



Pillsbury Winthrop Shaw Pittman LLP
2300 N Street, NW | Washington, DC 20037-1122 | tel 202.663.8000 | fax 202.663.8007

Phil Feola
Phone: 202.663.8789
phil.feola@pillsburylaw.com

October 20, 2008

Hand Delivered

Anthony Hood
Chairperson
District of Columbia Zoning Commission
441 4th Street, N.W.
Suite 210
Washington, DC 20001

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Re: Zoning Commission Case 07-27, EYA, LLC/St. Paul's College,
Post-Hearing Supplementary Filing

Dear Chairperson Hood and Members of the Commission:

At the Zoning Commission Preliminary Decision meeting on September 29, 2008 in the above captioned matter, the Zoning Commission requested that the Applicant submit a Construction Management Plan for the development of the site, taking into account the requests outlined in a petition submitted by neighbors of the PUD site (Exhibit 53 of the record), and explore the alternative of using 4th Street, N.E. as the project's sole construction entrance. Attached as Exhibit 1 is the Applicant's proposed Construction Management Plan.

As described in the Plan, the Applicant proposes to use 8th Street, N.E. (a predominately industrial street) and Jackson Street, N.E. (a street with very few residents) to access the site for construction purposes. Unfortunately, the use of 4th Street, N.E. is not feasible. Such a construction entrance would: (a) require widening of the existing 4th Street entrance St. Paul's College substantially and such a widening will require extensive grading and site disturbance on a part of the site that no construction would otherwise occur; (b) result in the loss of existing mature trees because of the grading and the heavy trucks traveling over root systems of these trees; (c) have adverse environmental consequences due to the potential for increased rainwater runoff and soil erosion; and (d) require the entire site to be made "off-

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limits” to the residential neighbors who now use it for recreation and walking their dogs.

Most importantly, the existing driveway on 4th Street, N.E. is located just 130 feet north of 4th Street’s intersection with Lincoln Road N.E. The Applicant’s traffic consultant, Wells & Associates, has evaluated this entrance and concluded that given its close proximity to the signalized intersection of 4th Street, N.E. and Lincoln Road, N.E., trucks entering and exiting the driveway at this location would create a potential safety hazard. Left turn egress from the driveway would be particularly problematic since southbound queues from the signal at Lincoln Road frequently block the existing driveway making it difficult for vehicles to turn left out of the driveway. Due to the southbound queuing issue, virtually the only opportunity for left turning vehicles to exit the driveway occurs when the signal at the 4th Street/Lincoln Road intersection gives green time to the 4th Street approaches allowing the southbound queue to dissipate. However, during this time, the “gap” in the 4th Street northbound and southbound traffic streams is not sufficient for trucks, with their slower acceleration rates, to safely enter the traffic flow. Trucks entering and existing at this location could cause safety and operational concerns. Thus, the Applicant believes its alternative (8th Street, N.E. to Jackson Street, N.E.) is a better, less intrusive and safer alternative.

The Commission also requested, due to confusion as to which Exhibit in the record contained the Applicant’s final “Benefits and Amenities” package, that it be resubmitted. Exhibit 2 to this letter is the Applicant’s final proposed “Benefits and Amenities” package (by letter to the Zoning Commission dated September 25, 2008 which had been submitted into the record as Exhibit 50), for the Commission’s review.

Thank you for your consideration

Very truly yours,



Phil Feola

cc: Jack Lester

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Applicant's Post Hearing Supplemental filing was sent to the following by first-class mail or by hand delivery on October 20, 2008:

Jennifer Steingasser
Joel Lawson
Arthur Jackson
Office of Planning
801 N. Capitol Street, N.E.
Suite 4000
Washington, DC 20001

ANC 5C
P.O. Box 77761
Washington, DC 20013

Silas Grant
ANC Commissioner 5C-09
2830 – 6th Street, N.E.
Washington, DC 20013



Phil Feola