21, 2007. Posting was required on or before October 20, 2007. Penn-Branch asks the Commission to postpone the hearing to provide the required notice. Although the applicant states that actual notice to the community was achieved, the Community Outreach Calendar shows no contacts with neighborhoods along the Pennsylvania Avenue Great Streets Corridor.

**A. Height.** The original plans called for a seven-story building exceeding 90 feet, which was wholly unacceptable. Penn-Branch obviously finds the existing proposal for a five-story building a significant improvement. The Pennsylvania Avenue elevation and various other documents contained in the file state that the building is 59 feet high. The elevation, however, appears to measure the building from the highest point of a sloping sidewalk, and also seems not to include in the 59 feet the top portion of the westernmost parapet. Penn-Branch objects to any height exceeding 59 feet measured from any point.

*"Great Streets" Considerations*

In addition to the fact that a building height exceeding 59 feet would be undisclosed and contrary to the applicant's representations respecting height, such additional height would go against the position Penn-Branch residents have taken with respect to the appropriate scale of development along the entire Pennsylvania Avenue SE "Great Streets" corridor.

ZONING COMMISSION  
District of Columbia

CASE NO. 07-16  
EXHIBIT NO. 57  
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As a matter of public record in numerous Office of Planning and Department of Transportation documents and statements, the Pennsylvania/Minnesota avenues intersection and its immediate environs—including the subject site—constitute a key element of the Great Streets corridor east of the river. Developments at this intersection will likely set precedents for development along the entire corridor, particularly at the Pennsylvania/Branch avenues intersection and the Pennsylvania/Alabama avenues intersection.

Numerous Penn-Branch residents are on record—in the Comprehensive Plan process and in the ongoing Great Streets corridor planning process—in favor of low to moderate density residential and commercial uses throughout the corridor.<sup>1</sup> Accordingly, we oppose all proposed building heights tending to threaten or overwhelm what we regard as optimal densities.

#### *“Occupiable” Penthouse*

Documents filed by the applicant in July 2007 state that the building will include an “occupiable” penthouse featuring an exercise room and other tenant amenities. A drawing of the room mentions no such amenities, noting only mechanical equipment. Penn-Branch opposes any use of the penthouse for nonmechanical uses as well as any enlargement of the penthouse area beyond that needed for such mechanical uses. Penn-Branch views such “occupiable” penthouses as an evasion of the stated building height.

#### *One-Mile Hike Not an Amenity*

The Potomac Avenue Metro station is .85 of a mile from the proposed building. One statement of record describes this as a positive benefit that will encourage walking and promote health. The distance is what it is and people who can and want to walk will do so. Penn-Branch nevertheless urges the Commission not to base any grant of zoning relief on such a facially insubstantial basis.

#### *Other Matters.*

Generally, Penn-Branch sees few public benefits offered by this project beyond affordable housing. No description of anticipated retail is provided, and the project is going forward before completion of the corridor plan.

Given that this project is a standalone and not part of an integrated corridor plan, should it be approved in any form, Penn-Branch requests language in the order that it should not be considered precedential in any regard, especially height, for future corridor development.

Respectfully submitted,



Penn-Branch Citizens/Civic Association

By: Laura Richards, Legislative Committee

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<sup>1</sup> Penn-Branch itself is designated low-density and zoned at R-1-B and C-1.