



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

RECEIVED  
D.C. OFFICE OF ZONING

2009 JAN 21 PM 3:02

Phil Feola  
202-663-8789  
phil.feola@pillsburylaw.com

January 21, 2009

Christine Roddy  
202-663-9142  
christine.rodgy@pillsburylaw.com

**VIA HAND DELIVERY**

Anthony Hood  
Chairperson, D.C. Zoning Commission  
441 Fourth Street, NW  
Second Floor  
Washington, D.C. 20001

ZONING COMMISSION  
District of Columbia  
CASE NO. 08-21  
EXHIBIT NO. 40

**Re: Zoning Commission Case No. 08-21 Supplemental Submission - Canal  
Parc (Square 1356, Lots 28, 929, 932, 933)**

Dear Chairperson Hood:

Enclosed please find an original and twenty copies of the Applicant's supplemental submission in the above-referenced case. The Zoning Commission held a hearing for Case No. 08-21 on December 1, 2008. At the close of the Applicant's presentation, the Commission requested additional information before continuing with the hearing. Specifically, the Commission requested (1) a revised treatment of the wetlands to avoid a canyon-like effect at the rear of the property; (2) simplified building facades; (3) a volumetric study of the development in context of the greater community; (4) attention paid to details such as downspouts on the elevations; (5) a more thoughtful treatment of garages off of the central park; (6) photographs of roof terrace examples; and (7) that the Applicant meet with the National Park Service ("NPS").

After the hearing, the Applicant studied its proposal and revised it to comport, not only with the Commission's comments, but with the Applicant's goals for the project. We believe the resulting project addresses many, if not all of, the Commission's concerns and is superior to the original proposal. The Applicant outlines its responses to specific Commission comments below.

**1. Treatment of Wetlands**

The Commission was concerned with the treatment of the wetland area, primarily because the previously proposed retaining wall, coupled with the existing retaining wall on the adjacent property, created a "canyon-like" effect. The Applicant has made vast improvements in how it proposes to treat the wetlands. Attached as Exhibit A (sheets 2-7) are landscape plans

Anthony Hood, Chairman

January 21, 2009

Page 2

between the retaining wall and the stream and reducing the height of the retaining wall by nearly 10 feet.

The initial proposal provided a 14 foot retaining wall, at its highest, set back from the wetlands approximately 5 feet, 4 inches. The instant proposal provides more protection for the wetlands while enhancing the scenic view to neighboring residents. While the setback dimensions vary due to the meandering nature of the wetlands, the proposed retaining wall is set back at least ten feet (approximately) from the wetlands and in all cases the height has been reduced to approximately 3 – 4 feet (depending on location). This eliminates the canyon-like effect that previously existed as well as many of the safety concerns that came with the fourteen foot drop at the rear of the property. The increased set back and the reduced wall height will provide greater protection to the wetlands in that there will be less grading and disturbance during construction and there will be a greater protective area around the wetlands. The residents will benefit from improved views of the wetlands and from greater safety provided by the reduced wall height.

## 2. Simplified Facades

At the public hearing, the Commission noted that the building facades were “over-accessorized,” which Commissioners opined created an appearance of density. Specifically, the Commission suggested that the Applicant re-study the window treatments because the materials and details created a “heavy” appearance that was not well composed. With these comments in mind, the Applicant took another look at the building facades and made dramatic changes. Elevations of the revised facades are attached in Exhibit A.

The new design includes revised rooflines for each building. The instant proposal is in keeping with the existing architecture in the neighborhood and creates a more urban feel to the project. For instance, the most prominent building, Building 1 along MacArthur Boulevard, now includes flat roofs to correspond to other neighboring structures along MacArthur Boulevard. Buildings 3 and 4 break-up the roofline with V-bays, which are prominent in the Tudor-styled homes in the Foxhall neighborhood and across MacArthur Boulevard from the Project.

The Applicant also minimized the amount of “accessories” on each building façade: shutters are used sparingly, building materials were simplified, and metal railings were removed. This proposal replaces side stoops with front stoops and provides windows for the English basements, all in an effort to enhance the urban character of the development. Finally, this design creates formal facades for end units facing MacArthur Boulevard and the wetlands to maximize views of the site for residents.

### 3. Volumetric Study

The Commission questioned the appropriateness of the row-house model and proposed density at the project site. They requested a volumetric study showing the project in the context of the greater neighborhood. Attached as Exhibit B, is a volumetric study demonstrating the appropriateness of the project in context.

The Property is surrounded by a wide variety of building types: immediately to its east are a series of townhouses, to the west is Georgetown Day School and single-family detached houses, and to its north, across MacArthur Boulevard, are apartments and townhouses. Thus, townhouses are a prevalent use in the immediate vicinity, making the provision of townhouses at this site a logical and appropriate choice. It is important to note that the detached houses are simply one housing type among many in this neighborhood. Single-family detached houses are by no means the norm for MacArthur Boulevard.

The Applicant is proposing 37 townhouses on approximately 121,000 square feet of land area. The floor area ratio ("FAR") of the development is .98. An FAR of less than 1.0 is consistent with low density residential development. In fact, the R-1-A Zone District, indisputably low density residential development, allows for a FAR of 1.2 – approximately an additional thirty-three thousand square feet of development than what is proposed. In addition to being low density, the Applicant is providing a generous amount of open space with the project. Approximately 51% of the project is open-space, which is much greater than the amount of open space provided on many of the surrounding properties. Given the foregoing, the Applicant believes the attached studies justify the proposed housing type and proposed number of units.

### 4. Detailed Elevations

Plans included in the Applicant's initial proposal did not include details regarding the day-to-day functionality of the buildings. As requested, the plans attached as Exhibit A, at the approximate detail of a Design Development level of drawings, include details, such as downspouts.

### 5. Treatment of Garages

The Commission voiced concern regarding the consistency of the garages with the adjacent Central Park. The Applicant is proposing a creative solution for minimizing the visibility of the garage doors by integrating them into the building design, maximizing landscaping in front of the residential units, and creating a safe environment for pedestrians utilizing the Central Park. Attached as Exhibit A are elevations depicting the new garage entries.

Anthony Hood, Chairman

January 21, 2009

Page 4

The new proposal softens the appearance of the garages and minimizes their impact. The Applicant is proposing a mix of double-car entries, single-car entries, and two single-car entries. By increasing use of the single-car entry, the Applicant is able to reduce the visual impact of the garages and maximize the space available for landscaping. The garage doors are also recessed four feet from the property line to improve pedestrian safety.

6. Photographs of Roof Terraces

Attached as Exhibit C are photographs of examples of roof terraces in other projects.

7. Meeting with NPS

The NPS submitted a report into the record on the day of the hearing stating that it had concerns about the impact of construction on the wetlands. The Applicant held an on-site meeting with NPS personnel on January 16, 2009, to review the plans, the stormwater management system, landscape plans and the wetlands issues, and to walk the site and address any NPS concerns.

In addition to the foregoing exhibits, the Applicant also provides a LEED checklist for the project as Exhibit D and information regarding the National Green Building Standard as Exhibit E.

The Applicant believes that the enclosed exhibits address the comments made by the Commission on December 1, 2008, and requests a brief opportunity to explain some of these items. It looks forward to answering any questions the Commission may have at the public hearing on February 12, 2009.

Sincerely,



Phil Feola



Christine Roddy

Anthony Hood, Chairman  
January 21, 2009  
Page 5

Certificate of Service

I certify that the foregoing document was delivered by first-class mail or hand delivery on January 21, 2009, to the following addresses:

Jennifer Steingasser  
Maxine Brown-Roberts  
Office of Planning  
801 North Capitol Street, NE  
Suite 4000  
Washington, DC 20001

ANC 3D  
P.O. Box 40846 Palisades Station  
Washington, DC 20016

Advisory Neighborhood Commissioner Haas  
1601 45th St., NW  
Washington, DC

Alma Gates  
4911 Ashby Street  
Washington, DC 20007

Bill Crews, Esq.  
637 Constitution Ave NE  
Washington, DC 20002-6035

Palisades Citizens Association  
PO Box 40603  
Palisades Station  
Washington, DC 20016

William Spence Spencer  
4836 MacArthur Blvd., NW  
Washington DC 20007

Anthony Hood, Chairman  
January 21, 2009  
Page 6

Canal View Homeowners Association  
c/o Robert E. (Gene) Tucker  
4602 Laverock Place, NW  
Washington, DC 20007

David Brown, Esq.  
Knopf & Brown  
401 East Jefferson Street  
Suite 206  
Rockville, Maryland 20850

National Park Service  
c/o Bill Yeaman  
Doug Curtis  
4598 MacArthur Boulevard  
Washington, DC 20007

  
Christine Roddy