X. Standards for a Variance (§3103.2)

- *Where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the original adoption of the regulations, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property,*
- *the strict application of any regulation adopted under D.C. Code §§5-413 to 4-432 (1981) would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the difficulties or hardship;*
- *Provided, that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.*

XI. Standards for Special Exception Sought (§§ 411.1 and 3104.1)

- *When impracticable because of operating difficulties, size of building lot, or other conditions relating to the building or surrounding area that would tend to make full compliance unduly restrictive, prohibitively costly, or unreasonable, the Board of Zoning Adjustment shall be entitled to approve the location, design, number, and all other aspects of such structure . . . provided the light and air or adjacent buildings shall not be affected adversely.*

- *. . . the Board is authorized to grant special exceptions where, in the judgment of the Board, those special exceptions will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to adversely affect the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps . . . [including exceptions to] . . . regulations for roof structures.*

Board of Zoning Adjustment
District of Columbia
CASE NO.16930
EXHIBIT NO.57A2

XII. Compliance with the Variance and Special Exception Standards.

A. Exceptional or extraordinary situation or conditions **of the land** applying to all four variances sought (also relevant to Special Exception):

1. Limited lot size, approximately 8,300 square feet.

2. Lot shape, a slender right triangle: 15°

3. Uniquely situated land area within original L'Enfant plan (details follow), this being only Square of the four theoretical equivalent Squares, to include any *private* land:

   - NE is at Columbus Plaza (Union Station), bisected by Massachusetts Avenue.

   - SW is now buried below the interchange of I-395's northern extension and the SW freeway; previously it was bisected by Virginia Avenue SW in the same manner as the NE square was bisected by Massachusetts Avenue.

   - SE was part of an open area within original Tin Plate or Dermott map and was part of a larger Reservation, now adjacent to the Capitol Power Plant; the geometric complement to the project site is the location of a two-story L-shaped building now under renovation to house the Capitol Page School, under the jurisdiction of the Architect of the Capitol.

4. Site lies at nearly the lowest point of New Jersey Avenue between M Street to the north and Capitol Hill, and east-west numbered streets lead up by one or more stories either side.

B. Common elements of absence of detriment to public good applying to all four variances sought:

1. Height would fall below that of either the Washington Court Hotel / office complex and the Georgetown University Law School dormitory.

2. Density of the building, while computing to FAR by formula, is effectively much less and will not begin to over saturate the area in terms of net density, which is conceptualized on the basis of districts having more conventional form and aggregates.

C. For the Specific Variances Sought, additional information:

1. Height

a. Exceptional or extraordinary situation or condition -- [General conditions noted above]

b. Practical difficulty – [Architectural, economic, and construction issues, *by others*]

c. No detriment to the public good

(1) Entire area is within an area the Zoning Commission has concluded can, and, consistent with the Comprehensive Plan, should absorb buildings rising to 130 feet (high density).

(2) Other nearby buildings in base zone district rise higher than this one absolutely and no more than it as a function of zoning/Height Act measurement.

2. Maximum Floor Area Ratio

   a. Exceptional or extraordinary situation or condition -- [General conditions noted above]

   b. Practical difficulty – [Architectural, economic, and construction issues, by *others*]

      (1) Insufficient area and appropriate dimensions to realize economically viable building

      (2) Have used all the available roof areas, balconies, etc.

   c. No detriment to the public good

      (1) Entire area is within an area the Zoning Commission has concluded can, and, consistent with the Comprehensive Plan, should absorb buildings of the greatest density).

      (2) Use is commercial, totally consistent with the precepts of the Comprehensive Plan in all its relevant elements

      (3) Other nearby buildings have vastly greater gross density, which is what determines the "load" of uses on this area; this building's "burden" to the infrastructure is negligible, but to the area, it will be pivotal.

3. Parking

   a. Exceptional or extraordinary situation or condition -- [General conditions noted above]

   b. Practical difficulty – [Architectural, economic, and construction issues, by *others*]

      (1) Insufficient area and appropriate dimensions to realize economically viable building

      (2) Parking is essentially impossible to locate within the limits of the private property lines, necessitating its being located in adjacent vault areas.

   c. No detriment to the public good

      (1) Required parking is provided in amount required, but is merely located outside the perimeter within which the rules would normally measure it.

4. Loading

   a. Exceptional or extraordinary situation or condition -- [General conditions noted above]

   b. Practical difficulty – [Architectural, economic, and construction issues, by *others*]

   c. No detriment to the public good

      (1) Required loading space is provided to degree required, but is merely located immediately outside the perimeter of the lot line within "the parking" along the western face of the proposed building, adjacent to the service delivery space.

5. Roof Structure of Unequal Height (Special Exception, not variance).

   a. Exceptional or extraordinary situation or condition -- [General conditions noted above]

   b. Practical difficulty – [Architectural, economic, and construction issues, by *others*]. The uneven height sought is solely to shield the essential mechanical equipment from view and comply with the 1:1 set back requirements from the edge of the property line at the top of the building, the plane of which would be impermissibly penetrated were all walls full height from the outer perimeter of the base of the roof structure itself.

   c. No detriment to the public good

      (1) There are no abutting properties.

      (2) No *surrounding* property is be situated in a relationship depriving them of light and air by virtue of the uneven height sought.

      (3) Light falling to surrounding public space would not be perceptibly affected by uneven height.

      (4) Walls of unequal height are a reasonable, functional, and aesthetic response to the problems resulting from the small area of the roof and the setback requirements under the Zoning Regulations and Height Act of 1910.

XIII. Conclusions

A. Subject property is affected by a host of exceptional conditions, because of the size of the site, the configuration of the site, the three zone categories now applicable to the property and the requirements of Zoning and other Regulations as to public space and street design

B. Strict application of the Regulations would create significant difficulties and impose exceptional costs for the construction

C. The variances can be granted without substantial detriment to any surrounding properties or integrity of the underlying zone plan

D. Each of the variances sought in this application should be granted, as should the special exception for the roof structure.

1

BOLAN SMART ASSOCIATES, INC.
900 19TH STREET, NW, SUITE 600, WASHINGTON, DC 20006 • (202) 371-1333 • FAX (202) 371-1334

Date: October 2002
To: District of Columbia Board of Zoning Adjustment
RE: Economic Viability Analysis, 500 New Jersey Ave., NW

Dear Board Members:

Bolan Smart Associates has been asked to update a July 2001 economic feasibility analysis of the proposed 500 New Jersey Avenue, NW office building. In the earlier analysis, the approximately 54,000 gross square feet of building area permitted under the existing zoning was proven to be uneconomic to develop. The principal reason related to the inordinate cost of building and operating a small, triangular shaped building footprint that renders the building significantly less efficient than market competitive properties. The solution was found in building a larger, more market competitive building, allowing construction and operating inefficiencies as well as land cost components to be spread over a broader base.

Since our work leading to July 2001, the property was sold to Lawrence Brandt and Brandt has contracted to sell a completed building to the National Association of Realtors (NAR). The NAR intends to occupy approximately 40% of this to serve as their regional headquarters. The remainder will be leased at market rates. In an effort to create a national example of environmentally sensitive design, the original building plans have been significantly revised. We have been asked now to revisit the question of economic feasibility and to employ the new building proposal and associated development costs into our analysis. Our findings are summarized as follows:

1. ***The building, as permitted by-right, flies in the face of established office building development practices in the District of Columbia.*** Between 1996 and 2001, a total of 33 new private office buildings were constructed in downtown Washington, DC. These buildings total 7,512,932 square feet of rentable space. Of those buildings, 27 (or 82%) have rentable square footage in excess of 100,000 square feet of space. Of the remaining six buildings, four were developed for pre-identified occupants (build-to-suit buildings).

Those included buildings for The Carnegie Endowment, Faith Family and Freedom, The American Public Health Association, and The Institute for International Economics. That leaves only ***two*** office buildings constructed in downtown Washington between 1996 and 2001 with less than 100,000 square feet rentable area, representing less than 1% of total new construction. It should also be noted that both of these buildings (800 8th Street, NW, and 800 Eye Street, NW) are infill buildings, and have a normal rectangular configuration, rather than the triangular configuration of the proposed 500 New Jersey Avenue, NW.

2. **The size and configuration, when combined under the by-right provisions, are intrinsically uneconomic.** Clearly, there are a number of triangular shaped private office buildings in downtown Washington. The proposed by-right 500 New Jersey Avenue differs from virtually all of them in three important respects. First, it would be smaller than any other such building, at less than 54,000 gross square feet of space. Second, it would be the only such building whose all four sides require "front door" architectural treatment. That is to say, most buildings either abut another building or have at least one façade requiring a less costly architectural treatment than in the front façade. 500 New Jersey Avenue has four sides with street frontage. Third, the building as permitted by-right, would require three passenger elevators if it is to compete with other quality downtown buildings for tenants – or one elevator for every 18,000 square feet of gross building area. A normal downtown Washington office building typically provides one passenger elevator for every 40,000 or more square feet of building area. Combined, these three factors make a building of this size and configuration permitted by-right at 500 New Jersey Avenue intrinsically prohibitively expensive to build and rent at market determined competitive rates.

3. **The cost of base building construction of 500 New Jersey Avenue, NW, as permitted by-right, is approximately 50% more costly than for a larger, typically configured office building.** Construction cost estimators project that 500 New Jersey Avenue, NW will cost $145 per gross square foot for core (elevators, stairs, lobby, garage entry/ramps) and shell

construction. It is noted that a more typical urban speculative office building could be expected to cost between $90 and $100 per gross square foot.

4. **500 New Jersey Avenue, NW if developed by-right, is completely uneconomic.** Bolan Smart Associates has developed a financial pro-forma for 500 New Jersey Avenue if developed on a by-right basis, and secondly, as requested in this application. For comparative purposes, we have also developed a financial pro-forma for a generic downtown Washington, DC office building. That analysis is shown in Table 1. From this table, several facts are immediately apparent:

   a) The generic new downtown office building, containing 250,000 square feet of space, would need to rent for $42.27 per rentable square foot (line 25, Table 1) to break-even, a number virtually identical to recent rent comparables and current market experience. Adjusting for a generic market core factor (building lobbies, access areas, restrooms, etc.) of 8% of total square footage produces a competitive market cost to the office space user equivalent to $45.65 per useable square foot (line 27, Table 1).

   b) The by-right building, containing 54,000 gross square feet, would need to rent for $48.95 per rentable square foot (line 25, Table 1), or $56.78 per useable square foot (line 27, Table 1) to be financially feasible. On a useable basis, that is 24% greater than for the so-called generic downtown office building. The reasons for this enormous cost differential are clear. First, the construction cost per square foot of base building construction is substantially greater ($145/gross square foot versus $95/gross square foot for a more typical Washington office building). Second, the soft costs are substantially higher because they are a percentage of base building costs. Thus, for example, construction interest costs increase sharply since a greater amount must be financed. Third, due to the high proportion of vertical structural elements and building common area relative to actual useable square footage,

the by-right building contains proportionately less rentable square feet, and as a further derivative, less usable square feet of space, than a more typical office building, placing it in an impossible competitive position in the marketplace. Our analysis concludes that the by-right building would cost an office user $11.13 per useable square foot (line 29, Table 1) more than a typical first class downtown Washington office building. The consequence of this is that an office user would refuse to rent the by-right building without the landlord agreeing to mark down the cost per rentable square foot to equalize for the same end cost per useable square foot achievable at a generic competitive building. Under these conditions, the 500 New Jersey Avenue building would need to rent for $33.99 per rentable square foot (line 30, Table 1) to stand competitive with a generic office property, resulting in a landlord loss of $14.96 per rentable square foot (line 31, Table 1). Without question, it would be inconceivable for the landlord to absorb a 24% loss per rentable square foot between the market competitive rent for the space and the required break-even cost.

c) The proposed building as requested, containing 97,265 gross square feet of space, would need to rent for $44.92 per rentable square foot (line 25, Table 2) to break-even, or $51.21 per useable square foot (line 27, Table 2). That is still $5.56 per useable square foot (line 29, Table 1) more than a comparable new Class A downtown Washington office building. The reasons this building requires a greater rent than a more typical downtown Washington office building are twofold. First, due to the unusual configuration of the site, the base building cost per square foot is still substantially greater than for a more conventional office building with a more conventional rectangular footprint. Secondly, the proposed building would still contain fewer usable square feet of office space than a more typical building with the same gross square footage because of its small size and unusual shape. Nonetheless,

we believe that the additional 12% of required rent to lease an expanded 500 New Jersey Avenue compared with a generic office property may be justified in the marketplace, to a limited extent, due to the high proportion of window line offices and "sustainable" building development features.

5. **Acquisition of TDRs is not feasible, and indeed may only compound the problem at 500 New Jersey Avenue, NW.** TDR rights would have to be acquired in the open market and at whatever private market costs prevail for such rights. Thus, acquisition of TDR rights would add to the cost of the building instead of directly improving the underlying economics. Furthermore, if TDR rights were acquired under by-right provision, that would presumably still cap the building at less than 77,000 gross square feet, which is insufficient increased size to create a financially viable office building, for reasons noted above.

6. **Adding a hotel or residential component to 500 New Jersey Avenue, NW worsens the project's economics and viability.** On a per square foot basis, hotel and residential development in downtown Washington generally generate less income than Class A office space. Substituting hotel or residential space for office space would make an already unprofitable office structure even more unprofitable mixed use structure. Furthermore, a number of major design changes would be required to absorb two or more uses on such a small site (including very likely a second elevator core, a second lobby, and major changes to both the HVAC and mechanical systems of the structure, that would have a devastating impact on project's economics). Finally, the small size of a lodging or residential component that could be added would in themselves be very expensive to operate when considered on a per unit basis. Regardless of the economic constraints, the site can simply not physically support the addition of either hotel or residential use, due its extraordinarily small, narrow building footprint.

Conclusion

The results of our analysis lead to a clear and unambiguous conclusion: 500 New Jersey Avenue NW is completely infeasible financially if only 54,000 gross square feet of space can be developed. The small size of the building will limit its appeal and marketability. High development costs will mandate rents per rentable square foot far above market competitive rents, which for this building, will actually need to be significantly below market in order to compensate for chronic building inefficiencies. The result is a building that cannot be built.

If the applicant's request is granted, seeking a total of approximately 87,995 gross square feet of FAR plus 9,270 gross square feet of building projection space, for a total of 97,265 gross square feet, then our analysis leads to the conclusion of a building that more closely approaches financial feasibility.

We hope this overview and the attached tables are helpful in framing the economic issues associated with the proposed 500 New Jersey Avenue, NW.

Sincerely,

Eric Smart,
Principal, Bolan Smart Associates

Table 1 - 10/2002

REQUIRED REVENUES FOR FINANCIAL FEASIBILITY - ($2002)
500 NEW JERSEY AVENUE, NW

			Generic Market Standard Bldg.	500 New Jersey By-right Dev.	500 New Jersey Proposed Dev.
Total Project					
1)	gross square feet above grade (FAR)		250,000 gsf	54,000 gsf	97,265 gsf
2)	efficiency adjustment		96.00% efficiency	91.00% efficiency	91.00% efficiency
3)	gross to rentable sf		240,000 rsf	49,140 rsf	88,511 rsf
4)	useable adjustment (core factor)		8.00% core factor	18.00% core factor	15.00% core factor
5)	rentable sf to useable sf		220,800 usf	40,295 usf	75,234 usf
6)	parking ratio		0.77 / 1,000 rsf	0.77 / 1,000 rsf	0.77 / 1,000 rsf
7)	parking spaces		185 spaces	38 spaces	68 spaces
Development Costs			**per sf**	**per sf**	**per sf**
8)	land cost		$90.00 /gsf	$90.00 /gsf	$61.69 /gsf
9)	base building construction		$95.00 /gsf	$145.00 /gsf	$147.50 /gsf
10)	soft costs (ae, fin, legl, market, e	25.00% of dev. costs	$46.25 /gsf	$58.75 /gsf	$52.30 /gsf
11)	contingency / developer fee	7.00% of dev. costs	$12.95 /gsf	$16.45 /gsf	$14.64 /gsf
12)	tenant improvements	$45.00 /rsf	$43.20 /gsf	$40.95 /gsf	$40.95 /gsf
13)	total delivery costs per unit		$287.40 /gsf	$351.15 /gsf	$317.08 /gsf
Funding Requirements					
14)	debt	75.00% of dev. costs	$215.55 total	$263.36 total	$237.81 total
15)	25 years amortization	7.00% interest rate	$18.50 /year	$22.60 /year	$20.41 /year
16)	cash equity	25.00% of dev. costs	$71.85 total	$87.79 total	$79.27 total
17)	pv of value after 25 yrs amort.		($13.75)	($17.56)	($15.18)
18)	net equity		$58.10	$70.23	$64.09
19)	net equity yield	14.00% yield	$8.13 /year	$9.83 /year	$8.97 /year
20)	net annual cost		$26.63 /year	$32.43 /year	$29.38 /year
Required Rent					
21)	vacancy / credit loss	6.00%	$2.39 /rsf	$2.77 /rsf	$2.54 /rsf
22)	operating cost		$8.25 /rsf	$8.75 /rsf	$8.00 /rsf
23)	real estate taxes		$5.00 /rsf	$5.00 /rsf	$5.00 /rsf
24)	annual financing costs		$26.63 /rsf	$32.43 /rsf	$29.38 /rsf
25)	total annual cost (incl. parking) - required rent		$42.27 /rsf	$48.95 /rsf	$44.92 /rsf
Competitive Position					
26)	core factor (rentable to useable adjustment)		8.00% bldg	16.00% bldg	14.00% bldg
27)	implied effective market rent (cost to user)		$45.65 /usf	$56.78 /usf	$51.21 /usf
28)	generic building competitive rent per usf		$45.65 /usf	$45.65 /usf	$45.65 /usf
29)	market competitive position per usf		$0.00 /usf	$11.13 /usf over mkt	$5.56 /usf over mkt
30)	market rent per rsf to compete for user		$42.27 /rsf	$33.99 /rsf	$37.69 /rsf
31)	market competitive position per rsf		$0.00 /rsf loss	($14.96) /rsf loss	($7.24) /rsf loss

Note: 1) Proposed 500 New Jersey development comprised of 87,995 FAR gross square feet plus 9,270 projection gross square feet.

8) Total land cost assumed fixed per by-right assumptions, meaning per gsf cost can drop when factored against larger building.

17) Residual value after 25 years assumed as delivery cost escalated annually @1.75% minus return of original cash equity

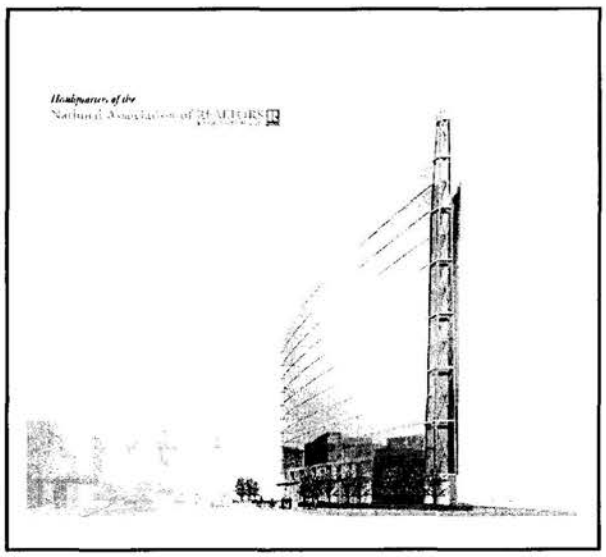
Source: Bolan Smart Associates, Inc. (10/02)

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Technical Memorandum:

TRAFFIC IMPACT ASSESSMENT, BOARD OF ZONING ADJUSTMENT APPLICATION FOR NATIONAL ASSOCIATION OF REALTORS HEADQUARTERS BUILDING, 500 NEW JERSEY AVENUE, NORTHWEST, WASHINGTON, D. C.

(Application No. 16930)



Prepared for:

LAWRENCE N. BRANDT, INC.
3201 New Mexico Avenue, N.W., #300
Washington, D.C. 20016
Mr. Robert F. Brandt, President

Correspondents:

HOLLAND & KNIGHT, LLP
2099 Pennsylvania Avenue, N.W., Suite 100
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Whayne S. Quinn, *Esquire*
Christy M. Shiker, *Esquire*

Prepared by:

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10210 Greenbelt Road, Suite 310
Lanham, MD 20706

October 7, 2002

O. R. GEORGE & ASSOCIATES, INC.

Traffic Engineers – Transportation Planners

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Tel: (301) 794-7700 • Fax: (301) 794-4400
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TECHNICAL MEMORANDUM

DATE: October 7, 2002

TO: Lawrence N. Brandt, Inc.

Attn: Mr. Robert F. Brandt, President
Mr. Lawrence N. Brandt, Vice President

FROM: Osborne R. George

RE: Board of Zoning Adjustment Application No. 16930 -
National Association of Realtors Headquarters Building
500 New Jersey Avenue, NW, Washington, DC

1.0 INTRODUCTION AND PURPOSE

In accordance with your request, we have reviewed and evaluated your company's proposal to develop an office building at the referenced location, based upon the details presented in the subject application. The purpose of the assessment was to determine whether the proposed development can be undertaken such that it *"will not tend to affect adversely the use of neighboring property..."* based upon the variance relief sought. This evaluation was made based upon traffic generation, site access, parking and related issues and perspectives. Accordingly, this evaluation has considered the following specifics of the application:

(a) ***Variance from the Floor Area Ratio (FAR) requirement*** - Under the Applicant's proposal, the development would yield a Gross Floor Area (GFA) of 87,995 ± Square Feet, versus 54,030 Square Feet under a matter-of-right development.

(b) ***Variance from the height requirement of the relevant sections of the City's Zoning Regulations***: From the perspective of traffic generation and associated access issues, the variance in height is "incorporated" in the increased GFA [Item (a) above].

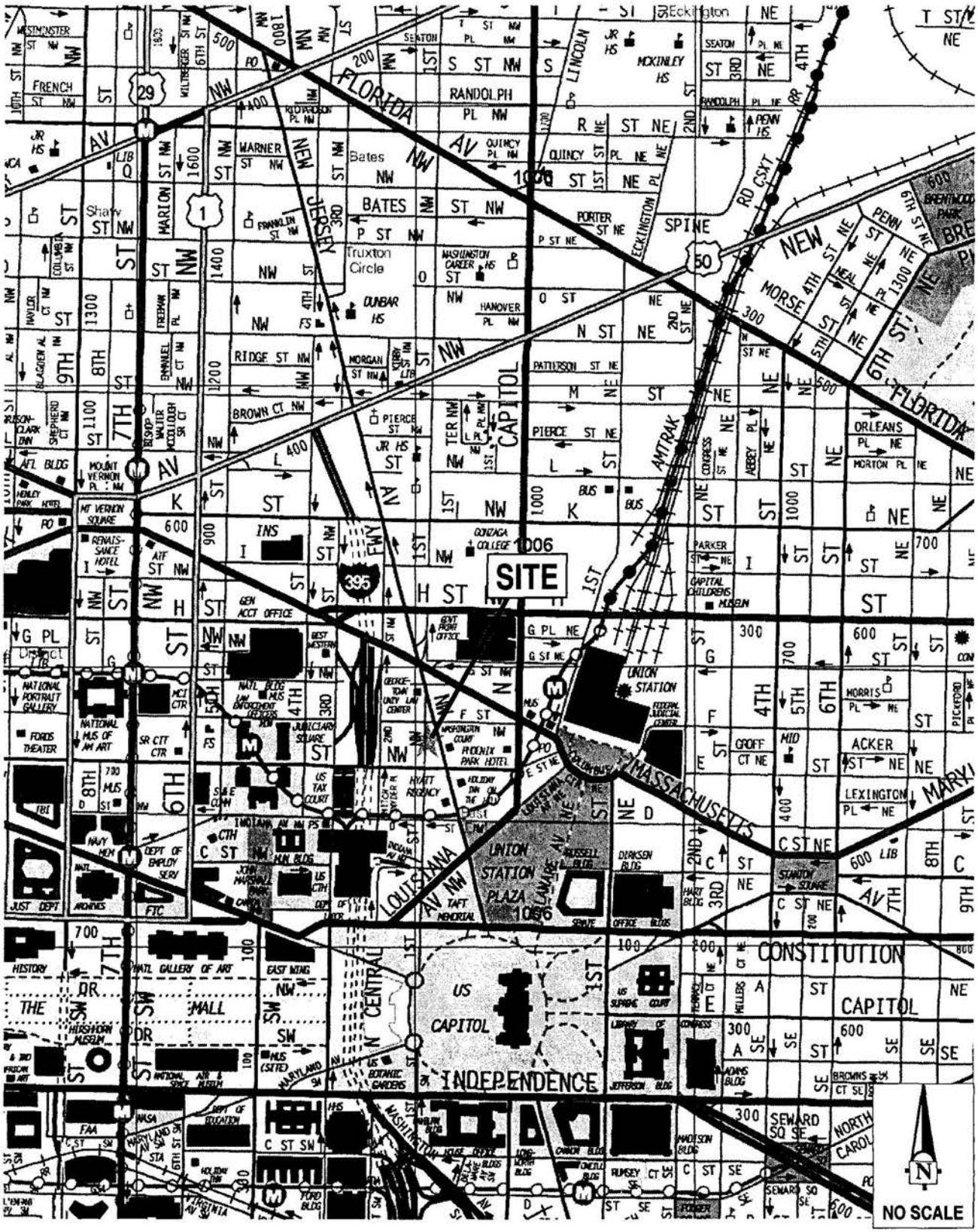
(c) ***Variance from the parking requirements under the relevant sections of the Zoning Regulations***. The application proposes a parking supply well in excess of the parking required; and potential impacts relate principally to the point of access, the ramping arrangement proposed, and the fact that some of the parking is within vault space.

(d) ***Variance from the loading requirements***: The application submits that the site dimensions, and the restrictions presented due to the parking location and access, physically preclude provision of the loading facilities required by the Zoning Regulations.

(e) ***Special Exception from roof structure requirements:*** This aspect of relief does not affect traffic generation or parking usage.

1.0 INTRODUCTION AND PURPOSE (Continued)

This assessment has concluded that the relief sought will not tend to adversely impact the use of neighboring property. The memorandum relies, to a significant degree, on issues raised during the technical review and public hearing phase of BZA Application No. 16744, which was processed by the City in 2001. For ease of reference, a copy of the Zoning Order, issued in that case, is included as Attachment 1. The remainder of this memorandum addresses the above aspects of the application, specifically from the perspective of the traffic access needs and related issues, and establishes the basis for the conclusion stated. For ease of reference, and to facilitate the presentation, which follows, the site location and its environs are shown in Exhibit 1.



O. R. GEORGE & ASSOCIATES, INC.
Traffic Engineers - Transportation Planners

EXHIBIT 1: Site Location Map - 500 New Jersey Avenue, N.W
National Association of Realtors Headquarters
Building, BZA Application # 16930

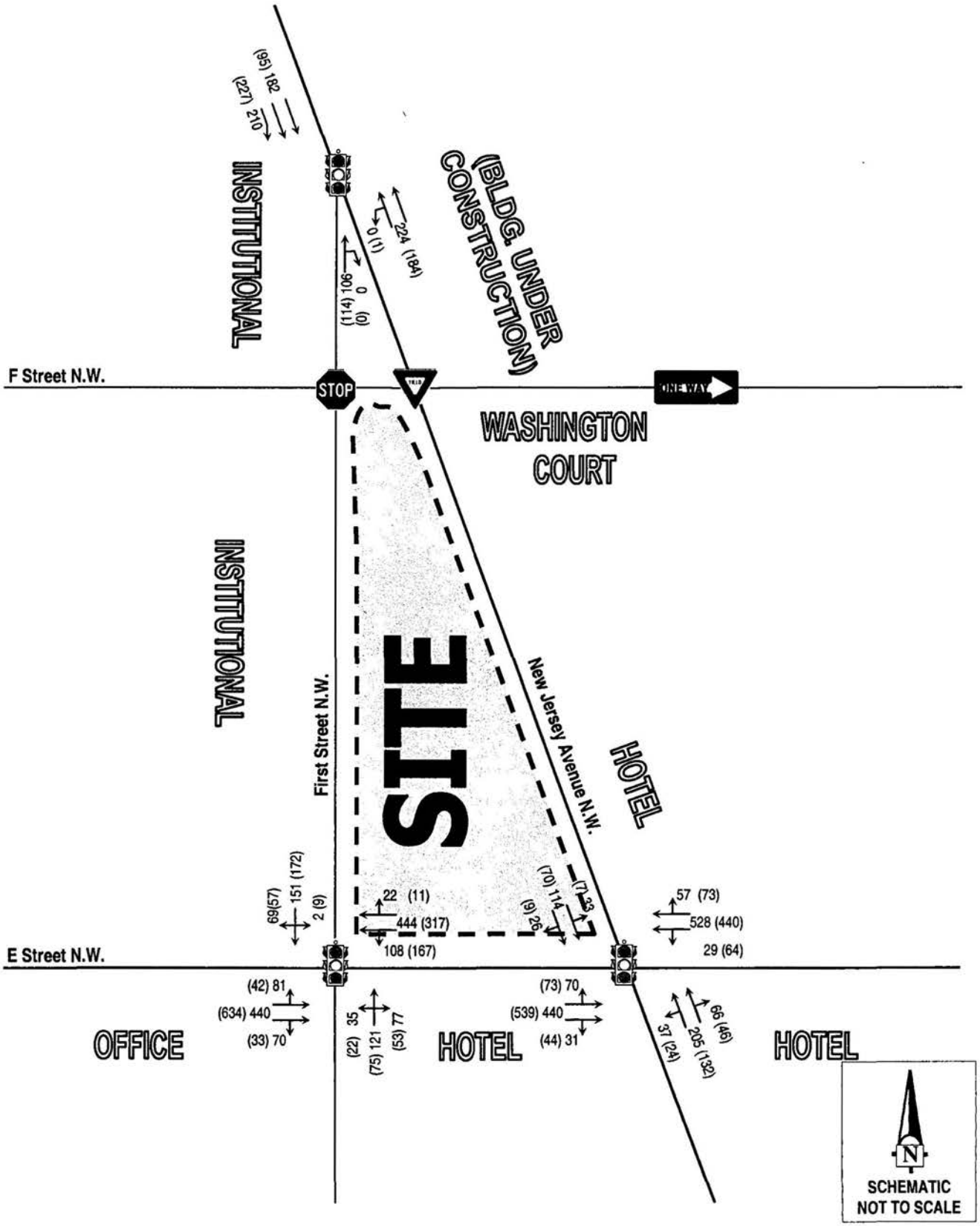
2.0 LOCAL SETTING AND BACKGROUND TRAFFIC/PARKING CONDITIONS

In keeping with the guidelines prescribed by the City's Department of Transportation (DDOT) for assessing the impacts of development proposals, this section discusses existing traffic and parking conditions within the local area of the subject property. As noted in the application statement, the site is bounded by New Jersey Avenue on the east, E Street on the south, First Street on the west, and F Street (and a park reservation) on the north. The property is situated within easy access to interstate highway facilities (such as I-395 and the Center Leg Freeway), as well as to principal arterials including Massachusetts Avenue, North Capitol Street, and sections of New Jersey Avenue to the north. In the immediate vicinity of the subject property, the following roadway facilities provide direct access to the property.

- ***E Street, NW:*** A sixty-foot wide east-west principal arterial serving two (2) lanes of vehicles travel in each direction, with parking along both sides of the roadway. Adjacent to the subject property, parking is prohibited in view of bus stop locations.
- ***New Jersey Avenue, NW***: A sixty-foot wide collector street serving two (2) travel lanes in each direction, with metered parking along both sides of the roadway.
- ***First Street, NW***: A thirty-eight-foot. wide north-south collector street serving a single travel lane of travel in each direction, with metered parking along both sides of the roadway.

All roadway classifications noted above are based on the "Functional Classification Map" published by the District Department of Transportation.

In order to determine current traffic operating conditions within the local area, field observations were made, and morning and afternoon peak hour intersection turning movement counts were undertaken between the hours 8:00 – 9:00 AM and 4:00 – 5:00 PM, during the week of September 30, 2002. The turning movement count summaries are presented in Attachment 2. Exhibit 2 shows the roadway lane configuration and the existing turning movement volumes recorded. The traffic volumes obtained were analyzed by utilizing the Highway Capacity Manual (HCM) procedures, in accordance with DDOT's requirements. As is shown in Table 1 (on page 6) the adjacent intersections currently operate at quite acceptable levels of service.



O. R. GEORGE & ASSOCIATES, INC.
Traffic Engineers - Transportation Planners

EXHIBIT 1: Site Location Map - 500 New Jersey Avenue, N.W
National Association of Realtors Headquarters
Building, BZA Application # 16930

TABLE 1

CAPACITY ANALYSES RESULTS SUMMARY - EXISTING TRAFFIC CONDITIONS (500 NEW JERSEY AVENUE, NW)

INTERSECTION	AM PEAK HOUR		PM PEAK HOUR	
	Level of Service	Average Delay (Secs)	Level of Service	Average Delay (Secs)
• New Jersey Ave. @ E Street, NW	B	16.1	B	17.9
• New Jersey Ave. @ First Street, NW	A	9.5	B	10.4
• First Street @ E Street, NW	B	16.8	C	23.7

Source: O. R. George & Associates.

The Highway Capacity Manual defines Level of Service as a *qualitative measure describing operational conditions within a traffic stream or at an intersection, and their perception by motorists and/or passengers.* The definition generally describes these conditions in terms of factors such as speed and travel time, freedom to maneuver, traffic interruptions, as well as comfort, convenience and safety. Current engineering practice defines six (6) Levels of Service, which are given letter designations A through F. Level of Service A represents best operations, and Level of Service "F" represents worst conditions. Level of Service D/E is generally considered to be the minimum acceptable standard for planning and design purposes in the District of Columbia. The capacity analysis worksheets for the analysis results (presented in Table 1 above) are included as Attachment 3 to this report.

3.0 IMPACT ASSESSMENT – TECHNICAL APPROACH

3.1 Technical Approach

Current engineering practice assesses the potential traffic impacts of a land use development based primarily on the trip making characteristics of the site during weekday morning and afternoon peak hours. This is also the procedure required by the District of Columbia Government review process. The process also relies on traditional factors, most notably standardized vehicle trip generation rates, as recommended by the Institute of Transportation Engineers (ITE).

As noted earlier in this report, and in the Applicant's statement, the subject site is located within the City's Central Employment Area, in proximity to several major roadway arteries, which include Metrobus service. It is also within convenient walking distance from Union Station, the City's major multimodal transportation hub, which links local area with Metrorail, regional commuter rail, and inter-city rail service. The site is also in proximity to high-density hotel development, and to Capitol Hill. These adjacency factors provide attractive opportunities for public transportation mode usages, which are viable alternatives to single-occupant vehicles.

The City prescribes the use of trip generation rates recommended by ITE. These rates are only directly applicable to stand-alone suburban sites, with limited or no access to public transportation. However, the City's review process allows for adjustment in these rates, in keeping with the trip making characteristics and the experience of the local area. This approach is also consistent with current research and engineering practice within the transportation engineering profession, as well as with national and local public policy objectives, which emphasize Transportation Management Programs (TMP), and Transit Oriented Development. These factors and considerations are incorporated in the trip generation estimates presented in Section 3.2 following.

3.2 Trip Generation

As noted earlier, the application proposes development of an 87,995 GFA office building. Of this development density, approximately 33,965 GFA (i.e., 39%) represents the variance in Floor Area Ratio requested. Development-Related Ridership Surveys conducted by the Washington Metropolitan Area Transit Authority (WMATA) show transit usage in the range of 60 - 75%, for urban employment uses situated in proximity to Metrorail stations. A fifty percent (50.0%) non-auto mode split was considered conservative (i.e., on the high side), and appropriate for the current evaluation. Table 2 following presents the application of the ITE rates, as well as the adjusted rates reflecting transportation mode split factors considering the opportunities afforded by the location of the subject site.

TABLE 2

PEAK HOUR TRIP GENERATION – VARIANCE APPLICATION FOR 500 NEW JERSEY AVENUE NW, WASHINGTON D.C.

	AM Peak Hour			PM Peak Hour		
Trip Rates	**In**	**OUT**	**Total**	**IN**	**Out**	**Total**
1) Based Upon ITE Trips/1,000 GFA Office	1.37	0.19	1.56	0.25	1.24	1.49
2) Adjusted Trips/1,000 GFA (Office)	0.68	0.10	0.78	0.13	0.62	0.75
Trip Generation						
3) Trips per 54,030 GFA (Matter-of Right Use)	37	5	42	7	34	41
4) Trips per 33,965 (As per Variance Request)	23	3	26	4	21	25
TOTAL	**60**	**8**	**68**	**11**	**55**	**66**

Source: O. R. George & Associates

The data presented in Table 2 shows that the development will generate an average of 67 vehicle trips (total inbound/outbound) accessing the future building during the morning and afternoon peak hours. Of this trip generation, approximately twenty-five (25) trips are attributable to the increased FAR density requested by the subject application. It is noted that a trip generation of fifty (50) trips is the typical threshold for the requirement of a "full" traffic study. Furthermore, the trip generation of sixty-seven (67) trips represent approximately three percent (3.0%) percent of the existing peak hour vehicle trips utilizing the adjacent intersections of E Street at First Street and at New Jersey Avenue, NW. This level of trip generation is well within the typical daily fluctuation of traffic at such an urban intersection, and is of no significant impact. Traffic approaching the site would use various routes and directions into the local area, thus diffusing the impact on the study area intersections. Additionally, the proposed building density is reduced, and the traffic generated by the future National Association of Realtors Headquarters Building is less than that evaluated by the BZA under the 2001 Application No. 16744.

4.0 ASSESSMENT OF VARIANCE REQUIREMENTS

This section addresses the traffic and parking impacts and/or implications of the variance requests made under the application.

4.1 Variance From the Floor Area Requirements

The subject application requests an FAR variance of 4.07. Based upon the 8,312 Square Foot site area, this computes to a Gross Floor Area of 33,965 Square Feet. It is projected that this would generate approximately twenty-five (25) vehicle trips during the weekday peak hours. *This study submits that this level of trip generation is not significant, and would not adversely impact traffic flow within the subject area, or access to neighboring properties*

4.2 Variance from Height Requirements

The variance in height requested is intended to generate additional building square footage based upon the physical constraints of the site. Consideration of traffic implications of the additional square footage is incorporated in the FAR variance dealt with in Section 4.1 above. *This variance request should have no adverse traffic impacts on the local area.*

4.3 Variance from the Parking Requirements

The application proposes to provide sixty-eight (68) off-street parking spaces, which is well in excess of the requirement per the Zoning Regulations. The variance requested is principally to allow most of these spaces to be located within vault space, and therefore not creditable to the development. Access to the entire parking supply is proposed to be via an entrance off the E Street frontage of the building. The Applicant's statement has noted that this is the only practical location, considering the ramping arrangements that are necessary. This location satisfies the criteria of the City's Zoning Regulations, and compares well with a number of large garage sites noted elsewhere throughout the City. The only traffic-related issue pertains to the point of access, and the following factors are noted.

a) The proposed access is close to an existing curb cut, which had served a gas station use over a long period of time.

b) Most of the traffic entering the site would approach the area from the east via E Street, the South via New Jersey Avenue, and from the north via New Jersey Avenue, making a right-turn movement into the site.

It is noted that left-turn movements into the parking garage (from eastbound E Street) could present minor operational constraints. This study notes that this left-turn parking access arrangement is not unlike that provided for major parking garages in many locations in downtown Washington D.C. This includes a 700-space (±) parking garage situated along the south side of E Street, one block to the east of the subject site. *Based upon the empirical evidence provided by such locations, and considering the relatively small size of the parking garage (at 68 spaces), it is submitted that the parking proposal would not adversely impact neighboring properties, or area roadway users in general.*

4.4 Variance From the Off-Street Loading Requirements

Based upon the size of the proposed building and the zoning district, in which it is located, the following off-street loading facilities are required:

a) A 30-ft. deep loading berth;

b) At least one (1) 100-square foot loading platform; and

c) At least one (1) 20-ft. deep service delivery space.

The Applicant proposes to provide one ten-foot by twenty-foot service delivery area. Loading provisions for a building typically do not have a material impact on peak hour vehicle trip generation. The more critical factors are the points of access to the public roadway, and the degree to which there might be conflicts with adjacent through traffic. The site plan proposes that such loading activities would occur off First Street, which is a very lightly used section of roadway. In order to facilitate this arrangement, removal of up to two (2) metered parking spaces may be necessary. The Applicant would be required to obtain all approvals from the responsible agencies of the District of Columbia Government, which would include assessment of any fiscal impacts. *Assuming such approval is granted, the loading arrangement would be adequate to accommodate the needs of the proposed building, and should result in no significant adverse impacts on the local area.*

4.5 Other General Considerations

Transportation planning and land use development are inextricably linked elements of the urban planning process. In this connection, it is noted that the immediate area of the site has not been the subject of significant development activity. An office building is under development in the northeast quadrant of the New Jersey Avenue/F Street intersection to the north. It is also noted that the existing parking lot immediately to the west (off First Street) has been the subject of recent development proposals, which called for approximately 0.5 million square foot office building. It is understood that the property, which had previously been owned by the TOBISHIMA Bank of Japan, has now been transferred to the Georgetown University Law Center. Current plans call for the site to be developed as a combination sports-fitness and academic facility totaling 200,000 GSF, to be associated with the Law Center. Telephone conversations with the project architects, and with staff of the Georgetown University Law Center, have confirmed these plans for the adjacent site.

5.0 CONCLUSION

Based upon the foregoing data, analysis and discussion, this assessment concludes that, from the perspective of vehicular access and parking provisions, and considering traffic operations within the area of the site, the Applicant's proposal should also not adversely impact the use of neighboring properties. Furthermore, the proposal should not adversely impact users of the adjacent roadway network in general. Regarding the importance of satisfying the requirements of Section 3103.2: *"Variances, of DCMR, Title 11 (Zoning)"*, this study also concludes that no substantial detriment to the public good will result from implementation of the Applicant's proposal. It is reiterated that the land use, parking and loading provisions of the subject application are substantially the same as those approved by the Board of Zoning Adjustment under Case No. 16744. The current proposal is for densities approximately five percent (5%) less than the uses under the earlier application. The parking supply proposed is eight (8) spaces greater, and the access and loading provisions are the same. These factors further support the conclusions reached under the current assessment.

We trust that the above meets your requirement. Please let us know if we can be of further assistance in this matter. *Thank you!*

ORG/tdj

Attachments: As noted.

ATTACHMENT 1

Board of Zoning Adjustment
Order No. 16744

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

★ ★ ★

Application No. 16744 of THE HELLMAN COMPANY, INC. and AMOCO OIL COMPANY, pursuant to 11 DCMR § 3103.2 for variances from the floor area ratio requirement (Section 771), the height requirement (Section 770), the parking requirement (Section 2101) and the loading requirement (Section 2201) for the construction of an office building in the HR/C-3-C District at 500 New Jersey Avenue, N.W. (Square 627, Lots 7, 12, 801, and 802).

HEARING DATE: July 24, 2001
DECISION DATE: July 24, 2001 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of public hearing on this application, by publication in the D.C. Register, and by mail to the Applicant, Advisory Neighborhood Commission (ANC) 6A, and to owners of all property within 200 feet of the property that is the subject of this application. The application was referred to the Office of Planning (OP) for review and report. The Board waived the rules to accept the filing of the OP report, which supported, with conditions, the application. The application was also referred to the Department of Public Works (DPW) for review and report. The Board waived the rules to accept the filing of DPW's report. DPW had no objections to the project.

The subject property is located within the jurisdiction of ANC 6A. ANC 6A, which is automatically a party to the application, did not file a written statement. Robert L. Hall, Single Member District Commissioner for ANC 6A01, filed with the Board two letters in support (Exhibit Nos. 22 and 48). The Zoning and Licensing Committee of ANC 6A also filed a letter in support of the project (Exhibit No. 53).

As directed by 11 DCMR § 3119.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for a variance from the strict application of the requirements of 11 DCMR §§ 771, 770, 2101, and 2201. No person or entity appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the Applicant has met the burden of proof pursuant to 11 DCMR § 3103.2 under §§ 771, 770, 2101 and 2201, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations and Map, and that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map. It is therefore **ORDERED** that the application be **GRANTED**, subject to the following **CONDITIONS:**

1. The Applicant will construct the building in substantial conformance with the architectural drawings presented in the Application with the following conditions:

   a. The roofline will be a mansard-type roofline similar to that depicted on plan 2.11, including a cornice line at the 130-foot level.

   b. The First Street façade shall have windows to the maximum extent feasible.

   c. The windows shall have a traditional scale.

   d. The façade will include distinguishing elements, such as balconies or bay windows, subject to the approval by the Public Space Committee of the Department of Public Works. The façade may also include other distinguishing elements not subject to the Public Space Committee's approval, such as French doors.

2. The materials to be used for the project will be high quality materials, such as granite, limestone, limestone-like pre-cast concrete, brick, or an equivalent high quality material, subject to the availability at the time, and generally in accordance with the plans submitted as part of this application.

Pursuant to 11 DCMR § 3101.6, the Board waived the requirement of 11 DCMR §3125.3 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is appropriate in this case.

VOTE: 5-0-0 (John Parsons, Anne Mohnkern Renshaw, Sheila Cross Reid, David Levy and Geoffrey H. Griffis to approve.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring Board member approved the issuance of this Order.

ATTESTED BY: _____
JERRILY R. KRESS, FAIA
DIRECTOR

FINAL DATE OF ORDER: JUL 2 6 2001

PURSUANT TO 11 DCMR § 3125.6, THIS ORDER WILL BECOME FINAL UPON ITS FILING IN THE RECORD AND SERVICE UPON THE PARTIES. UNDER 11 DCMR § 3125.9, THIS ORDER WILL BECOME EFFECTIVE TEN DAYS AFTER IT BECOMES FINAL.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3205, FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART, SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

THE APPLICANT SHALL COMPLY FULLY WITH THE PROVISIONS OF THE HUMAN RIGHTS ACT OF 1977, D.C. LAW 2-38, AS AMENDED, CODIFIED AS CHAPTER 25 IN TITLE 1 OF THE D.C. CODE. SEE D.C. CODE § 1-2531 (1999). THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THE HUMAN RIGHTS ACT. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

BAB/7.25.01

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

★ ★ ★

BZA APPLICATION NO. 16744

As Director of the Office of Zoning, I hereby certify and attest that on JUL 26 2001 a copy of the order entered on that date in this matter was mailed first class, postage prepaid or delivered via inter-agency mail, to each party and public agency who appeared and participated in the public hearing concerning the matter, and who is listed below:

Whayne S. Quin, Attorney
Holland & Knight, LLP
2099 Pennsylvania Avenue, N.W., Suite 100
Washington, DC 20006

The Hellman Companies
Amoco Oil Company
1828 L Street, N.W., Suite 900
Washington, DC 20036

Ivette Basterrechea, Chairperson
Advisory Neighborhood Commission 6A
P.O. Box 76680
Washington, DC 20013

Robert L. Hall
Single Member District Commissioner 6A01
624 H Street, N.E., First Floor
Washington, DC 20002

Michael Johnson, Zoning Administrator
Dept. of Consumer and Regulatory Affairs
Building and Land Regulation Administration
941 North Capitol Street, N.E., Suite 2000
Washington, DC 20009

Kenneth G. Laden, Administrator
Office of Transportation Planning
Department of Public Works
2000 14th Street, N.W.
Washington, D.C. 20009

Ellen McCarthy
Office of Planning
801 North Capitol Street, N.E.
4th Floor
Washington, DC 20002

Alan Bergstein
Office of the Corporation Counsel
441 4th Street, N.W., 7th Floor
Washington, DC 20001

ATTESTED BY:

JERRILY R. KRESS, FAIA
Director, Office of Zoning

ATTACHMENT 2

Turning Movement
Count Summaries

O.R. George & Associates, Inc.
10210 Greenbelt Road, Suite 310
Greenbelt, MD 20706
Tel: (301) 794-7700 Fax: (301) 794-4400

Counted by : ORGA- B.S
Board : D-4 2236
City/County : Washington D.C
Weather : Warm/Sunny/dry

File Name : NEW@E
Site Code : 07072241
Start Date : 10/01/2002
Page No : 1

Groups Printed- 1 - Passenger Vehicles

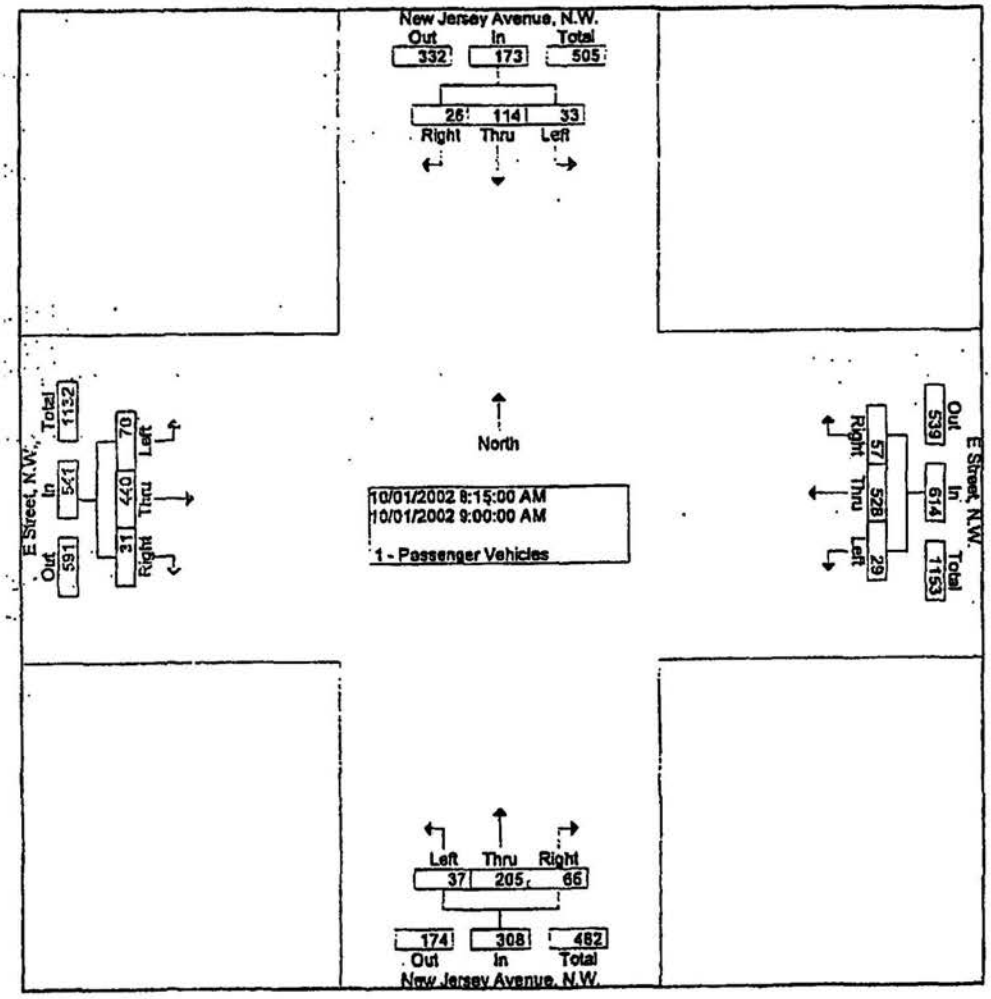
	New Jersey Avenue, N.W. From North				New Jersey Avenue, N.W. From South				E Street, N.W. From East				E Street, N.W. From West				
End Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
08:15 AM	7	32	7	46	10	53	19	82	7	136	14	157	18	115	7	140	425
08:30 AM	9	27	5	41	9	52	15	76	8	132	16	156	15	107	10	132	405
08:45 AM	8	25	6	39	8	49	18	75	8	130	14	152	19	112	6	137	403
09:00 AM	9	30	8	47	10	51	14	75	6	130	13	149	18	106	8	132	403
Total	33	114	26	173	37	205	66	308	29	528	57	614	70	440	31	541	1636
04:15 PM	2	17	2	21	6	35	13	54	15	110	18	143	15	133	12	160	378
04:30 PM	1	19	3	23	5	31	12	48	17	104	19	140	20	132	10	162	373
04:45 PM	2	18	2	22	7	29	11	47	18	114	19	151	18	136	13	167	387
05:00 PM	2	16	2	20	6	37	10	53	14	112	17	143	20	138	9	167	383
Total	7	70	9	86	24	132	46	202	64	440	73	577	73	539	44	656	1521
Grand Total	40	184	35	259	61	337	112	510	93	968	130	1191	143	979	75	1197	3157
Apprch %	15.4	71.0	13.5		12.0	66.1	22.0		7.8	81.3	10.9		11.9	81.8	6.3		
Total %	1.3	5.8	1.1	8.2	1.9	10.7	3.5	16.2	2.9	30.7	4.1	37.7	4.5	31.0	2.4	37.9	

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File Name : NEW@E
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End Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour From 08:15 AM to 09:00 AM - Peak 1 of 1																	
Intersection	08:15 AM																
Volume	33	114	26	173	37	205	66	308	29	528	57	614	70	440	31	541	1636
Percent	19.1	65.9	15.0		12.0	66.6	21.4		4.7	86.0	9.3		12.9	81.3	5.7		
08:15 Volume	7	32	7	46	10	53	19	82	7	136	14	157	18	115	7	140	425
Peak Factor																	0.962
High Int.	09:00 AM				08:15 AM				08:15 AM				08:15 AM				
Volume	9	30	8	47	10	53	19	82	7	136	14	157	18	115	7	140	
Peak Factor				0.920				0.939				0.978				0.968	

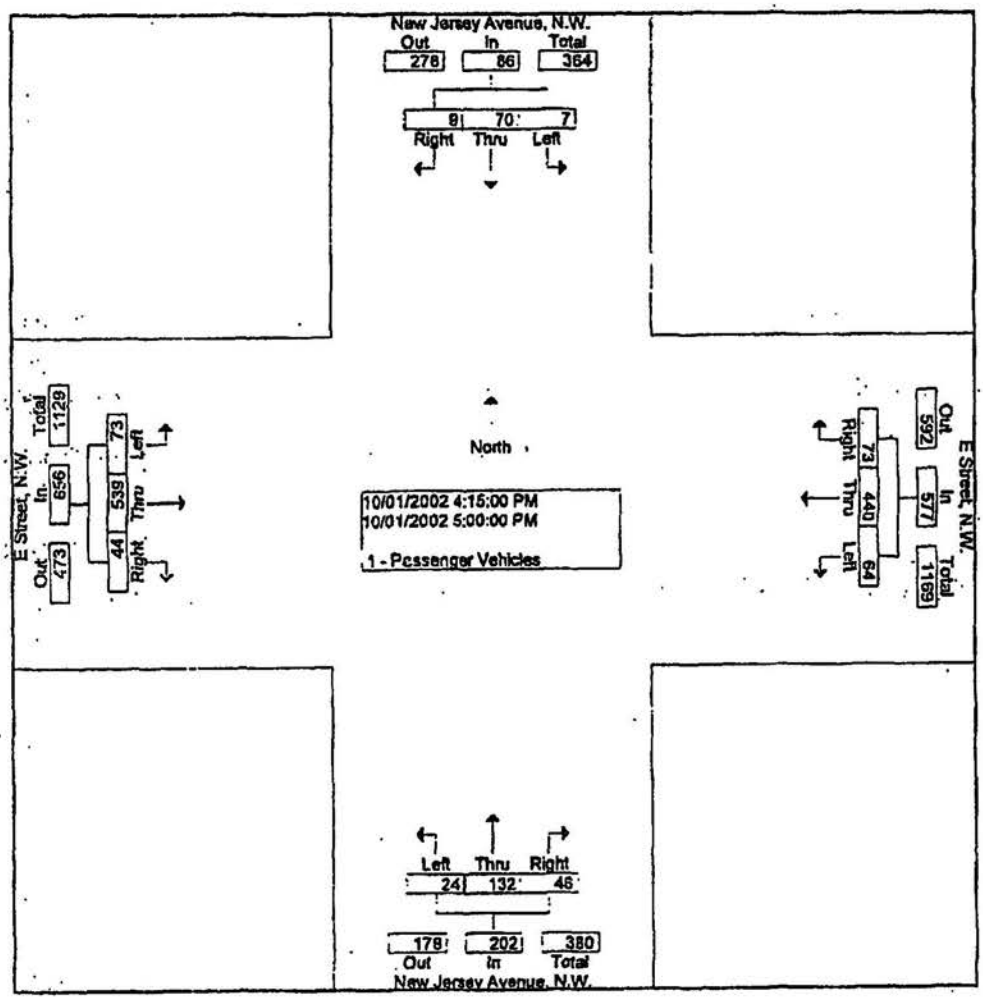


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	New Jersey Avenue, N.W. From North				New Jersey Avenue, N.W. From South				E Street, N.W. From East				E Street, N.W. From West				
End Time	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Int. Total
Peak Hour From 04:15 PM to 05:00 PM - Peak 1 of 1																	
Intersection 04:15 PM																	
Volume	7	70	9	86	24	132	46	202	64	440	73	577	73	539	44	656	1521
Percent	8.1	81.4	10.5		11.9	65.3	22.8		11.1	76.3	12.7		11.1	82.2	6.7		
04:45 Volume	2	18	2	22	7	29	11	47	18	114	19	151	18	136	13	167	387
Peak Factor																	0.983
High Int. 04:30 PM					04:15 PM				04:45 PM				04:45 PM				
Volume	1	19	3	23	6	35	13	54	18	114	19	151	18	136	13	167	
Peak Factor				0.935				0.935				0.955				0.982	



2-C

K

OUTLINE OF TESTIMONY FOR REPRESENTATIVE FROM THE NATIONAL ASSOCIATION OF REALTORS

I. Introduction

II. Description of the National Association of Realtors

III. Selection of Site and Building Design

IV. Description of Proposed Development

V. Variance Relief Requested

- A. Description of Property and Exceptional Condition
- B. Brief Description of Relief Requested
  - 1. Variances
    - a. FAR Requirement
    - b. Height Requirement
    - c. Parking Requirement
    - d. Loading Requirement
  - 2. Special Exception
- C. Architects to Provide Detailed Description

VI. Conclusion

L

OUTLINE OF TESTIMONY
GRAHAM GUND AND ASSOCIATES, PROJECT ARCHITECTS

I. Introduction

A. Description of Graham Gund and Associates

B. History and Experience

C. Selection for this Project

D. Context of Design

II. Description of Project

A. General Description

1. Description of Area

2. Description of Building Design

3. Development of Surrounding Area

B. Unusual and Exceptional Conditions Affecting Site

1. Small Size

2. Long, Narrow Shape

III. Variance Relief Requested

A. Deviation from the FAR Limitation

1. Exceptional Condition or Situation

2. Practical Difficulty

3. No Detriment to Public Good

B. Deviation from the Height Requirement

1. Exceptional Condition or Situation

2. Practical Difficulty

3. No Detriment to Public Good

C. Deviation from the Parking Requirement

1. Exceptional Condition or Situation

2. Practical Difficulty

3. No Detriment to Public Good

D. Deviation from the Loading Requirement

1. Exceptional Condition or Situation

2. Practical Difficulty

3. No Detriment to Public Good

IV. Special Exception Relief Requested

A. Deviation from Roof Structure Requirement – Walls of Equal Height

B. Standard for Special Exception Relief Met

V. Conclusions

m

OUTLINE OF TESTIMONY OF CARRAMERICA DEVELOPMENT, INC.

I. Introduction

II. History and Experience of CarrAmerica Development, Inc.

III. Development Manager

IV. Construction and Development

V. Conclusions

WAS1 #1019475 v1

n

OUTLINE OF TESTIMONY OF
ERIC SMART, BOLAN SMART ASSOCIATES, INC.

I. Introduction

II. Experience and Expertise

III. Description of Site and Building Project

IV. Established Office Building Development Practice

V. Economic Issues

- A. By-Right Development
- B. Typical Office Development
- C. Proposed Site
- D. Conclusions and Comparisons

VI. Development Under HR Overlay

VII. Development With Transferable Development Rights

VIII. Conclusions

WAS1 #1125895 v1



OUTLINE OF TESTIMONY OF
LINDSLEY WILLIAMS, LAND PLANNER

I. Introduction

II. Site Location and Description:

III. Description of Surrounding Area – Use, Density and Height/Stories

IV. Topography of Area

V. Zoning

VI. Comprehensive Plan

VII. Proposed Development

VIII. Relief Requested

A. Proposed Variances

1. FAR Requirement

a. Exceptional or Extraordinary Situation or Condition

b. Practical Difficulty

c. No Detriment to Public Good

2. Height Requirement

a. Exceptional or Extraordinary Situation or Condition

b. Practical Difficulty

c. No Detriment to Public Good

3. Parking Requirement

a. Exceptional or Extraordinary Situation or Condition

b. Practical Difficulty

c. No Detriment to Public Good

4. Loading Requirement

a. Exceptional or Extraordinary Situation or Condition

b. Practical Difficulty

c. No Detriment to Public Good

B. Special Exception Relief Requested

1. Walls of Unequal Height

2. Special Exception Standard Met

IX. Conclusion

P

OUTLINE OF TESTIMONY OF
OSBORNE GEORGE, O.R. GEORGE & ASSOCIATES, INC.

I. Introduction

II. Experience and Expertise

III. Local Setting and Background Traffic/Parking Conditions

IV. Impact Assessment

- A. Technical Approach
- B. Trip Generation

V. Assessment and Evaluation of Variance Requests

- A. Variance from FAR Requirement
- B. Variance from Height Requirement
- C. Variance from Parking Requirement
- D. Variance from Loading Requirement
- E. Other General Considerations

VI. Conclusions