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RECEIVED
2011 FEB -1 PM 2:43

Kyrus L. Freeman
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202-862-5978

February 1, 2011

VIA HAND DELIVERY

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

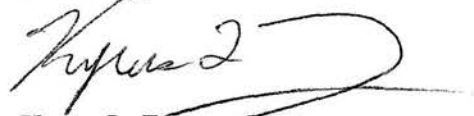
Re: Application No. 18172 - PreHearing Statement of the Applicant

Honorable Members of the Board:

On behalf of BREOF 64 New York Avenue REO LLC (the "Applicant"), enclosed please find one original and twenty copies of the Applicant's prehearing submission in support of its application for a special exception to reduce by less than twenty-five percent the amount of required parking for an existing office building under section 2108 in the C-3-C District at 64 New York Avenue, N.E., Lot 854 in Square 669.

Thank you for your attention to this application.

Sincerely,



Kyrus L. Freeman

Enclosure

cc: Steve Cochran, Office of Planning (Via Hand, with enclosure)
ANC 5C (Via U.S. Mail, with enclosure)

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18172

EXHIBIT NO. 23

Board of Zoning Adjustment
District of Columbia
CASE NO.18172
EXHIBIT NO.23

**BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

-B.C. Z. & ZONING
2011 FEB -1 PM 2:43

**APPLICATION OF
BEOF 64 NEW YORK
AVENUE REO LLC**

**BZA APPLICATION NO. 18172
HEARING DATE: FEBRUARY 15, 2011
ANC 5C**

STATEMENT OF THE APPLICANT

**I.
NATURE OF RELIEF SOUGHT**

This statement is submitted on behalf of BEOF 64 New York Avenue REO LLC (the "Applicant"), the owner of property located at 64 New York Avenue, N.E., Lot 854 in Square 669 (the "Site") in support of its application pursuant to 11 DCMR Section 3104.1, for a special exception to reduce by less than twenty-five percent the amount of required parking for an existing office building under section 2108, in the C-3-C District at the Site.

**II.
JURISDICTION OF THE BOARD**

The Board of Zoning Adjustment (the "Board") has jurisdiction to grant the special exception relief requested herein pursuant to Section 3104.1 of the Zoning Regulations.

**III.
EXHIBITS IN SUPPORT OF THE APPLICATION**

Exhibit A: Portion of the Baist and Sanborn Atlas plats showing the Site;

Exhibit B: Portion of the Zoning Map showing the Site;

- Exhibit C: Site Plan of the Site;
- Exhibit D: *Transportation and Parking Assessment Memorandum* prepared by O.R. George & Associates, Inc.;
- Exhibit E: Outline of Testimony of Laurie McMahon/Antonio Kittles, Cassidy Turley;
- Exhibit F: Outline of Testimony of Osborne George, O.R. George & Associates, Inc.; and
- Exhibit G: Outline Testimony of Steven E. Sher, Director of Zoning & Land Use Services, Holland & Knight LLP.

IV. **BACKGROUND**

The subject property consists of Lot 854 in Square 669 (the "Site"). Square 669 is located in the northeast quadrant of the District and is bounded by P Street and Florida Avenue to the north, 1st Street to the east, O Street to the south, and North Capitol Street to the west. See Exhibit A. As shown on Exhibit B, the Site is zoned C-3-C. The northern-most portion of the Site is improved with an office building that contains approximately 325,639 square feet of gross floor area, and the southern portion of the Site is used for surface parking.

Pursuant to Section 2101.1 of the Zoning Regulations, 180 off-street parking spaces are required for the existing building. Currently, 129 of the required parking spaces are located on the Site, and the remaining parking spaces are located to the immediate west of the Site on Lot 853 in Square 669. However, as explained herein, the existing lot will be re-striped to accommodate 150 parking spaces.

The Applicant is seeking zoning relief to reduce the amount of required parking for the building, such that all of the required parking for the office building can be located on the Site, without relying on the adjacent parcel to fulfill its parking requirements. Specifically, the Applicant is seeking a reduction in the required parking pursuant to Section 2108 of the Zoning Regulations, which permits the Board to reduce the amount of parking spaces required for non-residential uses under Section 2101.1 in accordance with Section 3104 of the Zoning Regulations. The Applicant proposes to reconfigure the existing parking lot such that 150 parking spaces will be provided on the Site. The Applicant therefore proposes to reduce the amount of required parking by approximately 16.6%, from 180 spaces to 150 spaces for the Site. A site plan showing the design and layout of the proposed 150 parking spaces is included as Exhibit C of this submission.

V.
**THE APPLICANT MEETS THE BURDEN OF PROOF FOR SPECIAL
EXCEPTION RELIEF**

Relief granted through a special exception is presumed appropriate, reasonable, and compatible with other uses in the same zoning district, provided the specific regulatory requirements for the requested relief are satisfied. The D.C. Court of Appeals has consistently emphasized the narrow scope of the Board's discretion in reviewing special exception applications:

In evaluating requests for special exceptions, the Board is limited to a determination of whether the exception sought meets the requirements of the particular regulation on which the application is based. ... The applicant has the burden of showing that the proposal complies with

the regulations; but once that showing has been made, the Board ordinarily must grant the application.

National Cathedral Neighborhood Ass'n v. D.C. Board of Zoning Adjustment, 753 A.2d 984, 986 n.1 (D.C. 2000). See also *Stewart v. D.C. Board of Zoning Adjustment*, 305 A.2d 516, 518 (D.C. 1973) (noting that "[s]pecial exceptions, unlike variances, are expressly provided for in the Zoning Regulations").

Section 2108.2 of the Zoning Regulations requires that the amount of required parking space not be reduced by more than twenty-five percent. In this case, the existing building requires 180 parking spaces, and the Applicant is seeking relief to provide 150 parking spaces. Thus, the request is for a reduction of approximately 16.6 percent, which is less than a reduction of 25 percent. Section 2108.3 of the Zoning Regulations requires the Board to give consideration to the following, all of which are satisfied as stated below:

(a) Nature and Location of the Structure

The Site is improved with an office building that contains approximately 325,639 square feet of gross floor area. The building was initially constructed as a warehouse prior to 1958, and was later converted to office use in the 1970's, which generated a parking requirement of 49 parking spaces at that time.

The building is located in the developing NoMa area and within close proximity to a Metrorail line and to numerous bus routes. Specifically, the entrance to the New York Avenue Metrorail Station is only approximately 925 feet away from the Site. The building was constructed prior to the opening of this station. In

addition, as discussed in the *Transportation and Parking Assessment Memorandum* prepared by O.R. George & Associates, Inc. attached hereto as Exhibit D, the Site is in a neighborhood characterized as a "Transit Oriented Development" given the variety and widely available options for public transport in the area, including the Site's close proximity to the Florida Avenue entrance to the New York Avenue Metro Station, and the Site's immediate adjacency to bus stops on four (4) Metrobus routes running along Florida Avenue (i.e., Routes #90, #91, #93, and #X-3), and one block away from Route #80 running along North Capitol Street. There are also two (2) routes (i.e., Routes #P6 and #96) within four (4) blocks of the Site.

- (b) Maximum number of students, employees, guests, customers, or clients who can reasonably be expected to use the proposed building or structures at one time

Approximately 880 people either work in or visit the existing building on the Site per day. Based upon observations by the Applicant's property management company and the traffic consultant, the Applicant's proposal to provide 150 parking spaces on the Site is sufficient to accommodate the parking demand for the Site. Moreover, as discussed in Exhibit D, the parking provided, combined with the availability of other parking facilities in the area, the anticipated number of pedestrian walk trips, and the availability of public transportation, support the requested parking reduction and will result in no adverse parking demand impacts.

- (c) Amount of traffic congestion existing or that the building or structure can reasonably be expected to create in the neighborhood

The project will have a minimal impact on traffic and parking conditions within the local area given that the Applicant is not proposing to create any additional uses which would increase parking demand for the Site, but is rather proposing to reconfigure the existing parking lot to meet the parking needs for the existing uses on the Site. In fact, the Applicant is proposing to increase the number of spaces on the Site from 129 to 150, which is a net increase of 21 parking spaces on the Site.

- (d) Quantity of existing public, commercial or private parking, other than curb parking, on the property or in the neighborhood which can reasonably be expected to be available when the building or structure is in use

There is adequate amount of off-street, public parking in the vicinity of the Site which is available, if necessary, for users of the building on the Site. As indicated in Exhibit D, there are presently three surface lots within close proximity to the Site, including:

- 66 New York Avenue, NE: A 250-space surface lot, adjacent to the subject property;
- 22 P Street, NE: A 50-space surface lot located just to the north of the subject site; and
- Lot 853 in Square 669: A parking lot with approximately 200 parking spaces.

Each of these lots is open to the public, and have spaces available if necessary for visitors to the Site.

- (e) Proximity to public transportation, particularly Metrorail stations, and the availability of public transportation service in the area

The Site is situated within close proximity to an extensive variety of transportation options. The Site is approximately 925 Ft from the Florida Avenue entrance to the New York Avenue Metro Station, which provides service connection to the region. In addition, the Site is immediately adjacent to bus stops on four (4) Metrobus routes running along Florida Avenue (i.e., Routes #90, #91, #93, and #X-3), and one block away from Route #80 running along North Capitol Street. There are also two (2) routes (i.e., Routes #P6 and #96) within four (4) blocks of the Site. In addition, the Site is served by a number of bicycle facilities and routes, including routes along First Street and Eckington Place, Q and R Streets, the Metropolitan Branch Trail running along the railroad corridor, as well as facilities along Florida Avenue, New York Avenue and North Capitol Street. The City also has Capital Bike Share locations off Eckington Place near Q Street, NE, and First Street at M Street, NE.

Finally, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map and will not tend to affect adversely the use of neighboring properties. The requested parking reduction is consistent with the District's and DDOT's goals of reducing parking near MetroRail stations. In addition, according to the Parking Analysis the parking to be provided is sufficient to accommodate the demands for this building. Accordingly, the requested relief will not adversely affect adjacent or nearby property and will serve

to benefit this redeveloping area.

VI.
WITNESSES

- A. Laurie McMahon/Antonio Kittles, Cassidy Turley
- B. Osborne George, O.R. George & Associates, Inc.
- C. Steven E. Sher, Director of Zoning & Land Use Services,
Holland & Knight LLP

VII.
CONCLUSION

For the reasons stated above, the requested relief meets the applicable standards for special exception relief under the Zoning Regulations. Accordingly, the Applicant respectfully requests that the Board grant the application.

Respectfully submitted,

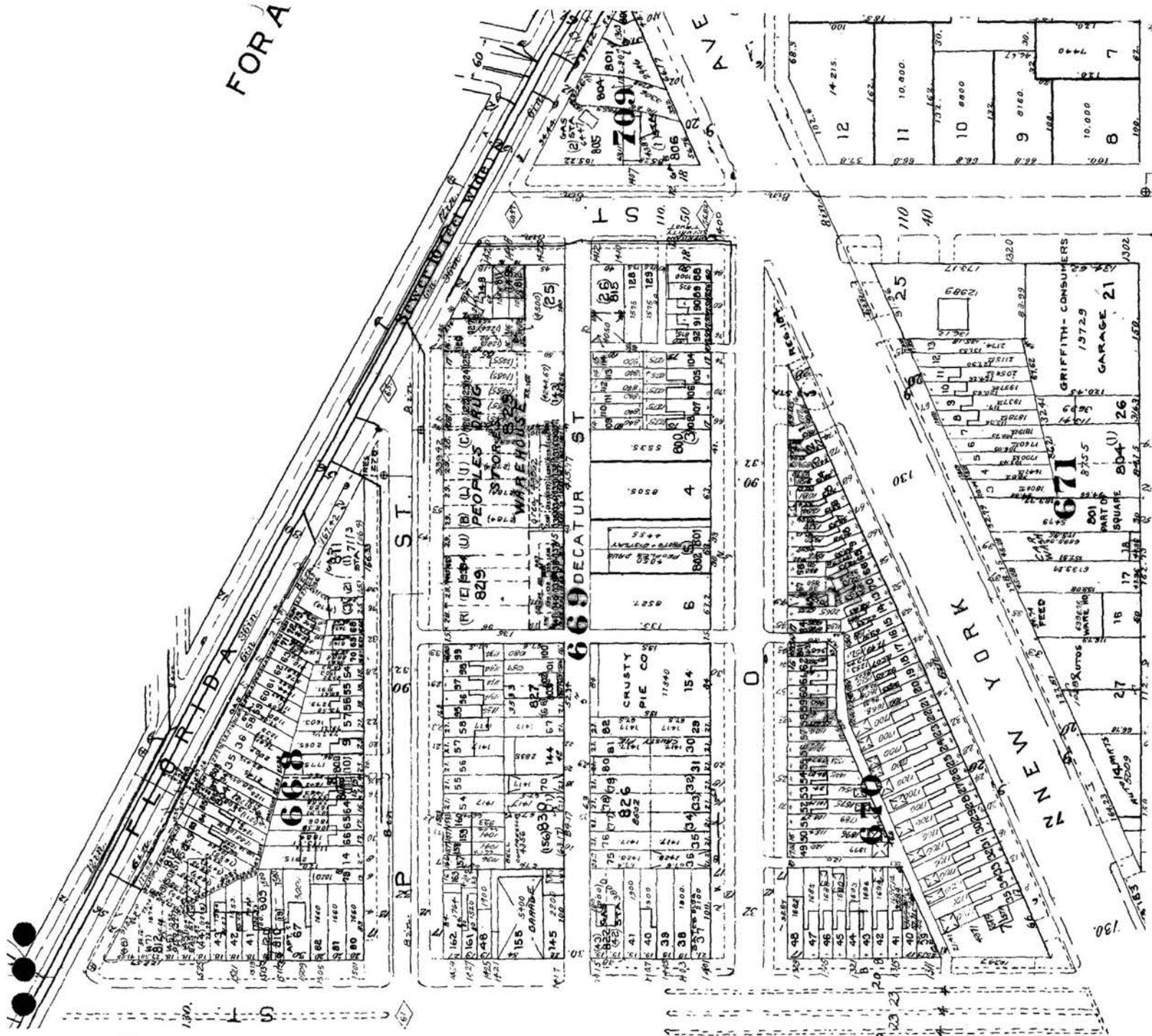
HOLLAND & KNIGHT, LLP

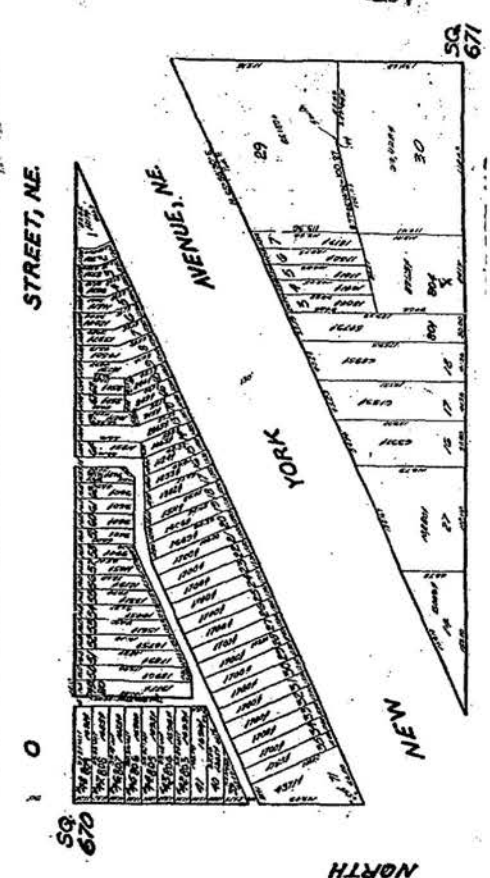
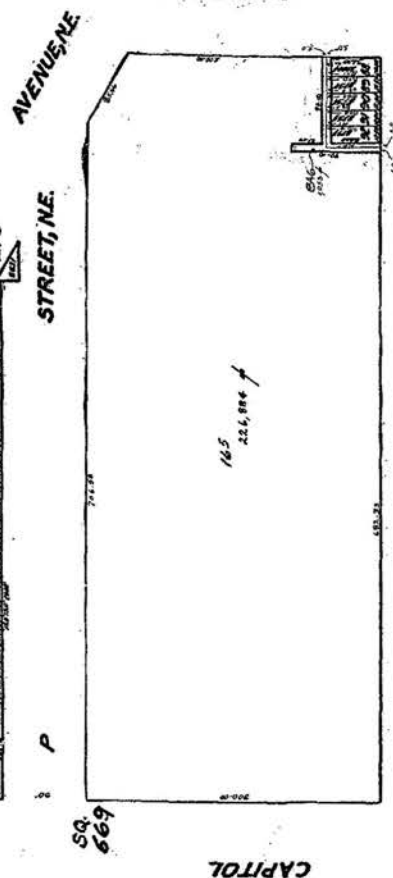
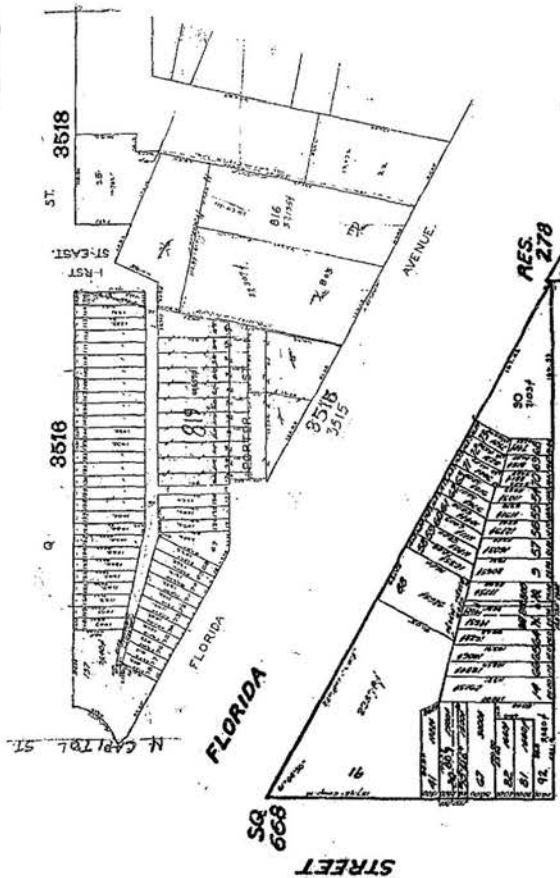
By: _____


Kyrus L. Freeman, Esq.
2099 Pennsylvania Avenue, N.W.
Suite 100
Washington, D.C. 20006
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A

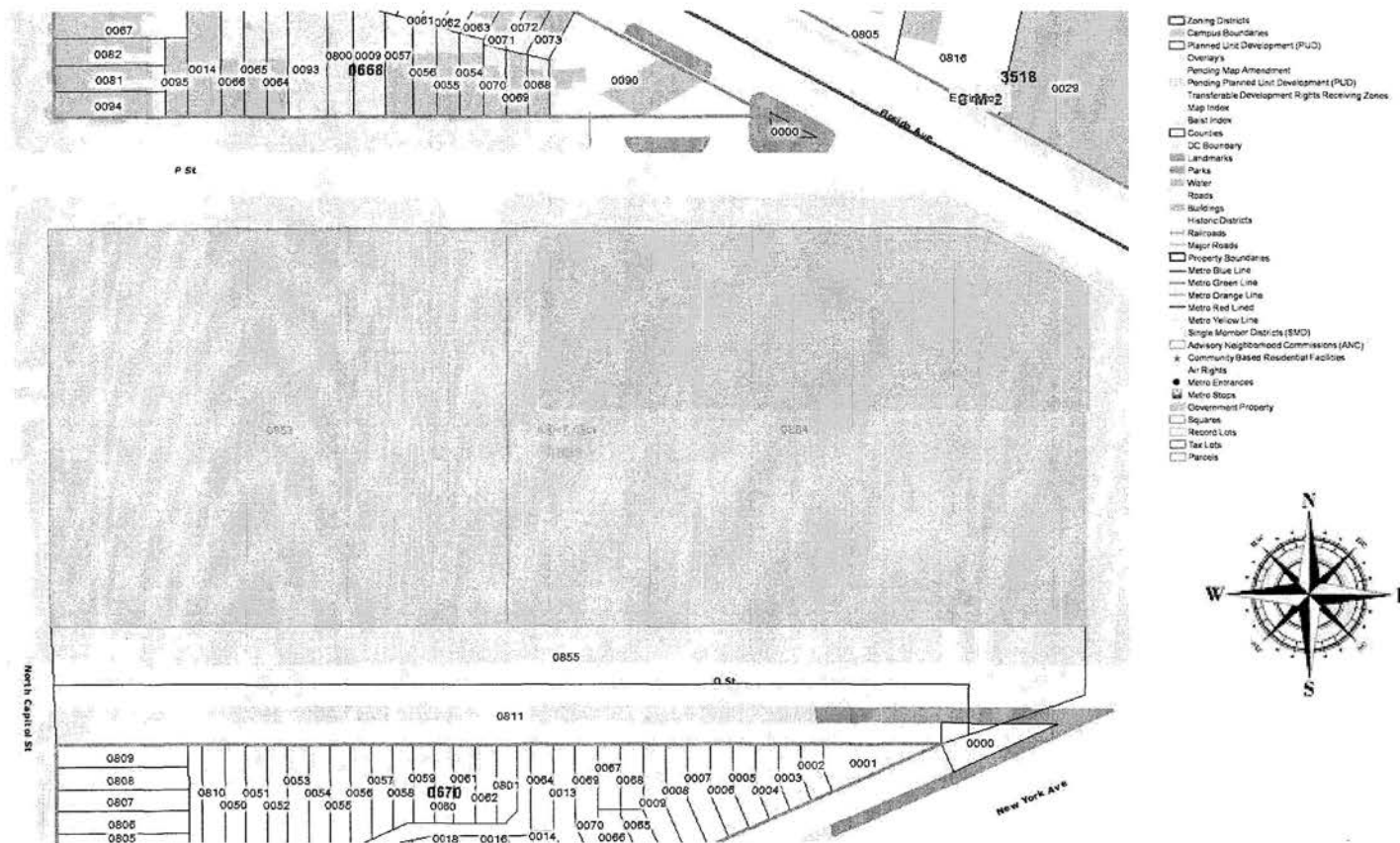
FOR A





B

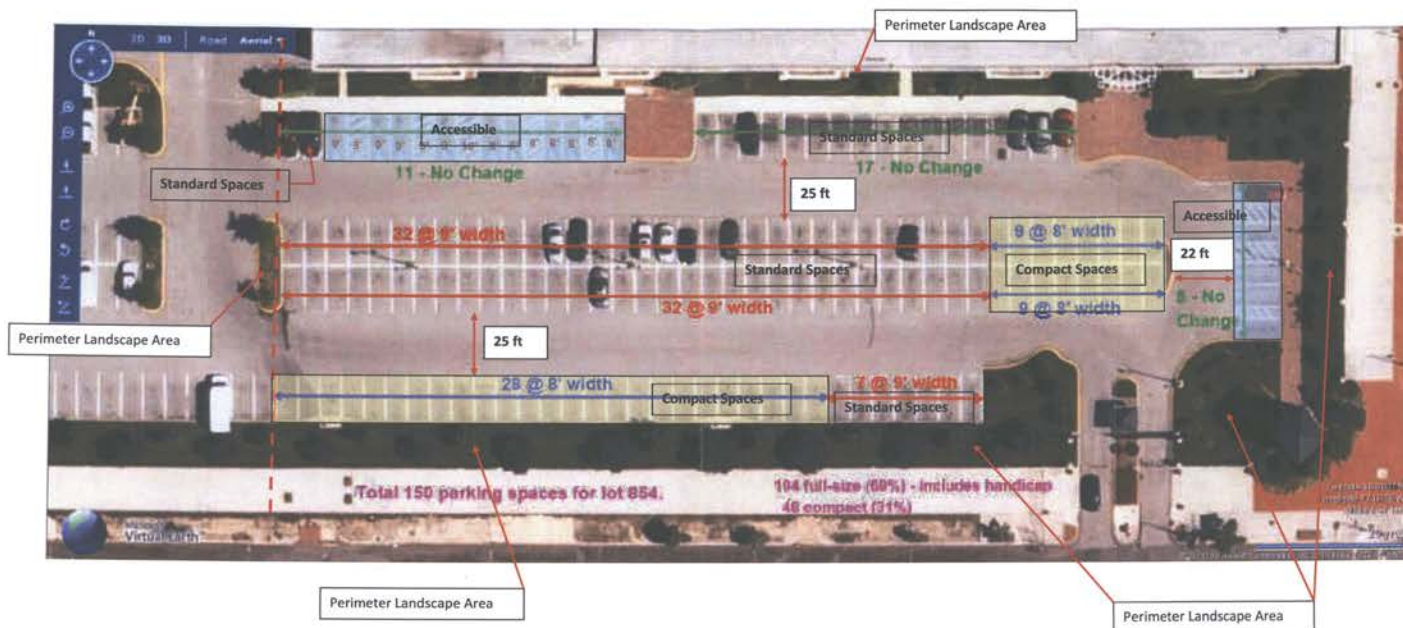
District of Columbia Zoning Map



Note 1: Development restrictions depend on a combination of zoning and overlays. Where overlays are present, refer to the zoning regulations for more detailed information.

C

Off-Street Parking Modification
BZA Application No. 18172
February 1, 2011



Parking Space Summary:

Total Parking Spaces:	150
Standard Spaces:	90 60%
Compact Spaces:	46 32.6%
Accessible Spaces:	14 9.4%

Notes:

Standard Parking Spaces shown as 9 ft wide X 19 ft in length
 Compact Parking Spaces shown as 8 ft wide X 16 ft in length
 All drive aisles exceed 20 ft minimum width
 Existing Landscaping exceeds 5% of the Parking Area

Parking Lot Aerial View – Existing with Modifications

64 New York Avenue, N.E.
 Washington, D.C.
 Applicant: BREOF 64 new York Avenue REO, LLC

Off-Street Parking Modification
 BZA Application No. 18172
 February 1, 2011

D

Technical Memorandum:

**SITE PARKING ASSESSMENT – BOARD
OF ZONING ADJUSTMENT APPLICATION
FOR PROPOSED ON-SITE PARKING
REDUCTION FOR 64 NEW YORK AVENUE,
NORTHEAST, WASHINGTON, D.C.**

Prepared for:

BREOF 64 NEW YORK AVENUE REO, LLC
c/o CASSIDY TURLEY
12050 Baltimore Avenue, 2nd Floor
Beltsville, MD 20705

Land Use Counsel:

HOLLAND & KNIGHT, LLP
2099 Pennsylvania Avenue, N.W., Suite 100
Washington, DC 20006

Prepared by:

O. R. GEORGE & ASSOCIATES, INC.
Transportation Planning & Engineering Consultants
10210 Greenbelt Road, Suite 310
Greenbelt, MD 20706-2218
Tel: (301) 794-7700

January 31, 2011

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

10210 Greenbelt Road, Suite 310 • Lanham MD 20706
Tel: (301) 794-7700 • Fax: (301) 794-4400
E-mail: ogeorge@orgengineering.com

TECHNICAL MEMORANDUM

DATE: January 31, 2011

TO: **BREOF 64 New York Avenue REO, LLC**
Attn: Mr. Antonio Kittles, Property Manager
Cassidy Turley, Commercial Real Estate Services

FROM: Osborne R. George, P. E., PTOE

RE: Transportation and Parking Assessment Regarding 64 New York Avenue, NE -
Board of Zoning Adjustments Application for Proposed On-Site Parking Reduction

I. INTRODUCTION AND BACKGROUND

The subject property is situated within the southwest quadrant of the Florida Avenue/P Street/First Street intersection, in Northeast, Washington, D.C. The site is further known as Lot 854 within Square 669, which is within the North of Massachusetts Avenue (NoMA) area of the City. The property is zoned C-3-C (Medium to High Density, Major Business & Employment Centers), and is improved with an office building consisting of approximately 325,639 SF, that is currently served by 180 off-street parking spaces. One hundred twenty-nine of these spaces are provided on the building site, and the remaining 51 of which are located on the adjacent Lot 853, which is situated immediately to the west, within Square 669.

The Applicant is seeking approval from the Board of Zoning Adjustment (BZA) to reduce the off-street parking supply from 180 spaces to 150 spaces. The entire 150 parking spaces would then be located on-site (i.e., within Lot 854). The Applicant's Attorneys have developed the Preliminary Statement of Compliance to support the requested relief. The Statement notes that the Zoning Regulations permit up to 25% reduction in the number of required parking spaces as a matter-of-right for non-residential buildings located within 800 Ft. of a Metrorail Station entrance, and at least 800 Ft. from residential zoned property. The Applicant cannot take advantage of this provision due to the proximity of the property to a residential zone. Therefore, the Applicant is seeking a parking reduction under Section 2108 of the Zoning Regulations.

The Regulations require the Applicant to demonstrate that the proposed parking reduction is not likely to create objectionable impacts on the surrounding properties and the local area due to traffic and parking conditions. This memorandum presents the writer's assessment of the likely impacts and addresses the various criteria stipulated in the Regulations.

The writer has reviewed relevant aspects of the Applicant's proposal, including the user and parking demand characteristics of the existing tenants, in relation to elements of the City's transportation system. In addition, we have considered the property's location within the NoMA planning area, as well as the City's current and emerging policies regarding mobility and sustainability. We have determined that the Applicant's request to reduce the amount of required parking would not have adverse or objectionable impacts as noted above; and the Applicant has demonstrated compliance with the requirements of the BZA review process.

The remainder of this memorandum presents the basis for this conclusion. For ease of presentation, the property location and setting are shown in Exhibit 1. It is important to note that the City recently implemented a major change in the roadway configuration of the New York Avenue/Florida Avenue/First Street network, as one of the alternative recommendations of the New York Avenue Study.

II RELEVANT FACTORS AND CRITERIA

The Applicant's Statement notes that the factors and criteria for consideration as part of the subject application are identified in Section 2108 of the Zoning Regulations. These are addressed below, and supplementary information is presented in order to document specific characteristics and circumstances of the subject property.

a) *Nature and location of the structure. [§2108.3(a)]*

The subject property is fully in compliance with the land uses prescribed for the C-3-C Zoning District. The location of the property is also quite important because of the following considerations on transportation and mobility:

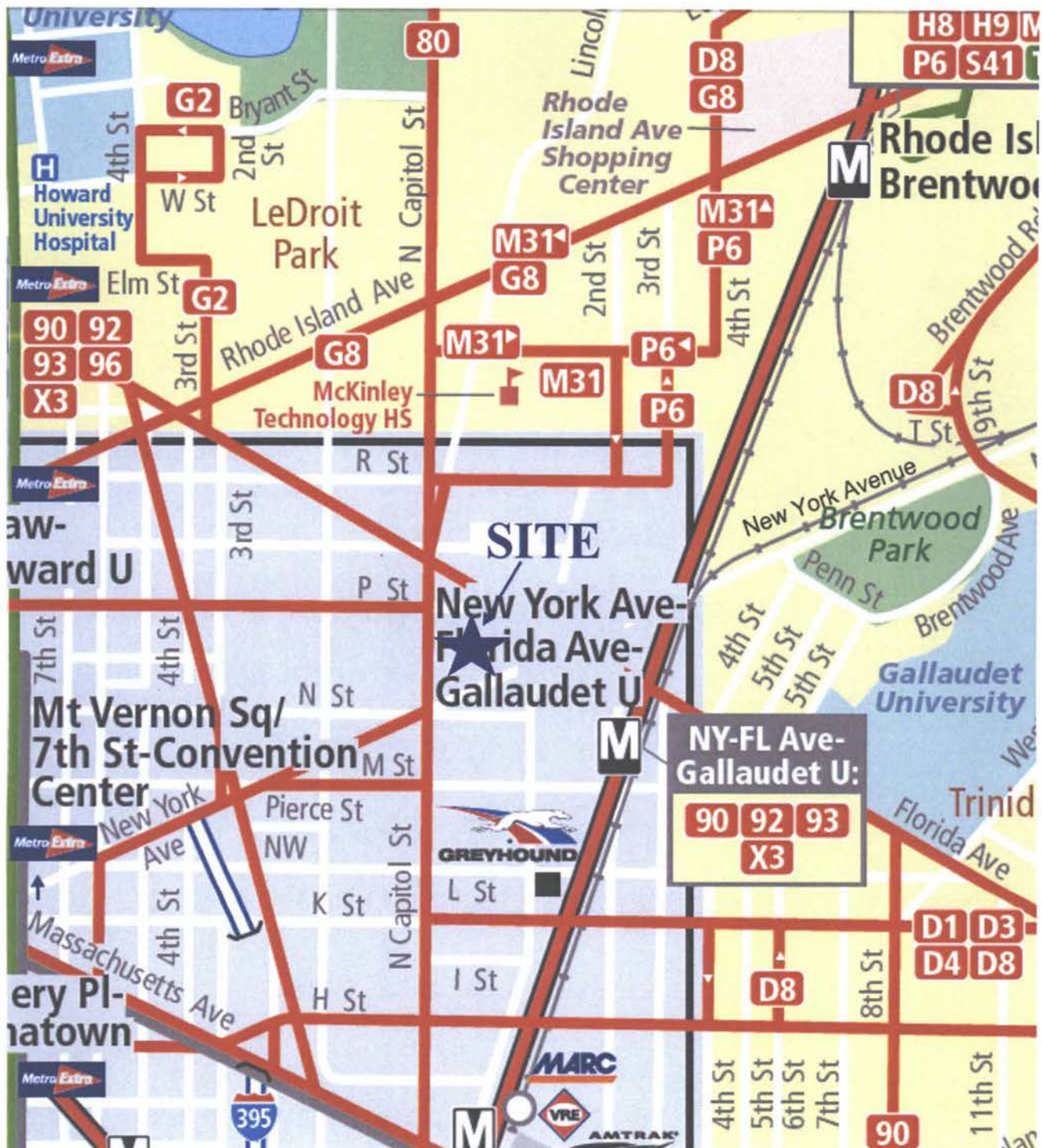
- i) The property is located within the NoMA planning area, for which the City's policies emphasize multi-modal transportation facilities and services.
- ii) The site is approximately 925 Ft from the Florida Avenue entrance to the New York Avenue Metro Station, which provides service connection to the region. In addition, the site is immediately adjacent to bus stops on four (4) Metrobus routes running along Florida Avenue (i.e., Routes #90, #91, #93, and #X-3), and one block away from Route #80 running along North Capitol Street. There are also two (2) routes (i.e., Routes #P6 and #96) within four (4) blocks of the property. Exhibit 2 shows the transit service route map for the area.
- iii) The property location and use fits with the City's criteria for Transit Oriented Development (TOD), as defined in the Comprehensive Plan¹.
- iv) Since the site is located within the Central Employment Area, sidewalks are provided along all adjacent roadways, and high visibility crosswalks and countdown pedestrian signals are provided at all signalized intersections.
- v) The site is served by a number of bicycle facilities and routes, including along First Street and Eckington Place, Q and R Streets, the Metropolitan Branch Trail running along the railroad corridor, as well as lesser facilities along Florida Avenue, New York Avenue and North Capitol Street. The City also has Capital Bike Share locations off Eckington Place near Q Street, NE, and First Street at M Street, NE. *[There are five (5) bike racks at the site, as well as secure rack facilities at the New York Avenue Station.]*
- vi) The City's current Bicycle and Pedestrian Master Plans² call for significant improvements to local network, some elements of which will be implemented through funding under the American Recovery and Reinvestment Act (ARRA).

¹ Comprehensive Plan for the National Capital: District Elements (Chapter 3, Section LU 1.3), October, 2007.

² District of Columbia Bicycle Master Plan (April 2005), & District of Columbia Pedestrian Master Plan (April, 2009).



EXHIBIT 1: PROPERTY LOCATION AND SETTING



Source: Washington Metropolitan Area Transit Authority (WMATA).

EXHIBIT 2: TRANSIT SERVICE ROUTE MAP.

a) *Nature and location of the structure. [§2108.3(a)] (Continued)*

These and other related factors are documented in the 2010 study of the NoMA area³. This study provides considerable data analysis regarding existing and future transportation conditions and parking provisions. In addition, to the findings and recommendations of the DDOT NoMA study, it is also noted that the “2006 Ridership Survey,”⁴ conducted by WMATA shows that office buildings comparably located relative to Metrorail Stations generate in the range of 40 to 45% of trips by means of transit and other non-vehicle modes that are closely connected to transit, such as walking, bicycling, etc.

b) *Maximum number of students, employees, guests, customers, or clients who can reasonably be expected to use the proposed building or structure at one time. [§2108.3(b)]*

Typical occupancy of office buildings within the City’s Central Employment Area are in the range of 3 – 5 persons per 1,000 Square Feet of the rentable building area. In the case of the subject development, this would compute to a potential of 1,170± occupants. However, the current population of the building is approximately 880 persons.

Considering this occupancy, and the availability of alternative transportation modes within close proximity of the subject site, the Applicant’s proposal to reduce parking to 150 parking spaces should be quite adequate to meet the needs of the existing building.

c) *Amount of traffic congestion existing or that the building or structure can reasonably be expected to create in the neighborhood. [§2108.3(c)]*

For purposes of this assessment, the consultant considered the following area as reasonable for reviewing the amount of existing traffic congestion, or that the building can reasonably be expected to create within the neighborhood: Q Street to the north; N Street to the south; the railroad corridor and Eckington Place to the east; and North Capitol Street to the west.

The uses within this defined “neighborhood” are predominantly commercial/light industrial employment, with some mixed institutional type uses within the triangular area bordered by Florida Avenue, P Street and North Capitol Street. The exception to the foregoing description is a few single-family residential dwellings along the north side of P Street just north of the subject property. Within the area, the major arterial corridors, such as New York Avenue, Florida Avenue and North Capitol Street carry heavy commuter traffic; and nodes such as New York Avenue at Florida Avenue, and at North Capitol Street are known to be heavily utilized. These locations experience significant levels of congestion, particularly during the peak commuter activity periods of typical weekdays.

³ North of Massachusetts Avenue Neighborhood Access Study and Transportation Management Plan, District Department of Transportation Policy and Sustainability Administration (March, 2010).

⁴ 2005 Development-Related Ridership Survey, by the Washington Metropolitan Area Transit Authority (WMATA).

These factors have been documented in the NoMA Neighborhood Access Study cited under Item (a). However, it is noted that geometric and operational improvements have recently been implemented within the core roadway intersections, which forms the “hub” of this neighborhood. Furthermore, since the subject property exists, it is submitted that the relief being sought will not reasonably be expected to create additional congestion within the defined “neighborhood.” In fact, the proposed reduction in parking has the potential to reduce traffic generation within the immediate area.

d) Quantity of existing public, commercial, or private parking, other than curb parking, on the property or in the neighborhood that can reasonably be expected to be available when the building or structure is in use. [§2108.3(d)]

The March 2010 NoMA Neighborhood Access Study cited earlier included a comprehensive assessment of existing and future parking within the area. The study noted that there are currently approximately 7,400 on and off-street parking spaces, and the supply is projected to increase to about 16,500 by full development of the major uses. There are presently three (3) surface lots within close proximity to the 64 New York Avenue Building. These are as follows:

- 1) 66 New York Avenue, NE: A 250-space surface lot, adjacent to the subject property. Parking rates are currently \$110.00 per month, and \$8.00 daily (maximum);
- 2) 22 P Street, NE: A 50-space surface lot located just to the north of the subject site. Parking rates are currently \$100.00 per month for employees, and \$6.00 daily; and
- 3) Lot 853: A 205-space surface lot adjacent to the Lot 854. Parking rates are currently \$110.00 per month for employees, and maximum of \$10.00 daily for visitors.

For ease of reference, Exhibit 3 shows the locations of the parking facilities described above in this section.

e) Proximity to public transportation, particularly Metrorail stations, and the availability of public transportation service in the area or a ride-sharing program approved by the D.C. Department of Transportation. [§2108.3(e)]

The subject property is situated approximately 925 Ft. from the Florida Avenue entrance to the New York Avenue Station. In addition, the site is immediately adjacent to bus stops on four (4) Metrobus routes running along Florida Avenue (i.e., Routes #90, #91, #93, and #X-3), and one block away from Route #80 running along North Capitol Street. These routes operate with 10- to 15-minute headways during peak weekday commuting periods.

The writer finds that the above items respond adequately to the criteria and considerations stipulated by the Section 2108 of the Zoning Regulations. There are also a number of additional factors relevant to the City’s emerging policies on land use and mobility, and quite specifically with regard to parking for Transit Oriented Development uses. These are further cited in the concluding section of this memorandum, which follows on page 8.

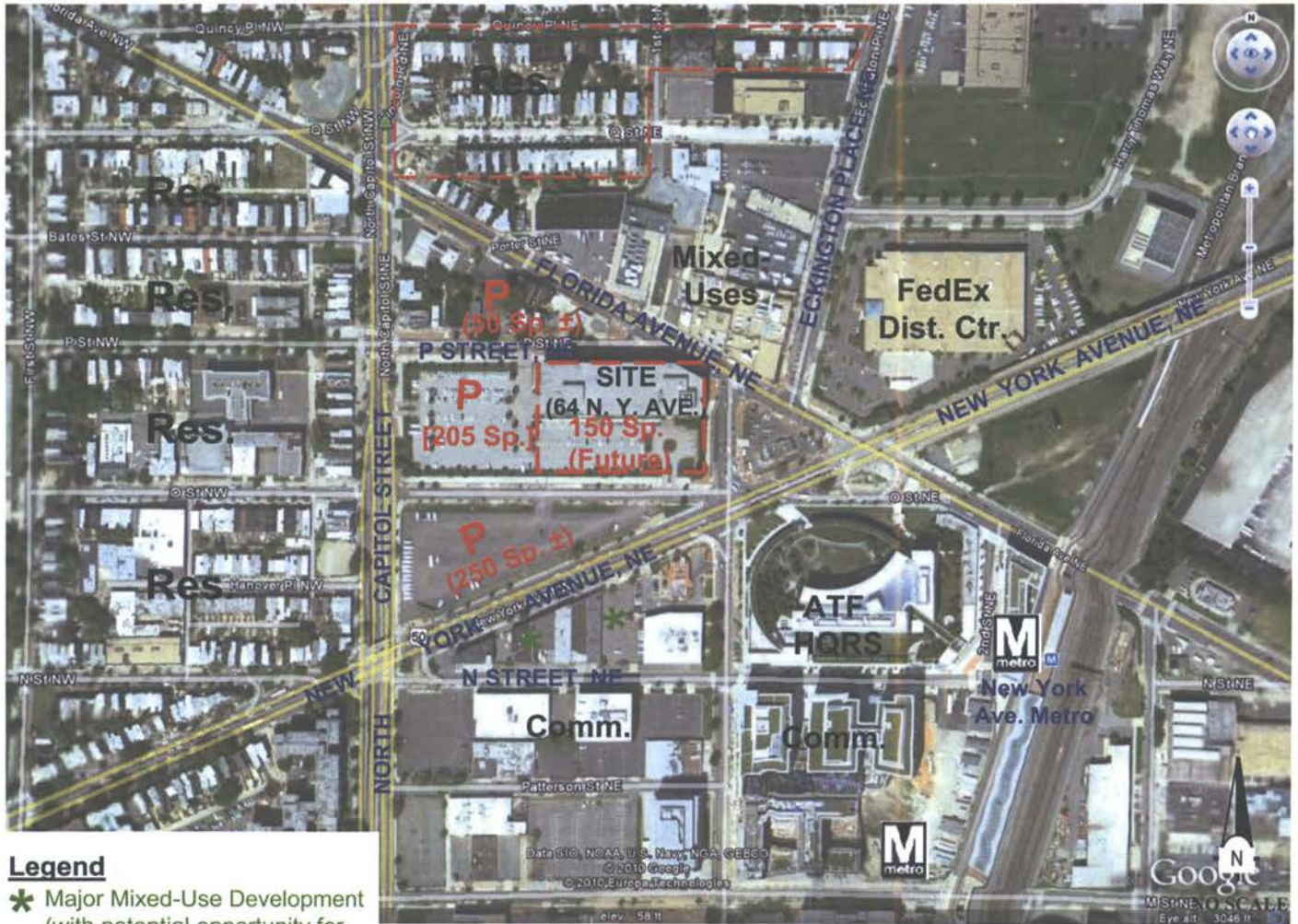


EXHIBIT 3: PROXIMATE PUBLIC PARKING SITES

III. GENERAL FACTORS AND CONSIDERATIONS

In addition to the specific factors addressed in Section II preceding, the subject application should be considered in the context of emerging policies and changes in the City's Regulations. Some of these are directly applicable to the basis under which the parking reduction relief is sought. Perhaps most significant is the "Zoning Regulations Review," which the City is conducting.⁵ This review was undertaken over a two-year period (2008 – 2010), involved a 24-member Task Force, with support from a major consulting firm.⁶ [A setdown hearing was held by the Zoning Commission on November 15, 2010, and a public hearing was held on January 10, 2011.

Part of the focus of the "Review" was to identify changes that were needed to better align the Regulations with the goals and objectives established in the 2006 Comprehensive Plan. The following are highlights of the principal background, perspectives and recommended changes from the on-going "Zoning Regulations Review":

- 1) The current parking regulations are based on provisions established in 1958. One of the driving factors for the 1958 parking ratios was that public streets were heavily used for storage of vehicles.
- 2) The 1956 studies (which drove the provision of the City's 1958 Regulations) assumed personal vehicles as the preferred mode of transportation within the City. The District Office of Planning and the Department of Transportation have underscored that this principle runs counter to the City's current policies of urban design, mobility and sustainability.
- 3) The 2006 Comprehensive Plan cites the City's Capital Investment in the Regional Metrorail System. This document notes the fifteen (15) Metrorail Stations within the Central Employment Area, and points to a requirement for new policies in the management of land in the vicinity of these Stations (particularly to de-emphasize auto-oriented uses and large amounts of surface parking).⁷

Perhaps most importantly, the Zoning Review staff report recommended that a single Section be established to synthesize the Special Exception criteria of Section 3104, which stipulates the requirement for a finding of no adverse or objectionable impacts. One of the specific recommendations for parking reduction is that the proposed use be located within ¼ mile (1,320 Ft.) of a Metrorail Station. As noted, the subject property is approximately 925 Ft. from the New York Avenue Station. In addition, the property is within convenient access to stops on five (5) Metrobus routes serving the area.

⁵ "Zoning Regulations Review" of General Parking Chapter, General Bicycle Parking Review Chapter, and General Loading Chapter. (Setdown Report for Zoning Commission Case No. 08-06), September 3, 2010.

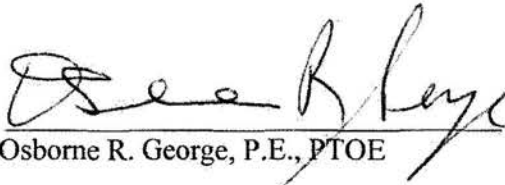
⁶ Nelson Nygaard Associates.

⁷ Comprehensive Plan for the National Capital: District Elements (Chapter 3, Section LU 1.3 – Transit Oriented Development), October, 2007.

Based upon the data, analysis and discussion presented above, we find that the proposed parking provisions are adequate to meet the needs of the subject property and the existing improvements. Accordingly, the application satisfies the criteria of Section 2108.2 for the reduction in parking that is requested. Furthermore, the Applicant's proposal would be consistent with the emerging policies of the City on multi-modal transportation, urban design and parking, as well as with the City's policy findings and recommendations detailed in the Staff Report of the on-going Zoning Regulations Review on Parking.

This document is submitted as the writer's professional opinion on the subject matter, and we look forward to responding to any further requirements the Applicant may have pertaining to the subject application. Thank you!

Signed:


Osborne R. George, P.E., PTOE

Date:

JAN. 31, 2011

E

OUTLINE OF TESTIMONY
LAURIE MCMAHON/ANTONIO KITTLES
CASSIDY TURLEY

- I. INTRODUCTION
- II. EXISTING USE OF SITE
- III. CURRENT RENOVATION, LEED PROCESS AND PROPOSED SITE
- IV. COMMUNITY SUPPORT
- V. CONCLUSION

F

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

- I. INTRODUCTION AND EXPERIENCE
- II. SITE PARKING ASSESSMENT AND EVALUATION
- III. SUMMARY AND CONCLUSIONS

6

OUTLINE OF TESTIMONY
DIRECTOR OF ZONING AND LAND USE SERVICES
HOLLAND & KNIGHT LLP
STEVEN E. SHER

- I. INTRODUCTION
- II. EXPERIENCE AND EXPERTISE
- III. SITE LOCATION AND DESCRIPTION
- IV. DESCRIPTION OF SURROUNDING AREA
- V. ANALYSIS OF SPECIAL EXCEPTION RELIEF
- VI. CONCLUSIONS