



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

July 2, 2009

Hand Delivered

Mr. Anthony Hood, Chairperson
D.C. Zoning Commission
Office of Zoning
441 4th Street N.W., Suite 210
Washington, DC 20001

**Re: Case No. 08-15: Friendship Shopping Center
Post-Hearing Submission**

Dear Chairperson Hood and Members of the Commission:

At the Commission's June 8, 2009 public meeting, the Commission requested that the Applicant explore additional mitigation measures to buffer the adjacent property owners at 3321 Idaho Avenue, N.W. (Mr. Philip Montalto) and 3319 Idaho Avenue, N.W.¹ from potential noise impacts from the grocery loading area.

The Applicant's noise consultant, Gerald Henning, who was recognized as an expert by the Commission, has reviewed the matter for the potential of additional mitigation measures. A copy of his follow-up report is attached as Exhibit A. In sum, Mr. Henning has concluded that with the existing planned mitigation measures, the average truck noise levels will be below the average background ambient noise levels. Further, the brief maximum noise levels generated by truck backup alarms, which would only occur a few times a day, will be comparable to the maximum background ambient noise levels that occur more often during the course of a day. Thus, there are no additional mitigation measures that can be instituted to lower the noise levels since the existing background noise exceeds the noise projected from the

¹ 3319 and 3321 Idaho comprise a duplex building which abuts the Applicant's property adjacent to the proposed loading area.

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loading area. Therefore, the addition of the grocery loading facility in this location will not result in any adverse effect on the Idaho Avenue residents.

According to Mr. Henning, the only additional technique that could be used to muffle sound even further would be the addition of storm windows and doors to the exterior sides of the houses at 3319 and 3321 Idaho Avenue, N.W. which face the loading area. Mr. Henning has concluded that these improvements will reduce the noise level inside these houses to about one-third the volume as would be with normal windows.

The Applicant agrees that the provision of these storm windows and doors is a reasonable additional buffering measure. With the owners' permission, the Applicant will pay for the addition of storm windows and doors to the residences at 3319 and 3321 Idaho Avenue on the exterior sides of these houses which face the loading area.

As detailed in the Applicant's rebuttal testimony, the Applicant has made many revisions to the loading area to accommodate potential impacts on adjacent properties. However, the constraints of the site preclude virtually any other solution to providing loading to the grocery store because:

- 1) the loading facility, pursuant to the needs of the grocery store, must be at the rear of the store;
- 2) the topography of the site makes access anywhere but from Idaho Avenue problematic. Because the community has made it clear that pedestrian and vehicular access from 38th Street is very important to them, the supermarket loading area must drop 18' below the level of 38th Street. Therefore, Newark Street access to the loading area would require trucks to navigate an 18° slope, which is just not feasible.
- 3) a Newark Street access, even if it were physically possible, creates pedestrian and automobile conflicts with trucks that are problematic and not consistent with the District's goal of a pedestrian-friendly neighborhood center; and
- 4) moving the Idaho Avenue access point closer to Wisconsin also is not feasible due to the slope of the site and the slope of Idaho Avenue.

The Applicant has looked at this issue in great detail and believes that the proposed solution is the best alternative available.

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It should be noted that there have been a number of changes made in the Applicant's plan to address concerns raised by the Idaho Avenue residents. These include:

- 1) moving the truck entrance as close to Wisconsin Avenue as the grades permit so that it is now 140' away from the closest residential house;
- 2) the entrance has been "canted" so that trucks must enter from the northeast, not from the Macomb Street direction;
- 3) a twenty foot sound barrier (wall) has been designed adjacent to the loading facility to minimize noise;
- 4) the entire loading facility is inside the building, placed behind closed doors;
- 5) there is significant and dense landscape buffering between the loading area and the nearest residential property;
- 6) Giant will implement a truck management plan that will prohibit deliveries between 10:00 p.m. and 6:00 a.m.; trash pickups to the hours of 7:00 a.m. and 9:00 p.m.; direct all deliveries and trash pickups to access the site only from the Wisconsin Avenue direction; and not permit truck idling anywhere on the premises.

The Applicant and its acoustical engineer believe that there will be no appreciable impact either due to noise or aesthetics with the current proposal on adjacent properties. Nonetheless, the Applicant is willing to provide storm windows and doors for the exterior walls that face the loading area for the residents of 3319 and 3321 Idaho Avenue, N.W. with their permission.

Sincerely yours,



Phil Feola

Enclosure

cc: Philip Montalto (3321 Idaho Avenue)
Lloyd & Ninetta Feldman Trustees (3319 Idaho Avenue)
Lucy Wildrick, Street-Works, LLC

CERTIFICATE OF SERVICE

I hereby certify that on July 2, 2009 a copy of the foregoing was sent via hand delivery to the following:

Maxine Brown-Roberts
D.C. Office of Planning
2000 14th Street, NW, 4th Floor
Washington, DC 20009

Cleveland Park Citizens Association
c/o George Idelson, President
3035 Newark Street, NW
Washington, DC 20008

Jeff Jennings
District Department of Transportation
2000 14th Street, NW, 6th Floor
Washington, DC 20009

3300 Idaho
c/o Thomas J. Haines
3315 Idaho Avenue, NW
Washington, DC 20016

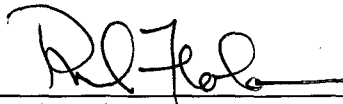
Anne Marie Bairstow, Chair, ANC 3C
2802 27th Street, NW
Washington, DC 20008

Immediate Macomb Street Neighbors
c/o Frances A. Sclafani
3815 Macomb Street, NW
Washington, DC 20016

Advocates of Wisconsin Avenue
Renewal
c/o Jeffrey S. Davis
3409 Newark Street, NW
Washington, DC 20016

Wisconsin-Newark Neighborhood Coalition
c/o John O'Sullivan
3410 Newark Street, NW
Washington, DC 20016

Ordway Street Neighbors Association
c/o David Isaacs
3610 Ordway Street, NW
Washington, DC 20016



Phil Feola

EXHIBIT A

WISCONSIN AVENUE GIANT
WASHINGTON, DC

Additional Noise Mitigation Measures

June 30, 2009

Gerald Henning
Henning Associates, Inc.
1688 East Gude Drive, Suite 302
Rockville, MD 20850
(301) 424-7338

As previously indicated in my written report and oral testimony before the District of Columbia Zoning Commission, substantial noise mitigation has been designed into the Wisconsin Avenue Giant project. The unloading will be conducted at the loading dock inside the building. As a result, with the garage door closed unloading noise levels will be substantially below the background ambient noise levels and lower than the existing unloading noise levels at the residence closest to the proposed truck turnaround. The address of this residence is 3321 Idaho Avenue, and this residence is attached to the residence at 3319 Idaho Avenue.

To control noise from trucks, the entrance to the truck turnaround was moved further from the residence closest to the truck turnaround, and a 20 ft high noise barrier/landscaped berm is proposed between the truck turnaround and this closest residence. At this closest residence, this noise barrier will substantially reduce the truck noise levels, including the backup alarm levels, generated in the truck turnaround. Little additional reduction could be obtained by increasing the height of the noise barrier because the acoustical performance of the proposed noise barrier is very near the limit achievable with a noise barrier.

The proposed noise barrier would completely shield this residence from trucks in the turnaround. At present, trucks traveling through the existing parking lot can be seen from this residence. With the 20 ft noise barrier, brief maximum truck noise levels which would only occur a few times a day would be comparable to the maximum background ambient noise levels which occur many more times during a day. The average truck noise levels would be below the average background ambient noise levels. Therefore, no significant impact from the truck noise including that generated by the truck backup alarms would occur.

While we believe we have already appropriately mitigated the noise impacts of the project, if there is a desire to offer additional mitigation to the owner(s) of the residential building closest to the truck turnaround (3321 and 3319 Idaho Avenue), the acoustical performances of the windows and doors of the exterior sides of this building facing the truck turnaround can be considered. If this residential building has routine windows and doors, the addition of storm windows and doors could reduce any backup alarm levels inside this residential building to levels about one-third as loud as they would be with just the existing windows and doors.