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Hand Delivered

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

ZONING COMMISSION
District of Columbia

CASE NO.

08-15

EXHIBIT NO.

46

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

Dear Chairperson Hood and Members of the Commission:

Enclosed please find the Applicant's Supplemental Pre-Hearing Submission for a consolidated Planned Unit Development ("PUD") and Zoning Map Amendment for the Friendship Shopping Center, which is located at the intersection of Wisconsin Avenue and Newark Street, N.W. This package contains additional information, reports, and other materials regarding the PUD application as well as an updated list of witnesses and summary of their testimony.

I. Grocery Loading Area

Based on continued discussion with adjacent neighbors and ANC representatives, the Applicant has modified the design of the grocery loading area. The proposed entrance to the loading area has been relocated so that it is approximately 140 feet from the closest residential property to the south. A plan illustrating the relocated entrance as well as sections illustrating the relationship of the loading area to nearby residential property are attached as Exhibit A.

The existing Giant supermarket today generates five to six semi-tractor-trailer trucks and 25 to 30 single-unit vendor trucks per weekday, and all loading activity takes place in the exposed surface parking lot. Giant has indicated that the proposed new store will generate approximately the same types and number of trucks. The

Applicant will implement a series of noise control measures as a part of the PUD that are intended to mitigate the noise generated by the grocery store's loading activity. In some cases, these noise control measures represent an improvement over existing conditions.

The control measures include the following:

1. All truck unloading activity will take place within the loading dock, which is located entirely within the building. The loading dock will contain a solid door system at the loading dock entrance as well as sound absorptive interior finishes.
2. Truck maneuvering will take place entirely on Giant's property on a circular turnaround area that is designed so that a 55-foot truck can maneuver into the loading area without making any "backing" movement. Trucks will be able to pull into the loading area front-first and leave front-first. Trucks will only need to utilize one reverse maneuver, when they physically back into the loading dock itself. This will minimize the amount of safety alarm noise.
3. The truck maneuvering area, which is located below the adjacent grade to the south and west, features a 15-foot high noise barrier that also serves as the retaining wall for the adjacent earth and vegetated berm. The noise barrier and berm will reduce the periodic sound of trucks maneuvering to approximately one-third as loud as it would otherwise be without the noise barrier, as heard from the ground level of the adjacent residential property. In addition, the Applicant is prepared to extend this noise barrier to a height of 20 feet, which would provide additional noise reduction at the second level of the adjacent residential property, if the Commission determines that such buffering is necessary. Finally, the Applicant has proposed planting a dense barrier of evergreen trees along the berm. This will provide additional visual screening of the loading area.

These noise control measures were recommended by the Applicant's acoustics and noise control consultant, whose report is attached as Exhibit B. As a result of these noise control improvements, noise generated by the proposed Giant will comply with the District of Columbia noise regulations. Therefore, the proposed Giant will not impose adverse impacts on surrounding property owners due to noise.

II. Additional Materials for the Public Hearing

Attached as Exhibit C are samples of the materials planned for each elevation of the project, which the Applicant intends to present at the public hearing. Also included are photographs of the model that will be presented at the hearing.¹

Attached as Exhibit D are the Applicant's proposed guidelines for storefronts and signage within the proposed PUD.

III. The Neighborhood Commercial Overlay

As discussed in detail in pages 8-10 of the Applicant's October 24 Pre-Hearing Submission, the Applicant requests that the Commission rezone the PUD site to remove it from the Macomb-Wisconsin Neighborhood Commercial Overlay District (the "MW Overlay"). Notwithstanding the removal of the MW Overlay, the Applicant has designed the PUD to be consistent with the spirit of the Overlay and reinforce the site's neighborhood commercial character. In order to reinforce the PUD's consistency, the Applicant proposes the following conditions to the Project, if approved:

1. No more than 20% of the ground-level floor area of the PUD shall be devoted to banks, loan offices or other financial institutions, and commercial tax preparation establishments.
2. Restaurants, prepared food shops, and fast food establishments are permitted, but shall occupy no more than 25% of the linear street frontage of the PUD site, as measured along the commercially-zoned portions of the PUD site.

IV. Witness List and Expert Witnesses

The Applicant estimates it will need approximately 90 minutes to present its case. The Applicant intends to present the following witnesses at the public hearing:

¹ Please note that the model has not been updated to reflect recent changes to the grocery loading area.

- Applicant's Representative – Anthony Colavolpe
- Development Consultant – Lucy Wildrick, Street-Works, LLC
- Project Master Planner & Architect – Richard Heapes, Street-Works, LLC*
- Sustainability Consultant – Julia Craighill, Steven Winter Associates*
- Traffic and Parking Consultant – Marty Wells, Wells & Associates*
- Civil Engineering Consultant – Adam Volanth, Bohler Engineering, PC*
- Acoustical Consultant – Gerald Henning, Henning Associates, Inc.*

Outlines of the witnesses' testimony are attached as Exhibit E. The Applicant intends to introduce the witnesses identified with an asterisk above as experts in their respective fields. Resumes of these experts are attached as Exhibit F.

The Applicant and its team looks forward to presenting this case to the Commission at the February 19, 2009 public hearing. If you have any questions, please do not hesitate to contact the undersigned.

Sincerely yours,



Phil Feola



David Avitabile

Enclosures

cc: Lucy Wildrick, Street-Works, LLC
Julia Craighill, Steven Winter Associates
Marty Wells, Wells & Associates
Adam Volanth, Bohler Engineering, PC
Gerald Henning, Henning Associates, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent via first-class mail or hand delivery to the following:

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