ARNOLD & PORTER

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555 Twelfth Street, NW
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May 27, 2003

Board of Zoning Adjustment
441 4th Street, N.W.
Suite 210
Washington, D.C. 20001

D.C. OFFICE OF ZONING
2003 MAY 27 AM 11:17

Re: 1700 Kalorama Road, N.W.
BZA Application No. 17009

Dear Members of the Board:

This requests the Board's acceptance into the record of the attached post-hearing submission in BZA No. 17009. The filing could not be delivered last Friday before the Officer of Zoning closed for the day. However, it was hand-delivered on that day to Gloria Brown's residence. Ms. Brown and her son were given party status at the public hearing on the case.

Sincerely,

ARNOLD & PORTER

Cynthia A. Giordano

Enclosures

Case No. 17009
Exhibit No. 31

Board of Zoning Adjustment
District of Columbia
CASE NO. 17009
EXHIBIT NO. 31

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555 Twelfth Street, NW
Washington, DC 20004-1206

May 23, 2003

Board of Zoning Adjustment
441 4th Street, N.W.
Suite 210
Washington, D.C. 20001

Re: 1700 Kalorama Road, N.W.
BZA Application No. 17009

Dear Members of the Board:

In response to the Board's request, we are submitting the following posthearing documents for the Board's consideration:

(1) Summary Outline of Developer's Commitment to Satisfy the Affordable Housing Requirement (Attachment "A").

The attached outline summarizes the salient features of the Developer's commitment to provide 1,350 square feet of low-to-moderate income residential space on the subject property. It is modeled after, and closely tracks, the program proffered in the 5401 Western Avenue PUD (Z.C. No. 02-17C). This program was utilized as a template because it was formulated with input from the Office of Planning and the D.C. Department of Housing and Community Development. The outline can be referenced in the BZA order approving this application to ensure enforceability.

(2) Exhibits Relative to the Issue of Building Height Impacts on Adjacent 17th Street, N.W. Property.

These exhibits are being submitted in response to objections raised by the Brown family, who resides adjacent to the subject property, at 2316 17th Street, N.W. The exhibits include photographs taken from 17th Street and the rear of the subject property which depict the matter-of-right height (i.e., 40 feet) envelope for the subject site adjacent to the Brown's residence. Also included is a site plan view which shows the relationship between the Brown's residence and the subject property.

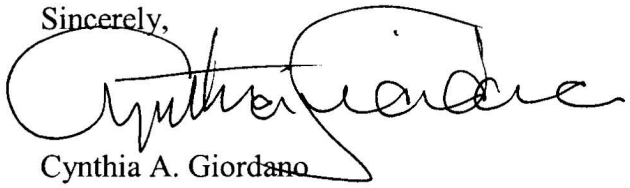
The exhibits (Attachment "B") clearly demonstrate that the requested height increase on the "pod", which is not adjacent to the Brown's residence, will not impact their property, nor their view to the west. However, in order to mitigate the impact of the

additional matter-of-right height adjacent to the Brown's property, the Applicant is willing to make the improvements described in (Attachment "C") herein. The attachment can be referenced in a condition of a BZA order approving the requested height special exception and recreation space variance.

Thank you for your consideration of these additional exhibits. The special exception and variance requests at issue here are very modest and the benefit of the affordable housing created as a result thereby will inure for a long time into the future. Further, the additional height adjacent to the Brown's 17th Street residence is not dependent on the requested special exception and variance relief. However, the Applicant is willing to make improvements to mitigate its impact on the Browns.

We urge the Board to approve this application to obtain a better quality project on the subject property overall as well as the added public benefit of affordable housing in this rapidly gentrifying neighborhood.

Sincerely,



Cynthia A. Giordano

Attachments

cc: Brown Family (by hand on May 23, 2003)

Attachment "A"

1700 Kalorama Road, N.W.
Summary Outline of
Developer's Commitment to Satisfy Affordable Housing
Requirement Set Forth in Section 1402.1 of the Zoning Regulations

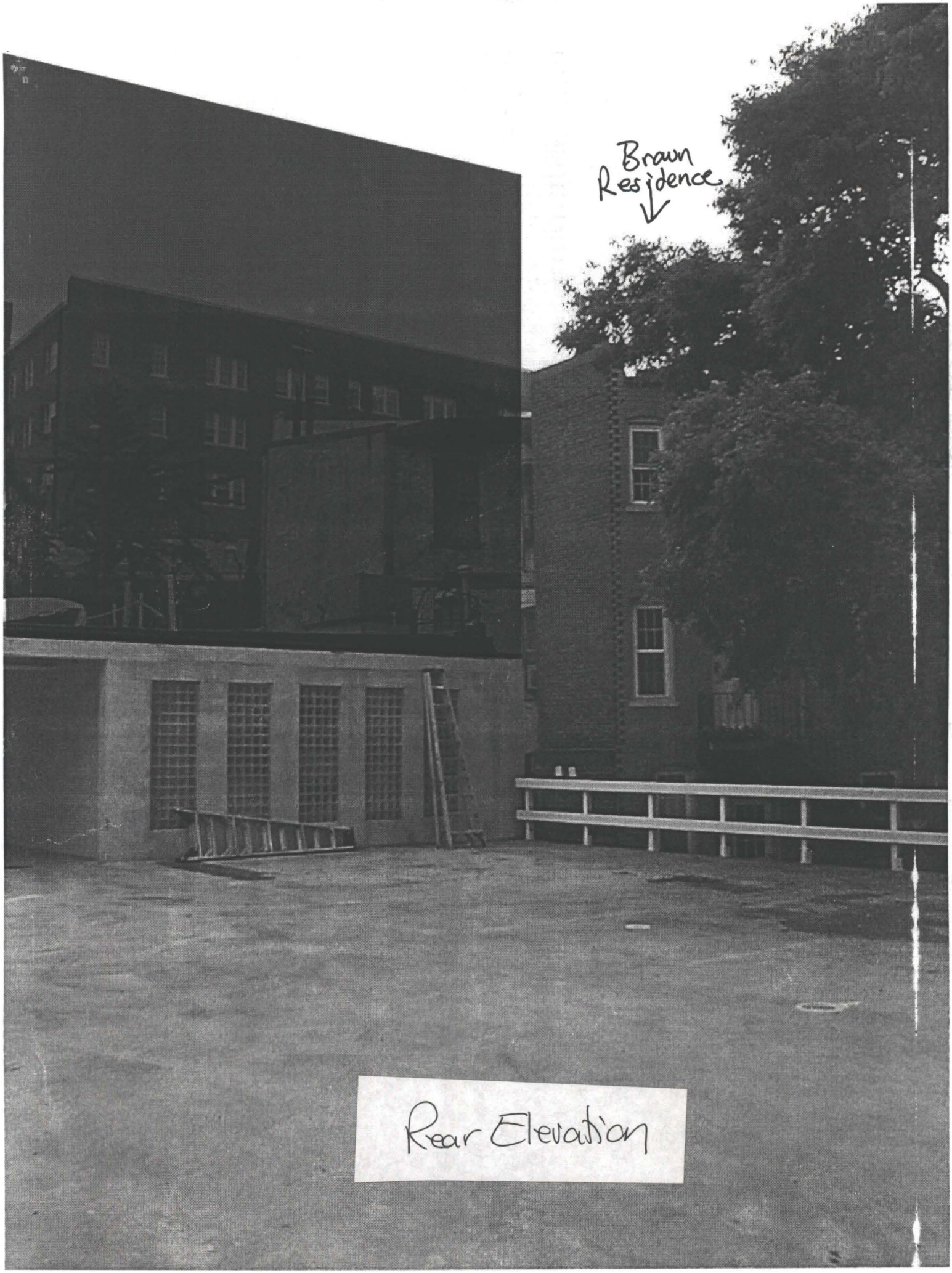
Size:	Applicant is required to provide the equivalent of 50% of the additional FAR obtained as a result of the height increase to 50 feet (i.e., approximately 1,350 square feet). The square footage may be devoted to a single unit or two units at the discretion of the Developer.
Initial Unit Price:	The final contract price of an affordable unit(s) will be determined by the Applicant and the District government consistent with the affordable housing analysis for four person households in the "moderate" income range as defined below.
Certification of Eligibility:	Eligible buyers – for both initial purchasers and for resale – are defined as those households that meet the following criteria: • Having household income not exceeding the "moderate" limit by household size allowed by the U.S. Department of Housing and Urban Development for the Section 8 Program, or the appropriate successor program, for the Washington, D.C. Metropolitan Statistical Area; • Purchasing their primary residence; • Having no ownership interest in any other housing;

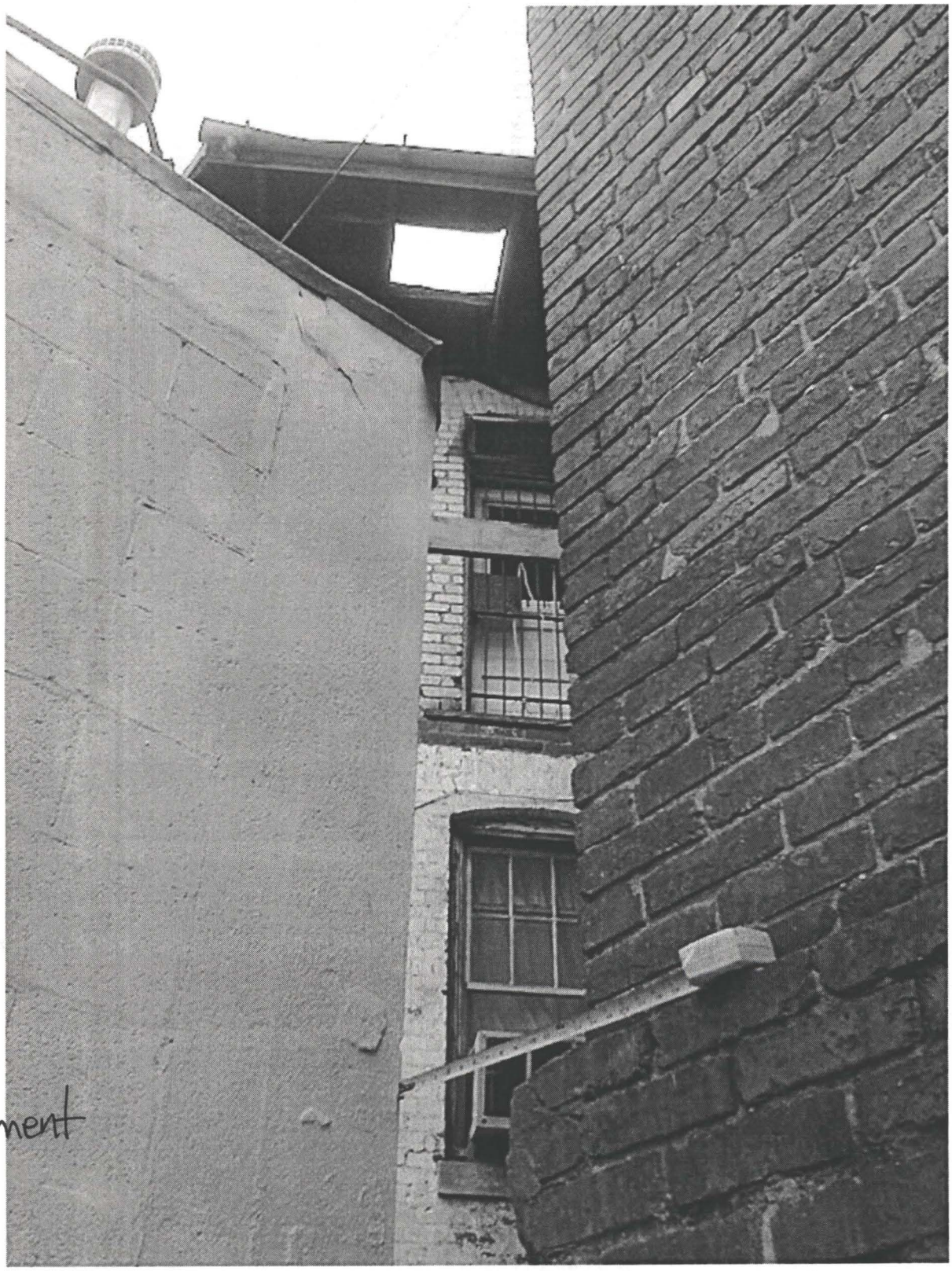
	the Department of Housing and Community Development (DHCD). Certification shall make households eligible for selection by lottery (see below).
Selection of Buyers:	Applicant shall hold a lottery of all qualified families to be selected as the Initial Unit Purchasers. Applicant will provide notice of the lottery through advertisements in local newspapers and other vehicles reasonable to ensure broad exposure to potentially eligible purchasers. The Department of Housing and Community Development will also advise existing applicants to its home purchase assistance programs of this affordable housing opportunity. The Initial Unit Purchasers and the Initial Unit Price shall be determined by the District government in consultation with the Applicant four months prior to the projected completion of the Affordable Units.
Restriction on Sale Affordable Units:	The Affordable Units will be restricted through a deed restriction, covenant and/or other legal means in their resale for a period of 20 years to: (1) income-eligible homebuyers, a list of whom may be obtained from the Department of Housing and Community Development's applicant pool for home purchase assistance programs; (2) a maximum Purchase Price equal to the Initial Unit Price plus the cumulative change in the consumer price index and the cost of permanent improvements to the Unit; and

Attachment "B"



17th Street Elevation

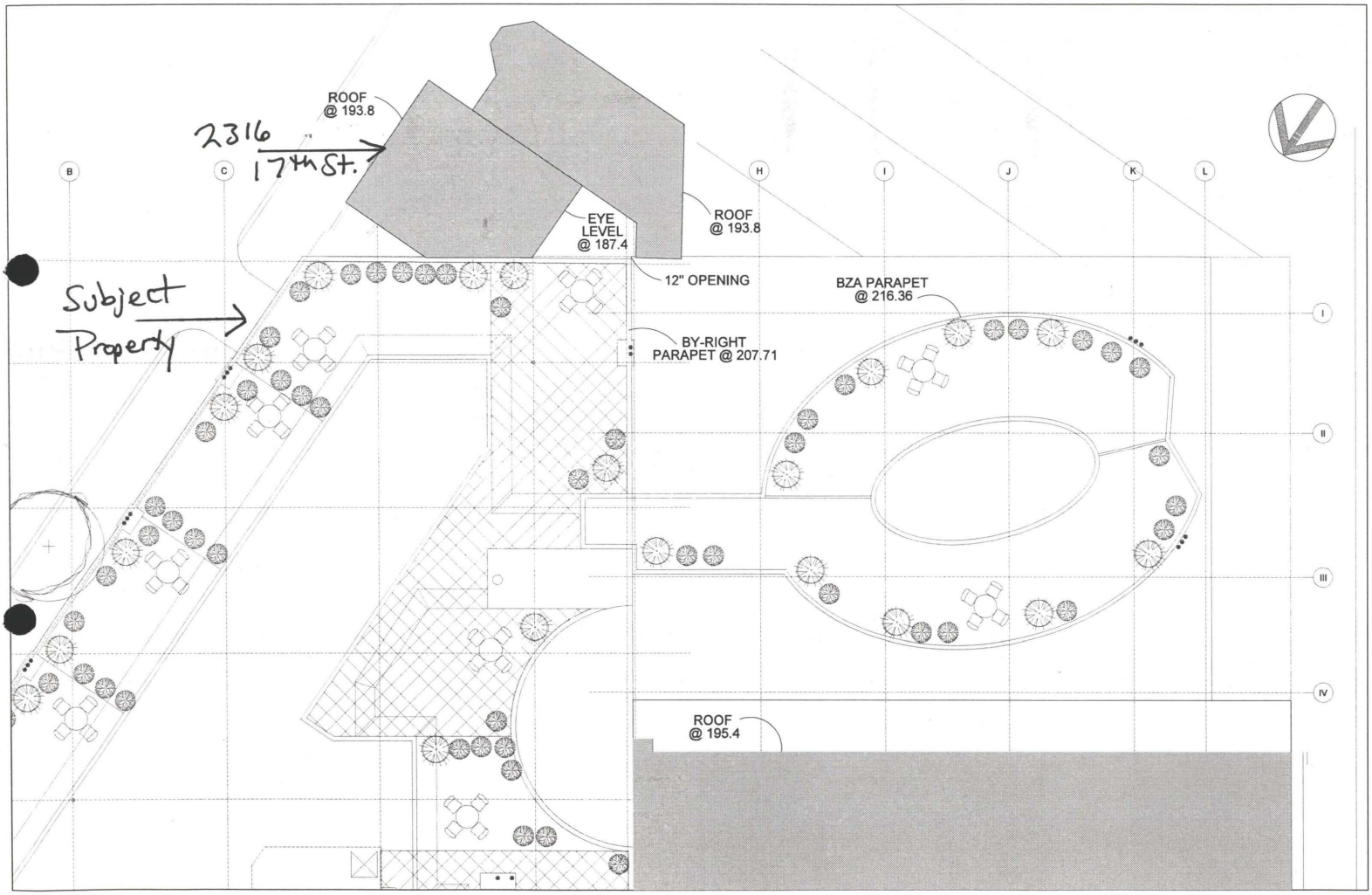

Braun
Residence
Rear Elevation



Subject Property Existing Improvement →

Close up of Rear Elevation

↑ Brown Residence


2316
17th St.
ROOF
@ 193.8
EYE
LEVEL
@ 187.4
ROOF
@ 193.8
12" OPENING
BZA PARAPET
@ 216.36
Subject
Property
BY-RIGHT
PARAPET @ 207.71
ROOF
@ 195.4
B
C
H
I
J
K
L
I
II
III
IV

ATTACHMENT "C"

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ESOCOFF & ASSOCIATES | architects

May 22, 2003

Richard Naing
9410 River Road
Potomac, MD 20854

Re: 1700 Kalorama Road – BZA – Wall at 2316 17th Street 20009.

Dear Richard:

Following our discussion and the comments raised at the BZA hearing on May 13th, 2003, it will certainly be possible to up-grade the finish on the CMU wall around the corner to the junction of the Brown's building. The proposed finish was to simply paint the blockwork. We could provide a stucco render similar to the original finish on the sidewall of the Brown's property. This again could be painted in a light color to reflect the maximum daylight to the area of the side windows.

With the consent of the adjoining owner, it would be possible to form a planter in the front triangular space to allow climbing plants to grow up a screen to soften the view in this area. This would involve reforming the path to the front door where there are currently a series of large plant pots.

In addition RWN could add windows at ground floor level and glass block panels at the next two levels to reduce the blank wall effect with the adjoining owners consent.

Respectfully,

Peter Salter, AIA
Associate