ARNOLD & PORTER

Cynthia A. Giordano
Cynthia_Giordano@aporter.com

202.942.5840
202.942.5999 Fax
202.654.7058 Cell

555 Twelfth Street, NW
Washington, DC 20004-1206

May 24, 2002

RECEIVED
D.C. OFFICE OF ZONING
2002 MAY 31 AM 9:33

Sheri Pruitt, Secretariat
Beverly Bailey, Urban Planner
Board of Zoning Adjustment
Office of Zoning
441 Fourth Street, N.W.
Suite 210
Washington, DC 20001

Re: BZA No. 16868; Post Hearing Submissions

Dear Ms. Pruitt and Mrs. Bailey:

At the conclusion of the May 14th public hearing on the above-referenced application, the Board requested that the following attached, additional items be submitted into the record:

(1) Letter from WMATA authorizing Arnold & Porter to represent it in this matter (Attachment "A");

(2) Certification as to service on ANC-1B of Revised Project Plans (showing larger parking reduction) (Attachment "B"); and

(3) Transportation Management Plan (Attachment "C").

Thank you for your continued assistance in this matter.

Sincerely,

Cynthia A. Giordano

Enclosures

cc: Marvin Jawer

BZA
Case No. 16868
Exhibit No. 28

Board of Zoning Adjustment
District of Columbia
CASE NO.16868
EXHIBIT NO.28

ATTACHMENT A

May 14, 2002

Board of Zoning Adjustment
Office of Zoning
441 Fourth Street NW
Suite 210
Washington, DC 20001

Re: BZA Case No. 16868; 1290 U Street, NW

Dear Sir or Madam:

This letter authorizes the law firm of Arnold & Porter, including Cynthia Giordano and Nate Gross, to represent the Washington Metropolitan Area Transit Authority which is the Applicant and property owner in the above-referenced case.

Sincerely,

Denton U. Kent
Director
Office of Property Development
and Management

Washington
Metropolitan Area
Transit Authority

600 Fifth Street, NW
Washington, DC 20001
202/962-1234

By Metrorail:
Judiciary Square—Red Line
Gallery Place-Chinatown—
Red, Green and
Yellow Lines
By Metrobus:
Routes D1, D3, D6, P6,
70, 71, 80, X2

*A District of Columbia,
Maryland and Virginia
Transit Partnership*

Attachment B

CERTIFICATE OF SERVICE

This certifies that I contacted Glen Melcher, Chairperson, ANC-1B to notify him of the increased square footage of the proposed office building which is the subject of Application No. 16868 and that a set of plans and zoning computation depicting a reduction from 76 required spaces to 12 proposed spaces was hand delivered to ANC-1B on April 11, 2002.

Cynthia Giordano

1290 U Street Metro Development
Transportation Management Program

The developer (Blue Horseshoe LLC) agrees to implement a Transportation Management Program associated with the 1290 U Street Metro Building consisting of the following elements:

1. Designate a building transportation coordinator and specific contacts for tenants.

2. The facility will contain seventeen (17) parking spaces. There will be four (4) spaces available for retail tenant employees. There will be thirteen (13) spaces, including five stacked spaces, available during business hours for the Department of Mental Health (DMH). During non-business hours the thirteen spaces will be available for retail use including valet parking companies that provide services to restaurants in the 14th & U Streets corridor.

3. A secure area for bicycle parking shall be designated and DMH facilities will contain a shower for employees riding their bicycle to work.

4. DMH will promote on their website the accessibility of Metro to 1290 U Street.

5. DMH will consider developing a "SmartCard" program for all employees at 1290 U Street.

6. DMH will reimburse and provide, upon request, tokens to their consumers who travel to all of its program sites via bus or metro

7. A transportation information display (i.e. kiosk) will be placed in the lobby of the building that will provide rideshare, transit and other information intended to assist with transportation to the site.

8. The Developer agrees to make information available on an ongoing basis to DMH concerning the availability of parking in and around the 1290 U Street area. DMH will disseminate this information to its employees and clients/customers.

May 23, 2002